



THE CITY OF SAN DIEGO

Date of Notice: April 6, 2018

PUBLIC NOTICE OF THE PREPARATION OF A ENVIRONMENTAL IMPACT REPORT AND SCOPING MEETING

DEVELOPMENT SERVICES DEPARTMENT

SAP No. 24007522

PUBLIC NOTICE: The City of San Diego as the Lead Agency has determined that the project described below will require the preparation of an Environmental Impact Report (EIR) in compliance with the California Environmental Quality Act (CEQA). This Notice of Preparation of a project EIR and Scoping Meeting was publicly noticed and distributed on April 6, 2018. This notice was published in the SAN DIEGO DAILY TRANSCRIPT and placed on the City of San Diego website at: <http://www.sandiego.gov/city-clerk/officialdocs/notices/index.shtml> under the "California Environmental Quality Act (CEQA) Notices & Documents" section. In addition, the Public Notice was also distributed to the Central Library as well as the Mission Valley Branch Library.

SCOPING MEETING: A public scoping meeting will be held by the City of San Diego's Development Services Department on **April 24, 2018, beginning at 6:00 PM and running no later than 8:00 PM at the Mission Valley Branch Library, located at 2123 Fenton Parkway, San Diego, CA 92108. Please note that depending on the number of attendees, the meeting could end earlier than 7:30 PM.** Verbal and written comments regarding the scope and alternatives of the proposed EIR will be accepted at the meeting.

Written comments may be sent to the following address: **E. Shearer-Nguyen, Environmental Planner, City of San Diego Development Services Department, 1222 First Avenue, MS 501, San Diego, CA 92101** or submitted via e-mail to DSDEAS@sandiego.gov with the Project Name and Number in the subject line within 30 days of the receipt of this notice. Responsible agencies are requested to indicate their statutory responsibilities in connection with this project when responding. An EIR incorporating public input will then be prepared and distributed for the public to review and comment.

GENERAL PROJECT INFORMATION:

- **PROJECT NAME / NUMBER:** RIVERWALK / 581984
- **COMMUNITY AREA:** Mission Valley
- **COUNCIL DISTRICT:** 7

DESCRIPTION: A request for a General Plan Amendment, Community Plan, Community Plan Amendment to Mission Valley Community Plan, Specific Plan Amendment to the Levi-Cushman Specific Plan, Vesting Tentative Map, Development Agreement, Master Planned Development Permit, Site Development Permit, Conditional Use Permit amendment, and various Street and Public Easement Vacations to redevelop the existing Riverwalk Golf Course. Proposed redevelopment would consist of the construction of approximately 4,300 multi-family residential dwelling-units; approximately 140,000 square feet of neighborhood retail space; approximately 1,000,000 square

feet of office; approximately 22 acres of population-based parks; approximately 60 acres of park, open space, and trails; and a new Green Line Trolley stop within the development. The approximate 195-acre 27-hole Riverwalk Golf Course is located at 1150 Fashion Valley Road. The General Plan designates the project site as Multi-Use; Commercial Employment, Retail, and Services; and, Parks, Open Space, and Recreation. The site is designated Open Space and Multi-Use and zoned OF-1-1 and Mission Valley Planned District (MVPD)-MV-M/SP in the Mission Valley Community Plan; whereas the Levi-Cushman Specific Plan identifies the site for a mix of residential, retail, office, hotel, and recreational use. Additionally, the site is within the Airport Land Use Compatibility Overlay Zone for Montgomery Field, the Airport Influence Area (AIA) for San Diego International Airport (SDIA) and Montgomery Field (Review Area 2), the Federal Aviation Administration Part 77 Notification Area for the SDIA and Montgomery Field, Transit Area Overlay Zone, and Transit Priority Area. (APN: 437-240-03, 437-240-26, 437-240-27, 437-240-28, 437-240-29, 436-611-06, 436-611-29, 436-611-30, 436-650-14, 436-650-09, 436-610-32 (436-610-64 – Offsite), 436-610-10 (436-610-29-offsite) , 436-610-13,) **The site is not included on any Government Code listing of hazardous waste sites.**

APPLICANT: San Diego Riverwalk, LLC

RECOMMENDED FINDING: Pursuant to Section 15060(d) of the CEQA Guidelines, it appears that the proposed project may result in significant environmental impacts in the following areas: Land Use, Transportation/Circulation, Air Quality and Odor, Energy, Geologic Conditions, Greenhouse Gas Emissions, Health and Safety, Hydrology, Historical Resources, Noise, Paleontological Resources, Public Services and Facilities, Public Utilities, Tribal Cultural Resources, Visual Effects/Neighborhood Character, Water Quality, and Cumulative Effects.

AVAILABILITY IN ALTERNATIVE FORMAT: To request the this Notice or the City's Scoping Letter to the applicant detailing the required scope of work in alternative format, call the Development Services Department at (619) 446-5460 (800) 735-2929 (TEXT TELEPHONE).

ADDITIONAL INFORMATION: For environmental review information, contact Elizabeth Shearer-Nguyen at (619) 446-5369. The Scoping Letter and supporting documents may be reviewed, or purchased for the cost of reproduction, at the Fifth floor of the Development Services Department. **For information regarding public meetings/hearings on this project, contact the Project Manager, William Zounes at (619) 687-5942.** This notice was published in the SAN DIEGO DAILY TRANSCRIPT and distributed on April 6, 2018.

DISTRIBUTION: See Attached

ATTACHMENTS: Figure 1: Regional Map
Figure 2: Vicinity Map
Figure 3: Site Plan
Scoping Letter

Distribution:

FEDERAL GOVERNMENT

U.S. Fish and Wildlife Service (23)

State of California

Caltrans, District 11 (31)

California Department of Fish and Wildlife (32)

State Clearinghouse (46A)

California Transportation Commission (51)

California Department of Transportation (51A)

California Department of Transportation (51B)

Native American Heritage Commission (56)

CITY OF SAN DIEGO

Mayor's Office (91)

Councilmember Bry, District 1 (MS 10A)

Councilmember Zapf, District 2 (MS 10A)

Councilmember Ward, District 3 (MS 10A)

Councilmember Cole, District 4 (MS 10A)

Councilmember Kersey, District 5 (MS 10A)

Councilmember Cate, District 6 (MS 10A)

Councilmember Sherman, District 7 (MS 10A)

Councilmember Alvarez, District 8 (MS 10A)

Councilmember Gomez, District 9 (MS 10A)

Development Services Department

EAS

Transportation

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Development Coordination (78A)

Fire and Life Safety Services (79)

Library Department - Government Documents (81)

Central Library (81A)

Mission Valley Branch Library (81R)

Historical Resources Board (87)

Environmental Services (93A)

Tom Tomlinson, Facilities Financing (93B)

Michael Miranda, San Diego Police Department (MS776)

Jason Zdunich, San Diego Police Department (MS776)

Larry Trame, San Diego Fire-Rescue (MS603)

City Attorney (93C)

Others

San Diego Association of Governments (108)

San Diego Regional Airport Authority (110)

Metropolitan Transit System (112)

San Diego Gas & Electric (114)

Metropolitan Transit System (115)
San Diego Unified School District (125)
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The San Diego River Coalition (164)
Sierra Club (165)
San Diego Canyonlands (165A)
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San Diego Audubon Society (167)
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San Diego River Conservancy (168)
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General Manager, Fashion Valley (332)
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The San Diego River Coalition (334)

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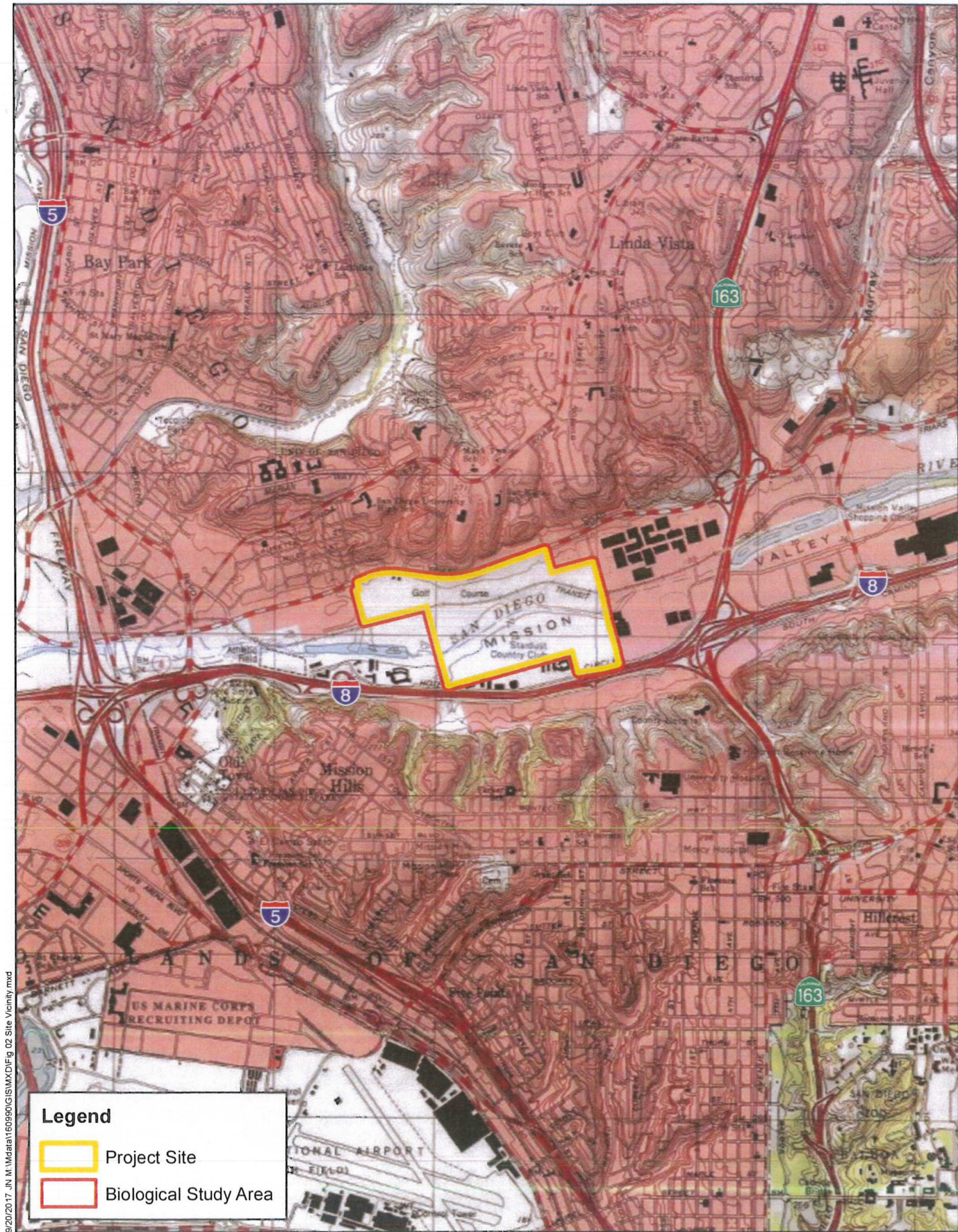


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Source: ArcGIS Online

RIVERWALK DEVELOPMENT PLANNING PHASE
GENERAL SURVEY REPORT – BIOLOGICAL RESOURCES
Regional Vicinity

Figure 1



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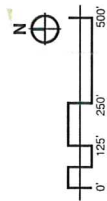
RIVERWALK DEVELOPMENT PLANNING PHASE
GENERAL SURVEY REPORT - BIOLOGICAL RESOURCES

Figure 2

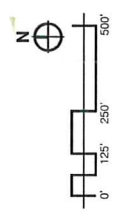


LEGEND

[White Box]	RESIDENTIAL
[Red Box]	RETAIL
[Red Box with Diagonal Lines]	OFFICE OVER RETAIL
[Blue Box]	OFFICE
[White Box with Black Outline]	PARKING STRUCTURE



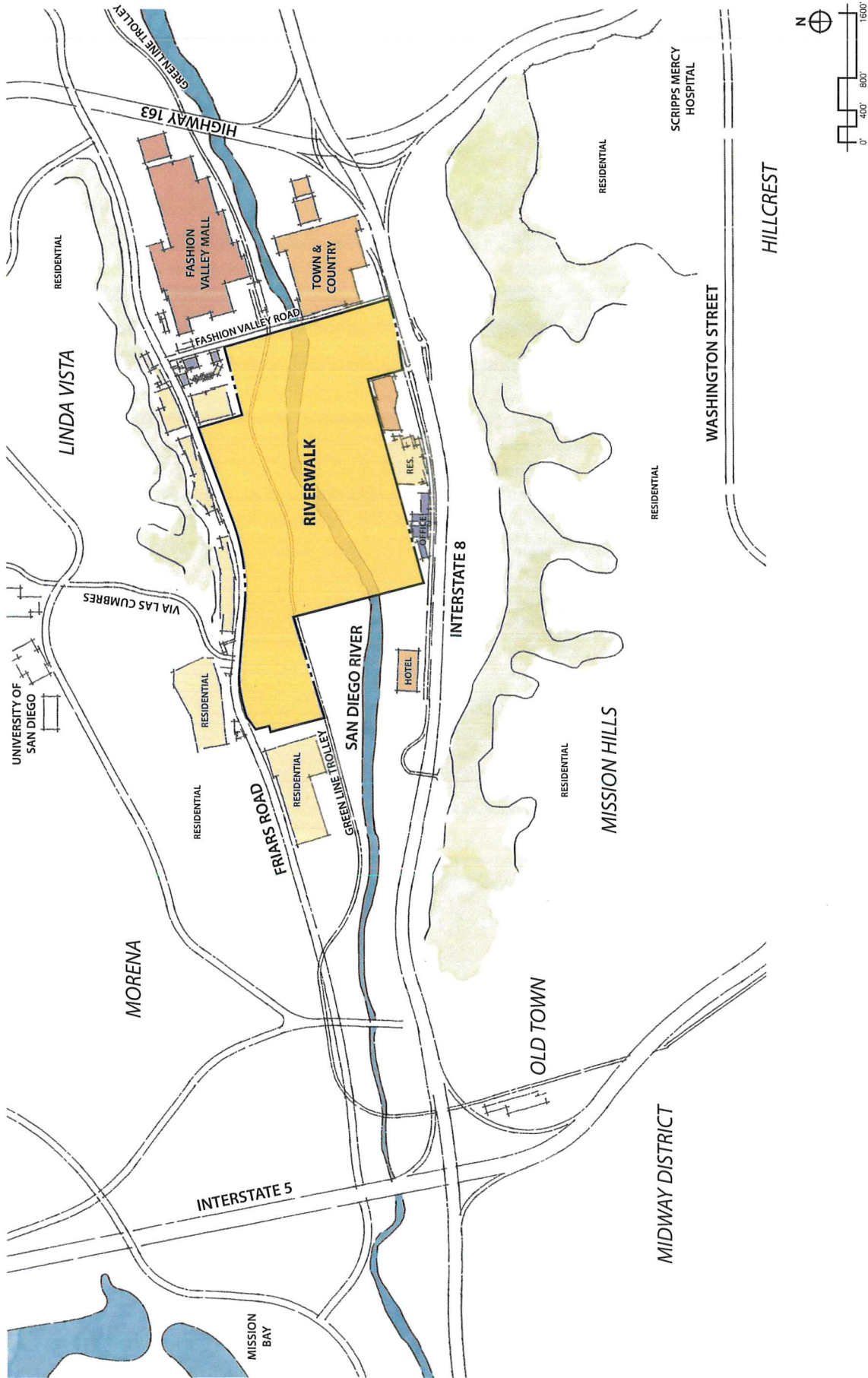
FOR ILLUSTRATIVE CONCEPT PURPOSES ONLY



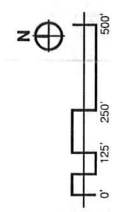
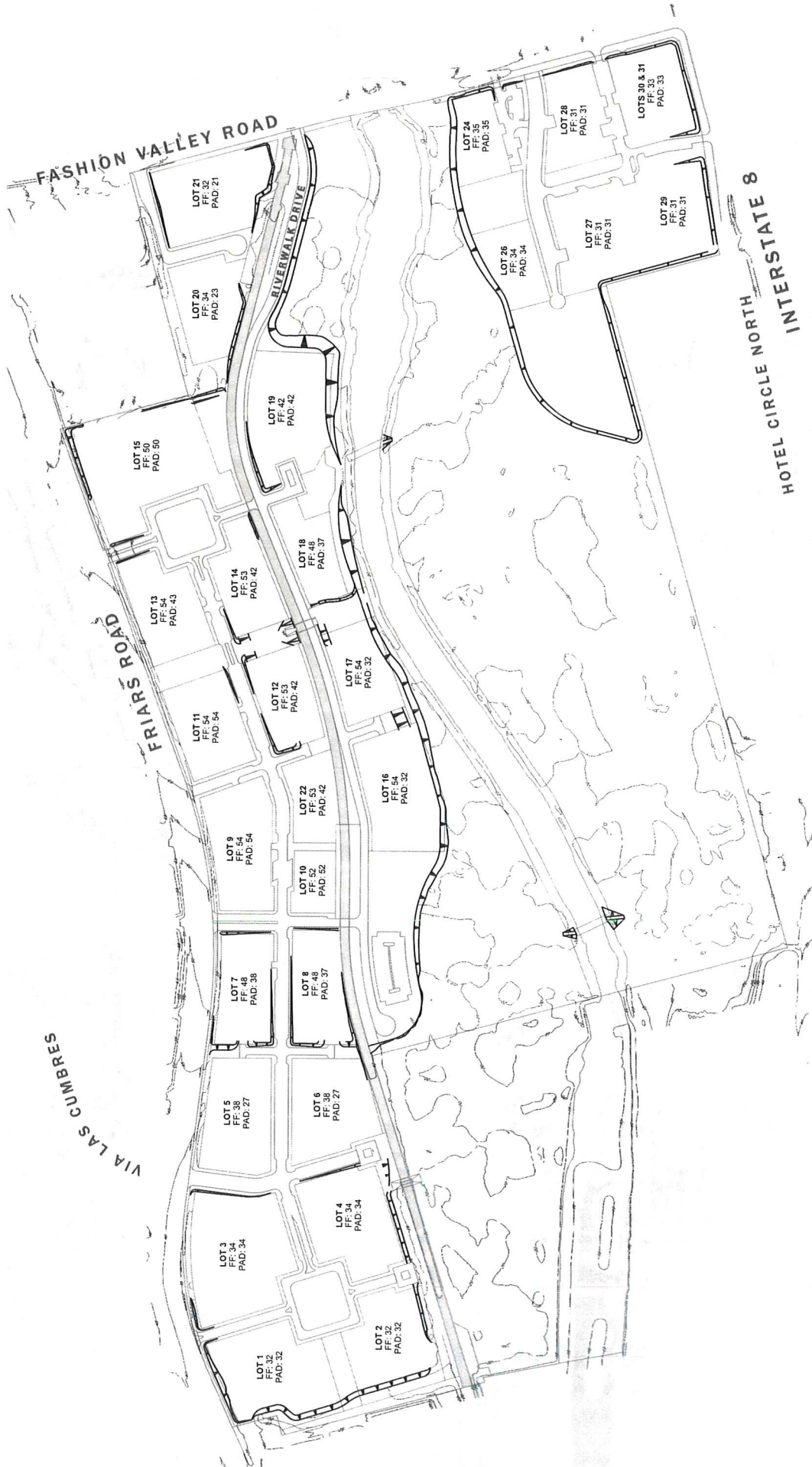
FOR ILLUSTRATIVE CONCEPT PURPOSES ONLY

LEGEND

[Yellow Box]	RESIDENTIAL
[Red Box]	MIXED USE (RESIDENTIAL/OFFICE/RETAIL)
[Blue Box]	COMMERCIAL (OFFICE/RETAIL)
[Green Box]	OPEN SPACE



VICINITY MAP



FOR ILLUSTRATIVE CONCEPT PURPOSES ONLY

GRADING PLAN

April 6, 2018

Mr. Bhavesh Parikh
SD Riverwalk LLC
4747 Executive Drive, Suite 410
San Diego, CA 92121

**SUBJECT: Scope of Work for an Environmental Impact Report for the Riverwalk Project
(Project No. 581894)**

Dear Mr. Parikh:

Pursuant to Section 15060(d) of the California Environmental Quality Act (CEQA), the Environmental Analysis Section (EAS) of the City of San Diego Development Services Department has determined that the proposed project may have significant effects on the environment, and the preparation of an Environmental Impact Report (EIR) is required. Staff has determined that a project EIR is the appropriate environmental document for the Riverwalk project.

The purpose of this letter is to identify the issues to be specifically addressed in the EIR. The EIR shall be prepared in accordance with the City's "Technical Report and Environmental Impact Report Guidelines" (dated December 2005). A copy of the current guidelines is attached.

A Notice of Preparation (NOP) will be distributed to the Responsible Agencies and others who may have an interest in the project as required by CEQA Section 15082. Scoping meetings are required by CEQA Section 21083.9(a)(2) for projects that may have statewide, regional or area-wide environmental impacts. The City's environmental review staff has determined that this project meets this threshold. A public scoping meeting has been scheduled for **Tuesday, April 24, 2018 from 6:00PM to 8:00PM at the Mission Valley Library, located 2123 Fenton Parkway, San Diego, CA 92108**. Please note that, depending upon the number of attendees, the meeting could end earlier than 7:30 PM.

Changes or additions to the scope of work may be required as a result of input received in response to the Notice of Preparation and Scoping Meeting. In addition, the applicant may need to adjust the project over time through the discretionary review process, and these changes would be disclosed within the EIR under the section "History of Project Changes" and accounted for in the EIR impact analysis to the extent required by CEQA.

Each section and issue area of the EIR shall provide a descriptive analysis of the project followed by a comprehensive evaluation. The EIR shall also include sufficient graphics and tables, in conjunction with the relevant narrative discussions, to provide a complete and meaningful description of all

major project features, the environmental impacts of the project, as well as cumulative impacts, mitigation of significant impacts, and alternatives to the project.

PROJECT DESCRIPTION

Discretionary Actions

Discretionary action being requested include the following: a General Plan Amendment, Mission Valley Community Plan Amendment, Levi-Cushman Specific Plan Amendment, a Rezone from MVPD-MV-M/SP to CC-3-9 and OP-1-1, Vesting Tentative Map (VTM), Site Development Permit, Master Planned Development Permit, and Street and Public Easement Vacations.

Location of Project

The approximate 195-acre project site is located at 1150 Fashion Valley Road and is currently developed with the 27-hole Riverwalk Golf Course. The General Plan designates the project site as Multi-Use; Commercial Employment, Retail, and Services; and, Parks, Open Space, and Recreation. The site is designated Open Space and Multi-Use and zoned OF-1-1 and Mission Valley Planned District (MVPD)-MV-M/SP in the Mission Valley Community Plan; whereas the Levi-Cushman Specific Plan identifies the site for a mix of residential, retail, office, hotel, and recreational use. Additionally, the site is within the Airport Land Use Compatibility Overlay Zone for Montgomery Field, the Airport Influence Area (AIA) for San Diego International Airport (SDIA) and Montgomery Field (Review Area 2), the Federal Aviation Administration Part 77 Notification Area for the SDIA and Montgomery Field, Transit Area Overlay Zone, and Transit Priority Area.

Situated in the western portion of central Mission Valley, the project site south of Friars Road, north of Hotel Circle North, and west of Fashion Valley Road. Private development and privately-owned undeveloped property are located to the west of the project site. The site is immediately north of I-8, approximately one mile west of SR 163, and approximately two miles east of I-5. The San Diego River, as well as a segment of Green Line Trolley tracks, traverses the project site in an east-west direction. The Green Line Trolley provides transit connections through Mission Valley to the Old Town multi-modal transit facility located in Old Town west of the project site and to San Diego State University and the cities of La Mesa, El Cajon, and Santee located farther east of the project site.

Surrounding uses include multi-family residential developments of Mission Valley to the northwest and northeast; multi-family residential, single-family residential, and commercial office developments of Linda Vista to the north. Commercial retail (Fashion Valley Mall) and hotel (Town & Country Resort) uses are located east of the project site. A mix of office, residential, and hotel uses, as well as I-8, are located south of the project site.

Project Description

The project proposes an amendment to the existing Levi-Cushman Specific Plan to allow for development of a mixed-use project consisting of multi-family residential, neighborhood retail, office, and a large community park. The project would include approximately 4,300 multi-family residential dwelling units; approximately 140,000 square feet of neighborhood retail space; approximately 1,000,000 square feet of office; approximately 22 acres of population-based parks; approximately 60 acres of park, open space, and trails to implement the San Diego River Park

Master Plan; adaptive reuse of the existing golf clubhouse into a community amenity; and a new Green Line Trolley stop within the development.

Multi-Family Housing

Riverwalk would include up to 4,300 multi-family units located predominantly in the northern one-third of the project site. Parking would be provided in structures within the residential parcels and as limited surface parking. The proposed project includes the provision of ten percent of the residential dwelling units to qualify as “affordable housing.”

Commercial Use

The commercial component of the project totals approximately 140,000 square feet of neighborhood retail space. Public plazas and community gathering areas would connect the various housing elements of Riverwalk to the commercial cores centered on the proposed trolley stop and repurposed golf course clubhouse. The trolley stop is proposed to be a centralized multi-modal node within the project. It would provide pick up and drop offs for both public transportation systems, as well as private multimodal transportation options such as employer shuttles, car share, and rideshare services. Adjacent to the trolley stop, the commercial uses would provide services and retail options connecting with the residential neighborhoods via a walkable trail and sidewalk system.

Employment Use

The employment uses would be concentrated in the southeastern portion of the project site, totaling approximately 1,000,000 square feet of office space. Commercial uses may be collocated within this employment core to serve employees and visitors. This portion of the project would be connected to the greater Riverwalk Specific Plan area via a network of pedestrian trails and sidewalks, as well as via transit and automobiles on the circulation network.

Parks, Open Space, and Trails

The project would include approximately 22 acres of population-based parks, as well as approximately 60 acres of additional parks, open space, and trails that implement the San Diego River Park Master Plan. Smaller park elements would range in size and a network of trails would connect the Districts of Riverwalk to the parks and surrounding community. The population-based park would be located immediately south of Green Line Trolley tracks and north of the San Diego River. Development of population-based parks shall follow Council Policy 600-33, *Community Notification and Input for City- Wide Park Development Projects*, which requires a public input process and Park and Recreation Board approval for the park’s design.

Roads and Parkways

The project would construct the on-site extension of Riverwalk Drive, a main roadway facilitating a connection between Fashion Valley Road and the Districts north of the San Diego River, with one lane of travel in either direction and 61 feet of right-of-way. In addition to internal roadway network streets, an internal spine street within the Core District (Riverwalk’s northern-most District) would have one lane of travel in either direction with a right-of-way width varying between 84 and 89 feet.

Roadways within the Core District and Park District would provide vehicular connection to the proposed trolley stop located in the central portion of the Core District.

Circulation/Access

Regional access to the site is provided by Interstate 8 (I-8), located immediately south of the project site; State Route 163 (SR-163), located approximately one mile east of the project site; and Interstate 5 (I-5), located less than two miles west of the project site. Primary vehicle access to the project would occur at Fashion Valley Road from the east, Hotel Circle North from the south, and Friars Road from the north.

Pedestrian circulation would be provided throughout the site by a network of sidewalks, pathways, and public spaces. Pedestrian trails would run along the San Diego River open space corridor and through the parks. The pedestrian trails within the San Diego River open space would align with the existing segment of the San Diego River Park Master Plan multi-use trail located east of the project site on the eastern side of Fashion Valley Road. On-street bike lanes and bike ways would be provided along the internal circulation facilities. Bicycle service and parking would be provided on site at the proposed trolley station to support bicycle circulation.

Additionally, existing golf course circulation element would be retained for pedestrian and bicycle connectivity. A golf cart tunnel in northcentral portion of the site would provide crossing for bicycles and pedestrian underneath the at-grade trolley tracks and two existing golf cart bridges over the San Diego River would also be retained for bicycle and pedestrian connectivity between the Core District and Park District to the north and the River District to the south.

Landscape and Hardscape Treatments

The project would include landscaping throughout the community. Proposed plantings include a variety of native trees, shrubs, ornamental grasses, and groundcovers, many of which are native species. A landscape palette is proposed for each component of the project. For example, primary streets and entry drives could include evergreen trees, such as water gum, lemon bottlebrush, and Australian willow, and deciduous trees, such as cedar elm, pink trumpet tree, and multi-trunk jacaranda. Accent trees in plazas and other focal areas could include crape myrtle, Torrey pine, and multi-trunk coast live oak. Street trees would be planted in parkways between the curb and sidewalk to create a barrier between the sidewalk and the street. Each District would have variation in its landscape palette, but elements of the overall landscape design throughout the site would be cohesive and take into account best practice drought tolerant design concepts.

Hardscape treatments would include concrete pavers set within gravel bands, distressed paint, cinderblock, granite boulders, textured and colored concrete, concrete with exposed or special aggregate, corrugated metal, or other similar finish treatments. Pedestrian seating/benches and bike racks would be placed throughout the project.

Monuments and signage would be included throughout the project site. Monuments would be used for major and secondary entrances to the project site and to identify the neighborhood park and different Districts within the project site. Signage would be provided for wayfinding and traffic control purposes, and to identify trails, pathways, and addresses. Lighting would be installed in

outdoor areas to illuminate common areas, streets, paths, entryways, landscaping, vehicle and bicycle parking areas, the trolley stop, and architectural elements. Lighting would be consistent with City requirements for safety and would be shielded and directed away from residential uses with shielding.

Utilities

Utility services would be provided through the construction of pipelines/extensions from existing utility infrastructure on-site and within surrounding roadways. Water service is available in Friars Road at Fashion Valley Road from an existing 16-inch diameter line, which would be looped and interconnected to existing smaller diameter distribution lines in Hotel Circle North through Riverwalk's street network. Sewer service would be provided by the 66-inch diameter North Mission Valley and 27-inch South Mission Valley trunk sewers. Sewer collector mains would be installed throughout the project as required and would connect to the existing trunk sewers. Existing public drainage facilities would be extended through the project within public storm drain easements in storm drain facilities designed per City Engineers' requirements. Storm drains would be installed within the project in a combination of public and private drainage systems in accordance with requirements of the State Regional Water Control Board and the City's design standards.

Dry utilities include infrastructure projects that would bring electricity, natural gas, telephone, cable, and other services to the project. Electric service would be provided from existing systems adjacent to the site, primarily those in Friars Road. Initial feeds would originate at SDG&E's Old Town substation (Gaines at Napa), with future feeds coming from some combination of the Old Town substation and the Fashion Valley substation, or a new substation not yet sited. The principal natural gas source for the site would be SDG&E's existing 20-inch transmission main in Friars Road. This main would adequately serve the site.

Telephone, cable television, and internet service may be provided by several companies including AT&T, Cox Communications, and Spectrum. The utilities would be extended underground within street ROWs and other public easements. Although no wireless communication towers or facilities are proposed, they are permitted within the project.

Sustainable Design Features

The project has been designed with the intention to promote sustainability. Buildings would feature cool roofs, energy efficient appliances, energy efficient light-emitting diode (LED) lighting, and drought-tolerant plantings. Homes would be situated on the site to maximize opportunities to walk and bike through the trail system. Riverwalk would reduce vehicle miles traveled (VMT) by providing jobs and commercial uses near residential uses, and the proposed trolley stop would place public transportation as well as private mobility options in an accessible area for project residents.

Grading

All grading within the Specific Plan area would be controlled by the Vesting Tentative Map for the Riverwalk Specific Plan. The Vesting Tentative Map includes a series of graded pads for the various land uses and provides grading for the internal circulation and public infrastructure. The overall grading plan would result in changes to the existing golf course and the slopes abutting the trolley tracks and Friars Road and in raising building pads elevations to at least two feet above the 100-year

flood elevation. While the Vesting Tentative Map and Specific Plan provide pad elevations and shapes, the final grading plan may result in changes to pad elevations and shapes, such as grade breaks within the pads. The Vesting Tentative Map and Riverwalk Specific Plan cannot fully anticipate the configuration of each building and the desired pad elevations or shape; therefore, changes to site grading would occur to accommodate buildings (including subterranean parking garages) and site planning.

EIR FORMAT/CONTENT REQUIREMENTS

The EIR serves to inform governmental agencies and the public of a project's environmental impacts. Emphasis in the EIR must be on identifying feasible solutions to environmental impacts. The objective is not to simply describe and document an impact, but to actively create and suggest mitigation measures or project alternatives to substantially reduce the significant adverse environmental impacts. The adequacy of the EIR will depend greatly on the thoroughness of this effort.

The EIR must be written in an objective, clear, and concise manner, utilizing plain language. Each environmental analysis section of the EIR should provide a descriptive setting of the project as it relates to that specific issue area followed by a comprehensive evaluation of the issue area. The use of graphics is encouraged to replace extensive word descriptions and to assist in clarification. **Please place all figures and large tables at the end of each individual chapter.** Conclusions must be supported with quantitative, as well as qualitative, information, to the extent feasible. **The entire environmental document must be left justified. In addition, the environmental document is required to utilize Opens Sans, 10 pitch font.**

I. CERTIFICATION

Prior to the distribution of the draft EIR for public review, Certification pages, which are attached at the front of the draft EIR, will be prepared and provided by EAS to the consultant.

II. TITLE PAGE

The EIR shall include a Title Page that includes the project name, Project Tracking System (PTS) number, State Clearinghouse (SCH) number, and date of publication. **DO NOT include any company logos and applicant's or consultant's names.**

III. TABLE OF CONTENTS

The Table of Contents must list all sections included in the EIR, as well as the Appendices, Tables, and Figures. Immediately following the Table of Contents, a list of acronyms and abbreviations used in the document must be provided.

IV. EXECUTIVE SUMMARY

The consultant will prepare the Executive Summary to be submitted for review with the last internal draft EIR screencheck, unless otherwise determined. The Executive Summary shall have an independent page numbering system (e.g., S-1, S-2). In general, the Executive Summary should reflect the EIR outline but not need contain every element of the EIR. At a minimum, the Executive Summary must include: a brief project description; impacts determined to be significant (including cumulative); impacts found to be less than significant; alternatives; areas of controversy; and, lastly, a matrix listing the impacts and mitigation. Please refer to the Environmental Report Guidelines (2005) for further detailed information.

V. INTRODUCTION

The EIR shall introduce the project with a brief discussion on the intended use and purpose of the EIR. This discussion shall focus on the type of analysis that the EIR is providing and provide an explanation of why it is necessary to implement the project. This section shall describe and/or incorporate by reference any previously certified environmental documents that cover the project site including any EIRs. This section shall briefly describe areas where the project is in compliance or non-compliance with assumptions and mitigation contained in these previously certified documents. Additionally, this section shall provide a brief description of any other local, state and federal agencies that may be involved in the project review and/or any grant approvals.

VI. ENVIRONMENTAL SETTING

The EIR shall describe the precise location of the project with an emphasis on the physical features of the site and the surrounding areas and present it on a detailed topographic map or aerial photograph and regional map. This section shall also include a map(s) of the specific proposal and discuss the existing conditions on the project site and in the project area. In addition, the section shall provide a local and regional description of the environmental setting of the project, as well as the zoning and General Plan/Community Plan land use designations of the site and its contiguous properties, area topography, drainage characteristics, and vegetation. It shall include any other applicable land use plans such as the City's MSCP/MHPA, environmentally sensitive lands [steep slopes, wetlands, Federal Emergency Management Agency (FEMA), 100-year floodplain and/or floodway that may intersect the project components], and other applicable open space preserves or overlay zones that affect the project site, such as the City of San Diego River Park Master Plan. The section shall include a listing of any open space easements or building restricted easements that exist on the property. A description of other utilities that may be present on or in close proximity to the site and their maintenance accesses shall also be discussed. Provide a recent aerial photo of the site and surrounding uses, and clearly identify the project location. This section shall include a brief description of the location of the closest police and fire stations along with their response times.

VII. PROJECT DESCRIPTION

The EIR shall include a detailed discussion of the goals and objectives of the project, in terms of public benefit (increase in housing supply, employment centers, etc.). Project objectives will be critical in determining the appropriate alternatives for the project, which would avoid or substantially reduce potentially significant impacts. As stated in CEQA Guidelines Section 15124(b), "A clearly written statement of objectives will help the lead agency develop a reasonable range of alternatives to evaluate in the EIR and will aid the decision makers in adopting findings and/or a statement of overriding considerations, if necessary. The statement of objectives should include the underlying purpose of the project."

This section shall describe all discretionary actions needed to implement the project (e.g. Site Development Permit, Planned Development Permit, Easement Vacations, etc.), including all permits required from federal, state, and local agencies. The description of the project shall include all major project features, including development intensity, grading (cut and fill), relocation of existing facilities, land use, retaining walls, landscaping, drainage design, improvement plans, off-site improvements, vehicular access points, and parking areas associated with the project. The project description shall describe any off-site activities necessary to construct the project. The EIR shall include sufficient graphics and tables to provide a complete description of all major project features. Project phasing also should be described in this section. This discussion shall address the whole of the project.

VIII. HISTORY OF PROJECT CHANGES

This section of the EIR shall outline the history of the project and any physical changes that have been made to the project in response to environmental concerns identified during the review of the project (i.e. response to City's review of the project, the NOP, public scoping meetings, or during the public review for the draft EIR).

IX. ENVIRONMENTAL IMPACT ANALYSIS

The potential for significant environmental impacts must be thoroughly analyzed and mitigation measures identified that would avoid or substantially lessen any significant impacts. The City of San Diego is the Lead Agency for this project, and therefore the EIR must represent the independent analyses of the Lead Agency. Accordingly, all impact analysis must be based on the City's "Significance Determination Thresholds" (January 2011) and Greenhouse Gas Emissions Significance Thresholds (2016), unless otherwise directed by the City. Below are key environmental issue areas that have been identified for this project, within which the issue statements must be addressed individually.

Discussion of each issue statement shall include an explanation of the existing project site conditions, impact analysis, significance determination, and appropriate mitigation. The impact analysis shall address potential direct, indirect, and cumulative impacts that could be created through implementation of the project and its alternatives. Lastly, the EIR shall summarize each required technical study or survey report within each respective issue

section, and all requested technical reports must be included as the appendices to the EIR. Furthermore, as required by CEQA Sections 15140 and 15147, please ensure the environmental document is written in plain language and avoids highly technical terminology and analysis.

In each environmental issue section, mitigation measures to avoid or substantially lessen impacts must be clearly identified and discussed. The ultimate outcome after mitigation should also be discussed (i.e., significant but mitigated, significant and unmitigated). If other potentially significant issue areas arise during the detailed environmental investigation of the project, consultation with Development Services Department is required to determine if these areas need to be added to the EIR. As supplementary information is required, the EIR may also need to be expanded.

Land Use

- Issue 1: Would the proposal result in a conflict with the environmental goals, objectives, or recommendations of the General/Community Plan in which it is located?**
- Issue 2: Would the proposal require a deviation or variance, and the deviation or variance would in turn result in a physical impact on the environment?**
- Issue 3: Would the proposal result in land uses which are not compatible with an adopted Airport Land Use Compatibility Plan (ALUCP) including aircraft noise levels as defined by the plan?**
- Issue 4: Would the proposal result in the exposure of sensitive receptors to current or future noise levels that would exceed standards established in the Noise Element of the General Plan?**
- Issue 5: Would the proposal conflict with the provisions of the City's Multiple Species Conservation Program Subarea Plan or other approved local, regional, or state habitat conservation plan?**

This section shall provide a discussion of all applicable land use plans to establish a context in which the project is being proposed. Specifically, it shall discuss how the project implements the goals, objectives, and recommendations of the General Plan (including all applicable elements), the Mission Valley Community Plan, Levi-Cushman Specific Plan, the San Diego River Park Master Plan, the Multiple Species Conservation Plan, and the Land Development Code. If the project is found to be inconsistent with any adopted land use plans, the EIR shall disclose and analyze any physical effects that may result from the inconsistency that could be considered significantly adverse.

The section shall also provide a listing of all requested deviation(s)/variance(s). For each requested deviation or variance, provide analysis on whether the requested action would then result in a physical impact on the environment.

An acoustical technical report shall be prepared for the project that should include an evaluation of the General Plan Noise Element. If there is a potential for proposed uses to be incompatible with exterior noise levels at outdoor amenities or interior areas, measures must be included as project design features in order to ensure consistency with the General Plan Noise Element (i.e., setbacks, use of double-paned glass, noise walls/berms, and other noise attenuation techniques). Furthermore, the project is within the Airport Influence Area for MCAS Miramar Airport (Review Area 1) and the southern portion of the project site lies within the 65-70 dBA noise contours. Therefore, the acoustical report must provide an analysis with the adopted MCAS Miramar Airport Land Use Compatibility Plan.

The EIR shall disclose how the project would conform to the Noise Element. EIR shall also discuss whether the project is located in an area affected by aircraft noise and, if so, whether land uses proposed by the project be compatible with the MCAS Miramar Airport Land Use Compatibility Plan.

Transportation/Circulation/Parking

- Issue 1: Would the proposal result in traffic generation in excess of specific community plan allocation?**
- Issue 2: Would the proposal result in an increase in projected traffic which is substantial in relation to the existing traffic load and capacity of the street system?**
- Issue 3: Would the proposal result in the addition of a substantial amount of traffic to a congested freeway segment, interchange, or ramp?**
- Issue 4: Would the proposal have a substantial impact upon existing or planned transportation systems?**
- Issue 5: Would the proposal result in an increase in traffic hazards for motor vehicles, bicyclists or pedestrians due to a proposed, non-standard design feature (e.g., poor sight distance or driveway onto an access- restricted roadway)?**
- Issue 6: Would the proposal conflict with adopted policies, plans or programs supporting alternative transportation models (e.g., bus turnouts, bicycle racks)?**

Issue 7: Would the proposal result in a substantial alteration to present circulation movements including effects on existing public access to beaches, parks, or other open spaces areas?

The project meets the Average Daily Traffic (ADT) per gross acres as identified in the Mission Valley Community Plan for Development Intensity Districts "A," "B," and "C"; additionally, the project is within Threshold 2 and therefore requires the preparation of a traffic impact analysis. Implementation of the project would increase existing and future traffic volumes and has the potential to result in direct and/or cumulative traffic impacts on the surrounding circulation network. Therefore, a traffic study must be prepared for this project consistent with the City's Traffic Impact Study Manual, to the satisfaction of the City Engineer, analyzing the traffic characteristics of the project. The traffic study shall analyze the expected trips from the project and document any impacts on intersections, roadways, and freeways. The traffic study shall include descriptions and graphics of the conditions during existing, near-term, and at project buildout (cumulative). Provide an analysis of any potential impacts of the construction of the required traffic improvements. The traffic analysis shall also analyze construction-related trips of the project.

This section shall summarize the traffic study, describe any required modifications and/or improvements to the existing circulation system, including City streets, intersections, freeways, and interchanges required as a result of the project. Address emergency access, if modifications to the existing street system are proposed. The EIR shall present mitigation measures that are required to reduce potentially significant impacts identified in the traffic study and discuss if those measures will mitigate impacts to below a level of significance.

An evaluation of the project's cumulative traffic impacts shall also be conducted, incorporating past, present, and reasonably foreseeable future developments or redevelopment in the community. Potential impacts associated with project construction shall also be discussed.

This section shall also address the project's walkability, pedestrian linkages, bicycle connectivity, and transit opportunities, taking into consideration applicable plan policies that encourage alternative travel modes.

Air Quality

Issue 1: Would the proposal conflict with or obstruct implementation of the applicable air quality plan?

Issue 2: Would the proposal result in a violation of any air quality standard or contribute substantially to an existing or projected air quality violation?

Issue 3: Would the proposal expose sensitive receptors to substantial pollutant concentrations?

Issue 4: Would the proposal exceed 100 pounds per day of Particulate Matter (PM) (dust)?

Issue 5: Would the proposal result in creating objectionable odors affecting a substantial number of people?

The construction and operation phases of the project have potential to affect air quality. Construction can create short-term air quality impacts through equipment use, ground-disturbing activities, architectural coatings, and worker automotive trips. Air quality impacts resulting from the operation of the project would be primarily generated by increases in automotive trips. An air quality analysis shall be prepared which discusses the project's impact on the ability to meet state, regional, and local air quality strategies/standards, as well as any health risks associated with stationary and non-stationary (i.e., vehicular) air emission sources associated with construction and operation of the project.

This section shall describe the project's climatological setting within the San Diego Air Basin and the basin's current attainment levels for State and Federal Ambient Air Quality Standards. The section and technical shall include: estimates of total-generated air pollutant emissions; a discussion of short- and long-term and cumulative impacts on regional air quality, including construction and operational-related sources of air pollutants; a discussion of potential dust generation during construction; evaluation of the potential for carbon monoxide hot spots (if significant impacts at nearby intersections are identified in the traffic report); and any proposed emissions reduction design features or dust suppression measures that would avoid or lessen emissions or dust-related impacts to sensitive receptors within the area. The air quality study shall take into consideration the potential for criteria pollutant emissions generated from the project, as well as toxic air contaminants. Proposed mitigation measures shall be identified, if applicable.

The significance of potential air quality impacts shall be assessed, and control strategies identified. The EIR shall analyze the projects' compliance with the State Implementation Plan (SIP), the Regional Transportation Plan (RTP) and the Regional Transportation Improvement Plan (RTIP).

The EIR shall also assess the potential health risks associated with particulate emissions from roadways. If applicable, the air quality analysis shall assess whether the project would allow for future development which would create a significant adverse effect on air quality that could affect public health; therefore, include within the Air Quality Analysis any health risks associated with the project.

Biological Resources

Issue 1: Would the proposal 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 or other local or regional

plans, policies or regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS)?

- Issue 2:** Would the proposal result in a substantial adverse impact on any Tier I, Tier II, Tier IIIA, or Tier IIIB habitats as identified in the Biology Guidelines of the Land Development Code or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW or USFWS?
- Issue 3:** Would the proposal result in a substantial adverse impact on wetlands (including, but not limited to, marsh, vernal pools, riparian areas, etc.) through direct removal, filling, hydrological interruption, or other means?
- Issue 4:** Would the proposal result in interfering substantially with the movement of any native resident or migratory fish or wildlife species or established native resident or migratory wildlife corridors, including linkages in the MSCP or impede the use of native wildlife nursery sites?
- Issue 5:** Would the proposal conflict with the provisions of an adopted Habitat Conservation Plan (HCP), Natural Conservation Community Plan (NCCP) or other approved local, regional, or state habitat conservation plan, either within the MSCP plan area or in the surrounding region?
- Issue 6:** Would the proposal introduce a land use within an area adjacent to the Multiple Habitat Planning Area (MHPA) that would result in adverse edge effects?
- Issue 7:** Would the proposal result in a conflict with any local policies or ordinances protecting biological resources?
- Issue 8:** Would the proposal result in the introduction of invasive species of plants into a natural open space area?

The project site supports sensitive biological resources as identified in the City's Biology Guidelines. In addition, the Multi-Habitat Planning Area (MHPA) occurs adjacent to and within portions of the project site. A Biological Technical Report (BTR) shall be prepared in accordance with City of San Diego Biology Guidelines. The report shall include a description of terrestrial habitats on site. Flora and fauna observed or known to utilize the area should be discussed, including threatened and endangered species. The report should contain an evaluation of the potential for project related impacts to occur on identified resources and include mitigation measures should impacts occur. The impact analysis must consider all project elements, including proposed restoration of the San Diego River area and brush management

This section of the EIR shall summarize potential direct and indirect impacts to biological resources, as detailed in the BTR. The EIR shall also present mitigation measures that are

required to reduce significant impacts. Discuss if those measures will mitigate impacts to below a level of significance. The analysis shall identify Federal, State, and local ordinances and laws which protect sensitive biological resources (e.g., City MSCP and State and Federal endangered species and wetlands laws). The potential for the project to conflict with the goals and regulations established by these laws and policies shall also be evaluated.

Energy

Issue 1: Would the construction and operation of the proposal result in the use of excessive amounts of electrical power?

Issue 2: Would the proposal result in the use of excessive amounts of fuel or other forms of energy (including natural gas, oil, etc.)?

Appendix F of the State CEQA Guidelines required that potentially significant energy implications of a project shall be considered in an EIR to the extent relevant and applicable to the project. Particular emphasis on avoiding or reducing inefficient, wasteful, and unnecessary consumption of energy shall be included in this section. The EIR shall address the estimated energy use for the project and assess whether the project would generate a demand for energy (electricity and/or natural gas) that would exceed the planned capacity of the energy suppliers. A description of any energy and/or water saving project features shall also be included in this section (with cross-references to the GHG emissions discussion, as appropriate). This section shall describe any proposed measures included as part of the project that would conserve energy and reduce energy consumption and shall address all applicable issues described within Appendix F of the CEQA Guidelines.

Geologic Conditions

Issue 1: Would the proposal expose people or structures to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards?

Issue 2: Would the proposal result in a substantial increase in wind or water erosion of soils, either on or off the site?

Issue 3: Would the proposal 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?

The project site is located in a seismically active region of California where the potential for geologic hazards, such as earthquakes and ground failures exist. A geotechnical investigation, prepared in accordance with the City's Geotechnical Report Guidelines, is required to address the feasibility and suitability of the entire site for the development

The section shall describe the geologic and subsurface conditions in the project site. It shall describe the general setting in terms of existing topography, geology (surface and subsurface), tectonics, and soil types. It shall assess possible impacts to the project from geologic hazards and unfavorable soil conditions. The constraints discussion shall include issues such as the potential for liquefaction, slope instability, and other hazards. Any secondary impacts due to soils/geology mitigation (e.g., excavation of unsuitable soil) shall also be addressed. Additionally, the sections shall provide mitigation, as appropriate, and which exceed typical building code standards, that would reduce the potential for future adverse impacts resulting from on-site soils and geologic hazards.

Greenhouse Gas Emissions

Issue 1: Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Issue 2: Would the project conflict with the City's Climate Action Plan or any applicable plan, policy, or regulation adopted for the purpose of reducing emissions of greenhouse gases?

This section shall present an overview of greenhouse gas (GHG) emissions, including the most recent information regarding the current understanding of the mechanisms behind current conditions and trends, and the broad environmental issues related to greenhouse gasses. The City adopted a Climate Action Plan (CAP) that outlines the actions that City will undertake to achieve its proportional share of State greenhouse gas (GHG) emission reductions. A project's consistency with the Climate Action Plan (CAP) is determined through compliance with the CAP Consistency Checklist, the City's adopted significance threshold for GHG emissions. Projects that are consistent with the CAP as determined through the use of this Checklist may rely on the CAP for the cumulative impacts analysis of GHG emissions. Projects that are not consistent with the CAP must prepare a comprehensive project-specific analysis of GHG emissions, including quantification of existing and projected GHG emissions and incorporation of the measures in this Checklist to the extent feasible. Cumulative GHG impacts would be significant for any project that is not consistent with the CAP. The EIR shall provide details of the project's consistency and/or inconsistency with the CAP Consistency Checklist.

Health & Safety

Issue 1: Would the proposal 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: Would the proposal result in hazardous emissions or acutely hazardous materials, substances, or waster within a quarter-mile of an existing or proposed school?

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

Issue 4: Would the proposal 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?

Issue 5: Would the proposal result in a safety hazard for people residing or working in a designated airport influence area?

Issue 6: Would the proposal result in a safety hazard for people residing or working within two miles of a private airstrip or a private airport or heliport facility that is not covered by an adopted Airport Land Use Compatibility Plan?

The EIR shall identify known contamination site(s) within the project areas and address the potential impact to occupants of the project. This section should also address any other hazardous materials that would be utilized and/or stored on-site. Please provide the types and quantities of hazardous materials along with the locations of storage areas on the plans. The EIR shall also discuss project effects on emergency routes and access within the project area during and after project construction.

Fire hazards exist where highly flammable vegetation is located adjacent to development. Specialized public safety issues arise in cases where brush management requirements cannot be met. The EIR should discuss the project in terms of health and safety as it relates to fire hazards on and adjacent to the project. The discussion should include a discussion of brush management zones (if required), as well as any other fire safety measure to be implemented for the site. Lastly, the EIR shall discuss potential safety hazards related to airports.

Historical Resources

Issue 1: Would the proposal result in an alteration, including the adverse physical or aesthetic effects and/or the destruction of a prehistoric or historic building (including an architecturally significant building), structure, or object, or site?

Issue 2: Would the proposal result in any impact to existing religious or sacred uses within the potential impact area?

Issue 3: Would the proposal result in the disturbance of any human remains, including those interred outside of formal cemeteries?

Historical resources may potentially be directly or indirectly affected by project implementation and shall be discussed in this section of the EIR. A cultural resources report shall be prepared, in accordance with the City's Historical Resources Guidelines, which assesses the project's potential to impact historic and/or prehistoric resources. If demolition is proposed, provide information regarding the age of any existing buildings to be demolished and evidence relative to potential historic relevance.

This section of the EIR shall be based on the cultural resources report and describe the environmental effects of the construction and use of the project on known archaeological resources, as well as the potential for impacts to unknown subsurface resources. If potentially significant impacts are identified, the EIR shall identify requirements for archaeological monitoring during grading operations and specify mitigation requirements for any discoveries.

Hydrology

Issue 1: Would the proposal result in an increase in impervious surfaces and associated increased runoff?

Issue 2: Would the proposal result in a substantial alteration to on- and off-site drainage patterns due to changes in runoff flow rates or volumes?

Issue 3: Would the proposal develop wholly or partially within a 100-year floodplain as identified on a FEMA map and impose flood hazards on other upstream or downstream properties?

Hydrology deals with the properties, distribution, and circulation of surface water, groundwater, and atmospheric water. The quantity of water which flows in a creek or river is calculated based on historic climatic conditions combined with the watershed characteristics. The slope and shape of the watershed, soil properties, recharge area, and relief features are all watershed characteristics, which influence the quantity of surface flows. Increases in impervious surfaces could potentially result in significant erosion and subsequent sedimentation downstream. Therefore, as land is developed, impervious area is increased, thereby increasing runoff. Subsequently, a preliminary hydrology study is required to address these issues. The technical study shall pay particular attention to addressing anticipated changes to existing drainage patterns and runoff volumes affecting adjacent properties.

The EIR shall evaluate if the project would have a potential for increasing runoff rates and volumes within the project area. Anticipated changes to existing drainage patterns, runoff rates and volumes, and groundwater recharge rates in the project area shall be addressed in the EIR. The Hydrology section should include changes in impervious surfaces and the resulting changes in drainage patterns. The EIR shall address the potential for project implementation to impact the hydrologic conditions within, as well, as upstream and downstream of the project area. Should the project be identified as being within the

floodway of a Special Flood Hazard Area as identified by the Federal Emergency Management Agency (FEMA), the EIR shall discuss whether project build-out would result in any increase to the base flood elevation. It shall provide a discussion and analysis focusing on the project's impact on the floodway and the floodplain.

Noise

Issue 1: Would the proposal result in or create a significant increase in the existing ambient noise levels which exceed the City's adopted noise ordinance?

An acoustical analysis, prepared in accordance with the City's "Acoustical Report Guidelines," is required to determine what, if any, impacts would occur due to project implementation. The report must determine if the project has the potential to create significant noise impacts. The analysis shall consist of a comparison of the change in noise levels projected along affected roadways (as identified in the traffic study) resulting from project implementation. Include tables within the noise study, which show the existing and future noise levels of dB(A) and any increased noise levels over dB(A) in 3 dB(A) increments along affected roads.

The analysis shall discuss how the project would conform to the City of San Diego Municipal Code Noise and Abatement Control Ordinance §59.5.01. Additionally, construction noise may impact surrounding uses and the EIR shall include a discussion regarding this potential impact.

Paleontological Resources

Issue 1: Would the project 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?

The EIR should include a paleontological resources discussion that identifies the underlying formation(s) and the likelihood of uncovering paleontological resources during grading activities. The EIR shall identify the depth of cut (in feet) and amount of grading (in cubic yards) that would result from any grading activities. The City's thresholds for monitoring include grading depths of 10 feet or more and excavation of 1,000 or 2,000 cubic yards depending on the respective moderate or high sensitivity of the formational soils on-site. Monitoring may also be required depending on other site conditions, such as previous grading on-site and depth of exposed formations(s). If the development would impact fossil formations possessing moderate to high potential for significant resources, specific conditions (monitoring and curation) would be required to mitigate impacts to a level below significance.

Public Facilities and Services

Issue 1: Would the proposal have an effect upon, or result in a need for new or altered governmental services in any of the following areas: police protection, fire/life safety protection, libraries, parks or other recreational facilities, or maintenance of public facilities including roads and/or schools?

Appendix G of the CEQA Guidelines asks whether a project would result in substantial adverse physical impacts from the construction or alteration of governmental facilities needed to maintain acceptable service rations, response times, or other performance objectives for any of the public services. Therefore, the focus of the evaluation is on the physical effects of constructing or altering public facilities.

Hence, the EIR shall describe the public services currently available to serve the project site, identify any conflicts with existing infrastructure, evaluate any need for upgrading infrastructure, and demonstrate that facilities would have sufficient capacity to serve the needs of the project. This section shall discuss any intensification of land use and land use changes associated with the project to determine if it would increase demand on existing and planned public services and facilities. of which the construction would result in physical impacts.

Public Utilities

Issue 1: Would the proposal result in a need for new systems, or require substantial alterations to existing utilities, the construction of which would create physical impacts such as the following: natural gas; water; sewer; communication systems; and solid waste disposal?

Issue 2: Would the proposal use of excessive amounts of water?

Issue 3: Does the proposal propose landscaping which is predominantly non-drought resistant vegetation?

The project would increase the demand on essential public utilities (electrical, natural gas, solar energy, solid waste generation/disposal, water, and sewer) and may require new or expanded infrastructure.

The project would increase the demand on essential public utilities (electrical, natural gas, solar energy, solid waste generation/disposal, water, and sewer) and may require new or expanded infrastructure. This section of the EIR shall analyze the demand and supply relationships of various public utilities and discuss how the project would comply with local, state, and federal regulations for each public utility and identify any conflicts with existing and planned infrastructure. The EIR shall include a discussion of potential impacts to public utilities as a result of the project.

A Waste Management Plan (WMP) must be prepared and approved by the City's Environmental Services Department that would address solid waste disposal impacts (construction and operational). The EIR shall discuss how this project would contribute cumulatively to the region's solid waste facility capacity and summarize the findings of the WMP.

Sewer and/or water studies shall be performed to determine if appropriate sewer/water facilities are available to serve the development. The analysis and conclusions of the studies shall be included in the EIR.

Regarding water usage, DSD staff will determine if the project would necessitate the preparation of a Water Supply Assessment (WSA) in accordance with the requirements of Senate Bill (SB) 610 and SB 221, in order to determine if adequate water supplies are available to serve the project. The analysis and conclusion of the WSA shall be included in the EIR. Additionally, the project should identify what water conservation features the project would implement.

Tribal Cultural Resources

Issue 1: Would the project cause 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:

- a) 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**
- b) 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.**

Tribal cultural resources may potentially be directly or indirectly affected by project implementation and shall be discussed in this section of the EIR. The EIR shall address City consultation with tribes as required by Public Resources Code 21080.3.1. The City, as Lead Agency, will formally notify those tribes that have requested notification to begin the process. Consultation will end once both parties agree to measures to avoid or mitigate a significant effect on a tribal cultural resource. The EIR shall discuss potential impacts to tribal cultural resources and inclusion of any necessary mitigation measures.

Visual Quality/Neighborhood Character

- Issue 1: Would the proposal result in a substantial obstruction of any vista or scenic view from a public viewing area as identified in the community plan?**
- Issue 2: Would the proposal result in the creation of a negative aesthetic site or project?**
- Issue 3: Would the proposal result in bulk, scale, materials, or style which would be incompatible with surrounding development?**
- Issue 4: Would the proposal result in substantial alteration to the existing or planned character of the area?**
- Issue 5: Would the proposal result in substantial light or glare which would adversely affect daytime or nighttime view in the area?**

This section should evaluate grading associated with the project and the potential change in the visual environment based on the development. The EIR shall provide an evaluation of the visual quality/neighborhood character changes due to the project. Describe the structures in terms of building mass, bulk, height, and architecture. Describe or state how the project complies with or is allowed by the City's standards for the zone (or proposed zone). Also address any zone deviations (such as height) that could result in substantial impacts to the visual environment. Any and all deviations/variances relating to visual quality/neighborhood character and bulk and scale must be discussed in this section.

Describe how the character of the surrounding area would be affected with development of the project. Describe any unifying theme proposed for the development area and include a description of design guidelines, if applicable. Would the project result in a homogenous style of architecture, or would varied architectural designs be encouraged?

Address visual impacts of the project from public vantage points. Visibility of the site from public vantage points should be identified through some photo survey/inventory and/or photo simulations, and any changes in these views should be described.

The EIR shall also analyze the use of materials that could emit or reflect a significant amount of light or glare and any potential effect on nearby aviation uses. Renderings, cross sections, and/or visual simulations of the project shall be incorporated into the EIR section when possible.

Water Quality

- Issue 1: Would the proposal result in an increase in pollutant discharge to receiving waters during or following construction? Would the proposal discharge identified pollutants to an already impaired water body?**

Issue 2: What short-term and long-term effects would the proposal have on local and regional water quality? What types of pre- and post-construction Best Management Practices (BMPs) would be incorporated into the proposal to preclude impacts to local and regional water quality?

Water Quality is affected by sedimentation caused by erosion, by urban run-off carrying contaminants, and by direct discharge of pollutants (point-source pollution). As land is developed or redeveloped, the impervious surfaces could send an increased volume of runoff containing oils, heavy metals, pesticides, fertilizers, and other contaminants (non-source pollution) into associated watersheds. Sedimentation can impede stream flow. Degradation of water quality could impact human health as well as wildlife systems. Sedimentation can cause impediments to stream flow. Compliance with the City's Storm Water Standards is generally considered to preclude water quality impacts. The Storm Water Standards are available online.

Discuss the project's effect on water quality within the project area and downstream. The project will require preparation of a Storm Water Quality Management Plan (SWQMP), consistent with the City's Storm Water Standards. The EIR must describe how source control and site design have been incorporated into the project, the selection and calculations regarding the numeric sizing treatment standards, BMP maintenance schedules and maintenance costs, and the responsible party for future maintenance and associated costs. The EIR must also address water quality, by describing the types of pollutants that would be generated during post construction, the pollutants to be captured and treated by the BMPs. Based on the analysis and conclusions of the SWQMP, the EIR shall disclose how the project would comply with local, state, and federal regulations and standards.

X. SIGNIFICANT ENVIRONMENTAL EFFECTS WHICH CANNOT BE AVOIDED IF THE PROPOSED PROJECT IS IMPLEMENTED

This section shall discuss the significant unavoidable impacts of the project, including those significant impacts that can be mitigated but not reduced to below a level of significance. Discuss impacts that cannot be reduced to below a level of significance in spite of the applicant's willingness to implement all feasible mitigation measures. Please do not include analysis. State which impacts (if any) cannot be alleviated without imposing an alternative design or location. In such cases, describe why the project has been proposed in spite of the probable significant effects. See CEQA Guidelines Section 15126.2(b).

XI. SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

In accordance with CEQA Section 15126.2(c), the EIR shall include a discussion of any significant irreversible environmental changes which would be caused by the action should it be implemented. This section shall address the use of nonrenewable resources during the construction and life of the project. See CEQA Section 15127 for limitations on the requirements for this discussion.

XII. GROWTH INDUCEMENT

The EIR shall address the potential for growth inducement through implementation of the project. The EIR shall discuss the ways in which the project (1) is directly and indirectly growth inducing (i.e., fostering economic or population growth by land use changes, construction of additional housing, etc.); and (2) if the subsequent consequences (i.e., impacts to existing infrastructure, requirement of new facilities, roadways, etc.) of the growth inducing project would create a significant and/or unavoidable impact, and provide for mitigation or avoidance. Accelerated growth could further strain existing community facilities or encourage activities that could significantly affect the environment. This section need not conclude that growth-inducing impacts (if any) are significant unless the project would induce substantial growth or concentration of population.

XIII. CUMULATIVE IMPACTS

In accordance with CEQA Guidelines Section 15130, potential cumulative impacts shall be discussed in a separate section of the EIR. This section shall include existing and pending development proposals within the project area, including those undergoing review with the Development Services Department, as well as recent past and reasonably foreseeable future developments and redevelopments in the community. The discussion shall address the potential cumulative effects related to each environmental issue area that should be discussed in the EIR as outlined above.

The EIR shall summarize the overall short-term and long-term impacts this project could have in relation to other planned and proposed projects. When this project is considered with other past, present, and reasonably foreseeable probable future projects within close proximity, address whether the project would result in significant environmental changes that are individually limited but cumulatively considerable. If incremental impacts do not rise to the level of cumulatively significant, the draft EIR shall make a statement to that effect.

XIV. EFFECTS FOUND NOT TO BE SIGNIFICANT

A separate section of the EIR shall include a brief discussion of why certain areas were not considered to be potentially significant and were therefore not included in the EIR. For the 3-Roots project, these include agricultural and forestry and mineral resources. If issues related to these areas or other potentially significant issues areas arise during the detailed environmental investigation of the project, consultation with the Environmental Analysis Section (EAS) of the Land Development Review Division is recommended to determine if subsequent issue area discussions need to be added to the EIR. Additionally, as supplementary information is submitted (such as with the technical reports), the EIR may need to be expanded to include these or other additional areas.

XV. ALTERNATIVES

The EIR shall place major attention on reasonable alternatives that avoid or reduce the project's significant environmental impacts while still achieving the stated project objectives. Therefore, a discussion of the project's objectives shall be included in this section. The alternatives shall be identified and discussed in detail and shall address all significant impacts. Refer to Section 15364 of the CEQA Guidelines for the CEQA definition of "feasible."

This section shall provide a meaningful evaluation, analysis, and comparison of alternatives' impacts to those of the project (matrix format recommended). These alternatives shall be identified and discussed in detail and shall address all significant impacts. The alternatives analysis shall be conducted with sufficient graphics, narrative, and detail to clearly assess the relative level of impacts and feasibility. Issues to consider when assessing "feasibility" are site suitability, economic viability, availability of infrastructure, General Plan consistency, other regulatory limitations, jurisdictional boundaries and the applicant's control over alternative sites (own, ability to purchase, etc.). The advantages and disadvantages of each alternative will be compared to the proposed project and reasons for rejecting or recommending the alternative will be discussed in the EIR.

Preceding the detailed alternatives analysis, provide a section entitled "Alternatives Considered but Rejected." This section shall include a discussion of preliminary alternatives that were considered but not analyzed in detail. The reasons for rejection must be explained in detail and demonstrated to the public the analytical route followed in rejecting certain alternatives.

No Project Alternatives

The No Project Alternative discussion shall compare the environmental effects of approving the project with impacts of not approving the project. In accordance with CEQA Guidelines Section 15126.6(e)(3)(B), the No Project Alternative shall discuss the existing conditions at the time of the NOP, as well as what would be reasonably expected to occur in the foreseeable future if the proposed project is not approved, based on current zoning, land use designations, and available infrastructure. The No Project Alternative assumes no construction associated with the proposed project, with future development occurring consistent with the existing land use. The intent of this alternative is to satisfy CEQA's requirement to address development of the project in accordance with any approved plans or existing zoning.

Other Project Alternatives

In addition to a No Project Alternative, the EIR shall consider other alternatives that are determined through the environmental review process that would mitigate potentially significant environmental impacts. These alternatives must be discussed and/or defined with EAS staff prior to including them in the EIR.

The Alternatives section of the EIR shall be based on a description of “reasonable” project alternatives, which reduce or avoid potentially significant impacts associated with the proposed project. Site-specific alternatives, if needed, shall be developed in response to the findings of the environmental analyses and the various technical studies and may include alternative project design to mitigate one or more of the identified significant adverse impacts of the proposed project. This may include a reduction in land use intensity, alternative land use plan(s) or feasible design scenarios.

If any of the technical reports prepared for the project identify significant impacts as a result of project buildout, a Reduced Development Alternative that reduces those impacts shall be presented within the EIR. The Applicant shall work with City staff to determine the development area and intensity that should be considered in this alternative.

If, through the environmental analysis, other alternatives become apparent that would mitigate potential impacts, these shall be discussed with EAS staff prior to including them in the Draft EIR. It is important to emphasize that the alternatives section of the EIR shall constitute a major part of the report. The timely processing of the environmental review will likely be dependent on the thoroughness of effort exhibited in the alternative analysis.

XVI. MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

Mitigation measures shall be clearly identified and discussed, and their effectiveness assessed in each issue section of the EIR. A Mitigation, Monitoring, and Reporting Program (MMRP) for each issue area with significant impacts is mandatory and projected effectiveness must be assessed (i.e., all or some CEQA impacts would be reduced to below a level of significance, etc.). At a minimum, the MMRP shall identify: (1) the department responsible for the monitoring; (2) the monitoring and reporting schedule; and (3) the completion requirements. In addition, mitigation measures and the monitoring and reporting program for each impact shall also be contained (verbatim) to be included within the EIR in a separate section and a duplicate separate copy (Word version) must also be provided to EAS.

XVII. REFERENCES

Material must be reasonably accessible. Use the most up-to-date possible and reference source documents.

XVIII. INDIVIDUALS AND AGENCIES CONSULTED

List those consulted in preparation of the EIR, including City and consulting staff members, titles, and affiliations. Seek out parties who would normally be expected to be a responsible agency or have an interest in the project.

XIX. APPENDICES

Include the NOP, scoping meeting transcript, and comments received regarding the NOP and Scoping Letter. Include all accepted technical studies.

CONCLUSION

If other potentially significant issue areas arise during detailed environmental investigation of the project, consultation with EAS staff is required to determine if these other areas need to be addressed in the EIR. Should the project description be revised, an additional scope of work may be required. Furthermore, as the project design progresses, and supplementary information becomes available, the EIR may need to be expanded to include additional issue areas.

It is important to note that timely processing of your project will be contingent in large part on your selection of a well-qualified consultant. Prior to starting work on the EIR, a meeting between the consultant and EAS will be required to discuss and clarify the scope of work. Until the internal draft EIR screencheck is submitted, which addresses all of the above issues, the environmental processing timeline will be held in abeyance.

Should you have any questions regarding this letter or the environmental process, please contact the environmental analyst, Elizabeth Shearer-Nguyen at (619) 446-5369. For general questions regarding project processing and/or the project, contact William Zounes, Project Manager, at (619) 687-5942.

Sincerely,



Kerry M. Santoro
Deputy Director
Development Services Department

cc: E. Shearer-Nguyen, Development Services Department
Environmental Project File
Karen L. Ruggels, K L R PLANNING, Consultant



EDMUND G. BROWN JR.
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



KEN ALEX
DIRECTOR

Notice of Preparation

April 9, 2018

RECEIVED

APR 16 2018

Development Services

To: Reviewing Agencies

Re: Riverwalk
SCH# 2018041028

Attached for your review and comment is the Notice of Preparation (NOP) for the Riverwalk draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

Elizabeth Shearer-Nguyen
City of San Diego
1222 First Avenue, MS-501
San Diego, CA 92101

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Attachments
cc: Lead Agency

**Document Details Report
State Clearinghouse Data Base**

SCH# 2018041028
Project Title Riverwalk
Lead Agency San Diego, City of

Type NOP Notice of Preparation

Description A request for a GPA, community plan amendment to Mission Valley Community Plan, SPA to the Levi-Cushman SP, VTM, DA, MPDP, SDP, CUP amendment, and various street and public easement vacations to redevelop the existing Riverwalk Golf Course. Proposed redevelopment would consist of the construction of approx 4,300 multi family residential dwelling units; approx 140,000 sf of neighborhood retail space; approx 1,000,000 sf of office; approx 22 acres of population based parks; approx 60 acres of park, open space, and trails; and a new Green Line Trolley stop within the development. The approx 195-acre 27-hole Riverwalk Golf Course is located at 1150 Fashion Valley Rd.

Lead Agency Contact

Name	Elizabeth Shearer-Nguyen		
Agency	City of San Diego		
Phone	(619) 446-5369	Fax	
email			
Address	1222 First Avenue, MS-501		
City	San Diego	State CA	Zip 92101

Project Location

County	San Diego
City	San Diego
Region	
Cross Streets	Hotel Circle North/Fashion Valley Rd/Friars Rd
Lat / Long	32.762975° N / 117.169177° W
Parcel No.	
Township	
Range	
Section	
Base	

Proximity to:

Highways	I-8, I-5/SR-163/I-805/I-15
Airports	Montgomery Field/SDIA
Railways	San Diego Trolley
Waterways	San Diego River
Schools	
Land Use	

Project Issues Aesthetic/Visual; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Geologic/Seismic; Noise; Public Services; Solid Waste; Traffic/Circulation; Vegetation; Water Quality; Wetland/Riparian; Wildlife; Landuse; Cumulative Effects

Reviewing Agencies Resources Agency; Cal Fire; Department of Parks and Recreation; Department of Fish and Wildlife, Region 5; Office of Emergency Services, California; Department of Housing and Community Development; Native American Heritage Commission; State Lands Commission; Caltrans, Division of Aeronautics; California Highway Patrol; Air Resources Board, Transportation Projects; State Water Resources Control Board, Division of Drinking Water; Regional Water Quality Control Board, Region 9; San Diego River Conservancy

Date Received	04/09/2018	Start of Review	04/09/2018	End of Review	05/08/2018
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Notice of Completion & Environmental Document Transmittal

201 804 1028

Mail to: State Clearinghouse, P. O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #

Project Title: Riverwalk

Lead Agency: City of San Diego

Contact Person: Elizabeth Shearer-Nguyen

Mailing Address: 1222 First Avenue, MS 501

Phone: (619) 446-5369

City: San Diego, CA

Zip: 92101

County: San Diego

Project Location: County: San Diego

City/Nearest Community: City of San Diego/Mission Valley

Cross Streets: Hotel Circle North / Fashion Valley Road/Friars Road

Zip Code: 92108

Lat. / Long.: 32.762975, -117.169177

Total Acres: approx. 12 acres

Assessor's Parcel No.: _____ Section: _____ Twp.: _____ Range: _____ Base _____

Within 2 Miles: State Hwy #: I-8/I-5/SR-163/I-805/I-15 Waterways: San Diego River

Airports: Montgomery Field/SDIA

Railways: San Diego Trolley

Schools: _____

Document Type:

CEQA: ☒ NOP ☐ Draft EIR NEPA: ☐ NOI Other: ☐ Joint Document
☐ Early Cons ☒ Supplement/Subsequent EIR ☐ EA ☐ Final Document
☐ Neg Dec (Prior SCH No.) _____ ☐ Draft EIS ☐ Other _____
☐ Mit Neg Dec Other _____ ☐ FONSI

Local Action Type:

☐ General Plan Update ☒ Specific Plan ☒ Rezone ☐ Annexation
☒ General Plan Amendment ☐ Master Plan ☐ Prezone ☐ Redevelopment
☐ General Plan Element ☐ Planned Unit Development ☐ Use Permit ☐ Coastal Permit
☒ Community Plan ☐ Site Plan ☐ Land Division (Subdivision, etc.) ☒ Other: Vesting

Tentative Map, Planned Development Permit, Site Development Permit, Conditional Use Permit, Easement Vacations

Development Type:

☐ Residential: Units 4,300 Acres _____ ☐ Water Facilities: Type _____ MGD _____
☐ Office: Sq.ft. 1000000 Acres _____ Employees _____ ☐ Transportation: Type _____
☐ Commercial: Sq.ft. 140000 Acres _____ Employees _____ ☐ Mining: Mineral _____
☐ Industrial: Sq.ft. _____ Acres _____ Employees _____ ☐ Power: Type _____ MW _____
☐ Educational _____ ☐ Waste Treatment: Type _____ MGD _____
☐ Recreational _____ ☐ Hazardous Waste: Type _____
☒ Other: 22 acres of Population-based Park and / 60 acres of

Park, Open Space, and trails

Project Issues Discussed in Document:

☒ Aesthetic/Visual ☐ Fiscal ☐ Recreation/Parks ☒ Vegetation
☐ Agricultural Land ☒ Flood Plain/Flooding ☐ Schools/Universities ☒ Water Quality
☒ Air Quality ☐ Forest Land/Fire Hazard ☐ Septic Systems ☐ Water Supply/Groundwater
☒ Archeological/Historical ☒ Geologic/Seismic ☐ Sewer Capacity ☒ Wetland/Riparian
☒ Biological Resources ☐ Minerals ☐ Soil Erosion/Compaction/Grading ☒ Wildlife
☐ Coastal Zone ☒ Noise ☒ Solid Waste ☐ Growth Inducing
☒ Drainage/Absorption ☐ Population/Housing Balance ☐ Toxic/Hazardous ☒ Land Use
☐ Economic/Jobs ☒ Public Services/Facilities ☒ Traffic/Circulation ☒ Cumulative Effects
☐ Other _____

Present Land Use/Zoning/General Plan Designation: See attached Public Notice / Project Description

Project Description: (please use a separate page if necessary) See attached Public Notice / Project Description

NOP Distribution List

County: San Diego

SCH-2018041028

Resources Agency

☒ Resources Agency
Nadell Gayou

☐ Dept. of Boating & Waterways
Denise Peterson

☐ California Coastal Commission
Alyson Hitt

☐ Colorado River Board
Lisa Johansen

☐ Dept. of Conservation
Crina Chan

☒ Cal Fire
Dan Foster

☐ Central Valley Flood Protection Board
James Herota

☐ Office of Historic Preservation
Ron Parsons

☒ Dept of Parks & Recreation
Environmental Stewardship Section

☐ S.F. Bay Conservation & Dev't. Comm.
Steve Goldbeck

☐ Dept. of Water Resources
Resources Agency
Nadell Gayou

Fish and Game

☐ Dept. of Fish & Wildlife
Scott Flint
Environmental Services Division

☐ Fish & Wildlife Region 1
Curt Babcock

☐ Fish & Wildlife Region 1E
Laurie Harnsberger

☐ Fish & Wildlife Region 2
Jeff Drongesen

☐ Fish & Wildlife Region 3
Craig Weightman

☐ Fish & Wildlife Region 4
Julie Vance

☒ Fish & Wildlife Region 5
Leslie Newton-Reed
Habitat Conservation Program

☐ Fish & Wildlife Region 6
Tiffany Ellis
Habitat Conservation Program

☐ Fish & Wildlife Region 6 IM
Heidi Calvert
Inyo/Mono, Habitat Conservation Program

☐ Dept. of Fish & Wildlife M
William Paznokas
Marine Region

Other Departments

☐ California Department of Education
Lesley Taylor

☒ OES (Office of Emergency Services)
Monique Wilber

☐ Food & Agriculture
Sandra Schubert
Dept. of Food and Agriculture

☐ Dept. of General Services
Cathy Buck
Environmental Services Section

☒ Housing & Comm. Dev.
CEQA Coordinator
Housing Policy Division

Independent

Commissions/Boards

☐ Delta Protection Commission
Erik Vink

☐ Delta Stewardship Council
Anthony Navasero

☐ California Energy Commission
Eric Knight

☒ Native American Heritage Comm.
Debbie Treadway

☒ Public Utilities Commission
Supervisor

☐ Santa Monica Bay Restoration
Guangyu Wang

☒ State Lands Commission
Jennifer Deleong

☐ Tahoe Regional Planning Agency (TRPA)
Cherry Jacques

Cal State Transportation Agency CalSTA

☒ Caltrans - Division of Aeronautics
Philip Crimmins

☐ Caltrans - Planning HQ LD-IGR
Christian Bushong

☒ California Highway Patrol
Suzann Ikeuchi
Office of Special Projects

Dept. of Transportation

☐ Caltrans, District 1
Rex Jackman

☐ Caltrans, District 2
Marcelino Gonzalez

☐ Caltrans, District 3
Susan Zanchi - North

☐ Caltrans, District 4
Patricia Maurice

☐ Caltrans, District 5
Larry Newland

☐ Caltrans, District 6
Michael Navarro

☐ Caltrans, District 7
Dianna Watson

☐ Caltrans, District 8
Mark Roberts

☐ Caltrans, District 9
Gayle Rosander

☐ Caltrans, District 10
Tom Dumas

☒ Caltrans, District 11
Jacob Armstrong

☐ Caltrans, District 12
Maureen El Harake

Cal EPA

Air Resources Board

☐ Airport & Freight
Jack Wursten

☒ Transportation Projects
Nesamani Kalandiyur

☐ Industrial/Energy Projects
Mike Tollstrup

☐ California Department of Resources, Recycling & Recovery
Sue O'Leary

☐ State Water Resources Control Board
Regional Programs Unit
Division of Financial Assistance

☒ State Water Resources Control Board
Cindy Forbes - Asst Deputy
Division of Drinking Water

☐ State Water Resources Control Board
Div. Drinking Water #

☐ State Water Resources Control Board
Student Intern, 401 Water Quality Certification Unit
Division of Water Quality

☐ State Water Resources Control Board
Phil Grader
Division of Water Rights

☐ Dept. of Toxic Substances Control Reg. #
CEQA Tracking Center

☐ Department of Pesticide Regulation
CEQA Coordinator

Regional Water Quality Control Board (RWQCB)

☐ RWQCB 1
Cathleen Hudson
North Coast Region (1)

☐ RWQCB 2
Environmental Document Coordinator
San Francisco Bay Region (2)

☐ RWQCB 3
Central Coast Region (3)

☐ RWQCB 4
Teresa Rodgers
Los Angeles Region (4)

☐ RWQCB 5S
Central Valley Region (5)

☐ RWQCB 5F
Central Valley Region (5)
Fresno Branch Office

☐ RWQCB 5R
Central Valley Region (5)
Redding Branch Office

☐ RWQCB 6
Lahontan Region (6)

☐ RWQCB 6V
Lahontan Region (6)
Victorville Branch Office

☐ RWQCB 7
Colorado River Basin Region (

☐ RWQCB 8
Santa Ana Region (8)

☒ RWQCB 9
San Diego Region (9)

☐ Other

☒ San Diego
Conservancy

PUBLIC UTILITIES COMMISSION

320 WEST 4TH STREET, SUITE 500
LOS ANGELES, CA 90013

**RECEIVED****APR 20 2018****Development Services**

April 20, 2018

Elizabeth Shearer-Nguyen
Development Services Department
City of San Diego
1222 First Avenue, MS-501
San Diego, CA 92101
DSDEAS@san Diego.gov

SENT VIA EMAIL

Re: Notice of Preparation, Riverwalk Project, City of San Diego
SCH# 2018041028

Dear Ms. Shearer-Nguyen:

The California Public Utilities Commission (CPUC or Commission) has jurisdiction over the safety of rail crossings in California. The Commission's Rail Crossings and Engineering Branch (RCEB) reviewed the Notice of Preparation of a Supplement/Subsequent Environmental Impact Report (EIR) for the *Riverwalk Project* (SCH# 2018041028). The City of San Diego (City) is the lead agency. The EIR should evaluate safety at the light rail transit tracks of the San Diego Metropolitan Transit System (MTS) in the immediate vicinity of the proposed project.

The Notice of Preparation discusses a proposal to redevelop the existing Riverwalk Golf Course, including construction of approximately 4,300 multi-family residential dwelling units, approximately 140,000 square feet of neighborhood retail space, approximately 1,000,000 square feet of office, approximately 22 acres of population-based parks, approximately 60 acres of park, open space, and trails, and a new "Green Line Trolley stop" within the development. The proposed project location is in Mission Valley, both north and south of the tracks, generally between the Morena/Linda Vista Station and Fashion Valley Station.

The existing tracks are at a higher elevation than the surrounding area. Currently, there are at least two grade-separated rail crossings providing private access below the tracks within the Riverwalk golf course.

The EIR should consider the following:

1. The City and/or MTS must obtain authorization of the Commission for the construction of new rail crossings. For additional information, please contact CPUC staff or refer to the CPUC website at <http://www.cpuc.ca.gov/crossings/>

2. The safety of proposed rail crossings should be evaluated by a diagnostic team early in the development process. The diagnostic team should include, at minimum, knowledgeable staff of the City, MTS and CPUC.
3. Proposed rail crossings should be grade-separated to allow pedestrians or vehicles to cross either below the tracks or above the tracks. A grade-separated rail crossing is inherently safer than an at-grade crossing because it physically separates light rail transit vehicles and people moving across tracks (pedestrians, cyclists or motorists). Grade-separated rail crossings can also help limit access to the rail right-of-way.
4. Consider the details of pedestrian and vehicular safety near proposed rail crossings and the proposed station.
5. Consider how to discourage pedestrians from walking along or across the tracks at unauthorized locations. Appropriate pedestrian routes, grade-separated rail crossings, physical channelization near the tracks (fencing, barriers, etc.), guide signs, and other elements should be planned to address pedestrian safety around the tracks

If you have any questions, please contact me at kevin.schumacher@cpuc.ca.gov or (415) 310-9807.

Sincerely,



Kevin Schumacher
Utilities Engineer
Rail Crossings and Engineering Branch
Safety and Enforcement Division

CC:

State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044
Stephen Celniker, City
David Bagley, MTS



San Diego County Archaeological Society, Inc.

Environmental Review Committee

11 April 2018

RECEIVED

APR 16 2018

Development Services

To: Ms. Elizabeth Shearer-Nguyen
Development Services Department
City of San Diego
1222 First Avenue, Mail Station 501
San Diego, California 92101

Subject: Notice of Preparation of a Draft Environmental Impact Report
Riverwalk
Project No. 581984

Dear Ms. Shearer-Nguyen:

Thank you for the Notice of Preparation for the subject project, received by this Society last week.

We are pleased to note the inclusion of historical resources in the list of subject areas to be addressed in the DEIR, and look forward to reviewing it during the upcoming public comment period. To that end, please include us in the distribution of the DEIR, and also provide us with a copy of the cultural resources technical report(s).

SDCAS appreciates being included in the City's environmental review process for this project.

Sincerely,

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

cc: SDCAS President
File



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
South Coast Region
3883 Ruffin Road
San Diego, CA 92123
(858) 467-4201
www.wildlife.ca.gov

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director



RECEIVED

MAY 14 2018

Development Services

May 8, 2018

Ms. Elizabeth Shearer-Nguyen, Senior Environmental Planner
City of San Diego
1222 First Avenue, MS 501
San Diego, CA 92101
DSDEAS@sandiego.gov

Subject: Comments on the Notice of Preparation of a Draft Environmental Impact Report for Riverwalk, City of San Diego, San Diego County, California (Project No. 581984, SCH No. 2018041028)

Dear Ms. Shearer-Nguyen:

The California Department of Fish and Wildlife (Department) has reviewed the above-referenced Notice of Preparation (NOP) for the Riverwalk Draft Environmental Impact Report (DEIR). The following statements and comments have been prepared pursuant to the Department's authority as Trustee Agency with jurisdiction over natural resources affected by the project (California Environmental Quality Act, [CEQA] Guidelines §15386) and pursuant to our authority as a Responsible Agency under CEQA Guidelines section 15381 over those aspects of the proposed project that come under the purview of the California Endangered Species Act (Fish and Game Code § 2050 *et seq.*) and Fish and Game Code section 1600 *et seq.* The Department also administers the Natural Community Conservation Planning (NCCP) program, a California regional habitat conservation planning program. The City of San Diego (City) participates in the NCCP program by implementing its approved Multiple Species Conservation Program (MSCP) Subarea Plan (SAP).

The scope of work for the project includes the following: (1) approximately 4,300 multi-family residential dwelling units; (2) approximately 140,000 square feet of retail space; (3) approximately 1,000,000 square feet of office space; (4) approximately 22 acres of population-based parks; (5) approximately 60 acres of additional parks, open space, and trails that implement the San Diego River Park Master Plan; and (6) a new San Diego trolley stop within the development footprint. The 195-acre project site is located at 1150 Fashion Valley Road and is currently developed with the 27-hole Riverwalk golf course. Four ponds exist on the project site. The site is designated Open Space and Multi-Use and zoned OF-1-1. The San Diego River (River) extends through the central portion of the project site. The City's MSCP SAP Multi-Habitat Planning Area (MHPA) is mapped over some portions of the River.

The Department is charged with administering and enforcing regulations promulgated by the Fish and Game Commission. The California Fish and Game Commission have adopted a Wetlands Resources Policy (Commission Policy) which, in part, acknowledges, "California's remaining wetlands provide significant and essential habitat for a wide variety of important resident and migratory fish and wildlife species." In recognition of the importance of wetlands to the State of California, the Commission Policy establishes that "...the protection, preservation, restoration enhancement and expansion of wetlands as migratory bird breeding and wintering habitat are justly recognized as being critical to the long-term survival of such species" concluding that "...it is the policy of the Fish and Game Commission to seek to provide for the

Conserving California's Wildlife Since 1870

protection, preservation, restoration, enhancement and expansion of wetland habitat in California." In addition to the Commission Policy, the Department administers the MSCP and the City's SAP, all of which prioritize the protection of wetlands, including the San Diego River. We are therefore tasked with seeking opportunities to enhance and expand wetlands resources.

The comments and recommendations below are provided to assist the City in minimizing potential biological effects associated with the proposed project while maximizing wetland enhancement – a common theme among the Commission Policy, the MSCP, and the guidance found within multiple City planning documents.

Specific Comments

Project Scope and Wetland Buffers

1. The NOP included a number of conceptual site plans of the development proposal. According to one conceptual land use plan, approximately 80 acres of the project site would be designated as river park/open space, with the largest portion occurring on the south side of the River. The northern side of the River also includes areas designated as river park/open space; however, development is proposed in closer proximity to the River. The project description did not include any specific details on the distance that development would be set back from the River corridor. The Department is concerned about the potential project-related direct and indirect effects on the River, the sensitive habitats it supports, and on the adjacent transitional/upland habitat (including sensitive species that occur in both the riparian and transitional/upland habitats). Specifically, we are concerned about the biological effects (e.g., wildlife movement, behavior such as breeding activity) from the project-related construction and operational (i.e., long-term) disturbances to these biological resources resulting from:

- > encroachment by humans and domestic animals;
- > possible conflicts resulting from wildlife-human interactions at the interface between the proposed development and the wetland buffer including but not limited to trails;
- > line-of-sight disturbances;
- > noise;
- > light;
- > glare;
- > shading; and
- > hydrological changes both within the reach of the River, adjacent to the project site, and downstream.

Based on the existing site conditions, we strongly encourage the City to focus on providing an increase in the width of the River corridor and associated riparian habitat as part of redeveloping the site. Existing planning documents specific to this area (e.g., Final Regional Plan for the MSCP and the City of San Diego SAP, San Diego River Park Master Plan [Master Plan], Levi-Cushman Specific Plan and the Mission Valley Community Plan) include guidance for improving the River corridor on behalf of biological resources. The objective of widening the River is identified in the following planning documents: 1) the MSCP Biological Core and Linkage Areas (section 2.2) identifies the River west of Mission Trails as a core biological resource area (Figure 2-2), and the SAP requires that "[n]ative vegetation shall be restored as a condition of future

development proposals along this portion of the San Diego River corridor" (B15, Figure 4, p. 21); 2) the Master Plan identifies that any future amendments to the Levi-Cushman Specific Plan should consider the recommendations and guidelines contained in the San Diego River Park Master Plan, such as considering a more naturalized river pattern and increasing the channel width to allow the river to meander in a more natural manner, 3) the Master Plan, which states "[w]ater bodies, wildlife and people need 'breathing room' to maintain health and integrity" and establishes a river corridor that "will be measured by the 100-year Floodway, as mapped by FEMA, plus 35 feet on either side of the floodway;" and 4) the Mission Valley Community Plan, which states that "[n]atural environmental features should be preserved and recreated within the floodway proper and should be incorporated as much as possible in areas beyond the floodway boundary to maintain and enhance the habitat and aesthetic values of the river." Each alternative analyzed in the DEIR should describe if it widens the River corridor, details on the contemplated uses and prohibited uses, and improvements to the riparian habitat.

2. The Department has previously expressed similar concerns with respect to development occurring along the River corridor. Specific projects included the Town and Country Hotel and Convention Center environmental impact report (EIR), Union-Tribune Mixed Use Project EIR, Grantville Redevelopment EIR, Grantville Master Plan-Subarea B Amendment/River Park at Mission Gorge/Shawnee CG7600 Master Plan EIR, Shawnee Master Plan EIR, San Diego River Park Master Plan EIR, and the Town and County Parking Lot mitigated negative declaration. In each case, we emphasized the need for the City to provide ample buffers for development occurring along the River.

Wetland buffers are crucial for the protection of riparian habitat in urban areas. They provide numerous functions, including: (a) expansion of the habitat's biological values (e.g., buffers are an integral part of the complex riparian ecosystems that provide food and habitat for the fish and wildlife they support); (b) protection from direct disturbance by humans and domestic animals; and (c) reduction of edge effects¹ from, for example, artificial noise and light, line-of-sight disturbances, invasive species, and anthropogenic nutrients and sediments (streams should not be burdened by anthropogenic pollutants which often represent levels beyond their natural assimilative capacity). Determining an adequate buffer width requires considering that edge effects can penetrate up to 650 feet into habitat (CBI 2000). In order to fulfill their primary function of protecting wetlands and the faunal species they support, buffers to wetland habitats are, by definition,

¹ Edge effects are defined as undesirable anthropogenic disturbances beyond urban boundaries into potential reserve habitat (Kelly and Rotenberry 1993). Edge effects, such as disturbance by humans and non-native predators (pets), exotic ants, trampling, noise, and lighting, and decreases in avian productivity (Andren and Angelstam 1988), are all documented effects that have negative impacts on sensitive biological resources in southern California. Surrounding natural habitat could be permanently destroyed by human or domestic animal encroachment, trampling, bushwhacking, and frequent fires; therefore, development and open space configurations should minimize adverse edge effects (Soule 1991).

Regarding artificial night lighting, illumination of riparian corridors by night lighting has the potential to adversely affect birds. Physiological, developmental, and behavioral effects of light intensity, wavelength, and photoperiod on bird species are well documented. In the wild, urban lighting is associated with early daily initiation of avian song activity (Bergen and Abs 1997). Avian species are known to place their nests significantly farther from motorway lights than from unlighted controls (de Molenaar et al, 2000). Placement of nests away from lighted areas implies that part of the home range is rendered less suitable for nesting by artificial light. If potential nest sites are limited within the bird's home range, reduction in available sites associated with artificial night lighting may cause the bird to use a suboptimal nest site that is more vulnerable to predation, cowbird parasitism, or extremes of weather.

comprised of only upland vegetation—they should surround, be adjacent to, though not *include* any of the wetlands they are to protect. An adequate buffer should be measured starting at the outside edge of the wetland habitat. The Fish and Game Commission Policy on the *Retention of Wetland Acreage and Habitat Values* states, "Buffers should be of sufficient width and should be designed to eliminate potential disturbance of fish and wildlife resources from noise, human activity, feral animal intrusion, and any other potential sources of disturbance." Specific recommendations for the width of wetland buffers in published journals range from 10 to 240 meters, or approximately 33 to 787 feet, and the U.S. Corps of Engineers suggest that narrow strips of 100 feet may be adequate to provide many of the functions cited above (USACE 1991).

In addition to the width of the wetland buffer, the following measures should be applied to this project to ensure that the buffer provides the protection for which it is intended. Subsequent environmental documents should provide adequate information (e.g., a restoration plan) for public review about how each of these measures will be implemented.

- i. Any trail proposals should be kept out of the wetland buffer except in areas of lower biological sensitivity. Trails within the buffer should not be redundant and should be limited to trails that provide access to biological and/or cultural interpretive areas along the River, and aligned roughly perpendicular to the length of the buffer (i.e., spur trails). These interpretive areas and spur trails should be carefully chosen and should not be placed in biologically sensitive areas or areas with strong potential for effective habitat restoration and enhancement of species diversity.
- ii. As required by the MSCP SAP (Section 1.2.3; B15), native vegetation should be restored as a condition of future development proposals along the Urban Habitat Areas of the River corridor.
- iii. Permanent fencing and signage should be installed at the outside edge of the buffer areas. The limits of spur trails within the buffer should be effectively demarcated and/or fenced to avoid human encroachment into the adjacent habitat. The fencing should be designed to prevent encroachment by humans and domestic animals into the buffer areas and riparian corridor. The signage should inform people that sensitive habitat (and, if appropriate, mitigation land) lie beyond the fencing and that entering the area is illegal.
- iv. All post-construction structural best management practices (BMPs) such as grass swales, filter strips, and energy dissipaters, should be outside of the wetland buffer and the riparian corridor (i.e., they should be within the development footprint). All new and proposed parking lots and developed areas in and adjacent to the preserve must not drain directly into the MHPA. All developed and paved areas must prevent the release of toxins, chemicals, petroleum products, exotic plant materials, and other elements that might degrade or harm the natural environment or ecosystem processes within the MHPA.
- v. Brush management zones should be outside the wetland buffer. The City's proposed brush management regulations state, "no brush management is required in areas containing wetland vegetation."
- vi. No additional lighting should be added within the vicinity of both upland and wetland sensitive habitats, and where possible, existing lighting within such areas should be removed.

- vii. As to noise, methods should be employed to attenuate project-related construction and operational noise levels in excess of ambient levels at the edge of sensitive habitats to avoid or minimize further degradation by noise of conditions for wildlife, particularly, avian species. Where possible, existing sources of noise audible within the buffer should be removed.
- viii. Provide an evaluation of compatible land uses in accordance with section 1.4.1 and 1.4.2 of the MSCP SAP.

We encourage the City (i.e., applicant) to solicit input (in accordance with Environmentally Sensitive Lands Regulations § 143.0141 (b)(2)) from the Department regarding the appropriate buffer width and requirements and incorporating our recommendations early in the design phase for this project to protect the important biological values of the River.

Wildlife Corridors

- 3. The Department has previously emphasized the importance of the River as a Regional Wildlife Corridor within the MHPA. The City has previously concurred with the Department's position as evidenced in prior projects. The Grantville Redevelopment Project programmatic EIR (SCH# 2004071122) acknowledged that "the San Diego River riparian habitat and adjacent Diegan coastal sage scrub are still areas of relatively high species diversity and abundance and provide a regional wildlife corridor" between Mission Trails Park and Mission Bay Park, and that "these habitats and linkages are crucial for wildlife species survival and reproduction within the Redevelopment Area and surrounding region." Similarly, the Grantville Master Plan NOP identified that much of the riparian habitat and adjacent upland vegetation communities are within the MHPA, and that the MSCP identifies the River corridor as a habitat linkage between core resource areas. These prior projects emphasize the need to protect the biological resources associated with the River from additional direct and indirect impacts. We recommend that similar design considerations be provided for this project.

Development Design Elements

- 4. One of the principles of the City's River Park Master Plan is to reorient development towards the San Diego River. The Department is concerned that orienting development towards the River could result in otherwise avoidable indirect impacts to the River and the associated biological resources and adjacent uplands. If the project includes windows or glass doors on the side of the building oriented towards the River, we request that the DEIR's project description include the following design features: windows and glass doors facing the wetland buffer to be either comprised of non-reflective glass or treated to prevent indoor light from shining through them (see http://www.flap.org/commercial_new.php) so as to avoid or minimize avian collisions. We also request that the project prohibit the placement of tables and other amenities within the wetland buffer, thereby reducing prolonged human presence between the building and the buffer.

Streambeds and Riparian Habitats

- 5. The Department has responsibility for wetland and riparian habitats. It is the policy of the Department to strongly discourage development in wetlands or conversion of wetlands

to uplands. The portions of the golf course south of the trolley berm are periodically subject to inundation from the San Diego River and, as such, are a component of the streambed and channel. Any project activity that will divert or obstruct the natural flow, or change or use material from the bed, channel, or bank of a river or stream, including activity that seeks to exclude the stream from its floodplain, such as installation of fill to bring portions of the site out of the 100-year flood zone, could trigger the need for the project applicant (or "entity") to notify the Department pursuant to section 1600 *et seq.* of the Fish and Game Code. Based on this notification and other information, the Department would determine whether a Lake or Streambed Alteration Agreement (LSA) with the applicant is required prior to conducting the proposed activities². The Department's issuance of a LSA for a project that is subject to CEQA would require CEQA compliance actions by the Department as a Responsible Agency. The Department as a Responsible Agency under CEQA may consider the City's Environmental Impact Report for the project. To minimize additional requirements by the Department pursuant to section 1600 *et seq.* and/or under CEQA, the document should fully identify the potential impacts to the stream or riparian resources, including flood plain exclusion, and provide adequate avoidance, mitigation, monitoring, and reporting commitments for issuance of the LSA.

The project area supports aquatic, riparian, and wetland habitats; therefore, a jurisdictional delineation of the creeks and their associated riparian habitats should be included in the DEIR. The delineation should be conducted pursuant to the U.S. Fish and Wildlife Service wetland definition adopted by the Department.³ Please note that some wetland and riparian habitats subject to the Department's authority may extend beyond the jurisdictional limits of the U.S. Army Corps of Engineers.

Planning Approvals and Amendments

6. Minimal information was included in the NOP regarding proposals to amend the underlying City discretionary approvals and underlying planning documents. The Department requests the scope of the changes and actual textual changes to the proposed planning document amendments (listed in the NOP, summarized below for reference) be included in the DEIR. The NOP identifies the following discretionary actions: (1) General Plan amendment; (2) Mission Valley Community Plan amendment; (3) Levi-Cushman Specific Plan amendment; (4) rezone from MVPD-MV-M/SP to CC-3-9 and OP-1-1; (5) vesting tentative map; (6) site development permit (SDP); (7) master planned development permit (PDP); and (8) street and public easement vacations. The Department's interest in each planning document is as follows:
 - i. The DEIR should include the proposed textual changes and an accompanying analysis of the proposed amendments to the General Plan as it pertains to the

² A notification package for a LSA may be obtained by accessing the Department's web site at www.wildlife.ca.gov/habcon/1600.

³ Cowardin, Lewis M., et al. 1979. Classification of Wetlands and Deepwater Habitats of the United States. U.S. Department of the Interior, Fish and Wildlife Service.

- project. The DEIR should specify whether the amendments apply to the Riverwalk site alone or have applicability to future projects.
- ii. Both the Mission Valley Community Plan and Levi-Cushman Specific Plan amendments should demonstrate how this project and subsequent projects would be constructed in a manner to conform to the City's MSCP while maximizing MHPA and wetlands buffers.
 - iii. The DEIR should demonstrate how the PDP and SDP conform to the City's MSCP SAP and Environmentally Sensitive Lands (ESL) regulations. The location of all proposed developments, structures, parks, trails, open spaces (e.g., MHPA), and easements should be individually described and depicted in an accompanying figure.
 - iv. The DEIR should analyze the effects of the PDP's permitted uses on biological resources, MHPA, and conformance to the MSCP SAP. The DEIR should detail the full breadth of the uses including limitations on the type, number, frequency, and timing of uses permissible under the PDP.
 - v. A textual description and accompanying figure of the nature and location of the easements to be vacated should be included in the DEIR.
 - vi. To inform the above proposed amendments, the DEIR should provide a chronology of any Boundary Line Corrections (BLC) or Boundary Line Adjustments (BLA) associated with the Riverwalk site. Any BLC or BLA must demonstrate prior agreement from the Department and U.S. Fish and Wildlife Service.
7. One of the purposes of CEQA is to "prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible" (CEQA Guidelines §15002 (a)(3); emphasis added). Because of the alteration of the MHPA preserve boundary and many sensitive species and habitats that could be negatively affected or lost by the proposed project, the CEQA alternatives analysis for this project is extremely important. The Department is particularly interested in the DEIR describing a "range of reasonable alternatives to the project (particularly options to minimize direct/indirect impacts to MHPA), 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 evaluate the comparative merits of the alternatives," as required by section 15126.6(a) of the CEQA Guidelines. The alternatives are to include an "alternative [that] would impede to some degree the attainment of the project objectives, or would be more costly" (§15126.6[b] of the CEQA Guidelines). "The range of feasible alternatives shall be selected and discussed in a manner to foster meaningful public participation and informed decision making" (§ 15126.6[f] of the CEQA Guidelines). The Department will consider the alternatives analyzed in the context of their relative impacts on biological resources on both a local and regional level.

General Comments

Threatened, Endangered, and Candidate Species

8. The Department considers adverse impacts to a species protected by the California Endangered Species Act (CESA), for the purposes of CEQA, to be significant without mitigation. As to CESA, take of any endangered, threatened, or candidate species that results from the project is prohibited, except as authorized by state law (Fish and Game

Code, §§ 2080, 2085, 2835). Consequently, if the project, project construction, or any project-related activity during the life of the project will result in take of a species designated as endangered or threatened, or a candidate for listing under CESA, and is not covered under an approved NCCP, the Department recommends that the project proponent seek appropriate take authorization under CESA prior to implementing the project. Appropriate authorization from the Department may include an incidental take permit (ITP) or a consistency determination in certain circumstances, among other options (Fish and Game Code §§ 2080.1, 2081, subds. (b), (c), and 2835). Early consultation is encouraged, as significant modification to a project and mitigation measures may be required in order to obtain a CESA Permit. Revisions to the Fish and Game Code, effective January 1998, may require that the Department issue a separate CEQA document for the issuance of an ITP unless the project CEQA document addresses all project impacts to CESA-listed species and specifies a mitigation monitoring and reporting program that will meet the requirements of an ITP. For these reasons, biological mitigation monitoring and reporting proposals should be of sufficient detail and resolution to satisfy the requirements for a CESA ITP.

To enable the Department to adequately review and comment on the proposed project from the standpoint of the protection of plants, fish, and wildlife, we recommend the DEIR include a complete discussion of the purpose and need for, and description of, the proposed project, including all staging areas and access routes to the construction and staging areas.

Biological Resources within the Project's Area of Potential Effect

9. To provide a complete assessment of the flora and fauna within and adjacent to the project area, with particular emphasis upon identifying endangered, threatened, sensitive, and locally unique species and sensitive habitats, the DEIR should include the following information.
 - a. Per CEQA Guidelines, section 15125(c), information on the regional setting that is critical to an assessment of environmental impacts, with special emphasis placed on resources that are rare or unique to the region.
 - b. A thorough, recent floristic-based assessment of special status plants and natural communities, following the Department's Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (see <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959&inline>). The Department recommends that floristic, alliance-based and/or association-based mapping and vegetation impact assessments be conducted at the Project site and neighboring vicinity. The Manual of California Vegetation, second edition, should also be used to inform this mapping and assessment (Sawyer et al. 2008⁴). Adjoining habitat areas should be included in this assessment where site activities could lead to direct or indirect impacts offsite. Habitat mapping at the alliance level will help establish baseline vegetation conditions.

4 Sawyer, J. O., T. Keeler-Wolf and J.M. Evens. 2009. A Manual of California Vegetation, Second Edition. California Native Plant Society Press, Sacramento.

- c. A current inventory of the biological resources associated with each habitat type on site and within the area of potential effect. The Department's California Natural Diversity Data Base in Sacramento should be contacted at www.wildlife.ca.gov/biogeodata/ to obtain current information on any previously reported sensitive species and habitat, including Significant Natural Areas identified under Chapter 12 of the Fish and Game Code.
- d. An inventory of rare, threatened, endangered and other sensitive species on site and within the area of potential effect. Species to be addressed should include all those which meet the CEQA definition (see CEQA Guidelines, § 15380). This should include sensitive fish, wildlife, reptile, and amphibian species. Seasonal variations in use of the project area should also be addressed. Focused species-specific surveys, conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required. Acceptable species-specific survey procedures should be developed in consultation with the Department and the U.S. Fish and Wildlife Service.

Analyses of the Potential Project-Related Impacts on the Biological Resources

To provide a thorough discussion of direct, indirect, and cumulative impacts expected to adversely affect biological resources, with specific measures to offset such impacts. A cumulative effects analysis should be developed as described under CEQA Guidelines, section 15130. General and specific plans, as well as past, present, and anticipated future projects, should be analyzed relative to their impacts on similar plant communities and wildlife habitats.

Mitigation for the Project-related Biological Impacts

10. The DEIR should include measures to fully avoid and otherwise protect Rare Natural Communities from project-related impacts. The Department considers these communities as threatened habitats having both regional and local significance.
11. The DEIR should include mitigation measures for adverse project-related impacts to sensitive plants, animals, and habitats. Mitigation measures should emphasize avoidance and reduction of project impacts. For unavoidable impacts, on-site habitat restoration or enhancement should be discussed in detail. If on-site mitigation is not feasible or would not be biologically viable and therefore not adequately mitigate the loss of biological functions and values, off-site mitigation through habitat creation and/or acquisition and preservation in perpetuity should be addressed.
12. For proposed preservation and/or restoration, the DEIR should include measures to perpetually protect the targeted habitat values from direct and indirect negative impacts. The objective should be to offset the project-induced qualitative and quantitative losses of wildlife habitat values. Issues that should be addressed include restrictions on access, proposed land dedications, monitoring and management programs, control of illegal dumping, water pollution, increased human intrusion, etc.
13. In order to avoid impacts to nesting birds, the DEIR should require that clearing of vegetation, and when biologically warranted construction, occur outside of the peak avian breeding season which generally runs from February 1 through September 1 (as early as January 1 for some raptors). If project construction is necessary during the bird

breeding season, a qualified biologist with experience in conducting bird breeding surveys should conduct weekly bird surveys for nesting birds, within three days prior to the work in the area, and ensure no nesting birds in the project area would be impacted by the project. If an active nest is identified, a buffer shall be established between the construction activities and the nest so that nesting activities are not interrupted. The buffer should be a minimum width of 300 feet (500 feet for raptors), be delineated by temporary flagging, and remain in effect as long as construction is occurring or until the nest is no longer active. No project construction shall occur within the flagged nest zone until the young have fledged, are no longer being fed by the parents, have left the nest, and will no longer be impacted by the project. Reductions in the nest buffer distance may be appropriate depending on the avian species involved, ambient levels of human activity, screening vegetation, or possibly other factors.

14. The Department generally does not support the use of relocation, salvage, and/or transplantation as mitigation for impacts to rare, threatened, or endangered species. Studies have shown that these efforts are experimental in nature and largely unsuccessful.
15. Plans for restoration and revegetation should be prepared by persons with expertise in southern California ecosystems and native plant revegetation techniques. Each plan should include, at a minimum: (a) the location of the mitigation site; (b) the plant species to be used, container sizes, and seeding rates; (c) a schematic depicting the mitigation area; (d) planting schedule; (e) a description of the irrigation methodology; (f) measures to control exotic vegetation on site; (g) specific success criteria; (h) a detailed monitoring program; (i) contingency measures should the success criteria not be met; and (j) identification of the party responsible for meeting the success criteria and providing for conservation of the mitigation site in perpetuity.

We appreciate the opportunity to comment on this NOP. Questions regarding this letter and further coordination on these issues should be directed to Paul Schlitt at (858-637-5510) or paul.schlitt@wildlife.ca.gov.

Sincerely,



Gail K. Sevrens
Environmental Program Manager
South Coast Region

ec: State Clearinghouse, Sacramento
David Zoutendyk, U.S. Fish and Wildlife Service, Carlsbad

Literature Cited:

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EAS ASSIGNMENT CHECKLIST

24007522
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PTS No. 581984

Review and Signature _____

Principal/Senior Initial

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Thank you, Nguyen

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68;94-105	Adjacent Jurisdictions (13 EIRs only)					
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93B	Facility Financing - Tom Tomlinson & Muto, A Lyssa (Draft/Final ND, MND, EIRs, & Screenchecks - private projects)	e	e			
86A	Water Review - Mehdi Rastakhiz (Draft/Final ND, MND, & EIRs)	e	e			
MS 609	ECP - Linda Marabian (Final Only - Projects with Transportation/Traffic Mitigation)					
MS 5A	MSCP Staff: (All FINAL documents with ANY onsite biological resources w/in or outside MHPA + Biology Report)					
	Applicant:					
	Agent:					
	EAS Senior:					
301	Development Project Manager: William Zoune		hc + E			
	Federal Government					
✓	U.S. Fish and Wildlife Service (23)		hc			

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	Caltrans, District 11 (31) <i>. jacob.armstrong@dot.ca.gov</i>		E✓			
✓	California Department of Fish and Wildlife (32)		hc✓			
	Regional Water Quality Control Board (44)					
	State Clearinghouse (46A)					
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✓	California Department of Transportation (51A)		hc✓			
✓	California Department of Transportation (51B)		hc✓			
	Native American Heritage Commission (56)		hc✓			
	City of San Diego					
	Mayor's Office (91) <i>Bry</i>		E+			
	Councilmember Lightner, District 1 (MS 10A)		E+			
	Councilmember Harris, District 2 (MS 10A) <i>Zapf</i>		E+			
	Councilmember Gloria, District 3 (MS 10A) <i>ward</i>		E+			
	Councilmember Cole, District 4 (MS 10A)		E+			
	Councilmember Kersey, District 5 (MS 10A)		E+			
	Councilmember Zapf, District 6 (MS 10A) <i>cate</i>		E+			
	Councilmember Sherman, District 7 (MS 10A)		E+			
	Councilmember Alvarez, District 8 (MS 10A)		E+			
	Councilmember Emerald, District 9 (MS 10A) <i>Gomez</i>		E+			
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	EAS - E. Shearer-Nguyen		HC + E+			
<i>MS 505</i>	Transportation Development - DSD (78) <i>Ann Gonsalves</i>		hc	HC✓		
	Development Coordination (78A) <i>Louis schultz</i>		E+			
✓	Fire and Life Safety Services (79)		hc✓			

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	Historical Resources Board (87)		e			
	Environmental Services (93A) <i>USA wood</i>		e			
	Tom Tomlinson, Facilities Financing (93B)					
	Warren Lovell, San Diego Police Department (MS776)		e			
	Larry Trame, San Diego Fire-Rescue (MS603)		e			
	<u>Others</u>					
	✓ San Diego Association of Governments (108)		hc			
	✓ Metropolitan Transit System (112)		hc			
	✓ San Diego Gas & Electric (114)		hc			
	✓ Metropolitan Transit System (115)		hc			
	✓ San Diego Unified School District (125)		hc			
	✓ San Diego Unified School District (132)		hc			
	✓ Rancho Santa Ana Botonic Garden at Claremont (161)		hc			
	✓ The San Diego River Park Foundation (163)		hc			
	✓ The San Diego River Coalition (164)		hc			
	✓ Sierra Club (165)		hc			
	✓ San Diego Canyonlands (165A)		hc			
	✓ San Diego Audubon Society (167)		hc			
	✓ San Diego Audubon Society (167A)		hc			
	✓ San Diego River Conservancy (168)		hc			
	✓ California Native Plant Society (170)		hc			
	✓ Citizens Coordinate for Century III (179)		hc			
	✓ Endangered Habitats League (182)		hc			

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✓	San Diego Tracking Team (187)		hc				
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✓	Camp Band of Mission Indians (217)		hc				
✓	San Diego County Archaeological Society (218)		hc				
✓	Kumeyaay Cultural Heritage Preservation (223)		hc				
✓	Kumeyaay Cultural Repatriation Committee (225)		hc				
	Native American Distribution [Notice Only] (225A-S)		hc				
✓	Mission Valley Center Association (328)		hc				
✓	Friars Village HOA (328A)		hc				
✓	Mary Johnson (328B)		hc				
✓	Mission Valley Community Council (328C)		hc				
✓	Union Tribune News (329)		hc				
✓	San Diego River Conservancy (330A)		hc				
✓	Friends of Mission Valley Preserve (330B)		hc				
✓	Mission Valley Planning Group (331)		hc				
✓	General Manager, Fashion Valley (332)		hc				
✓	San Diego River Park Foundation (333)		hc				
✓	The San Diego River Coalition (334)		hc				

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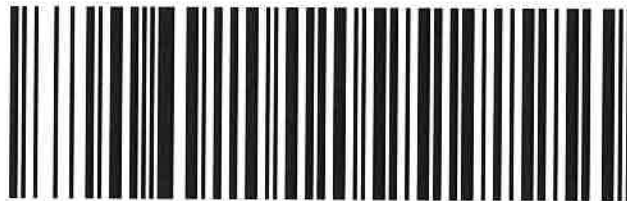
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Development Services

Elizabeth Shearer-Nguyen
City of San Diego
1222 First Avenue, MS-501
San Diego, CA 92101

Also sent by e-mail: DSDEAS@sandiego.gov

RE: SCH# 2018041028; Riverwalk Project, City of San Diego; San Diego County, California

Dear Ms. Shearer-Nguyen:

The Native American Heritage Commission has received the Notice of Preparation (NOP) for Draft Environmental Impact Report for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code § 21000 et seq.), specifically Public Resources Code section 21084.1, states that a project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit. 14, § 15064.5 (b) (CEQA Guidelines Section 15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an environmental impact report (EIR) shall be prepared. (Pub. Resources Code § 21080 (d); Cal. Code Regs., tit. 14, § 15064 subd. (a)(1) (CEQA Guidelines § 15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources with the area of project effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code § 21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment (Pub. Resources Code § 21084.2). Please reference California Natural Resources Agency (2016) "Final Text for tribal cultural resources update to Appendix G: Environmental Checklist Form," <http://resources.ca.gov/ceqa/docs/ab52/Clean-final-AB-52-App-G-text-Submitted.pdf>. Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code § 21084.3 (a)). **AB 52 applies to any project for which a notice of preparation or a notice of negative declaration or mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. § 800 et seq.) may also apply.

The NAHC recommends **lead agencies consult with all California Native American tribes** that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments. **Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.**

AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project: Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a **lead agency** shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
 - a. A brief description of the project.
 - b. The lead agency contact information.
 - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code § 21080.3.1 (d)).
 - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code § 21073).
2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A **lead agency** shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code § 21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or environmental impact report. (Pub. Resources Code § 21080.3.1(b)).
 - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code § 65352.4 (SB 18). (Pub. Resources Code § 21080.3.1 (b)).
3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
 - a. Alternatives to the project.
 - b. Recommended mitigation measures.
 - c. Significant effects. (Pub. Resources Code § 21080.3.2 (a)).
4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:
 - a. Type of environmental review necessary.
 - b. Significance of the tribal cultural resources.
 - c. Significance of the project's impacts on tribal cultural resources.
 - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code § 21080.3.2 (a)).
5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code sections 6254 (r) and 6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code § 21082.3 (c)(1)).
6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
 - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
 - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code section 21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code § 21082.3 (b)).

7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:
 - a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code § 21080.3.2 (b)).
8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code section 21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code section 21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code § 21082.3 (a)).
9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code section 21084.3 (b). (Pub. Resources Code § 21082.3 (e)).
10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:
 - a. Avoidance and preservation of the resources in place, including, but not limited to:
 - i. Planning and construction to avoid the resources and protect the cultural and natural context.
 - ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i. Protecting the cultural character and integrity of the resource.
 - ii. Protecting the traditional use of the resource.
 - iii. Protecting the confidentiality of the resource.
 - c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - d. Protecting the resource. (Pub. Resource Code § 21084.3 (b)).
 - e. Please note that a federally recognized California Native American tribe or a nonfederally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code § 815.3 (c)).
 - f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code § 5097.991).
11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An environmental impact report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
 - a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code sections 21080.3.1 and 21080.3.2 and concluded pursuant to Public Resources Code section 21080.3.2.
 - b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code section 21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code § 21082.3 (d)).

This process should be documented in the Cultural Resources section of your environmental document.

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires **local governments** to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code § 65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf

Some of SB 18's provisions include:

1. **Tribal Consultation**: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code § 65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation**. There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality**: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code section 65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code sections 5097.9 and 5097.993 that are within the city's or county's jurisdiction. (Gov. Code § 65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation**: Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have been already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.

NATIVE AMERICAN HERITAGE COMMISSION

Cultural and Environmental Department
1550 Harbor Blvd., Suite 100
West Sacramento, CA 95691
Phone (916) 373-3710



April 19, 2018

Elizabeth Shearer-Nguyen
City of San Diego
1222 First Avenue, MS-501
San Diego, CA 92101

Also sent by e-mail: DSDEAS@sandiego.gov

RE: SCH# 2018041028; Riverwalk Project, City of San Diego; San Diego County, California

Dear Ms. Shearer-Nguyen:

The Native American Heritage Commission has received the Notice of Preparation (NOP) for Draft Environmental Impact Report for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code § 21000 et seq.), specifically Public Resources Code section 21084.1, states that a project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit. 14, § 15064.5 (b) (CEQA Guidelines Section 15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an environmental impact report (EIR) shall be prepared. (Pub. Resources Code § 21080 (d); Cal. Code Regs., tit. 14, § 15064 subd. (a)(1) (CEQA Guidelines § 15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources with the area of project effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code § 21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment (Pub. Resources Code § 21084.2). Please reference California Natural Resources Agency (2016) "Final Text for tribal cultural resources update to Appendix G: Environmental Checklist Form," <http://resources.ca.gov/ceqa/docs/ab52/Clean-final-AB-52-App-G-text-Submitted.pdf>. Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code § 21084.3 (a)). **AB 52 applies to any project for which a notice of preparation or a notice of negative declaration or mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. § 800 et seq.) may also apply.

The NAHC recommends **lead agencies consult with all California Native American tribes** that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments. **Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.**

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 - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code § 21080.3.1 (d)).
 - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code § 21073).
2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A **lead agency** shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code § 21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or environmental impact report. (Pub. Resources Code § 21080.3.1(b)).
 - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code § 65352.4 (SB 18). (Pub. Resources Code § 21080.3.1 (b)).
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 - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code § 21080.3.2 (a)).
5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code sections 6254 (r) and 6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code § 21082.3 (c)(1)).
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 - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
 - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code section 21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code § 21082.3 (b)).

7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:
 - a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code § 21080.3.2 (b)).
8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code section 21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code section 21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code § 21082.3 (a)).
9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code section 21084.3 (b). (Pub. Resources Code § 21082.3 (e)).
10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:
 - a. Avoidance and preservation of the resources in place, including, but not limited to:
 - i. Planning and construction to avoid the resources and protect the cultural and natural context.
 - ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i. Protecting the cultural character and integrity of the resource.
 - ii. Protecting the traditional use of the resource.
 - iii. Protecting the confidentiality of the resource.
 - c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - d. Protecting the resource. (Pub. Resource Code § 21084.3 (b)).
 - e. Please note that a federally recognized California Native American tribe or a nonfederally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code § 815.3 (c)).
 - f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code § 5097.991).
11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An environmental impact report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
 - a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code sections 21080.3.1 and 21080.3.2 and concluded pursuant to Public Resources Code section 21080.3.2.
 - b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code section 21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code § 21082.3 (d)).

This process should be documented in the Cultural Resources section of your environmental document.

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires **local governments** to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code § 65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at:

https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf

Some of SB 18's provisions include:

1. **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code § 65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation.** There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code section 65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code sections 5097.9 and 5097.993 that are within the city's or county's jurisdiction. (Gov. Code § 65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation:** Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at:
<http://nahc.ca.gov/resources/forms/>

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have been already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.

- b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.
- 3. Contact the NAHC for:
 - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
- 4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
 - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, section 15064.5(f) (CEQA Guidelines section 15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code section 7050.5, Public Resources Code section 5097.98, and Cal. Code Regs., tit. 14, section 15064.5, subdivisions (d) and (e) (CEQA Guidelines section 15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

Please contact me if you need any additional information at gayle.totton@nahc.ca.gov.

Sincerely,



Gayle Totton, M.A., PhD.

Associate Governmental Program Analyst
(916) 373-3714

cc: State Clearinghouse

RECEIVED

APR 24 2018

Development Services

20 October, 2011

To: San Diego City Council Woman Laurie Zapf

From: Presidio Place Condominiums

Friars Rd 5605 San Diego CA 92110

Dear Honorable Councilwoman Zapf:

We are writing to you for help with preventing future flooding after this year's flooding at our property in Mission Valley. During the 28 December flood, we sustained considerable damage to our tennis courts, reflection lagoon and fencing amounting to more than \$25,000. In addition, the storm drain that flows through our property will have to be dredged out this year for a cost of an additional \$9,000. We completely handle this maintenance through our own revenues. Earlier this year your office was responsive in part to our request that the city of San Diego clean out the culvert and drainage ditch on your easement between Presidio Place Condominiums and the YMCA. A city crew cleared the culvert, but did nothing for the real problem which was to clean out the drainage ditch, which is filled with vegetation and silt which diverts the drainage directly onto our property.

Presidio Place Condominiums is built on a raised platform above the flood plain of the San Diego River in Mission Valley. Flood contours from the United States Geologic Survey (USGS) show that an 100-year flood will bring the water level to the base of our rampart wall that protects the property for our complex of 402 units.. We were surprised that this year's flood was so high (65 year rainfall estimated) , with the waters reaching the rampart, so we investigated the causes after the flood.

The unusual flooding was caused by several factors. The first was the clogging of a major drainage ditch at the culvert from the upstream golf course that was filled with vegetation and sediment and caused the diversion of water away from the River into the Courtyard Condominium Complex and down through our Presidio Place. The City of San Diego failed to clear the vegetation and silt from the downstream part of the culvert that diverted the flood waters onto our property. Secondly, the dam outlet in the San Diego River just south of our complex was also clogged by vegetation at its only exit, and because the exit was inadequate, the force of the flood waters broke and eroded the dam on the northwest side, which permitted the force of the river to flood Presidio Place property in a damaging manner. The third cause of the flooding came from another drainage ditch in the City of San Diego easement between Presidio Place and the YMCA to the west. Because this drainage ditch was clogged with vegetation, debris and sediment, flooding occurred from the downstream side and damaged our gardens and tennis courts.

We understand the risks of living in the flood plain, but the basic premise of safety for our more than 1000 residents is that the city- owned drainage system is maintained properly.

We appeal for your help in the matter to repair the dam in the San Diego River, and adequately clear the brush and sediments from the two aforementioned drainages to the east and west. This maintenance cost would not be prohibitive to the City. We met our obligations by dredging out the drainage that flows through our property, and beg you to remedy the two drainages that are city responsibility.

Sincerely yours,

Janet Fitzpatrick, General Manager Presidio Place Condominiums

and

Wayne T. Williams, PhD, Board of Directors

Presidio Place Home Owners Association.

5605 Friars Rd 3325

San Diego, CA 92110

Tele 858 333 1443



THE CITY OF SAN DIEGO

FILED
Ernest J. Dronenburg, Jr., Recorder County Clerk

APR 06 2018

BY *[Signature]*
DEPUTY

Date of Notice: April 6, 2018

PUBLIC NOTICE OF THE PREPARATION OF A ENVIRONMENTAL IMPACT REPORT AND SCOPING MEETING

DEVELOPMENT SERVICES DEPARTMENT

SAP No. 24007522

PUBLIC NOTICE: The City of San Diego as the Lead Agency has determined that the project described below will require the preparation of an Environmental Impact Report (EIR) in compliance with the California Environmental Quality Act (CEQA). This Notice of Preparation of a project EIR and Scoping Meeting was publicly noticed and distributed on April 6, 2018. This notice was published in the SAN DIEGO DAILY TRANSCRIPT and placed on the City of San Diego website at: <http://www.sandiego.gov/city-clerk/officialdocs/notices/index.shtml> under the "California Environmental Quality Act (CEQA) Notices & Documents" section. In addition, the Public Notice was also distributed to the Central Library as well as the Mission Valley Branch Library.

SCOPING MEETING: A public scoping meeting will be held by the City of San Diego's Development Services Department on **April 24, 2018, beginning at 6:00 PM and running no later than 8:00 PM at the Mission Valley Branch Library, located at 2123 Fenton Parkway, San Diego, CA 92108. Please note that depending on the number of attendees, the meeting could end earlier than 7:30 PM.** Verbal and written comments regarding the scope and alternatives of the proposed EIR will be accepted at the meeting.

Written comments may be sent to the following address: **E. Shearer-Nguyen, Environmental Planner, City of San Diego Development Services Department, 1222 First Avenue, MS 501, San Diego, CA 92101** or submitted via e-mail to DSDEAS@sandiego.gov with the Project Name and Number in the subject line within 30 days of the receipt of this notice. Responsible agencies are requested to indicate their statutory responsibilities in connection with this project when responding. An EIR incorporating public input will then be prepared and distributed for the public to review and comment.

GENERAL PROJECT INFORMATION:

- **PROJECT NAME / NUMBER:** RIVERWALK / 581984
- **COMMUNITY AREA:** Mission Valley
- **COUNCIL DISTRICT:** 7

DESCRIPTION: A request for a General Plan Amendment, Community Plan, Community Plan Amendment to Mission Valley Community Plan, Specific Plan Amendment to the Levi-Cushman Specific Plan, Vesting Tentative Map, Development Agreement, Master Planned Development Permit, Site Development Permit, Conditional Use Permit amendment, and various Street and Public Easement Vacations to redevelop the existing Riverwalk Golf Course. Proposed redevelopment would consist of the construction of approximately 4,300 multi-family residential dwelling-units; approximately 140,000 square feet of neighborhood retail space; approximately 1,000,000 square

feet of office; approximately 22 acres of population-based parks; approximately 60 acres of park, open space, and trails; and a new Green Line Trolley stop within the development. The approximate 195-acre 27-hole Riverwalk Golf Course is located at 1150 Fashion Valley Road. The General Plan designates the project site as Multi-Use; Commercial Employment, Retail, and Services; and, Parks, Open Space, and Recreation. The site is designated Open Space and Multi-Use and zoned OF-1-1 and Mission Valley Planned District (MVPD)-MV-M/SP in the Mission Valley Community Plan; whereas the Levi-Cushman Specific Plan identifies the site for a mix of residential, retail, office, hotel, and recreational use. Additionally, the site is within the Airport Land Use Compatibility Overlay Zone for Montgomery Field, the Airport Influence Area (AIA) for San Diego International Airport (SDIA) and Montgomery Field (Review Area 2), the Federal Aviation Administration Part 77 Notification Area for the SDIA and Montgomery Field, Transit Area Overlay Zone, and Transit Priority Area. (APN: 437-240-03, 437-240-26, 437-240-27, 437-240-28, 437-240-29, 436-611-06, 436-611-29, 436-611-30, 436-650-14, 436-650-09, 436-610-32 (436-610-64 – Offsite), 436-610-10 (436-610-29-offsite) , 436-610-13,) **The site is not included on any Government Code listing of hazardous waste sites.**

APPLICANT: San Diego Riverwalk, LLC

RECOMMENDED FINDING: Pursuant to Section 15060(d) of the CEQA Guidelines, it appears that the proposed project may result in significant environmental impacts in the following areas: Land Use, Transportation/Circulation, Air Quality and Odor, Energy, Geologic Conditions, Greenhouse Gas Emissions, Health and Safety, Hydrology, Historical Resources, Noise, Paleontological Resources, Public Services and Facilities, Public Utilities, Tribal Cultural Resources, Visual Effects/Neighborhood Character, Water Quality, and Cumulative Effects.

AVAILABILITY IN ALTERNATIVE FORMAT: To request the this Notice or the City's Scoping Letter to the applicant detailing the required scope of work in alternative format, call the Development Services Department at (619) 446-5460 (800) 735-2929 (TEXT TELEPHONE).

ADDITIONAL INFORMATION: For environmental review information, contact Elizabeth Shearer-Nguyen at (619) 446-5369. The Scoping Letter and supporting documents may be reviewed, or purchased for the cost of reproduction, at the Fifth floor of the Development Services Department. **For information regarding public meetings/hearings on this project, contact the Project Manager, William Zounes at (619) 687-5942.** This notice was published in the SAN DIEGO DAILY TRANSCRIPT and distributed on April 6, 2018.

DISTRIBUTION: See Attached

ATTACHMENTS: Figure 1: Regional Map
Figure 2: Vicinity Map
Figure 3: Site Plan
Scoping Letter

FILED IN THE OFFICE OF THE COUNTY CLERK
San Diego County on APR 06 2018
Posted APR 06 2018 Removed MAY 06 2018
Returned to agency on MAY 06 2018
Deputy R. Morris



San Diego County



Transaction #: 3063424
Receipt #: 2018152674

Ernest J. Dronenburg, Jr.
Assessor/Recorder/County Clerk
1600 Pacific Highway Suite 260
P. O. Box 121750, San Diego, CA 92112-1750
Tel. (619) 237-0502 Fax (619) 557-4155
www.sdarcc.com

Cashier Date: 04/06/2018
Cashier Location: SD

Print Date: 04/06/2018 12:13 pm

Payment Summary

Total Fees:	\$50.00
Total Payments:	\$50.00
Balance:	\$0.00

Payment

CHECK PAYMENT	\$50.00
---------------	---------

Total Payments	\$50.00
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Miscellaneous Item

FISH & WILDLIFE FEES

Fees:	Fish & Wildlife County Administrative Fee	\$50.00
Total Fees Due:		\$50.00

Grand Total - All Documents:	\$50.00
------------------------------	---------

Distribution:

FEDERAL GOVERNMENT

U.S. Fish and Wildlife Service (23)

State of California

Caltrans, District 11 (31)

California Department of Fish and Wildlife (32)

State Clearinghouse (46A)

California Transportation Commission (51)

California Department of Transportation (51A)

California Department of Transportation (51B)

Native American Heritage Commission (56)

CITY OF SAN DIEGO

Mayor's Office (91)

Councilmember Bry, District 1 (MS 10A)

Councilmember Zapf, District 2 (MS 10A)

Councilmember Ward, District 3 (MS 10A)

Councilmember Cole, District 4 (MS 10A)

Councilmember Kersey, District 5 (MS 10A)

Councilmember Cate, District 6 (MS 10A)

Councilmember Sherman, District 7 (MS 10A)

Councilmember Alvarez, District 8 (MS 10A)

Councilmember Gomez, District 9 (MS 10A)

Development Services Department

EAS

Transportation

Transportation Development - DSD (78)

Development Coordination (78A)

Fire and Life Safety Services (79)

Library Department - Government Documents (81)

Central Library (81A)

Mission Valley Branch Library (81R)

Historical Resources Board (87)

Environmental Services (93A)

Tom Tomlinson, Facilities Financing (93B)

Michael Miranda, San Diego Police Department (MS776)

Jason Zdunich, San Diego Police Department (MS776)

Larry Trame, San Diego Fire-Rescue (MS603)

City Attorney (93C)

Others

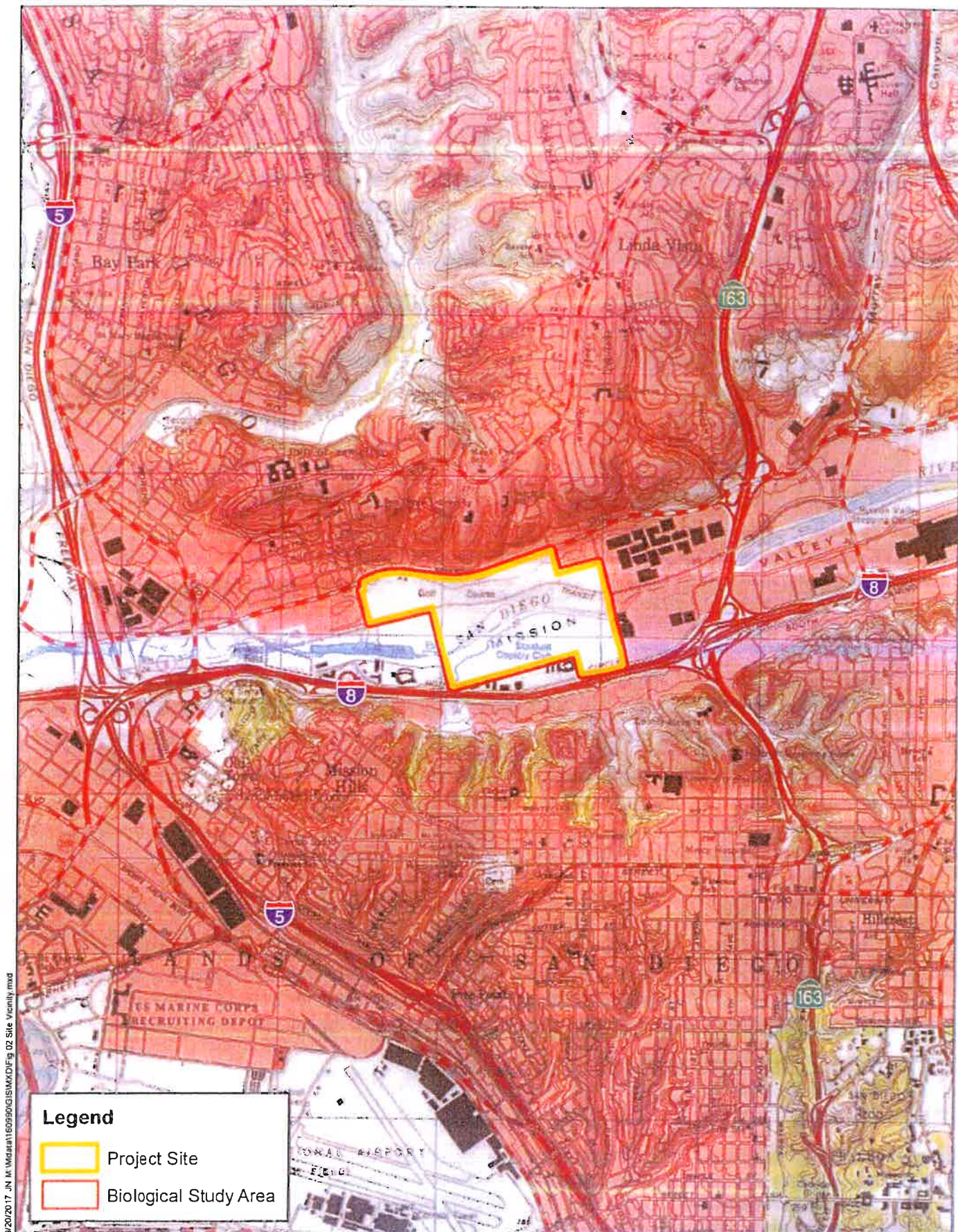
San Diego Association of Governments (108)

San Diego Regional Airport Authority (110)

Metropolitan Transit System (112)

San Diego Gas & Electric (114)

Metropolitan Transit System (115)
San Diego Unified School District (125)
Rancho Santa Ana Botanic Garden at Claremont (161)
The San Diego River Park Foundation (163)
The San Diego River Coalition (164)
Sierra Club (165)
San Diego Canyonlands (165A)
San Diego Natural History Museum (166)
San Diego Audubon Society (167)
San Diego Audubon Society (167A)
San Diego River Conservancy (168)
San Diego Tracking Team (187)
California Native Plant Society (170)
KEA Environmental Inc. (178)
Citizens Coordinate for Century III (179)
Endangered Habitats League (182A)
Carmen Lucas (206)
South Coastal Information Center (210)
San Diego History Center (211)
San Diego Archaeological Center (212)
Save Our Heritage Organisation (214)
Ron Christman (215)
Clint Linton (215B)
Frank Brown – Inter-Tribal Cultural Resources Council (216)
Camp Band of Mission Indians (217)
San Diego County Archaeological Society (218)
Kumeyaay Cultural Heritage Preservation (223)
Kumeyaay Cultural Repatriation Committee (225)
Native American Distribution [Notice Only] (225A-S)
Mission Valley Center Association (328)
Friars Village HOA (328A)
Mary Johnson (328B)
Mission Valley Community Council (328C)
Union Tribune News (329)
Friends of Mission Valley Preserve (330B)
Mission Valley Planning Group (331)
General Manager, Fashion Valley (332)
Gary Akin - San Diego Gas & Electric (381)
The San Diego River Coalition (334)



RIVERWALK DEVELOPMENT PLANNING PHASE
GENERAL SURVEY REPORT - BIOLOGICAL RESOURCES

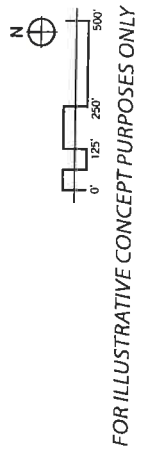
Project Location - Topo

Figure 2



LEGEND

[White Box]	RESIDENTIAL
[Red Box]	RETAIL
[Pink Box]	OFFICE OVER RETAIL
[Blue Box]	OFFICE
[Yellow Box]	PARKING STRUCTURE



VIA LAS CUMBERES

FASHION VALLEY ROAD

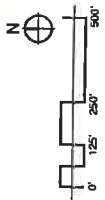
FRIARS ROAD

HOTEL CIRCLE NORTH
INTERSTATE 8

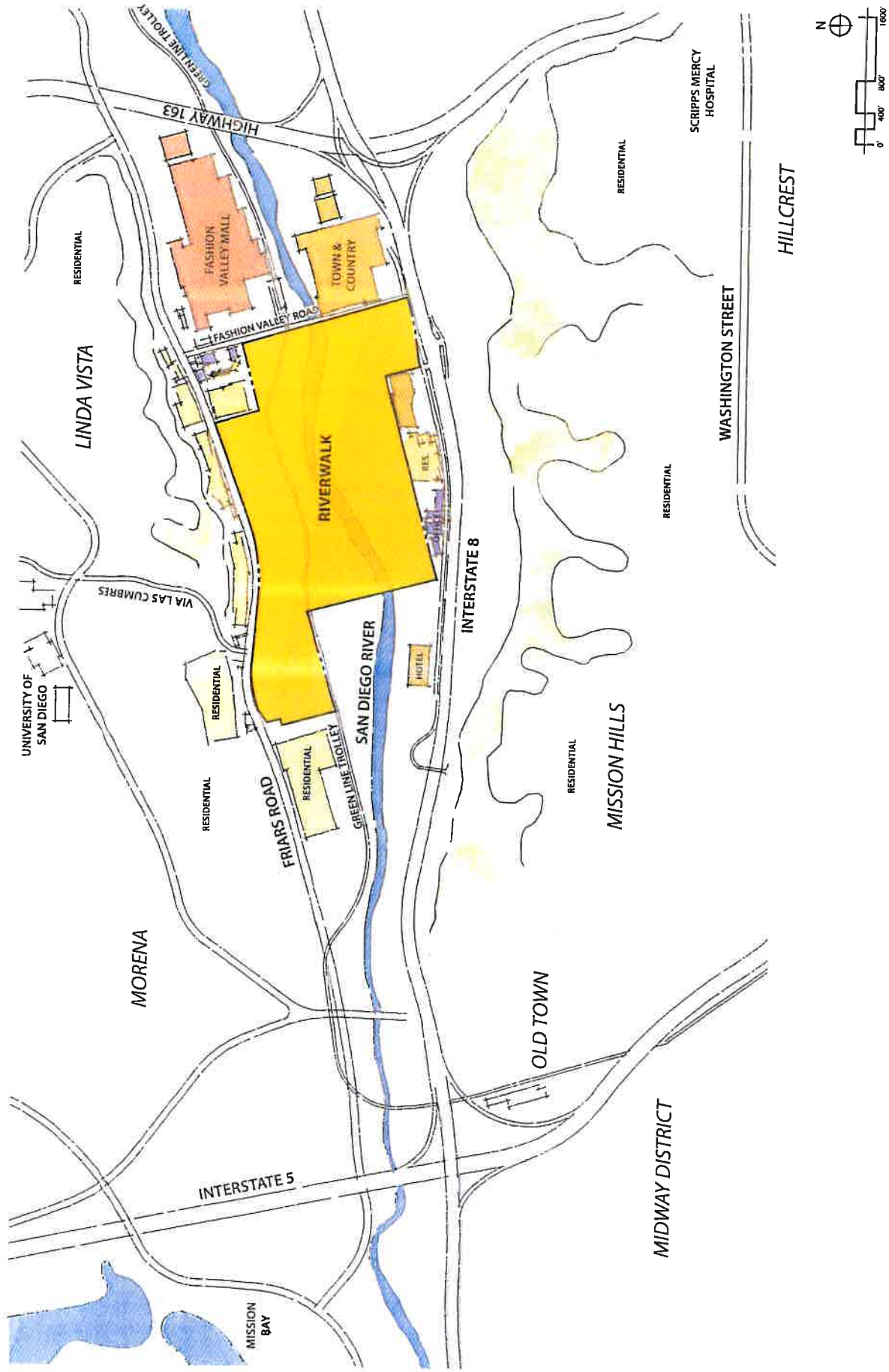
TRANSIT STOP

LEGEND

[Yellow Box]	RESIDENTIAL
[Orange Box]	MIXED USE (RESIDENTIAL/OFFICE/RETAIL)
[Blue Box]	COMMERCIAL (OFFICE/RETAIL)
[Green Box]	OPEN SPACE



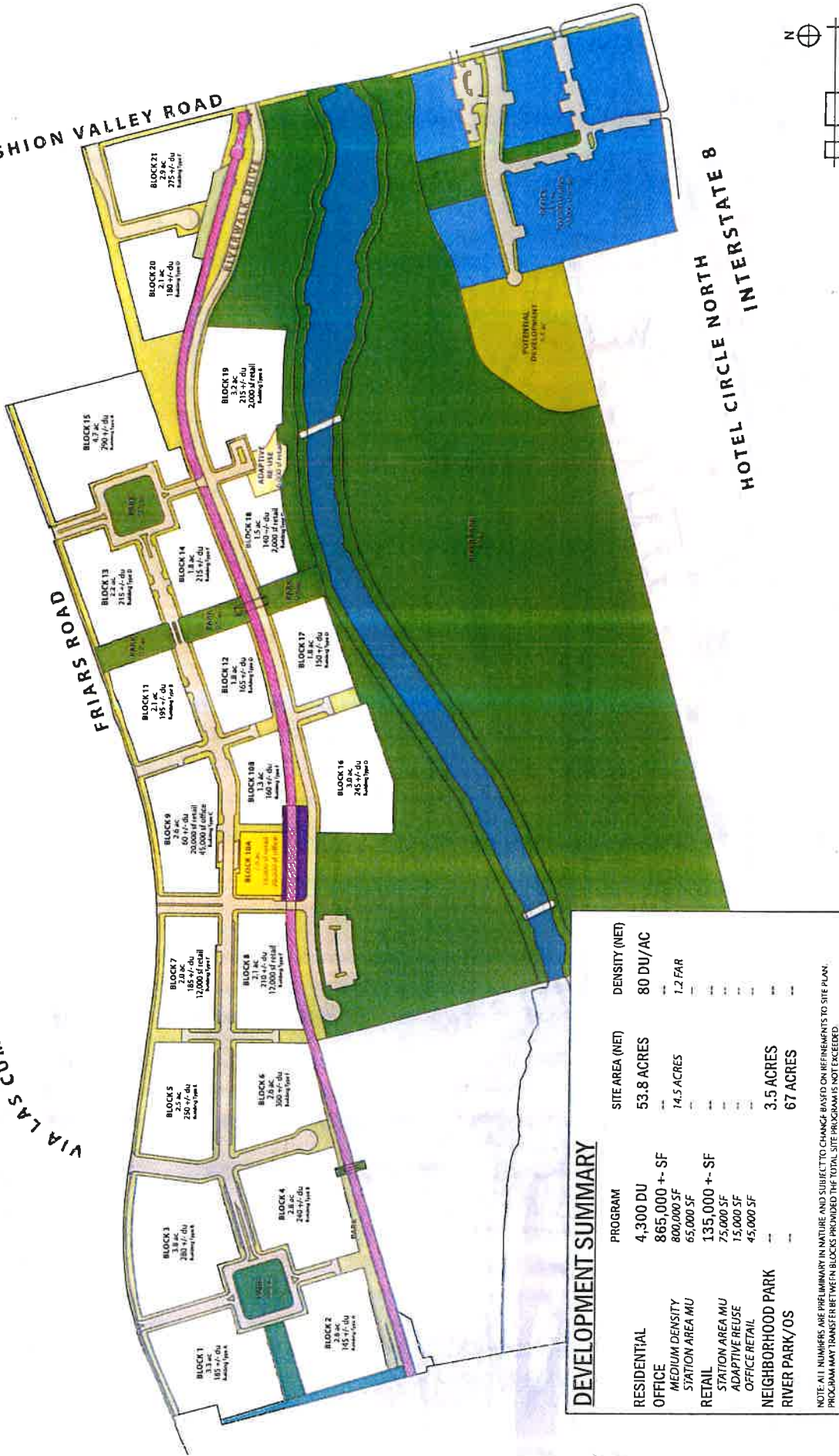
FOR ILLUSTRATIVE CONCEPT PURPOSES ONLY



VICINITY MAP

VIA LAS CUMBRRES

FASHION VALLEY ROAD

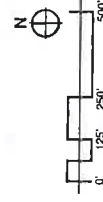


HOTEL CIRCLE NORTH
INTERSTATE 8

DEVELOPMENT SUMMARY

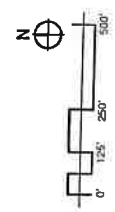
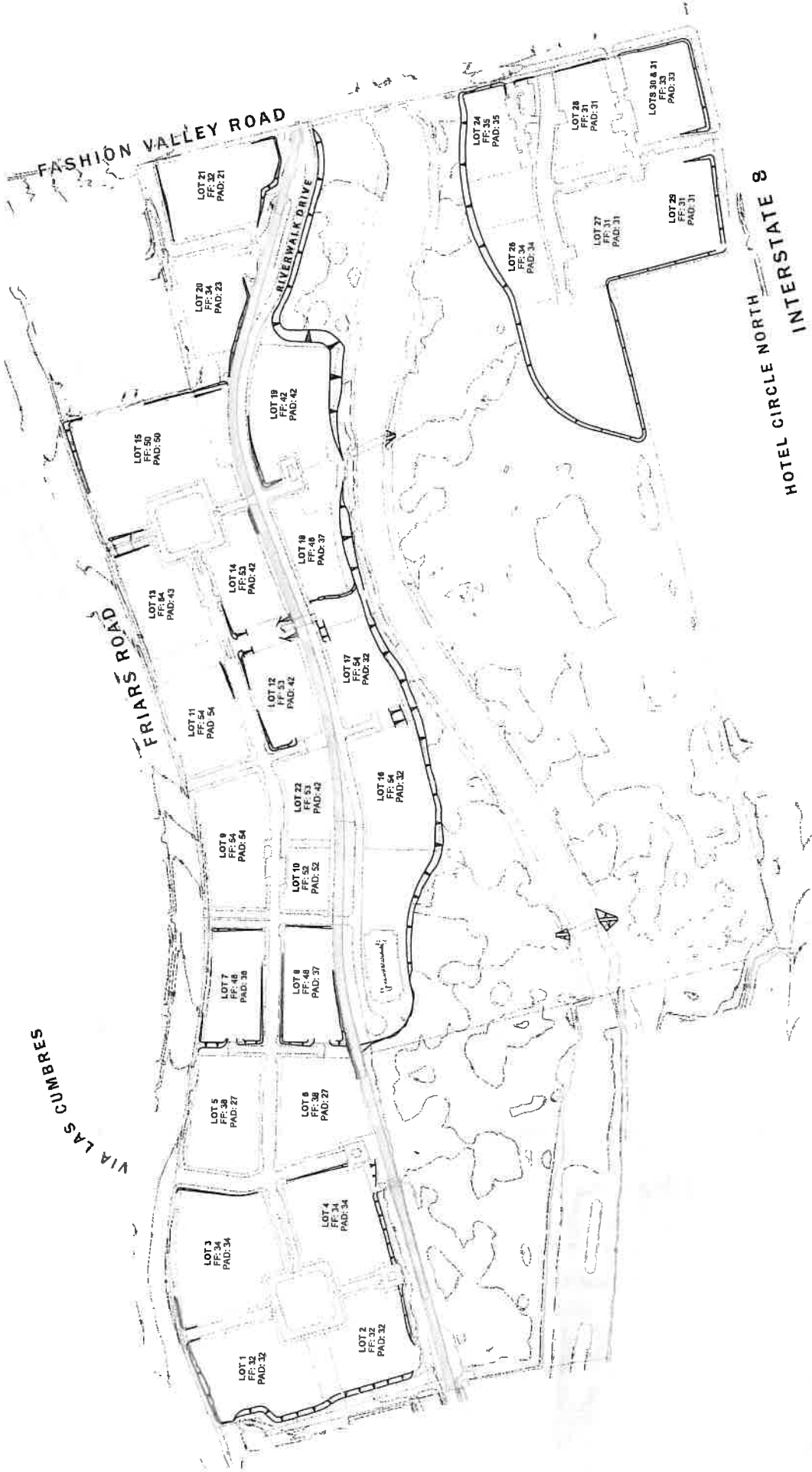
PROGRAM	SITE AREA (NET)	DENSITY (NET)
RESIDENTIAL	53.8 ACRES	80 DU/AC
OFFICE	14.5 ACRES	1.2 FAR
STATION AREA MU	135,000 +/- SF	
ADAPTIVE REUSE	75,000 SF	
OFFICE RETAIL	15,000 SF	
NEIGHBORHOOD PARK	45,000 SF	
RIVER PARK/OS	3.5 ACRES	
	67 ACRES	

NOTE: ALL NUMBERS ARE PRELIMINARY IN NATURE AND SUBJECT TO CHANGE BASED ON REFINEMENTS TO SITE PLAN. PROGRAM MAY TRANSFER BETWEEN BLOCKS PROVIDED THE TOTAL SITE PROGRAM IS NOT EXCEEDED.



FOR ILLUSTRATIVE CONCEPT PURPOSES ONLY

CONCEPTUAL LAND USE PLAN



FOR ILLUSTRATIVE CONCEPT PURPOSES ONLY

GRADING PLAN

PUBLIC SCOPING MEETING
Riverwalk / Project No. 581984
April 24, 2018

RECEIVED

APR 24 2018

This meeting is being held to give the public and interested parties an opportunity to submit comments regarding the potential environmental impacts of the proposed project. This information will be used to develop the scope and content of the Environmental Impact Report (EIR) for the project to be described at this meeting. Please record your comments in the space provided below and submit this form to City staff at the conclusion of the meeting.

Comments:

I am very concerned about the seemingly lack of "holistic" approach to Mission Valley. Riverwalk is only one piece of this puzzle. Concerns are habitat for wild life, pollution, flooding, car density, ... etc.
This is a jewel in San Diego that we are quick to lose. I would like to see the overall plan for the Valley.

M. Rahman - 6035 Cirrus St
San Diego CA 92110

RINCON BAND OF LUISEÑO INDIANS

Cultural Resources Department

1 W. Tribal Road · Valley Center, California 92082 ·
(760) 297-2330 Fax:(760) 297-2339



RECEIVED

MAY 14 2018

Development Services

April 23, 2018

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

Re: Riverwalk Project No. 581981

Dear E. Shearer-Nguyen:

This letter is written on behalf of the Rincon Band of Luiseño Indians. Thank you for inviting us to submit comments on the Riverwalk Project No. 581981. Rincon is submitting these comments concerning your projects potential impact on Luiseño cultural resources.

The Rincon Band has concerns for the impacts to historic and cultural resources and the finding of items of significant cultural value that could be disturbed or destroyed and are considered culturally significant to the Luiseño people. This is to inform you, your identified location is not within the Luiseño Aboriginal Territory. We recommend that you locate a tribe within the project area to receive direction on how to handle any inadvertent findings according to their customs and traditions.

If you would like information on tribes within your project area, please contact the Native American Heritage Commission and they will assist with a referral.

Thank you for the opportunity to protect and preserve our cultural assets.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Destiny Colocho'.

Destiny Colocho
Director
Rincon Cultural Resources Department

Shearer-Nguyen, Elizabeth

From: Libby Senoski <happydogz247@yahoo.com>
Sent: Friday, April 20, 2018 2:54 PM
To: DSD EAS
Subject: Distribution list request

Hello,

Please add the Linda Vista Planning Group and the Park Place Estates HOA to the distribution list for the following:

• PROJECT NAME / NUMBER: RIVERWALK / 581984 • COMMUNITY AREA: Mission Valley • COUNCIL DISTRICT: 7

The distribution of further information on this project to the Park Place Estates HOA may be forwarded to Felicity Senoski at happydogz247@yahoo.com.

Sincerely,
Felicity Senoski
Linda Vista Planning Group Member
Park Place Estates HOA President

Name (please print)	Address (please print)	E m a i l
MATTHEW LEYBA-GONZALEZ	812 SOUTH JOHNSON AVE EL CAJON, CA 92020	MGOZALEZ@LCOE.NET
Javier Alvarado	4161 Home Ave San Diego, CA 92105	
JOHN NUGENT	5765 FAIRFAX RD WILSON SAN DIEGO, CA 92116	JNugent50@aol.com
MICHELE ADDINGTON		MICHELEADDINGTON@gmail.com
Margie Roehn	6035 Cirrus St San Diego, 92110	
Rick Manley	6037 Gaines St SD	rickmanley@mac.com
PAUL LEYTON	5865 FRIDGES RD 92110	
Jennifer Carroll	6034 Cirrus St SD 92110	jzcarroll@gmail.com
ELC ALBERT	5805 FRIDGES ROAD #2212 92110	

Riverwalk Project No. 581984
Scoping Meeting - April 24, 2018

[illegible]



Development Services Department
Land Development Review Division

SPEAKER SLIP

RIVERWALK / Project No. 581984
Scoping Meeting – April 24, 2018

PLEASE PRINT LEGIBLY

Name: Wayne T. Williams

Address: 5605 Friars Rd #325

SAN DIEGO

Email or Phone Number Wayne.williams@san.rv.com

①

April 6, 2018

Mr. Bhavesh Parikh
SD Riverwalk LLC
4747 Executive Drive, Suite 410
San Diego, CA 92121

**SUBJECT: Scope of Work for an Environmental Impact Report for the Riverwalk Project
(Project No. 581894)**

Dear Mr. Parikh:

Pursuant to Section 15060(d) of the California Environmental Quality Act (CEQA), the Environmental Analysis Section (EAS) of the City of San Diego Development Services Department has determined that the proposed project may have significant effects on the environment, and the preparation of an Environmental Impact Report (EIR) is required. Staff has determined that a project EIR is the appropriate environmental document for the Riverwalk project.

The purpose of this letter is to identify the issues to be specifically addressed in the EIR. The EIR shall be prepared in accordance with the City's "Technical Report and Environmental Impact Report Guidelines" (dated December 2005). A copy of the current guidelines is attached.

A Notice of Preparation (NOP) will be distributed to the Responsible Agencies and others who may have an interest in the project as required by CEQA Section 15082. Scoping meetings are required by CEQA Section 21083.9(a)(2) for projects that may have statewide, regional or area-wide environmental impacts. The City's environmental review staff has determined that this project meets this threshold. A public scoping meeting has been scheduled for **Tuesday, April 24, 2018 from 6:00PM to 8:00PM at the Mission Valley Library, located 2123 Fenton Parkway, San Diego, CA 92108**. Please note that, depending upon the number of attendees, the meeting could end earlier than 7:30 PM.

Changes or additions to the scope of work may be required as a result of input received in response to the Notice of Preparation and Scoping Meeting. In addition, the applicant may need to adjust the project over time through the discretionary review process, and these changes would be disclosed within the EIR under the section "History of Project Changes" and accounted for in the EIR impact analysis to the extent required by CEQA.

Each section and issue area of the EIR shall provide a descriptive analysis of the project followed by a comprehensive evaluation. The EIR shall also include sufficient graphics and tables, in conjunction with the relevant narrative discussions, to provide a complete and meaningful description of all

major project features, the environmental impacts of the project, as well as cumulative impacts, mitigation of significant impacts, and alternatives to the project.

PROJECT DESCRIPTION

Discretionary Actions

Discretionary action being requested include the following: a General Plan Amendment, Mission Valley Community Plan Amendment, Levi-Cushman Specific Plan Amendment, a Rezone from MVPD-MV-M/SP to CC-3-9 and OP-1-1, Vesting Tentative Map (VTM), Site Development Permit, Master Planned Development Permit, and Street and Public Easement Vacations.

Location of Project

The approximate 195-acre project site is located at 1150 Fashion Valley Road and is currently developed with the 27-hole Riverwalk Golf Course. The General Plan designates the project site as Multi-Use; Commercial Employment, Retail, and Services; and, Parks, Open Space, and Recreation. The site is designated Open Space and Multi-Use and zoned OF-1-1 and Mission Valley Planned District (MVPD)-MV-M/SP in the Mission Valley Community Plan; whereas the Levi-Cushman Specific Plan identifies the site for a mix of residential, retail, office, hotel, and recreational use. Additionally, the site is within the Airport Land Use Compatibility Overlay Zone for Montgomery Field, the Airport Influence Area (AIA) for San Diego International Airport (SDIA) and Montgomery Field (Review Area 2), the Federal Aviation Administration Part 77 Notification Area for the SDIA and Montgomery Field, Transit Area Overlay Zone, and Transit Priority Area.

Situated in the western portion of central Mission Valley, the project site south of Friars Road, north of Hotel Circle North, and west of Fashion Valley Road. Private development and privately-owned undeveloped property are located to the west of the project site. The site is immediately north of I-8, approximately one mile west of SR 163, and approximately two miles east of I-5. The San Diego River, as well as a segment of Green Line Trolley tracks, traverses the project site in an east-west direction. The Green Line Trolley provides transit connections through Mission Valley to the Old Town multi-model transit facility located in Old Town west of the project site and to San Diego State University and the cities of La Mesa, El Cajon, and Santee located farther east of the project site.

Surrounding uses include multi-family residential developments of Mission Valley to the northwest and northeast; multi-family residential, single-family residential, and commercial office developments of Linda Vista to the north. Commercial retail (Fashion Valley Mall) and hotel (Town & Country Resort) uses are located east of the project site. A mix of office, residential, and hotel uses, as well as I-8, are located south of the project site.

Project Description

The project proposes an amendment to the existing Levi-Cushman Specific Plan to allow for development of a mixed-use project consisting of multi-family residential, neighborhood retail, office, and a large community park. The project would include approximately 4,300 multi-family residential dwelling units; approximately 140,000 square feet of neighborhood retail space; approximately 1,000,000 square feet of office; approximately 22 acres of population-based parks; approximately 60 acres of park, open space, and trails to implement the San Diego River Park

Master Plan; adaptive reuse of the existing golf clubhouse into a community amenity; and a new Green Line Trolley stop within the development.

Multi-Family Housing

Riverwalk would include up to 4,300 multi-family units located predominantly in the northern one-third of the project site. Parking would be provided in structures within the residential parcels and as limited surface parking. The proposed project includes the provision of ten percent of the residential dwelling units to qualify as “affordable housing.”

Commercial Use

The commercial component of the project totals approximately 140,000 square feet of neighborhood retail space. Public plazas and community gathering areas would connect the various housing elements of Riverwalk to the commercial cores centered on the proposed trolley stop and repurposed golf course clubhouse. The trolley stop is proposed to be a centralized multi-modal node within the project. It would provide pick up and drop offs for both public transportation systems, as well as private multimodal transportation options such as employer shuttles, car share, and rideshare services. Adjacent to the trolley stop, the commercial uses would provide services and retail options connecting with the residential neighborhoods via a walkable trail and sidewalk system.

Employment Use

The employment uses would be concentrated in the southeastern portion of the project site, totaling approximately 1,000,000 square feet of office space. Commercial uses may be collocated within this employment core to serve employees and visitors. This portion of the project would be connected to the greater Riverwalk Specific Plan area via a network of pedestrian trails and sidewalks, as well as via transit and automobiles on the circulation network.

Parks, Open Space, and Trails

The project would include approximately 22 acres of population-based parks, as well as approximately 60 acres of additional parks, open space, and trails that implement the San Diego River Park Master Plan. Smaller park elements would range in size and a network of trails would connect the Districts of Riverwalk to the parks and surrounding community. The population-based park would be located immediately south of Green Line Trolley tracks and north of the San Diego River. Development of population-based parks shall follow Council Policy 600-33, *Community Notification and Input for City- Wide Park Development Projects*, which requires a public input process and Park and Recreation Board approval for the park’s design.

Roads and Parkways

The project would construct the on-site extension of Riverwalk Drive, a main roadway facilitating a connection between Fashion Valley Road and the Districts north of the San Diego River, with one lane of travel in either direction and 61 feet of right-of-way. In addition to internal roadway network streets, an internal spine street within the Core District (Riverwalk’s northern-most District) would have one lane of travel in either direction with a right-of-way width varying between 84 and 89 feet.

Roadways within the Core District and Park District would provide vehicular connection to the proposed trolley stop located in the central portion of the Core District.

Circulation/Access

Regional access to the site is provided by Interstate 8 (I-8), located immediately south of the project site; State Route 163 (SR-163), located approximately one mile east of the project site; and Interstate 5 (I-5), located less than two miles west of the project site. Primary vehicle access to the project would occur at Fashion Valley Road from the east, Hotel Circle North from the south, and Friars Road from the north.

Pedestrian circulation would be provided throughout the site by a network of sidewalks, pathways, and public spaces. Pedestrian trails would run along the San Diego River open space corridor and through the parks. The pedestrian trails within the San Diego River open space would align with the existing segment of the San Diego River Park Master Plan multi-use trail located east of the project site on the eastern side of Fashion Valley Road. On-street bike lanes and bike ways would be provided along the internal circulation facilities. Bicycle service and parking would be provided on site at the proposed trolley station to support bicycle circulation.

Additionally, existing golf course circulation element would be retained for pedestrian and bicycle connectivity. A golf cart tunnel in northcentral portion of the site would provide crossing for bicycles and pedestrian underneath the at-grade trolley tracks and two existing golf cart bridges over the San Diego River would also be retained for bicycle and pedestrian connectivity between the Core District and Park District to the north and the River District to the south.

Landscape and Hardscape Treatments

The project would include landscaping throughout the community. Proposed plantings include a variety of native trees, shrubs, ornamental grasses, and groundcovers, many of which are native species. A landscape palette is proposed for each component of the project. For example, primary streets and entry drives could include evergreen trees, such as water gum, lemon bottlebrush, and Australian willow, and deciduous trees, such as cedar elm, pink trumpet tree, and multi-trunk jacaranda. Accent trees in plazas and other focal areas could include crape myrtle, Torrey pine, and multi-trunk coast live oak. Street trees would be planted in parkways between the curb and sidewalk to create a barrier between the sidewalk and the street. Each District would have variation in its landscape palette, but elements of the overall landscape design throughout the site would be cohesive and take into account best practice drought tolerant design concepts.

Hardscape treatments would include concrete pavers set within gravel bands, distressed paint, cinderblock, granite boulders, textured and colored concrete, concrete with exposed or special aggregate, corrugated metal, or other similar finish treatments. Pedestrian seating/benches and bike racks would be placed throughout the project.

Monuments and signage would be included throughout the project site. Monuments would be used for major and secondary entrances to the project site and to identify the neighborhood park and different Districts within the project site. Signage would be provided for wayfinding and traffic control purposes, and to identify trails, pathways, and addresses. Lighting would be installed in

outdoor areas to illuminate common areas, streets, paths, entryways, landscaping, vehicle and bicycle parking areas, the trolley stop, and architectural elements. Lighting would be consistent with City requirements for safety and would be shielded and directed away from residential uses with shielding.

Utilities

Utility services would be provided through the construction of pipelines/extensions from existing utility infrastructure on-site and within surrounding roadways. Water service is available in Friars Road at Fashion Valley Road from an existing 16-inch diameter line, which would be looped and interconnected to existing smaller diameter distribution lines in Hotel Circle North through Riverwalk's street network. Sewer service would be provided by the 66-inch diameter North Mission Valley and 27-inch South Mission Valley trunk sewers. Sewer collector mains would be installed throughout the project as required and would connect to the existing trunk sewers. Existing public drainage facilities would be extended through the project within public storm drain easements in storm drain facilities designed per City Engineers' requirements. Storm drains would be installed within the project in a combination of public and private drainage systems in accordance with requirements of the State Regional Water Control Board and the City's design standards.

Dry utilities include infrastructure projects that would bring electricity, natural gas, telephone, cable, and other services to the project. Electric service would be provided from existing systems adjacent to the site, primarily those in Friars Road. Initial feeds would originate at SDG&E's Old Town substation (Gaines at Napa), with future feeds coming from some combination of the Old Town substation and the Fashion Valley substation, or a new substation not yet sited. The principal natural gas source for the site would be SDG&E's existing 20-inch transmission main in Friars Road. This main would adequately serve the site.

Telephone, cable television, and internet service may be provided by several companies including AT&T, Cox Communications, and Spectrum. The utilities would be extended underground within street ROWs and other public easements. Although no wireless communication towers or facilities are proposed, they are permitted within the project.

Sustainable Design Features

The project has been designed with the intention to promote sustainability. Buildings would feature cool roofs, energy efficient appliances, energy efficient light-emitting diode (LED) lighting, and drought-tolerant plantings. Homes would be situated on the site to maximize opportunities to walk and bike through the trail system. Riverwalk would reduce vehicle miles traveled (VMT) by providing jobs and commercial uses near residential uses, and the proposed trolley stop would place public transportation as well as private mobility options in an accessible area for project residents.

Grading

All grading within the Specific Plan area would be controlled by the Vesting Tentative Map for the Riverwalk Specific Plan. The Vesting Tentative Map includes a series of graded pads for the various land uses and provides grading for the internal circulation and public infrastructure. The overall grading plan would result in changes to the existing golf course and the slopes abutting the trolley tracks and Friars Road and in raising building pads elevations to at least two feet above the 100-year

flood elevation. While the Vesting Tentative Map and Specific Plan provide pad elevations and shapes, the final grading plan may result in changes to pad elevations and shapes, such as grade breaks within the pads. The Vesting Tentative Map and Riverwalk Specific Plan cannot fully anticipate the configuration of each building and the desired pad elevations or shape; therefore, changes to site grading would occur to accommodate buildings (including subterranean parking garages) and site planning.

EIR FORMAT/CONTENT REQUIREMENTS

The EIR serves to inform governmental agencies and the public of a project's environmental impacts. Emphasis in the EIR must be on identifying feasible solutions to environmental impacts. The objective is not to simply describe and document an impact, but to actively create and suggest mitigation measures or project alternatives to substantially reduce the significant adverse environmental impacts. The adequacy of the EIR will depend greatly on the thoroughness of this effort.

The EIR must be written in an objective, clear, and concise manner, utilizing plain language. Each environmental analysis section of the EIR should provide a descriptive setting of the project as it relates to that specific issue area followed by a comprehensive evaluation of the issue area. The use of graphics is encouraged to replace extensive word descriptions and to assist in clarification. **Please place all figures and large tables at the end of each individual chapter.** Conclusions must be supported with quantitative, as well as qualitative, information, to the extent feasible. **The entire environmental document must be left justified. In addition, the environmental document is required to utilize Opens Sans, 10 pitch font.**

I. CERTIFICATION

Prior to the distribution of the draft EIR for public review, Certification pages, which are attached at the front of the draft EIR, will be prepared and provided by EAS to the consultant.

II. TITLE PAGE

The EIR shall include a Title Page that includes the project name, Project Tracking System (PTS) number, State Clearinghouse (SCH) number, and date of publication. **DO NOT include any company logos and applicant's or consultant's names.**

III. TABLE OF CONTENTS

The Table of Contents must list all sections included in the EIR, as well as the Appendices, Tables, and Figures. Immediately following the Table of Contents, a list of acronyms and abbreviations used in the document must be provided.

IV. EXECUTIVE SUMMARY

The consultant will prepare the Executive Summary to be submitted for review with the last internal draft EIR screencheck, unless otherwise determined. The Executive Summary shall have an independent page numbering system (e.g., S-1, S-2). In general, the Executive Summary should reflect the EIR outline but not need contain every element of the EIR. At a minimum, the Executive Summary must include: a brief project description; impacts determined to be significant (including cumulative); impacts found to be less than significant; alternatives; areas of controversy; and, lastly, a matrix listing the impacts and mitigation. Please refer to the Environmental Report Guidelines (2005) for further detailed information.

V. INTRODUCTION

The EIR shall introduce the project with a brief discussion on the intended use and purpose of the EIR. This discussion shall focus on the type of analysis that the EIR is providing and provide an explanation of why it is necessary to implement the project. This section shall describe and/or incorporate by reference any previously certified environmental documents that cover the project site including any EIRs. This section shall briefly describe areas where the project is in compliance or non-compliance with assumptions and mitigation contained in these previously certified documents. Additionally, this section shall provide a brief description of any other local, state and federal agencies that may be involved in the project review and/or any grant approvals.

VI. ENVIRONMENTAL SETTING

The EIR shall describe the precise location of the project with an emphasis on the physical features of the site and the surrounding areas and present it on a detailed topographic map or aerial photograph and regional map. This section shall also include a map(s) of the specific proposal and discuss the existing conditions on the project site and in the project area. In addition, the section shall provide a local and regional description of the environmental setting of the project, as well as the zoning and General Plan/Community Plan land use designations of the site and its contiguous properties, area topography, drainage characteristics, and vegetation. It shall include any other applicable land use plans such as the City's MSCP/MHPA, environmentally sensitive lands [steep slopes, wetlands, Federal Emergency Management Agency (FEMA), 100-year floodplain and/or floodway that may intersect the project components], and other applicable open space preserves or overlay zones that affect the project site, such as the City of San Diego River Park Master Plan. The section shall include a listing of any open space easements or building restricted easements that exist on the property. A description of other utilities that may be present on or in close proximity to the site and their maintenance accesses shall also be discussed. Provide a recent aerial photo of the site and surrounding uses, and clearly identify the project location. This section shall include a brief description of the location of the closest police and fire stations along with their response times.

VII. PROJECT DESCRIPTION

The EIR shall include a detailed discussion of the goals and objectives of the project, in terms of public benefit (increase in housing supply, employment centers, etc.). Project objectives will be critical in determining the appropriate alternatives for the project, which would avoid or substantially reduce potentially significant impacts. As stated in CEQA Guidelines Section 15124(b), "A clearly written statement of objectives will help the lead agency develop a reasonable range of alternatives to evaluate in the EIR and will aid the decision makers in adopting findings and/or a statement of overriding considerations, if necessary. The statement of objectives should include the underlying purpose of the project."

This section shall describe all discretionary actions needed to implement the project (e.g. Site Development Permit, Planned Development Permit, Easement Vacations, etc.), including all permits required from federal, state, and local agencies. The description of the project shall include all major project features, including development intensity, grading (cut and fill), relocation of existing facilities, land use, retaining walls, landscaping, drainage design, improvement plans, off-site improvements, vehicular access points, and parking areas associated with the project. The project description shall describe any off-site activities necessary to construct the project. The EIR shall include sufficient graphics and tables to provide a complete description of all major project features. Project phasing also should be described in this section. This discussion shall address the whole of the project.

VIII. HISTORY OF PROJECT CHANGES

This section of the EIR shall outline the history of the project and any physical changes that have been made to the project in response to environmental concerns identified during the review of the project (i.e. response to City's review of the project, the NOP, public scoping meetings, or during the public review for the draft EIR).

IX. ENVIRONMENTAL IMPACT ANALYSIS

The potential for significant environmental impacts must be thoroughly analyzed and mitigation measures identified that would avoid or substantially lessen any significant impacts. The City of San Diego is the Lead Agency for this project, and therefore the EIR must represent the independent analyses of the Lead Agency. Accordingly, all impact analysis must be based on the City's "Significance Determination Thresholds" (January 2011) and Greenhouse Gas Emissions Significance Thresholds (2016), unless otherwise directed by the City. Below are key environmental issue areas that have been identified for this project, within which the issue statements must be addressed individually.

Discussion of each issue statement shall include an explanation of the existing project site conditions, impact analysis, significance determination, and appropriate mitigation. The impact analysis shall address potential direct, indirect, and cumulative impacts that could be created through implementation of the project and its alternatives. Lastly, the EIR shall summarize each required technical study or survey report within each respective issue

section, and all requested technical reports must be included as the appendices to the EIR. Furthermore, as required by CEQA Sections 15140 and 15147, please ensure the environmental document is written in plain language and avoids highly technical terminology and analysis.

In each environmental issue section, mitigation measures to avoid or substantially lessen impacts must be clearly identified and discussed. The ultimate outcome after mitigation should also be discussed (i.e., significant but mitigated, significant and unmitigated). If other potentially significant issue areas arise during the detailed environmental investigation of the project, consultation with Development Services Department is required to determine if these areas need to be added to the EIR. As supplementary information is required, the EIR may also need to be expanded.

Land Use

- Issue 1: Would the proposal result in a conflict with the environmental goals, objectives, or recommendations of the General/Community Plan in which it is located?**
- Issue 2: Would the proposal require a deviation or variance, and the deviation or variance would in turn result in a physical impact on the environment?**
- Issue 3: Would the proposal result in land uses which are not compatible with an adopted Airport Land Use Compatibility Plan (ALUCP) including aircraft noise levels as defined by the plan?**
- Issue 4: Would the proposal result in the exposure of sensitive receptors to current or future noise levels that would exceed standards established in the Noise Element of the General Plan?**
- Issue 5: Would the proposal conflict with the provisions of the City's Multiple Species Conservation Program Subarea Plan or other approved local, regional, or state habitat conservation plan?**

This section shall provide a discussion of all applicable land use plans to establish a context in which the project is being proposed. Specifically, it shall discuss how the project implements the goals, objectives, and recommendations of the General Plan (including all applicable elements), the Mission Valley Community Plan, Levi-Cushman Specific Plan, the San Diego River Park Master Plan, the Multiple Species Conservation Plan, and the Land Development Code. If the project is found to be inconsistent with any adopted land use plans, the EIR shall disclose and analyze any physical effects that may result from the inconsistency that could be considered significantly adverse.

The section shall also provide a listing of all requested deviation(s)/variance(s). For each requested deviation or variance, provide analysis on whether the requested action would then result in a physical impact on the environment.

An acoustical technical report shall be prepared for the project that should include an evaluation of the General Plan Noise Element. If there is a potential for proposed uses to be incompatible with exterior noise levels at outdoor amenities or interior areas, measures must be included as project design features in order to ensure consistency with the General Plan Noise Element (i.e., setbacks, use of double-paned glass, noise walls/berms, and other noise attenuation techniques). Furthermore, the project is within the Airport Influence Area for MCAS Miramar Airport (Review Area 1) and the southern portion of the project site lies within the 65-70 dBA noise contours. Therefore, the acoustical report must provide an analysis with the adopted MCAS Miramar Airport Land Use Compatibility Plan.

The EIR shall disclose how the project would conform to the Noise Element. EIR shall also discuss whether the project is located in an area affected by aircraft noise and, if so, whether land uses proposed by the project be compatible with the MCAS Miramar Airport Land Use Compatibility Plan.

Transportation/Circulation/Parking

- Issue 1: Would the proposal result in traffic generation in excess of specific community plan allocation?**
- Issue 2: Would the proposal result in an increase in projected traffic which is substantial in relation to the existing traffic load and capacity of the street system?**
- Issue 3: Would the proposal result in the addition of a substantial amount of traffic to a congested freeway segment, interchange, or ramp?**
- Issue 4: Would the proposal have a substantial impact upon existing or planned transportation systems?**
- Issue 5: Would the proposal result in an increase in traffic hazards for motor vehicles, bicyclists or pedestrians due to a proposed, non-standard design feature (e.g., poor sight distance or driveway onto an access- restricted roadway)?**
- Issue 6: Would the proposal conflict with adopted policies, plans or programs supporting alternative transportation models (e.g., bus turnouts, bicycle racks)?**

Issue 7: Would the proposal result in a substantial alteration to present circulation movements including effects on existing public access to beaches, parks, or other open spaces areas?

The project meets the Average Daily Traffic (ADT) per gross acres as identified in the Mission Valley Community Plan for Development Intensity Districts "A," "B," and "C"; additionally, the project is within Threshold 2 and therefore requires the preparation of a traffic impact analysis. Implementation of the project would increase existing and future traffic volumes and has the potential to result in direct and/or cumulative traffic impacts on the surrounding circulation network. Therefore, a traffic study must be prepared for this project consistent with the City's Traffic Impact Study Manual, to the satisfaction of the City Engineer, analyzing the traffic characteristics of the project. The traffic study shall analyze the expected trips from the project and document any impacts on intersections, roadways, and freeways. The traffic study shall include descriptions and graphics of the conditions during existing, near-term, and at project buildout (cumulative). Provide an analysis of any potential impacts of the construction of the required traffic improvements. The traffic analysis shall also analyze construction-related trips of the project.

This section shall summarize the traffic study, describe any required modifications and/or improvements to the existing circulation system, including City streets, intersections, freeways, and interchanges required as a result of the project. Address emergency access, if modifications to the existing street system are proposed. The EIR shall present mitigation measures that are required to reduce potentially significant impacts identified in the traffic study and discuss if those measures will mitigate impacts to below a level of significance.

An evaluation of the project's cumulative traffic impacts shall also be conducted, incorporating past, present, and reasonably foreseeable future developments or redevelopment in the community. Potential impacts associated with project construction shall also be discussed.

This section shall also address the project's walkability, pedestrian linkages, bicycle connectivity, and transit opportunities, taking into consideration applicable plan policies that encourage alternative travel modes.

Air Quality

Issue 1: Would the proposal conflict with or obstruct implementation of the applicable air quality plan?

Issue 2: Would the proposal result in a violation of any air quality standard or contribute substantially to an existing or projected air quality violation?

Issue 3: Would the proposal expose sensitive receptors to substantial pollutant concentrations?

Issue 4: Would the proposal exceed 100 pounds per day of Particulate Matter (PM) (dust)?

Issue 5: Would the proposal result in creating objectionable odors affecting a substantial number of people?

The construction and operation phases of the project have potential to affect air quality. Construction can create short-term air quality impacts through equipment use, ground-disturbing activities, architectural coatings, and worker automotive trips. Air quality impacts resulting from the operation of the project would be primarily generated by increases in automotive trips. An air quality analysis shall be prepared which discusses the project's impact on the ability to meet state, regional, and local air quality strategies/standards, as well as any health risks associated with stationary and non-stationary (i.e., vehicular) air emission sources associated with construction and operation of the project.

This section shall describe the project's climatological setting within the San Diego Air Basin and the basin's current attainment levels for State and Federal Ambient Air Quality Standards. The section and technical shall include: estimates of total-generated air pollutant emissions; a discussion of short- and long-term and cumulative impacts on regional air quality, including construction and operational-related sources of air pollutants; a discussion of potential dust generation during construction; evaluation of the potential for carbon monoxide hot spots (if significant impacts at nearby intersections are identified in the traffic report); and any proposed emissions reduction design features or dust suppression measures that would avoid or lessen emissions or dust-related impacts to sensitive receptors within the area. The air quality study shall take into consideration the potential for criteria pollutant emissions generated from the project, as well as toxic air contaminants. Proposed mitigation measures shall be identified, if applicable.

The significance of potential air quality impacts shall be assessed, and control strategies identified. The EIR shall analyze the projects' compliance with the State Implementation Plan (SIP), the Regional Transportation Plan (RTP) and the Regional Transportation Improvement Plan (RTIP).

The EIR shall also assess the potential health risks associated with particulate emissions from roadways. If applicable, the air quality analysis shall assess whether the project would allow for future development which would create a significant adverse effect on air quality that could affect public health; therefore, include within the Air Quality Analysis any health risks associated with the project.

Biological Resources

Issue 1: Would the proposal 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 or other local or regional

plans, policies or regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS)?

- Issue 2: Would the proposal result in a substantial adverse impact on any Tier I, Tier II, Tier IIIA, or Tier IIIB habitats as identified in the Biology Guidelines of the Land Development Code or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW or USFWS?**
- Issue 3: Would the proposal result in a substantial adverse impact on wetlands (including, but not limited to, marsh, vernal pools, riparian areas, etc.) through direct removal, filling, hydrological interruption, or other means?**
- Issue 4: Would the proposal result in interfering substantially with the movement of any native resident or migratory fish or wildlife species or established native resident or migratory wildlife corridors, including linkages in the MSCP or impede the use of native wildlife nursery sites?**
- Issue 5: Would the proposal conflict with the provisions of an adopted Habitat Conservation Plan (HCP), Natural Conservation Community Plan (NCCP) or other approved local, regional, or state habitat conservation plan, either within the MSCP plan area or in the surrounding region?**
- Issue 6: Would the proposal introduce a land use within an area adjacent to the Multiple Habitat Planning Area (MHPA) that would result in adverse edge effects?**
- Issue 7: Would the proposal result in a conflict with any local policies or ordinances protecting biological resources?**
- Issue 8: Would the proposal result in the introduction of invasive species of plants into a natural open space area?**

The project site supports sensitive biological resources as identified in the City's Biology Guidelines. In addition, the Multi-Habitat Planning Area (MHPA) occurs adjacent to and within portions of the project site. A Biological Technical Report (BTR) shall be prepared in accordance with City of San Diego Biology Guidelines. The report shall include a description of terrestrial habitats on site. Flora and fauna observed or known to utilize the area should be discussed, including threatened and endangered species. The report should contain an evaluation of the potential for project related impacts to occur on identified resources and include mitigation measures should impacts occur. The impact analysis must consider all project elements, including proposed restoration of the San Diego River area and brush management

This section of the EIR shall summarize potential direct and indirect impacts to biological resources, as detailed in the BTR. The EIR shall also present mitigation measures that are

required to reduce significant impacts. Discuss if those measures will mitigate impacts to below a level of significance. The analysis shall identify Federal, State, and local ordinances and laws which protect sensitive biological resources (e.g., City MSCP and State and Federal endangered species and wetlands laws). The potential for the project to conflict with the goals and regulations established by these laws and policies shall also be evaluated.

Energy

Issue 1: Would the construction and operation of the proposal result in the use of excessive amounts of electrical power?

Issue 2: Would the proposal result in the use of excessive amounts of fuel or other forms of energy (including natural gas, oil, etc.)?

Appendix F of the State CEQA Guidelines required that potentially significant energy implications of a project shall be considered in an EIR to the extent relevant and applicable to the project. Particular emphasis on avoiding or reducing inefficient, wasteful, and unnecessary consumption of energy shall be included in this section. The EIR shall address the estimated energy use for the project and assess whether the project would generate a demand for energy (electricity and/or natural gas) that would exceed the planned capacity of the energy suppliers. A description of any energy and/or water saving project features shall also be included in this section (with cross-references to the GHG emissions discussion, as appropriate). This section shall describe any proposed measures included as part of the project that would conserve energy and reduce energy consumption and shall address all applicable issues described within Appendix F of the CEQA Guidelines.

Geologic Conditions

Issue 1: Would the proposal expose people or structures to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards?

Issue 2: Would the proposal result in a substantial increase in wind or water erosion of soils, either on or off the site?

Issue 3: Would the proposal 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?

The project site is located in a seismically active region of California where the potential for geologic hazards, such as earthquakes and ground failures exist. A geotechnical investigation, prepared in accordance with the City's Geotechnical Report Guidelines, is required to address the feasibility and suitability of the entire site for the development

The section shall describe the geologic and subsurface conditions in the project site. It shall describe the general setting in terms of existing topography, geology (surface and subsurface), tectonics, and soil types. It shall assess possible impacts to the project from geologic hazards and unfavorable soil conditions. The constraints discussion shall include issues such as the potential for liquefaction, slope instability, and other hazards. Any secondary impacts due to soils/geology mitigation (e.g., excavation of unsuitable soil) shall also be addressed. Additionally, the sections shall provide mitigation, as appropriate, and which exceed typical building code standards, that would reduce the potential for future adverse impacts resulting from on-site soils and geologic hazards.

Greenhouse Gas Emissions

Issue 1: Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Issue 2: Would the project conflict with the City's Climate Action Plan or any applicable plan, policy, or regulation adopted for the purpose of reducing emissions of greenhouse gases?

This section shall present an overview of greenhouse gas (GHG) emissions, including the most recent information regarding the current understanding of the mechanisms behind current conditions and trends, and the broad environmental issues related to greenhouse gasses. The City adopted a Climate Action Plan (CAP) that outlines the actions that City will undertake to achieve its proportional share of State greenhouse gas (GHG) emission reductions. A project's consistency with the Climate Action Plan (CAP) is determined through compliance with the CAP Consistency Checklist, the City's adopted significance threshold for GHG emissions. Projects that are consistent with the CAP as determined through the use of this Checklist may rely on the CAP for the cumulative impacts analysis of GHG emissions. Projects that are not consistent with the CAP must prepare a comprehensive project-specific analysis of GHG emissions, including quantification of existing and projected GHG emissions and incorporation of the measures in this Checklist to the extent feasible. Cumulative GHG impacts would be significant for any project that is not consistent with the CAP. The EIR shall provide details of the project's consistency and/or inconsistency with the CAP Consistency Checklist.

Health & Safety

Issue 1: Would the proposal 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: Would the proposal result in hazardous emissions or acutely hazardous materials, substances, or waster within a quarter-mile of an existing or proposed school?

- Issue 3:** Would the proposal impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- Issue 4:** Would the proposal 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?
- Issue 5:** Would the proposal result in a safety hazard for people residing or working in a designated airport influence area?
- Issue 6:** Would the proposal result in a safety hazard for people residing or working within two miles of a private airstrip or a private airport or heliport facility that is not covered by an adopted Airport Land Use Compatibility Plan?

The EIR shall identify known contamination site(s) within the project areas and address the potential impact to occupants of the project. This section should also address any other hazardous materials that would be utilized and/or stored on-site. Please provide the types and quantities of hazardous materials along with the locations of storage areas on the plans. The EIR shall also discuss project effects on emergency routes and access within the project area during and after project construction.

Fire hazards exist where highly flammable vegetation is located adjacent to development. Specialized public safety issues arise in cases where brush management requirements cannot be met. The EIR should discuss the project in terms of health and safety as it relates to fire hazards on and adjacent to the project. The discussion should include a discussion of brush management zones (if required), as well as any other fire safety measure to be implemented for the site. Lastly, the EIR shall discuss potential safety hazards related to airports.

Historical Resources

- Issue 1:** Would the proposal result in an alteration, including the adverse physical or aesthetic effects and/or the destruction of a prehistoric or historic building (including an architecturally significant building), structure, or object, or site?
- Issue 2:** Would the proposal result in any impact to existing religious or sacred uses within the potential impact area?
- Issue 3:** Would the proposal result in the disturbance of any human remains, including those interred outside of formal cemeteries?

Historical resources may potentially be directly or indirectly affected by project implementation and shall be discussed in this section of the EIR. A cultural resources report shall be prepared, in accordance with the City's Historical Resources Guidelines, which assesses the project's potential to impact historic and/or prehistoric resources. If demolition is proposed, provide information regarding the age of any existing buildings to be demolished and evidence relative to potential historic relevance.

This section of the EIR shall be based on the cultural resources report and describe the environmental effects of the construction and use of the project on known archaeological resources, as well as the potential for impacts to unknown subsurface resources. If potentially significant impacts are identified, the EIR shall identify requirements for archaeological monitoring during grading operations and specify mitigation requirements for any discoveries.

Hydrology

Issue 1: Would the proposal result in an increase in impervious surfaces and associated increased runoff?

Issue 2: Would the proposal result in a substantial alteration to on- and off-site drainage patterns due to changes in runoff flow rates or volumes?

Issue 3: Would the proposal develop wholly or partially within a 100-year floodplain as identified on a FEMA map and impose flood hazards on other upstream or downstream properties?

Hydrology deals with the properties, distribution, and circulation of surface water, groundwater, and atmospheric water. The quantity of water which flows in a creek or river is calculated based on historic climatic conditions combined with the watershed characteristics. The slope and shape of the watershed, soil properties, recharge area, and relief features are all watershed characteristics, which influence the quantity of surface flows. Increases in impervious surfaces could potentially result in significant erosion and subsequent sedimentation downstream. Therefore, as land is developed, impervious area is increased, thereby increasing runoff. Subsequently, a preliminary hydrology study is required to address these issues. The technical study shall pay particular attention to addressing anticipated changes to existing drainage patterns and runoff volumes affecting adjacent properties.

The EIR shall evaluate if the project would have a potential for increasing runoff rates and volumes within the project area. Anticipated changes to existing drainage patterns, runoff rates and volumes, and groundwater recharge rates in the project area shall be addressed in the EIR. The Hydrology section should include changes in impervious surfaces and the resulting changes in drainage patterns. The EIR shall address the potential for project implementation to impact the hydrologic conditions within, as well, as upstream and downstream of the project area. Should the project be identified as being within the

floodway of a Special Flood Hazard Area as identified by the Federal Emergency Management Agency (FEMA), the EIR shall discuss whether project build-out would result in any increase to the base flood elevation. It shall provide a discussion and analysis focusing on the project's impact on the floodway and the floodplain.

Noise

Issue 1: Would the proposal result in or create a significant increase in the existing ambient noise levels which exceed the City's adopted noise ordinance?

An acoustical analysis, prepared in accordance with the City's "Acoustical Report Guidelines," is required to determine what, if any, impacts would occur due to project implementation. The report must determine if the project has the potential to create significant noise impacts. The analysis shall consist of a comparison of the change in noise levels projected along affected roadways (as identified in the traffic study) resulting from project implementation. Include tables within the noise study, which show the existing and future noise levels of dB(A) and any increased noise levels over dB(A) in 3 dB(A) increments along affected roads.

The analysis shall discuss how the project would conform to the City of San Diego Municipal Code Noise and Abatement Control Ordinance §59.5.01. Additionally, construction noise may impact surrounding uses and the EIR shall include a discussion regarding this potential impact.

Paleontological Resources

Issue 1: Would the project 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?

The EIR should include a paleontological resources discussion that identifies the underlying formation(s) and the likelihood of uncovering paleontological resources during grading activities. The EIR shall identify the depth of cut (in feet) and amount of grading (in cubic yards) that would result from any grading activities. The City's thresholds for monitoring include grading depths of 10 feet or more and excavation of 1,000 or 2,000 cubic yards depending on the respective moderate or high sensitivity of the formational soils on-site. Monitoring may also be required depending on other site conditions, such as previous grading on-site and depth of exposed formations(s). If the development would impact fossil formations possessing moderate to high potential for significant resources, specific conditions (monitoring and curation) would be required to mitigate impacts to a level below significance.

Public Facilities and Services

Issue 1: Would the proposal have an effect upon, or result in a need for new or altered governmental services in any of the following areas: police protection, fire/life safety protection, libraries, parks or other recreational facilities, or maintenance of public facilities including roads and/or schools?

Appendix G of the CEQA Guidelines asks whether a project would result in substantial adverse physical impacts from the construction or alteration of governmental facilities needed to maintain acceptable service rations, response times, or other performance objectives for any of the public services. Therefore, the focus of the evaluation is on the physical effects of constructing or altering public facilities.

Hence, the EIR shall describe the public services currently available to serve the project site, identify any conflicts with existing infrastructure, evaluate any need for upgrading infrastructure, and demonstrate that facilities would have sufficient capacity to serve the needs of the project. This section shall discuss any intensification of land use and land use changes associated with the project to determine if it would increase demand on existing and planned public services and facilities. of which the construction would result in physical impacts.

Public Utilities

Issue 1: Would the proposal result in a need for new systems, or require substantial alterations to existing utilities, the construction of which would create physical impacts such as the following: natural gas; water; sewer; communication systems; and solid waste disposal?

Issue 2: Would the proposal use of excessive amounts of water?

Issue 3: Does the proposal propose landscaping which is predominantly non-drought resistant vegetation?

The project would increase the demand on essential public utilities (electrical, natural gas, solar energy, solid waste generation/disposal, water, and sewer) and may require new or expanded infrastructure.

The project would increase the demand on essential public utilities (electrical, natural gas, solar energy, solid waste generation/disposal, water, and sewer) and may require new or expanded infrastructure. This section of the EIR shall analyze the demand and supply relationships of various public utilities and discuss how the project would comply with local, state, and federal regulations for each public utility and identify any conflicts with existing and planned infrastructure. The EIR shall include a discussion of potential impacts to public utilities as a result of the project.

A Waste Management Plan (WMP) must be prepared and approved by the City's Environmental Services Department that would address solid waste disposal impacts (construction and operational). The EIR shall discuss how this project would contribute cumulatively to the region's solid waste facility capacity and summarize the findings of the WMP.

Sewer and/or water studies shall be performed to determine if appropriate sewer/water facilities are available to serve the development. The analysis and conclusions of the studies shall be included in the EIR.

Regarding water usage, DSD staff will determine if the project would necessitate the preparation of a Water Supply Assessment (WSA) in accordance with the requirements of Senate Bill (SB) 610 and SB 221, in order to determine if adequate water supplies are available to serve the project. The analysis and conclusion of the WSA shall be included in the EIR. Additionally, the project should identify what water conservation features the project would implement.

Tribal Cultural Resources

Issue 1: Would the project cause 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:

- a) 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**
- b) 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.**

Tribal cultural resources may potentially be directly or indirectly affected by project implementation and shall be discussed in this section of the EIR. The EIR shall address City consultation with tribes as required by Public Resources Code 21080.3.1. The City, as Lead Agency, will formally notify those tribes that have requested notification to begin the process. Consultation will end once both parties agree to measures to avoid or mitigate a significant effect on a tribal cultural resource. The EIR shall discuss potential impacts to tribal cultural resources and inclusion of any necessary mitigation measures.

Visual Quality/Neighborhood Character

- Issue 1: Would the proposal result in a substantial obstruction of any vista or scenic view from a public viewing area as identified in the community plan?**
- Issue 2: Would the proposal result in the creation of a negative aesthetic site or project?**
- Issue 3: Would the proposal result in bulk, scale, materials, or style which would be incompatible with surrounding development?**
- Issue 4: Would the proposal result in substantial alteration to the existing or planned character of the area?**
- Issue 5: Would the proposal result in substantial light or glare which would adversely affect daytime or nighttime view in the area?**

This section should evaluate grading associated with the project and the potential change in the visual environment based on the development. The EIR shall provide an evaluation of the visual quality/neighborhood character changes due to the project. Describe the structures in terms of building mass, bulk, height, and architecture. Describe or state how the project complies with or is allowed by the City's standards for the zone (or proposed zone). Also address any zone deviations (such as height) that could result in substantial impacts to the visual environment. Any and all deviations/variances relating to visual quality/neighborhood character and bulk and scale must be discussed in this section.

Describe how the character of the surrounding area would be affected with development of the project. Describe any unifying theme proposed for the development area and include a description of design guidelines, if applicable. Would the project result in a homogenous style of architecture, or would varied architectural designs be encouraged?

Address visual impacts of the project from public vantage points. Visibility of the site from public vantage points should be identified through some photo survey/inventory and/or photo simulations, and any changes in these views should be described.

The EIR shall also analyze the use of materials that could emit or reflect a significant amount of light or glare and any potential effect on nearby aviation uses. Renderings, cross sections, and/or visual simulations of the project shall be incorporated into the EIR section when possible.

Water Quality

- Issue 1: Would the proposal result in an increase in pollutant discharge to receiving waters during or following construction? Would the proposal discharge identified pollutants to an already impaired water body?**

Issue 2: What short-term and long-term effects would the proposal have on local and regional water quality? What types of pre- and post-construction Best Management Practices (BMPs) would be incorporated into the proposal to preclude impacts to local and regional water quality?

Water Quality is affected by sedimentation caused by erosion, by urban run-off carrying contaminants, and by direct discharge of pollutants (point-source pollution). As land is developed or redeveloped, the impervious surfaces could send an increased volume of runoff containing oils, heavy metals, pesticides, fertilizers, and other contaminants (non-source pollution) into associated watersheds. Sedimentation can impede stream flow. Degradation of water quality could impact human health as well as wildlife systems. Sedimentation can cause impediments to stream flow. Compliance with the City's Storm Water Standards is generally considered to preclude water quality impacts. The Storm Water Standards are available online.

Discuss the project's effect on water quality within the project area and downstream. The project will require preparation of a Storm Water Quality Management Plan (SWQMP), consistent with the City's Storm Water Standards. The EIR must describe how source control and site design have been incorporated into the project, the selection and calculations regarding the numeric sizing treatment standards, BMP maintenance schedules and maintenance costs, and the responsible party for future maintenance and associated costs. The EIR must also address water quality, by describing the types of pollutants that would be generated during post construction, the pollutants to be captured and treated by the BMPs. Based on the analysis and conclusions of the SWQMP, the EIR shall disclose how the project would comply with local, state, and federal regulations and standards.

X. SIGNIFICANT ENVIRONMENTAL EFFECTS WHICH CANNOT BE AVOIDED IF THE PROPOSED PROJECT IS IMPLEMENTED

This section shall discuss the significant unavoidable impacts of the project, including those significant impacts that can be mitigated but not reduced to below a level of significance. Discuss impacts that cannot be reduced to below a level of significance in spite of the applicant's willingness to implement all feasible mitigation measures. Please do not include analysis. State which impacts (if any) cannot be alleviated without imposing an alternative design or location. In such cases, describe why the project has been proposed in spite of the probable significant effects. See CEQA Guidelines Section 15126.2(b).

XI. SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

In accordance with CEQA Section 15126.2(c), the EIR shall include a discussion of any significant irreversible environmental changes which would be caused by the action should it be implemented. This section shall address the use of nonrenewable resources during the construction and life of the project. See CEQA Section 15127 for limitations on the requirements for this discussion.

XII. GROWTH INDUCEMENT

The EIR shall address the potential for growth inducement through implementation of the project. The EIR shall discuss the ways in which the project (1) is directly and indirectly growth inducing (i.e., fostering economic or population growth by land use changes, construction of additional housing, etc.); and (2) if the subsequent consequences (i.e., impacts to existing infrastructure, requirement of new facilities, roadways, etc.) of the growth inducing project would create a significant and/or unavoidable impact, and provide for mitigation or avoidance. Accelerated growth could further strain existing community facilities or encourage activities that could significantly affect the environment. This section need not conclude that growth-inducing impacts (if any) are significant unless the project would induce substantial growth or concentration of population.

XIII. CUMULATIVE IMPACTS

In accordance with CEQA Guidelines Section 15130, potential cumulative impacts shall be discussed in a separate section of the EIR. This section shall include existing and pending development proposals within the project area, including those undergoing review with the Development Services Department, as well as recent past and reasonably foreseeable future developments and redevelopments in the community. The discussion shall address the potential cumulative effects related to each environmental issue area that should be discussed in the EIR as outlined above.

The EIR shall summarize the overall short-term and long-term impacts this project could have in relation to other planned and proposed projects. When this project is considered with other past, present, and reasonably foreseeable probable future projects within close proximity, address whether the project would result in significant environmental changes that are individually limited but cumulatively considerable. If incremental impacts do not rise to the level of cumulatively significant, the draft EIR shall make a statement to that effect.

XIV. EFFECTS FOUND NOT TO BE SIGNIFICANT

A separate section of the EIR shall include a brief discussion of why certain areas were not considered to be potentially significant and were therefore not included in the EIR. For the 3-Roots project, these include agricultural and forestry and mineral resources. If issues related to these areas or other potentially significant issues areas arise during the detailed environmental investigation of the project, consultation with the Environmental Analysis Section (EAS) of the Land Development Review Division is recommended to determine if subsequent issue area discussions need to be added to the EIR. Additionally, as supplementary information is submitted (such as with the technical reports), the EIR may need to be expanded to include these or other additional areas.

XV. ALTERNATIVES

The EIR shall place major attention on reasonable alternatives that avoid or reduce the project's significant environmental impacts while still achieving the stated project objectives. Therefore, a discussion of the project's objectives shall be included in this section. The alternatives shall be identified and discussed in detail and shall address all significant impacts. Refer to Section 15364 of the CEQA Guidelines for the CEQA definition of "feasible."

This section shall provide a meaningful evaluation, analysis, and comparison of alternatives' impacts to those of the project (matrix format recommended). These alternatives shall be identified and discussed in detail and shall address all significant impacts. The alternatives analysis shall be conducted with sufficient graphics, narrative, and detail to clearly assess the relative level of impacts and feasibility. Issues to consider when assessing "feasibility" are site suitability, economic viability, availability of infrastructure, General Plan consistency, other regulatory limitations, jurisdictional boundaries and the applicant's control over alternative sites (own, ability to purchase, etc.). The advantages and disadvantages of each alternative will be compared to the proposed project and reasons for rejecting or recommending the alternative will be discussed in the EIR.

Preceding the detailed alternatives analysis, provide a section entitled "Alternatives Considered but Rejected." This section shall include a discussion of preliminary alternatives that were considered but not analyzed in detail. The reasons for rejection must be explained in detail and demonstrated to the public the analytical route followed in rejecting certain alternatives.

No Project Alternatives

The No Project Alternative discussion shall compare the environmental effects of approving the project with impacts of not approving the project. In accordance with CEQA Guidelines Section 15126.6(e)(3)(B), the No Project Alternative shall discuss the existing conditions at the time of the NOP, as well as what would be reasonably expected to occur in the foreseeable future if the proposed project is not approved, based on current zoning, land use designations, and available infrastructure. The No Project Alternative assumes no construction associated with the proposed project, with future development occurring consistent with the existing land use. The intent of this alternative is to satisfy CEQA's requirement to address development of the project in accordance with any approved plans or existing zoning.

Other Project Alternatives

In addition to a No Project Alternative, the EIR shall consider other alternatives that are determined through the environmental review process that would mitigate potentially significant environmental impacts. These alternatives must be discussed and/or defined with EAS staff prior to including them in the EIR.

The Alternatives section of the EIR shall be based on a description of "reasonable" project alternatives, which reduce or avoid potentially significant impacts associated with the proposed project. Site-specific alternatives, if needed, shall be developed in response to the findings of the environmental analyses and the various technical studies and may include alternative project design to mitigate one or more of the identified significant adverse impacts of the proposed project. This may include a reduction in land use intensity, alternative land use plan(s) or feasible design scenarios.

If any of the technical reports prepared for the project identify significant impacts as a result of project buildout, a Reduced Development Alternative that reduces those impacts shall be presented within the EIR. The Applicant shall work with City staff to determine the development area and intensity that should be considered in this alternative.

If, through the environmental analysis, other alternatives become apparent that would mitigate potential impacts, these shall be discussed with EAS staff prior to including them in the Draft EIR. It is important to emphasize that the alternatives section of the EIR shall constitute a major part of the report. The timely processing of the environmental review will likely be dependent on the thoroughness of effort exhibited in the alternative analysis.

XVI. MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

Mitigation measures shall be clearly identified and discussed, and their effectiveness assessed in each issue section of the EIR. A Mitigation, Monitoring, and Reporting Program (MMRP) for each issue area with significant impacts is mandatory and projected effectiveness must be assessed (i.e., all or some CEQA impacts would be reduced to below a level of significance, etc.). At a minimum, the MMRP shall identify: (1) the department responsible for the monitoring; (2) the monitoring and reporting schedule; and (3) the completion requirements. In addition, mitigation measures and the monitoring and reporting program for each impact shall also be contained (verbatim) to be included within the EIR in a separate section and a duplicate separate copy (Word version) must also be provided to EAS.

XVII. REFERENCES

Material must be reasonably accessible. Use the most up-to-date possible and reference source documents.

XVIII. INDIVIDUALS AND AGENCIES CONSULTED

List those consulted in preparation of the EIR, including City and consulting staff members, titles, and affiliations. Seek out parties who would normally be expected to be a responsible agency or have an interest in the project.

XIX. APPENDICES

Include the NOP, scoping meeting transcript, and comments received regarding the NOP and Scoping Letter. Include all accepted technical studies.

CONCLUSION

If other potentially significant issue areas arise during detailed environmental investigation of the project, consultation with EAS staff is required to determine if these other areas need to be addressed in the EIR. Should the project description be revised, an additional scope of work may be required. Furthermore, as the project design progresses, and supplementary information becomes available, the EIR may need to be expanded to include additional issue areas.

It is important to note that timely processing of your project will be contingent in large part on your selection of a well-qualified consultant. Prior to starting work on the EIR, a meeting between the consultant and EAS will be required to discuss and clarify the scope of work. Until the internal draft EIR screencheck is submitted, which addresses all of the above issues, the environmental processing timeline will be held in abeyance.

Should you have any questions regarding this letter or the environmental process, please contact the environmental analyst, Elizabeth Shearer-Nguyen at (619) 446-5369. For general questions regarding project processing and/or the project, contact William Zounes, Project Manager, at (619) 687-5942.

Sincerely,



Kerry M. Santoro
Deputy Director
Development Services Department

cc: E. Shearer-Nguyen, Development Services Department
Environmental Project File
Karen L. Ruggels, K L R PLANNING, Consultant



May 4, 2018

File Number 3300300

401 B Street, Suite 800
San Diego, CA 92101-4231
(619) 699-1900
Fax (619) 699-1905
sandag.org

Ms. Elizabeth Shearer-Nguyen
City of San Diego
Development Services Center
1222 First Avenue, MS 501
San Diego, CA 92101

RECEIVED

MAY 04 2018

Development Services

Dear Ms. Shearer-Nguyen:

SUBJECT: Riverwalk Project No. 581984 Notice of Preparation

Thank you for the opportunity to comment on the City of San Diego's Riverwalk Notice of Preparation (NOP). The San Diego Association of Governments (SANDAG) appreciates the City of San Diego's efforts to implement the policies included in San Diego Forward: The Regional Plan (Regional Plan) that emphasize the need for better land use and transportation coordination. These policies will help provide people with more travel and housing choices, protect the environment, create healthy communities, and stimulate economic growth. SANDAG comments are based on policies included in the Regional Plan and are submitted from a regional perspective.

Smart Growth

The project site is in a Smart Growth Opportunity Area (SD MV-1, designated as a Town Center) on the SANDAG Smart Growth Concept Map. Development in these areas supports a sustainable and healthy region, a vibrant economy, and an outstanding quality of life for all. Furthermore, these areas can support increased transit use, walking, and biking.

The Town Center Smart Growth Opportunity Area includes a minimum residential density target of 20 dwelling units per acre. The development summary in the Riverwalk NOP designates the residential sites well above the minimum density. SANDAG appreciates the City of San Diego's support of the Smart Growth Concept Map.

This project is currently well-served by several existing transit routes, but could benefit from increased pedestrian and bike connectors to the Fashion Valley Transit Center and Linda Vista Trolley station. Please consider including the additional following planned transit routes/services in the plan documents and increasing access to all transit services:

- High-frequency local bus service (Routes 6, 25, 88, 646, and 928)

Proposed Trolley Stop

SANDAG suggests the following considerations for the proposed Trolley stop within the Riverwalk project:

MEMBER AGENCIES

Cities of
Carlsbad
Chula Vista
Coronado
Del Mar
El Cajon
Encinitas
Escondido
Imperial Beach
La Mesa
Lemon Grove
National City
Oceanside
Poway
San Diego
San Marcos
Santee
Solana Beach
Vista
and
County of San Diego

ADVISORY MEMBERS

Imperial County
California Department
of Transportation
Metropolitan
Transit System
North County
Transit District
United States
Department of Defense
San Diego
Unified Port District
San Diego County
Water Authority
Southern California
Tribal Chairmen's Association
Mexico

- Please include a description of the area adjacent to the Trolley stop, including information on what will be included in the stop itself.
- Please clarify whether the City of San Diego will be providing the land and infrastructure for the Trolley stop.
- To allow for connections to bus routes on Friars Road, include robust pedestrian connections and wayfinding signage between the Trolley stop and Friars Road. Additionally, please consider including general wayfinding to the Trolley stop itself within and around the project area.
- Please include a description of the Trolley stop in the Circulation section of the project plans and environmental documents; the Trolley stop is currently only referenced in the description of commercial uses.
- Please consider enhanced lighting at the Trolley stop to increase security amongst users, especially since the stop is adjacent to open space.
- Please include a discussion of parking needs for the Trolley stop within the project plans and environmental documents.

Complete Streets

The Riverwalk project proposes two new signalized intersections along Friars Road, providing an opportunity to develop a Complete Streets design along this segment. The existing cycle track on the southern side of Friars Road should not only be preserved, but enhanced, as the it is not designed to current standards. SANDAG suggests the following traffic calming measures along Friars Road to support a Complete Streets design: roundabouts, landscaped center medians, enhanced crosswalks, pedestrian refuges, widened sidewalks, pedestrian-scale lighting, and street furniture or street art.

San Diego River Trail

SANDAG appreciates the City of San Diego's efforts to develop the San Diego River Park as a part of the Riverwalk project. The San Diego River Park includes the San Diego River Trail, a project included in Riding to 2050, the San Diego Regional Bike Plan. As other planning efforts (e.g., Town and Country) are responsible for developing other segments of the San Diego River Trail, please continue to coordinate with these ongoing efforts to remain consistent. Furthermore, seamless connection between the cycle track on Friars Road and the San Diego River Trail should be included to help connect to more destinations.

Transportation Demand Management

When preparing the Environmental Impact Report (EIR) for the Riverwalk project, please consider integrating transportation demand management (TDM) strategies to reduce traffic and parking demand within and around the development:

- Given the proposed addition of a new Trolley stop and the opportunity for shared parking among commercial and residential uses, consider unbundling parking and implementing reduced parking requirements. Additional parking management strategies could include priced parking, parking cash-out, and priority parking for carpools, vanpools, carshare, and other shared mobility options. Also, consider maximizing parking investments through smart parking solutions that indicate real-time space availability, and facilitate payment and parking reservations.
- Consider expanding upon bike parking at the proposed new Trolley stop to provide secure bike parking and bike repair stands at convenient locations throughout the development. Include locker rooms and showers for employees that bike to work.
- Consider providing subsidized transit passes as an incentive for employees and residents to use the Green Line Trolley and other connecting transit services. Provide transit pass sales on-site.

iCommute, the SANDAG TDM program, can assist with developing custom TDM strategies to encourage the use of transportation alternatives and reduce traffic congestion. Information on the SANDAG TDM program can be accessed through iCommuteSD.com.

Mobility Hubs

Mobility hubs provide an integrated suite of shared mobility services, amenities, and technologies that improve access to high-frequency transit. Given the proposed Trolley stop, the Riverwalk project is an ideal location for a robust mobility hub:

- In addition to the promotion of on-demand rideshare, consider pursuing partnerships with shared mobility services (e.g., carshare, microtransit, bikeshare, scootershare providers) that provide mobility choices for residents and reduce the need for a private automobile for connecting to and from Riverwalk and to other nearby destinations.
- Neighborhood electric vehicles (NEVs), including microtransit, provide a sustainable solution for short trips around the development and connecting to transit. Consider the provision of shared NEVs to reduce parking demand and vehicle congestion associated with internal trips to commercial and recreational destinations.
- Consider enhancing wayfinding investments to include kiosks that provide real-time travel and trip planning information for regional transit services, shared mobility services, parking, and other available transportation options.
- In addition to the designated pick-up and drop-off at the new Trolley stop, consider the provision of flexible curb space near other major destinations within the development to help facilitate convenient rideshare passenger loading.

For more detailed information on mobility hub services and amenities, please refer to the Mobility Hub Features Catalog. The Catalog and additional information on the Regional Mobility Hub Implementation Strategy are available at sdforward.com/mobility-planning/regionalMobilityHub.

Other Considerations

SANDAG has a number of additional resources that can be used for additional information or clarification on topics discussed in this letter. These can be found on our website at sandag.org:

1. Riding to 2050, the San Diego Regional Bike Plan
2. Planning and Designing for Pedestrians, Model Guidelines for the San Diego Region
3. Integrating Transportation Demand Management into the Planning and Development Process – A Reference for Cities
4. Regional Multimodal Transportation Analysis: Alternative Approaches for Preparing Multimodal Transportation Analysis in EIRs
5. Trip Generation for Smart Growth
6. Parking Strategies for Smart Growth
7. Designing for Smart Growth, Creating Great Places in the San Diego Region

When available, please send any additional environmental documents related to this project to:

Intergovernmental Review
c/o SANDAG
401 B Street, Suite 800
San Diego, CA 92101

We appreciate the opportunity to comment on the City of San Diego's Riverwalk NOP. If you have any questions, please contact me at (619) 699-1943 or at seth.litchney@sandag.org.

Sincerely,



SETH LITCHNEY
Senior Regional Planner

SLI/KHE/nye

DEPARTMENT OF TRANSPORTATION

DISTRICT 11

4050 TAYLOR STREET, MS-240

SAN DIEGO, CA 92110

PHONE (619) 688-6954

FAX (619) 688-4299

TTY 711

www.dot.ca.gov

*Making Conservation
a California Way of Life.***RECEIVED****APR 23 2018****Development Services**

April 18, 2018

11-SD -8

PM 2.21

Riverwalk

NOP SCH#2018041028

Elizabeth Shearer-Nguyen
City of San Diego
1222 First Avenue, MS-501
San Diego, CA 92101

Dear Ms. Shearer-Nguyen:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Notice of Preparation for the Draft Environmental Impact Report for the Riverwalk Project located near Interstate 8 (I-8). The mission of Caltrans is to provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability. The Local Development-Intergovernmental Review (LD-IGR) Program reviews land use projects and plans to ensure consistency with our mission and state planning priorities.

Caltrans has the following comments:

Traffic Impact Study

A traffic impact study (TIS) is necessary to determine this proposed project's near-term and long-term impacts to the State facilities – existing and proposed – and to propose appropriate mitigation measures. The provided site plan shows Via Las Cumbres as a driveway entrance to the development. The current Mission Valley Community Plan and the Regional Transportation Plan propose a Via Las Cumbres Interchange with I-8. The TIS needs to analyze the impacts of removing this roadway and freeway connection at the Hotel Circle at I-8 and Friars Road at State Route 163 ramps. The site plan also shows a yet to be approved transit stop. Impacts need to be analyzed without this station since no confirmation of this new facility has been obtained.

- The geographic area examined in the TIS should also include, at a minimum, all regionally significant arterial system segments and intersections, including State highway facilities where the project will add over 100 peak hour trips. State highway facilities that are experiencing noticeable delays should be analyzed in the scope of the traffic study for projects that add 50 to 100 peak hour trips.
- A focused analysis may be required for project trips assigned to a State highway facility that is experiencing significant delay, such as where traffic queues

exceed ramp storage capacity. A focused analysis may also be necessary if there is an increased risk of a potential traffic accident.

- In addition, the TIS could also consider implementing vehicles miles traveled (VMT) analysis into their modeling projections.
- Any increase in goods movement operations and its impacts to State highway facilities should be addressed in the TIS.
- The data used in the TIS should not be more than 2 years old.
- Please provide Synchro Version 10 files.
- Early coordination is recommended.

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 system. 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 system. Early coordination with Caltrans, in locations that may affect both Caltrans and the City of San Diego, is encouraged.

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

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 system 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, as well as coordinate with Caltrans as development proceeds and funds become available to ensure that the capacity of on-/off-ramps is adequate.

Traffic Control Plan/Hauling

The California Department of Transportation (Caltrans) has discretionary authority with respect to highways under its jurisdiction and may, upon application and if good cause appears, issue a special permit to operate or move a vehicle or combination of vehicles or special mobile equipment of a size or weight of vehicle or load exceeding the maximum limitations specified in the California Vehicle Code. The Caltrans Transportation Permits Issuance Branch is responsible for the issuance of these special transportation permits for oversize/overweight vehicles on the State Highway System. Additional information is provided online at:
<http://www.dot.ca.gov/trafficops/permits/index.html>

A Traffic Control Plan is to be submitted to Caltrans District 11 at least 30 days prior to the start of any construction. Traffic shall not be unreasonably delayed. The plan shall also outline suggested detours to use during closures, including routes and signage.

Potential impacts to the highway facilities and traveling public from the detour, demolition and other construction activities should be discussed and addressed before work begins.

Mitigation

Caltrans endeavors that any direct and cumulative impacts to the State Highway System be eliminated or reduced to a level of insignificance pursuant to the California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) standards.

Mitigation measures to State facilities should be included in TIS/TIA. Mitigation identified in the traffic study, subsequent environmental documents, and mitigation monitoring reports, should be coordinated with Caltrans to identify and implement the appropriate mitigation. This includes the actual implementation and collection of any "fair share" monies, as well as the appropriate timing of the mitigation. Mitigation improvements should be compatible with Caltrans concepts.

Mitigation measures for proposed intersection modifications are subject to the Caltrans Intersection Control Evaluation (ICE) policy (Traffic Operation Policy Directive 13-02). Alternative intersection design(s) will need to be considered in accordance with the ICE policy. Please refer to the policy for more information and requirements (<http://www.dot.ca.gov/trafficops/ice.html>).

Mitigation conditioned as part of a local agency's development approval for improvements to State facilities can be implemented either through a Cooperative Agreement between Caltrans and the lead agency, or by the project proponent entering into an agreement directly with Caltrans for the mitigation. When that occurs, Caltrans will negotiate and execute a Traffic Mitigation Agreement.

Ms. Elizabeth Shearer-Nguyen
April 18, 2018
Page 4

Right-of-Way

Any work performed within Caltrans right-of-way (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. As part of the encroachment permit process, the applicant must provide an approved final environmental document including the California Environmental Quality Act (CEQA) determination addressing any environmental impacts within the Caltrans's R/W, and any corresponding technical studies.

If you have any questions, please contact Roy Abboud, of the Caltrans Development Review Branch, at (619) 688-6968 or by e-mail sent to roy.abboud@dot.ca.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Damon Davis', written over the word 'Sincerely,'.

DAMON DAVIS, Acting Branch Chief
Local Development and Intergovernmental Review Branch

VIEJAS

TRIBAL GOVERNMENT

P.O. Box 908
Alpine, CA 91903
#1 Viejas Grade Road
Alpine, CA 91901

Phone: 6194453810
Fax: 6194455337
viejass.com

April 16, 2018

RECEIVED

APR 23 2018

Development Services

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

Re: Riverwalk / 581984

Dear Mr. Shearer-Nguyen,

In reviewing the above referenced project the Viejas Band of Kumeyaay Indians ("Viejas") would like to comment at this time.

The project area may contain many sacred sites to the Kumeyaay people. We request that these sacred sites be avoided with adequate buffer zones.

Additionally, Viejas is requesting, as appropriate, the following:

- All NEPA/CEQA/NAGPRA laws be followed
- Immediately contact Viejas on any changes or inadvertent discoveries.

Thank you for your collaboration and support in preserving our Tribal cultural resources. I look forward to hearing from you. Please call me at 619-659-2312 or Ernest Pingleton at 619-659-2314, or email, rteran@viejass-nsn.gov or epingleton@viejass-nsn.gov, for scheduling. Thank you.

Sincerely,



Ray Teran, Resource Management
VIEJAS BAND OF KUMEYAAY INDIANS

Rec'd 7/18/18

RECEIVED

JUL 18 2018

Development Services

Date: July 14, 2018

To: William Zaunes, Development Project Manager
Mission Valley Planning Group
City of San Diego

Enclosed, please find our analysis, in summary format, of needed and required modifications to the RIVERWALK PROJECT (Project No. 581894).

All statements contained herein are in response to the City of San Diego's request for comments and input, in regards to the proposed project in Mission Valley, and are extensions of recorded testimony provided to the San Diego Development Services Department on April 24, 2018, at its RIVERWALK PROJECT EIR initiation meeting, and intended to be a part of the EIR..

Sincerely,

A handwritten signature in black ink that reads "Wayne T. Williams". The signature is fluid and cursive, with a long horizontal line extending from the end of the name.

Wayne T. Williams, PhD
5605 Friars Rd.
#325
San Diego, CA 92110
Tel: 858-333-1443

STATEMENT OF OBJECTIONS TO THE RIVERWALK PROJECT

DATE: 14 July, 2018

PRESENTED TO: Mission Valley Planning Group; City of San Diego Development Services Department; City of San Diego City Council; City of San Diego Mayor; SANDAG; County of San Diego Department of Environmental Health; California Air Resources Board; U.S. Interstate Commerce Commission; U.S. Fish and Wildlife Service; and U.S. Army Corps of Engineers

SECTION I: EXECUTIVE SUMMARY

All statements contained herein are in response to the City of San Diego's request for comments and input, in regards to the proposed RIVERWALK PROJECT (Project No. 581894) in Mission Valley, and are extensions of recorded testimony provided to the San Diego Development Services Department on April 24, 2018.

The intent of this Levi-Cushman-Hines project on the last open space in Mission Valley is to convert the existing Riverwalk Golf Course into a huge rental apartment and commercial development.

The currently proposed plan is to build:

- 4,000 to 4,300 rental apartments;
- Approximately 140,000 sq. ft. of retail space; and
- Approximately 1,000,000 sq. ft. of office space.

Over 3,000,000,000 (three billion) pounds of fill dirt will be brought in to raise the elevation underneath the buildings that are to be built, covering 62 (sixty-two) acres on the northern half of the golf course's total area, all of which are in the flood plain of the San Diego River. Fifty (50) to seventy (70) buildings are proposed to be built on the raised land; these buildings will then range up to 7 stories in height. The impact of this project will be overwhelming, when the proposed density of this collection of buildings is considered, along with the potentials for large increases in population, traffic congestion, safety factors, and public health issues. As side effects of this 20 year-long project, there are high potentials for property values to decrease, while taxes increase.

In addition to the 62 (sixty-two) acres of landfill, many other significant negative environmental impacts will occur.

This document has been prepared to express, for the public record, the signatories' objections to the Riverwalk Project, as it is currently planned, and to provide input as to the mitigations that must be required to be incorporated into an updated project plan. Additionally, the updated proposed project plan should then be required to be assessed via a full Environment Impact Statement (EIS), before it properly can be determined if this proposed project should be allowed to commence.

STATEMENT OF OBJECTIONS TO THE RIVERWALK PROJECT

This Executive Summary provides only outline-level lists of the areas of concern upon which we base our objections to this proposed project, and the areas for which actions, activities and/or mitigations that must be required for this proposed project. Expanded discussions of the items outlined herein are to be provided in a detailed version of this document, to be completed in the near future.

SECTION II: OBJECTIONS TO THE RIVERWALK PROJECT, on the basis of issues and concerns involving:

1. Standards
2. Traffic
3. Public Safety
4. Public Health
5. Environmental
6. Quality-of-Life and Other Considerations
7. Cumulative Effects

All of the above-listed considerations, in varying conditions, are “environmental” impacts that would be directly generated from this project.

SECTION III: PROPOSED SOCIAL AND ENVIRONMENTAL ISSUES AND/OR MITIGATIONS TO PROJECT-CREATED AND/OR PROJECT-RELATED ISSUES

Due to the significant negative social and environmental impacts of the proposed project, a partial and preliminary list of items which requires mitigations follows, bearing in mind that the “NO DEVELOPMENT ALTERNATIVE” is the preferred option. In some cases issues are stated, while in other cases, proposed mitigations of the stated issues are also provided.

1. Standards-related Issues and/or Mitigations
 - a. The City of San Diego Development Services Department issued a public notice of initiation of an Environmental Impact Report (EIR/CEQA) for this project; we believe that this notice was in error, because this project will involve interstate commerce activities, and that an Environmental Impact Statement (EIS/NEPA) should have been the subject of such notice. This must be corrected.
 - b. Limit the size of the project size and scope.
 - c. No land-fill of the San Diego River flood plan should be permitted.
 - d. No variance should be given on dwelling units per gross acre (du/ac).
2. Traffic-related Issues and/or Mitigations
 - a. The proposed west-end 4-lane exit road (shown on City of San Diego planning map) cannot be built.

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- b. Presidio Place condominium complex cannot be “cut in two” by an extension of Colusa Road going through it.
- c. Adaptive traffic signals should be required throughout the breadth of Mission Valley.
- d. Additional traffic signals must be required for the protection of existing residents.
- e. Requirements for parking must be commensurate with the size and needs of the proposed development, which has proposed to include a “*regional* park”.
- f. Require the use of porous/rubberized asphalt for all parking lots and roadways.
- g. Introduce upgraded neighborhood bus lines throughout the breadth of Mission Valley.

3. Public Safety-related Issues and/or Mitigations

- a. The frequent flooding of the San Diego River is a major obstacle to development. Major mitigations are necessary and must be required. Such mitigations should include, but are not limited to: [a] repair two [2] dams on the river; [b] water capitation of ponds and reservoirs; [c] flood diversion/prevention walls downstream; [d] water-absorbing turf and landscaping; [e] porous/rubberized asphalt for all roadways and exposed parking; [f] ground-water run-off dynamics must be thoroughly studied to ensure that the area water table is not negatively impacted.
- b. All radiation emitting and electrical utilities must be located underground and shielded.
- c. A specific Mission Valley evacuation plan is needed.
- d. Management of increased homeless population in the area of the proposed project.
- e. Increase of Pedestrian and Vehicular Accidents must be addressed in a comprehensive traffic analysis.

4. Public Health-related Issues and/or Mitigations

- a. Air Pollution -- This development is proposed to be built in a “Non-Attainment Area” for several air pollutants, and is contrary to the City’s own Climate Action Plan. The estimated (minimum) 25,000 (twenty-five thousand) new, daily, automobile trips (attributable to the new residents, business workers, retail patrons, and park visitors) on Friars Rd. must be mitigated via a comprehensive traffic flow study.
- b. Noise Pollution -- Noise pollution is already an important issue in Mission Valley, due to it being bracketed by Highways 163 and Interstates 8 and 5, as well as to the 4-to-5 lane Friars Rd.

STATEMENT OF OBJECTIONS TO THE RIVERWALK PROJECT

- c. Considerations Regarding Fill-Dirt Used to Raise Property Height.
- d. Odor Pollution – A minimum of one-and-a-half tons per day of wet-food waste will be generated by this proposed project. On-site composting is needed.
- e. Solid Waste Management -- A “small-city’s worth” of solid waste will be generated daily by this proposed development.
- f. Potential for multiple types of mosquito borne epidemics are already present in Mission Valley. Additional flood water controls are required.
- g. Potable Water. With annual fresh water rationing already an annual event in San Diego, guarantees must be placed into effect for the acquisition of the vast amount of new fresh water that will be required to support the residences and businesses that are to comprise this proposed project.
- h. Increased Density and the Negative Effects of “Crowding”. The proposed significant negative increase in density in such a compressed project site will exacerbate the known stress-related effects of “crowding”.
- i. Increase of Pedestrian and Vehicular Accidents – Refer to Section III, 3, e

5. Environmental Mitigations

- a. Because the groundwater on the proposed project site is subject to the ebb and flow of ocean tides, 33 CFR Part 329.4 applies. In addition, the San Diego river has a history of being a U.S. navigable waterway.
- b. Flooding - Refer to Section III, 3, a
- c. Estuary. Exacerbated flooding and soil erosion threatens the well-being of rare estuarine resource.
- d. Dams. Both dams proximate the proposed project that control the waters of the San Diego River, and must be repaired and upgraded; one of these dams has already failed and currently remains in a state of disrepair.
- e. Plants and Wildlife - It is known that in the direct vicinity of the project, there are, minimally, 3 (three) to 5 (five) endangered species, whose habitats must be protected.

6. “Quality of Life” and Other Issues and/or Mitigations

- a. Mitigation Accounts and Bonds – All mitigation costs must be borne by the developer. Taxpayers should not bear the brunt of costs for project-related issue resolution, such as, but not limited to: [a] schools, [b] fire protection, [c] police protection, [d] health facilities, [e] emergency services, and [f] flood damage remediation.

STATEMENT OF OBJECTIONS TO THE RIVERWALK PROJECT

- b. "Not in spirit" of the neighborhood. This proposed project is not in the spirit of any of the existing multi-unit housing, retail, or business structures which surround it on its West, East, and North sides.
- c. Maintenance compensation for existing residents' costs for damages from project-related pollution.
- d. Negative Effects on Area Property Values.
- e. Blockage of sunshine and airflow for buildings adjacent to existing dwellings.
- f. Stress-related issues related to increased density, traffic congestion, and noise pollution.
- g. Prior City Promises to the Mission Valley Residents. The City of San Diego, as far back as the late 1950s, asserted that the golf course would remain as permanent open space.

7. Cumulative Impacts Issues and/or Mitigations

- a. Many large developments are underway and/or planned in Mission Valley, all of which will significantly impact the San Diego River watershed. Therefore, cumulative impacts of such development, from the Pacific Ocean to Santee, must be described and mitigated.

STATEMENT OF OBJECTIONS TO THE RIVERWALK PROJECT

SECTION IV: CONCLUSION

In conclusion, we believe that, for the good of all Mission Valley residents:

- As currently proposed, this project is simply too massive to be allowed in such a constricted (geographical and road-wise) and problematic (floodplain-wise) area as the one that is proposed for the project site;
- Because of its size and because of its unprecedented nature here in San Diego, it, at a very minimum, requires significant additional study of its potential long-term and cumulative impacts on its own residents, as well as upon the residents of its extant, proximate community(ies) before any reasonable and responsible decision can be made; and
- Because of the above, and because the City of San Diego has long-promised to maintain this proposed project area as a "permanent open space", the best alternative to this proposed project should be the "NO DEVELOPMENT ALTERNATIVE".

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Development Services

10 March, 2017

Some Socio/Economic and Environmental Negative Impacts of Mission Valley Golf Course Development on Friars Road, San Diego, California-Preliminary Assessment by Wayne T. Williams, PhD, Environmental Scientist

1) Some Socio/Economic Negative Impacts.

Roads 1. The proposed 4-lane road paralleling the trolley tracks on the west end of the proposed development connecting to Colusa Street would create havoc at Presidio Place Condominiums (PPC) and the YMCA because of traffic oversaturation and congestion, noise, air pollution, visual degradation, safety and a loss of feeling of well-being. The proposed roadway would remove a significant portion of the two properties. The extension of Colusa Street south of Friars Rd would remove landscaping worth hundreds of thousands of dollars. The Presidio Place Condominium (PPC) estate would be cut in half by the Colusa extension, destroying the largest reach of residential open space in the valley. Property values at PPC would be reduced by an estimated and conservative value of one-third. Property tax to City Coffers would thus be significantly reduced. **The mandatory mitigation is to not build the west (downstream) road as a part of the project.** This road extension is not negotiable because of such an enormous threat to our well being.

Roads and Traffic 2. The proposed exit roads from the proposed development onto Friars road would require three additional stoplights leading to massive congestion in an already over crowded roadway.

Flooding. The proposed development is to be built upon the flood plain of the San Diego River. Currently, the frequent flooding in the river is a serious obstacle to any development, and major mitigations are necessary to prevent the exacerbation of the existing situation. About every five years, on PPC there is flooding that damages property. (There is annual flooding to a lesser degree). For example in 2006, floods reached about five feet deep on the property, 2010, major flooding reached our buildings damaging them reaching over seven feet deep, and in 2017, major flooding of about six feet profundity caused significant damage. We do not want this to worsen because of this ill thought out development upstream.

The City of San Diego, by issuing PPC and the YMCA and the Courtyards building permits, has an obligation to assure the permit holders that their investments will not be placed into jeopardy by irrational development upstream causing more severe flooding. A conservative estimated impact from the proposed development is an increase of outflow/inflow to PPC and the YMCA of about 1/3

more floodwater. This would cause much deeper flooding and more extensive and frequent flooding. It could be expected that annual major flooding would occur, depending on rainfall amounts.

The proposed development will remove the majority of the golf course, and pave and roof it over. The current turfed golf course and its lakes and ponds acts as an aquifer sponge, retaining much of the current floodwaters. Covering up this open space with impermeable surfaces would force the water on an additional ~20 acres onto our properties creating massive damage with floods of greater frequency and intensity. This is against several state statutes about water rights and riparian management. At a minimum, pervious asphalt and other surfaces must be installed.

Potential mitigations are: **A)** leave as much turf or landscaping on the new development as much as possible **B)** leave as many water retaining ponds and lakes as possible, **C)** in the 2017 flood, the dam on the river adjacent to the properties failed, when the north corner of the dam washed out. This has not been repaired. This failure diverted floodwaters toward PPC exacerbating our damage. This dam must be rebuilt and repaired. **D)** on the west side of the proposed development property is a drainage canal that periodically overflows onto the Courtyard, PPC and YMCA similar to a river, with measured velocity of 6 meters per second, and up to 3 meters deep. The overflow was caused by a failure of the golf course management to clear the drainage canal of vegetation and because the City of San Diego failed to keep a major drainage culvert on this canal clear of vegetation on both the upstream and downstream of the culvert. This blockage resulted in the flooding of our properties. To mitigate this canal blockage, a diversion wall at least two meters above grade must be constructed to assure that the drainage water goes to its intended route to the river. **E)** all landscaping on the proposed development must take into account means to reduce runoff of storm waters. **F)** All asphalt laid down as streets and parking lots etc must be of a pervious nature (sic the YMCA parking lot which was required by the city). These mitigations would slow down run off and prevent much, but not all flooding.

2) Negative Environmental Impacts due to the Proposed Development

A) California Environmental Quality Act. An integral and required section of all CEQA required projects, of which this proposed development is subject to, is an in-depth analysis of “**Cumulative Impacts**”, where a proposed project must consider other project activity in the impact zone. Since the proposed project is located in the flood plain of the San Diego River, such a cumulative impacts assessment is mandatory. There are currently major developments being planned or in progress at Grantsville, upstream, QUALCOMM stadium, upstream, The (Fashion Valley) housing development upstream, and others. The proposed cumulative build out accumulates to 25,000 housing units. Placing this much development in a flood plain would not only be extremely

environmentally damaging, it goes beyond reason for proper planning of such a sensitive watershed. The development of the golf course, which was originally touted by the City Council of San Diego during original conversion from agriculture in the 1950s to be PERMANENT OPEN SPACE. Sixty years is not permanent. Therefore the golf course development is unwise, unneeded and would be a cumulative impact of major proportions on previous developments approved by the City of San Diego earlier.

B. Mission Valley Preserve. The proposed development would remove a large swath of about 10 acres from the Mission Valley Preserve, which is home to several rare and endangered species, and a biological jewel providing recreational opportunities for all of San Diego. In the very least, according to San Diego City policy and regulations, such removed lands from the reserve must be replaced in the land bank system, and must be of riparian wetland/floodplain habitat. The proposed development also interferes with another previously planned project; the walkway project. The preferable alternative is clearly and logically to not build these roads.

C. San Diego River Estuary. Intentionally created increased rates and extent of flooding caused by the proposed project will cause significant changes in salinity and structure of the estuary. In addition, the closed landfill site at, and east of SeaWorld, would be exposed to greater erosion potential from floodwaters, and could bring known toxic substances from military and industrial dumping to the surface where beaches would be contaminated. The California Coastal Commission must consider these factors and mitigations thereof before any construction or permitting begins.

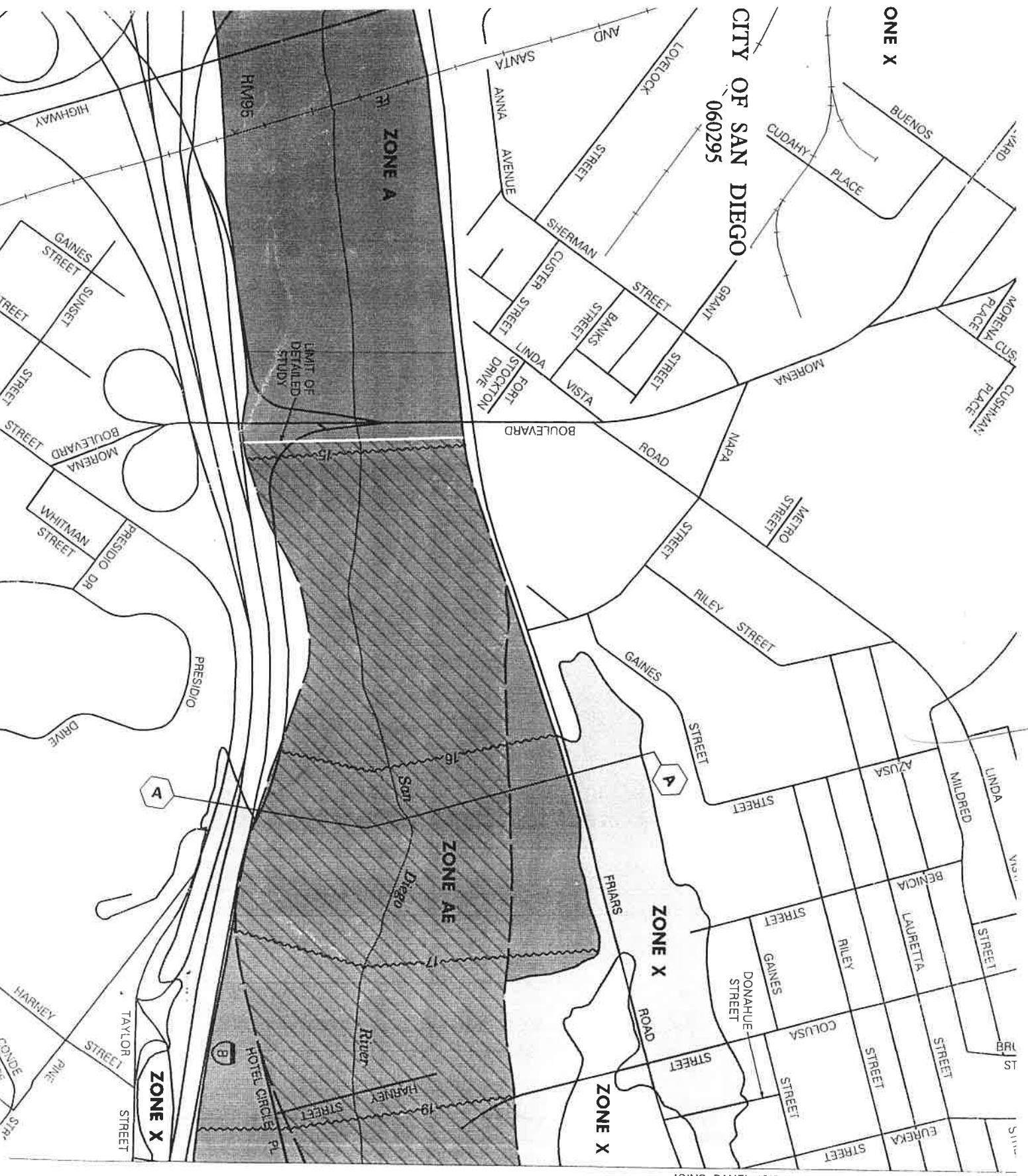
Increased frequency and extent of flooding in the San Diego watershed will exacerbate the presence of standing water in the Valley. According to the County Department of Health, four species of mosquitos reside in the valley which are capable of transmitting malaria, West Nile fever, dengue, and Zika viruses. Substantial funds are already being spent to control them (partially) and the developments will significantly worsen this disease situation.

Many more negative and potentially immitigable environmental and socio/economic impacts will result from the proposed development. This project poses a very dangerous economic, environmental and social threat to all of the residences at the Courtyard and Presidio Place and 25,000 clients of the YMCA. The proposed development must be reduced in size and scope to maintain a reasonable quality of life in Mission Valley, or better, be left as open space as a renovated golf course or park for all of the people of San Diego.

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FLOOD DYNAMICS PRESIDIO PLACE 28 DEC, 2016 WTWilliams





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drainage areas less than
1 mi²; & areas protected
by levees from 100-yr flood

