ENVIRONMENTAL IMPACT REPORT

THE CITY OF SAN DIEGO

Project No. 624751
SCH No. 2021040044

SUBJECT: **Towne Centre View:** The project proposes a COMMUNITY PLAN AMENDMENT to the University Community Plan to increase the intensity in Subarea 11 to 1,000,000 sf; a PLANNED DEVELOPMENT PERMIT to amend PID 96-7756 for Eastgate Acres and because of required deviations to the San Diego Municipal Code and Street Design Manual; a SITE DEVELOPMENT PERMIT because there are ESLs on site, the project is within the ALUC Overlay for MCAS Miramar, and the Project is within the CPIOZ Type A; a NEIGHBORHOOD DEVELOPMENT PERMIT for the alternative method of calculation for the ALUC Overlay Zone; a COASTAL DEVELOPMENT PERMIT to amend CDP 117798 because the northern portion of the Project area is within the non-appealable area of the Coastal Overlay Zone and the Project would subdivide the site in the Coastal Overlay Zone from the area where vertical development would be constructed; a VESTING TENTATIVE ~~PARCEL~~ MAP to subdivide and configure the property to accommodate the proposed development, to subdivide the areas in the Coastal Overlay Zone from the area outside the Coastal Overlay Zone, and to provide necessary easements; and PUBLIC STREET VACATION for the western terminus of Towne Centre Drive, west of Westerra Court. The project would consist of scientific research and development (R&D) that can accommodate approximately 1,000,000 square feet (sf) of building area on a 33.55-acre site. Various site improvements would also be constructed that include associated utilities, internal circulation and access, hardscape (surface parking, driveways, and walkways) retaining walls, and landscape. The partially developed project site is located north of the current terminus of Towne Centre Drive. The parcels are designated "Scientific Research" and "Open Space" within Subarea 11 of the University Community Plan. The site is within the IP-1-1 (Industrial Park) and Residential Single Unit (RS-1-7). The portion of the site that is zoned RS-1-7 would remain undeveloped. The project is subject to the Airport Influence Area Overlay, Coastal Overlay Zone, Community Plan Implementation Zone -A, Fire Brush Zones, Very High Fire Severity Zone, Parking Impact Overlay Zone, Prime Industrial Lands, Transit Priority Area, and FAA Part 77 Notification Area. The project is also located in the Accident Potential Zone II (APZ II), and Transition Zone (TZ) of the Marine Corps Air Station (MCAS) Miramar Airport Land Use Compatibility Plan (ALUCP). (LEGAL DESCRIPTION: Parcels 1, 2, & 3 of map No. 18286, in the City of San Diego, County of San Diego, State of California, according to map thereof, filed in the office of the County Recorder of San Diego county June 21, 1999 AND Parcels 1 and 2 of Parcel Map No. 20710, in the City of San Diego, County of San Diego, State of California,

according to map thereof filed in the office of the County Recorder of San Diego County, September 21, 2009 as Instrument No. 2009-0524505 of Official Records. Assessor Parcel Numbers 343-121-35-00, 343-121-36-00, 343-121-37-00, 343-121-36-00, 343-121-42-00, and 343-121-43-00.) The site is not included on any Government Code listing of hazardous waste sites. Applicant: BRE-BMR Towne Centre Science Park LLC

UPDATE: **March 10, 2023. Revisions have been made to several figures and an update to citation for the Biological Letter Report in the final Environmental Impact Report when compared to the draft environmental document. More specifically, refer to the attached Information Sheet for a brief overview of the revisions.**

In accordance with Section 15088.5 of the California Environmental Quality Act, the addition of new information that clarifies, amplifies, or makes insignificant modifications and would not result in new impacts or no new mitigation does not require recirculation.

Pursuant to Section 15088.5(a) of the CEQA Guidelines: "Significant new information" requiring recirculation includes, for example, a disclosure or additional data or other information showing that:

(1) A significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
(2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
(3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project's proponents decline to adopt it.
(4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

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

ENVIRONMENTAL DETERMINATION:

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

Based on the analysis conducted for the project described above, the City of San Diego, as Lead Agency, has prepared the following Environmental Impact Report. The analysis addressed the following issue area(s) in detail: **Land Use, Transportation, Air Quality and Odors, Biological Resources, Energy, Geologic Conditions, Greenhouse Gas Emissions, Health and Safety, Historical Resources, Hydrology, Noise, Paleontological Resources, Population and Housing, Public Services and Facilities, Public Utilities, Tribal Cultural Resources, Visual Effects and Neighborhood Character, Water Quality,** and **Wildfire.** The EIR concluded the project would result in significant but mitigated environmental impacts to **Transportation.** All other impacts analyzed in the Draft EIR were determined to be less than significant.

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

PUBLIC REVIEW DISTRIBUTION:

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

Federal
MCAS Miramar Air Station (13)

State of California
Caltrans, District 11 (31)
Department of Toxic Substance Control (39)
State Clearinghouse (46)
California Coastal Commission (47)
California Department of Fish and Wildlife (32)
California Transportation Commission (51)
California Department of Transportation (51A)
California Department of Transportation (51B)
California Native American Heritage Commission (56)
California Highway Patrol (58)

City of San Diego
Mayor's Office (91)
Councilmember LaCava, District 1 (MS 10A)
Councilmember Campbell, District 2 (MS 10A)
Councilmember Whitburn, District 3 (MS 10A)
Councilmember Montgomery, District 4 (MS 10A)
Councilmember von Wilpert, District 5 (MS 10A)
Councilmember Cate, District 6 (MS 10A)
Councilmember Campillo, District 7 (MS 10A)
Councilmember Moreno, District 8 (MS 10A)
Councilmember Elo-Rivera, District 9 (MS 10A)
Development Services Department
- Environmental Analysis Section – Sara Osborn
- LDR Transportation – Pedro Valera
- LDR Transportation – Ann Gonsalves
- LDR Landscaping – Daniel Neri
- LDR Engineering – Sean Torres
- Fire-Review – Mark Dossett
- LDR Geology – Jacobe Washburn
- LDR Planning – Conan Murphy
- Water and Sewer Development – Gary Nguyen
- Development Project Manager – Martha Blake

Environmental Services Department
Planning Department
- Long-Range Planning – Nancy Graham
- Facilities Financing (MS 93B)

Transportation Development - DSD (78)

Development Coordination (78A)
Fire and Life Safety Services (79)
San Diego Fire – Rescue Department Logistics (80)
Water Review (86A)
Historical Resources Board (87)
Environmental Services (93A)
City Attorney (93C)
University City Community Branch Library (81JJ)
North University Branch Library (81 KK)

Other Interested Organizations, Groups and Individuals
Air Pollution Control District (65)
San Diego Association of Governments (108)
San Diego Regional County Airport Authority (110)
Metropolitan Transit Systems (112)
San Diego Gas and Electric (114)
Sierra Club (165)
San Diego Natural History Museum (166)
San Diego Audubon Society (167)
Mr. Jim Peugh (167A)
California Native Plant Society (170)
Endangered Habitats League (182)
Endangered Habitats League (182A)
Carmen Lucas (206)
South Coastal Information Center (210)
San Diego Archaeological Center (212)
Save Our Heritage Organization (214)
Ron Christman (215)
Clint Linton (215B)
Frank Brown – Inter-Tribal Cultural Resources Council (216)
Campo Band of Mission Indians (217)
San Diego County Archaeological Society, Inc. (218)
Kumeyaay Cultural Heritage Preservation (223)
Kumeyaay Cultural Repatriation Committee (225)
Native American Distribution (225 A-S)
University City Community Planning (480)
Commanding General – MCAS Miramar Air Station (484)
University City Community Association (466)
Debby Knight (487)
Chamber of Commerce (492)
John Stump
Richard Drury, Lozeau Drury LLP
Molly Lozeau Drury LLP
San Diego SEED
Andrew Wiese
Supporters Alliance for Environmental Responsibility (SAFER)
Blum Collins & Ho, LLP
Golden State Environmental Justice Alliance

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Peter Jones, Project Manager Advisors, Inc., Applicant
Tina Andersen, T&B Planning Inc., Environmental Consultant

RESULTS OF PUBLIC REVIEW:

( ) No comments were received during the public input period.

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

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

Sara Osborn

Sara Osborn
Senior Planner
Development Services Department

Analyst: **Osborn**

11/22/2022
Date of Draft Report

03/10/2023
Date of Final Report

Towne Centre View Project

Final Environmental Impact Report

SCH No. 2021040044; Project No. 624751

March 2023

Information Sheet

for the Final EIR

Few changes have been made to this Final Environmental Impact Report (Final EIR) since public circulation of the Draft EIR. Limited changes were made to the Project description, including updates to figures, described below. These, as well as other changes include minor changes to update the citation of the Biological Letter Report.

Minor revisions to figures include:

- Updated Figure 3-11, *Conceptual Landscape Plan,* to remove Chinese Elm along the Project's boundary with the Multi-Habitat Planning Area as requested by the University Community Planning Group (refer to Comment Letter B)

- Revised Figure 5.4-1, *Biological Resources,* to depict the Project's eastern boundary more clearly.

- Revised Figure 3-19, *Proposed Vesting Tentative Map*, to reflect revisions to the Tentative Map lots that reflect the construction phasing as discussed in Section 3.0, *Project Description*, of the EIR.

The remainder of the document remains as publicly circulated between November 22, 2022 and January 6, 2023.

In terms of organization, the document also is largely as presented in the Draft EIR. A new section contains the comments received on the EIR during public circulation and the responses provided to them. Those comments and responses precede the body of the Final EIR and immediately follow these pages.

Relative to technical appendices, the Biological Letter Report, included as EIR Technical Appendix D, was updated. The amended document includes minor changes regarding such items as: (1) clarification of the Project site's location within the Coastal Zone, (2) clarification of the Project's eastern boundary in Figure 3 of EIR Technical Appendix D. These changes did not impact the EIR analysis.

Each of the modifications discussed above provides confirmatory information, or reflects minor changes, and no changes relative to project analyses. None of the changes would constitute new significant impacts under CEQA, require a new mitigation measure, or constitute a substantial increase in the severity of a previously identified environmental impact.

Towne Centre View Project

Environmental Impact Report

SCH No. 2021040044; Project No. 624751

Comments and Responses to

Comments on the Draft EIR

March 2023

Public Review Letters

The following comment letters were received from agencies, organizations, and individuals during the public review of the Draft Environmental Impact Report (Draft EIR). A copy of each comment letter along with corresponding staff responses has been included. Letters and responses are provided in side-by-side format for ease of reader review.

Comment letters were received from the five agencies, organizations and individuals shown on the matrix below. Several comment letters received during the Draft EIR public review period contained requests for revisions that resulted in minor changes to three figures and an update to citation for the Biological Letter Report as discussed on the information sheet Changes to the text of the Biological Letter Report included as EIR Technical Appendix D are indicated by strikeout (deleted) and underline (inserted) markings in the Final EIR. Some of the comments do not pertain to the adequacy of analysis in the Draft EIR or to other aspects pertinent to the potential effects of the proposed project on the environment pursuant to CEQA. Regardless, a good faith effort has been made by the City to respond to the comments submitted where they may touch on environmental analyses.

Letter Identification	Commenter	Address	Starting Page
State Agencies			
A California Department of Fish and Wildlife	David Mayer	3883 Ruffin Rd. San Diego, CA 92123	RTC-1
Local Agencies			
B University Community Planning Group	Andrew Wiese Chris Nielsen	cn@adsc-xray.com	RTC-6
Special Interests and Individuals			
C San Diego County Archeological Society	James W. Royle, Jr.	P.O. Box 81106 San Diego, CA 92138	RTC-44
D Supporters Alliance for Environmental Responsibility (SAFER)	Lozeau Drury, LLP	1939 Harrison St. Suite 150 Oakland, CA 94612	RTC-45
E Golden State Environmental Justice Alliance (GSEJA)	Blum Collins & Ho, LLP	707 Wilshire Blvd. Suite 4880 Los Angeles, CA 90017	RTC-46

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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

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director

January 10, 2023

Ms. Sara Osborn
City of San Diego
1222 First Avenue, MS-501
San Diego, CA 92101
DSDEAS@sandiego.gov
SOsborn@sandiego.gov

Subject: Towne Centre View (Project), Draft Environmental Impact Report (DEIR), SCH #2021040044

Dear Ms. Osborn:

The California Department of Fish and Wildlife (CDFW) received a Notice of Availability of a Draft Environmental Impact Report (DEIR) from the City of San Diego (City) for the Towne Centre View (Project No. 624751) pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.[1]

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW's Role

CDFW is California's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the State [Fish & G. Code, §§ 711.7, subdivision (a) & 1802; Pub. Resources Code, § 21070; California Environmental Quality Act (CEQA) Guidelines, § 15386, subdivision (a)]. CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (Id., § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect state fish and wildlife resources.

CDFW is also submitting comments as a Responsible Agency under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW may need to exercise regulatory authority as provided by the Fish and Game Code, including lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 *et seq.*).

CDFW also administers the Natural Community Conservation Planning (NCCP) program (Fish & G. Code, § 2800 *et seq.*), a California regional habitat conservation planning program. The City participates in the NCCP program by implementing its approved Multiple Species Conservation Program (MSCP) Subarea Plan (SAP) and Implementing Agreement (IA). The

1 CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 1500.

A-1

A-1 This comment provides introductory remarks and a discussion of the California Department of Fish and Wildlife's (CDFW) role as California's Trustee Agency for fish and wildlife resources, and a Responsible Agency pursuant to CEQA. This comment is for informational purposes and does not address the analysis of environmental impacts presented in the EIR. Therefore, no response to this comment or revision to the Draft Environmental Impact Report (EIR) is required.

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A-1 (CONT.)

Multi-Habitat Planning Area (MHPA) is the area from which a final hardline reserve becomes established in the City to adequately conserve covered species pursuant to the SAP. The DEIR for the proposed Project must ensure that all requirements and conditions of the SAP and IA are met. The DEIR should also address any biological issues that are not addressed in the SAP and IA, such as specific impacts to and mitigation requirements for sensitive species that are not covered by the SAP and IA.

PROJECT DESCRIPTION SUMMARY

Proponent: BRE-BMR Towne Centre Science Park LLC

Objective: The Project proposes to remove existing commercial buildings and construct a five-building campus (Buildings A-E) which would include scientific research and development, laboratory, technology, and office uses. Three of the buildings (A-C) would be six levels, Building D would be five levels, and Building E would be two levels. The Project will also include construction of perimeter retaining walls, parking structures, recreational facilities, brush management areas, bioretention basins, native landscaping, and a turnaround at the intersection of Towne Centre Drive and Westerra Court.

Location: The 33.55-acre Project site is located north of the terminus of Towne Centre Drive, between Interstates 5 and 805, in the City of San Diego. The Project site is surrounded by commercial use to the south and open space/MHPA to the north, west, and south.

A-2

Biological Setting: Per the Biological Technical Report (BTR, ALDEN, 2022), the Project site consists primarily of developed areas and landscaping associated with a previous project (Towne Centre Corporate Plaza Project). Project construction will occur within disturbed/developed areas and will avoid the northern portion of the site that is within the MHPA and protected under an open space easement (7 acres). The Project will directly impact 20.06 acres on-site (including 0.05 acre of Diegan coastal sage scrub and Diegan coastal sage scrub-disturbed) and 1.41 acres off-site (including <0.01 acre of Diegan coastal sage scrub-revegetation located within the MHPA). Biological surveys were conducted in the Project area in May 2020 and October 2022. The coastal California gnatcatcher (*Polioptila californica californica*; Federal Endangered Species Act (ESA) listed Threatened, CDFW Species of Special Concern) was observed within the MHPA areas on-site and off-site. Special status plant species including Nuttall's scrub oak (*Quercus dumosa*; California Native Plant Society (CNPS) Rare Plant Rank 1B.1) and San Diego barrel cactus (*Ferocactus viridescens*; CNPS List Rare Plant Rank 2B.1), were detected during surveys and will not be impacted by the Project. The Project will avoid significant impacts to biological resources through avoidance of the MHPA areas and compliance with the City's Land Use Adjacency Guidelines and Area Specific Management Directive for the California gnatcatcher through conditions of approval. In addition, the Project will add 3.68 acres of scrub oak chaparral, Diegan coastal sage scrub, non-native grassland, Diegan coastal sage scrub-disturbed, and southern willow scrub on-site to the City's MHPA through preservation.

Timeframe: Project construction is anticipated to last approximately 68 months.

COMMENTS AND RECOMMENDATIONS

A-3

CDFW offers the following comments and recommendations to assist the City in identifying and/or mitigating the Project's significant, or potentially significant, direct, and indirect impacts

A-2 This comment provides a description of the Project and summarizes the Project's objectives, location, biological setting, and construction timeline. This comment is for informational purposes and does not address the analysis of environmental impacts presented in the Draft EIR. Therefore, no response to this comment or revision to the Draft EIR is required.

A-3 This comment recommends that the Project include retaining walls around the entire site and include signage to inform the public of sensitive habitat areas. The comment also suggests the Project establish an educational program for employees and visitors that emphasizes the biological significance and regulations of the Multi-Habitat Planning Area (MHPA). The majority of the Project perimeter adjacent to the MHPA would consist of existing or proposed retaining walls that would serve to deter access to the MHPA. As noted in Section 5.4, *Biological Resources*, of the Draft EIR, the Project would be subject to the City's Land Use Adjacency Guideline (LUAG), which include a requirement for barriers to prevent access into the MHPA. The MHPA LUAG would be a condition of approval for the Project and would be required prior to issuance of any construction permits including, but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/ Permits. The owner/permittee would be required to depict applicable requirements within the contract specifications and on the Project's construction documents (as necessary). The portions of the Project site perimeter that would not have retaining walls would have a fence or other barrier to deter access to the MHPA. As noted in Section 5.4, *Biological Resources*, of the Draft EIR, impacts to biological resources would be less than significant; however, the Project would implement an educational signage program as requested by the commenter, which would be required as a condition of approval through compliance with the City's LUAG. Therefore, impacts related to access to the MHPA would be less than significant as identified in the Draft EIR. No revisions to the Draft EIR are required.

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A-3 (CONT.)

on fish and wildlife (biological) resources and to ensure regional conservation objectives in the MSCP SAP would not be eliminated by implementation of the Project.

COMMENT #1 MHPA Educational Program and Signage
Per the DEIR, page 5.4-17, the Project proposes to retain existing walls around the site perimeter and construct new walls northeast of proposed Building D and south of proposed Building A that will deter access to the adjacent MHPA. CDFW recommends that the proposed retaining walls surround the entire site and include signage to inform the public of sensitive habitat areas and discourage unauthorized access to the MHPA. In addition, CDFW recommends that the Project establish an educational program for employees and visitors that emphasizes the biological significance and regulations of the MHPA.

A-4

COMMENT #2 Lighting and Noise
Per the DEIR, pages 3-11 and 5.4-16, the Project proposes to install artificial night lighting fixtures on buildings, along pathways and roadways, and in parking areas that will be fully shielded and directed away from adjacent MHPA. In addition, the Project proposes that construction and operational noise will not exceed an hourly limit of 60 dBA Leq or the average ambient noise, whichever is greater, at the edge of the MHPA. Thank you for ensuring all lighting and noise associated with Project construction and operation is consistent with the City's Land Use Adjacency Guidelines (LUAG) to avoid indirect impacts to sensitive species within the adjacent MHPA. Per the DEIR, page 3-11, Section 3.2.3 B. Amenities, on-site amenities will include sports fields/courts and roof terraces for conferencing and small events. CDFW requests that all rooftop and recreational events are also consistent with the LUAG to prevent noise and light pollution spillover into adjacent MHPA.

A-5

Environmental Data

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a data base which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDB). The CNDDB field survey form can be found at the following link: https://wildlife.ca.gov/Data/CNDDB/Submitting-Data. The completed form can be mailed electronically to CNDDB at the following email address: CNDDB@wildlife.ca.gov. The types of information reported to CNDDB can be found at the following link: https://wildlife.ca.gov/Data/CNDDB/Plants-and-Animals.

A-6

FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.).

CONCLUSION

CDFW appreciates the opportunity to comment on the DEIR to assist the City in identifying and mitigating Project impacts on biological resources and ensuring Project consistency with the requirements of the MSCP.

A-4 This comment acknowledges lighting and noise resulting from the Project would adhere to the City's LUAG, which would avoid impacts to sensitive species within the adjacent MHPA. The comment also requests that all rooftop and recreational events on-site also be consistent with the LUAG to prevent noise and light pollution spillover into the adjacent MHPA. As required by the City, all activities and uses proposed on-site, including the sports fields/courts and roof terraces, would comply with the City's LUAG.

As identified in Section 3.2.4.A of the Draft EIR, on-site lighting would be designed to protect biological resources by providing fully shielded light fixtures to prevent light spill-over/light pollution into adjacent open space/MHPA areas. These requirements would also apply to any lighting used for a rooftop or outdoor recreational event. The spill control features are consistent with the LUAG, which are designed to "ensure minimal impacts to the MHPA" (Section 1.4.3 of the City's MSCP Subarea Plan).

Operational noise impacts to the MHPA are addressed in Section 5.11, *Noise*, of the Draft EIR. As identified, daytime and nighttime operational noise levels at the Project site boundary with adjacent open space (within the MHPA) would range from 23.6 dBA Leq to 50.3 dBA Leq, and would not be of sufficient volume or duration to impact or interfere with wildlife utilization of adjacent habitat or the MHPA. As such, the Project would not result in significant operational noise impacts within the adjacent MHPA, consistent with the LUAG. No further analysis of indirect impacts to biological resources or revisions to the Draft EIR are required.

A-5 This comment provides information about the requirements of CEQA, and requests that any special status species or natural communities detected on-site be reported to the California Natural Diversity Database. This comment is for informational purposes and does not address the analysis of environmental impacts presented in the Draft EIR. Therefore, no response to this comment or revision to the Draft EIR is required.

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Questions regarding this letter or further coordination should be directed to Alison Kalinowski, Environmental Scientist, by email at Alison.Kalinowski@wildlife.ca.gov.

Sincerely,

DocuSigned by:
David Mayer
D700B4520375408...

David Mayer
Environmental Program Manager
South Coast Region

ec: CDFW
David Mayer, San Diego – David.Mayer@wildlife.ca.gov
Karen Drewe, San Diego – Karen.Drewe@wildlife.ca.gov
Alison Kalinowski, San Diego – Alison.Kalinowski@wildlife.ca.gov
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OPR
State Clearinghouse – State.Clearinghouse@opr.ca.gov
USFWS
Jonathan Snyder – Jonathan_D_Snyder@fws.gov

References

ALDEN Environmental Inc. 2022. Biological Technical Report for the Towne Centre View Project.

California Department of Fish and Wildlife. 2021. California Natural Diversity Database (CNDDB). Available from: https://wildlife.ca.gov/Data/CNDDB.

California Department of Fish and Wildlife. 2021. CNDDB – Plants and Animals. Available from: https://wildlife.ca.gov/Data/CNDDB/Plants-and-Animals.

California Department of Fish and Wildlife. 2021. Submitting Data to the CNDDB. Available from: https://wildlife.ca.gov/Data/CNDDB/Submitting-Data.

California Environmental Quality Act (CEQA). California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

California Office of Planning and Research. 2009 or current version. CEQA: California Environmental Quality Act. Statutes and Guidelines, § 21081.6 and CEQA Guidelines, §15097, §15126.4(2).

City of San Diego. March 1997. City of San Diego MSCP Subarea Plan.

City of San Diego. 2022. Towne Centre View Draft Environmental Impact Report.

A-6 This comment provides information about required Notice of Determination (NOD) filing fees for the Project and includes a conclusion to the letter. This comment is for informational purposes and does not address the analysis of environmental impacts presented in the Draft EIR. Therefore, no response to this comment or revision to the Draft EIR is required.

University Community Planning Group

Comments for the Towne Centre View Draft Environmental Impact Report

SCH No. 2021040044, November 2022
Project No. 624751

Approved December 13, 2022, by the UCPG

Submitted to the City of San Diego December 22, 2022

Notes for reading this comment letter:

Statements asking for a comment in the Final Environmental Impact Report are given in ***bold italics.***

A statement reflecting a UCPG recommendation or support for an aspect of the Project are indicated by the phrase "**The UCPG recommends** …" or "**The UCPG supports** …", given in **bold.**

Draft Environmental Impact Report Comments

B-1

1) Project Landscaping Plan.

The DEIR addresses landscaping in section 3 pages 8-9.

The UCPG strongly supports the project's use of native plants in project landscaping throughout the site. This is an important step toward preservation and enhancement of biodiversity and environmental resilience in the city and in its MHPA in particular.

B-2

The FEIR should evaluate the impact of removing Chinese Elm from the project plant palette Chinese Elm is invasive in open space areas of the University Community.

2) Conveyance of Open Space to City of San Diego.

B-3

The DEIR addresses the conveyance of Open Space in table 5.1-1 and section 5.4 on p 5.4-12 and 15.

The UCPG supports the establishment of conservation easements and conveyance of 3.9 acres of on-site MHPA to the city's MHPA through transfer in fee simple and/or dedication.

B-1 This comment indicates support for the Project's use of native plants for the Project's landscaping. This comment does not address the analysis of environmental impacts presented in the EIR. Therefore, no response to this comment or revision to the Draft Environmental Impact Report (EIR) is required.

B-2 This comment indicates that the Final EIR should evaluate the impact of removing Chinese Elm from the Project plant palette and states it is invasive in the open space areas in the University Community. The applicant consulted with Native West Nursery during landscape design and Section 5.4, Biological Resources, of the EIR evaluated impacts to biological resources based on the proposed landscape plan, which was reviewed by City staff. The landscape plan meets City landscape requirements and impacts to Biological Resources were determined to be less than significant. However, based on this comment, the Project's landscape plan has been updated to remove Chinese elm trees adjacent to the Multi-Habitat Planning Area (MHPA). The removal of Chinese elm trees adjacent to the MHPA does not constitute significant new information, so recirculation of the EIR for further comment (pursuant to CEQA Guidelines, Section 15088.5) is not required.

B-3 This comment identifies support for the Project's conveyance of onsite open space areas to the MHPA. This comment does not address the analysis of environmental impacts presented in the EIR. Therefore, no response to this comment or revision to the Draft EIR is required.

B-4 **The UCPG recommends** that the city Parks and Recreation Department Open Space Division Deputy Director approve the transfer and dedication of on-site MHPA to the city preserve.

B-5 **The UCPG supports** addition of open space easements and conveyance of 3.9 ac to City MHPA.

The UCPG recommends that dedication should take place as part of the approval of the project.

B-6 **2a) Potential for Habitat Restoration**

The DEIR discusses the conservation/dedication of 3.9 acres of onsite lands to the City of San Diego MHPA on p 5.4-12 and 15.

As these lands include disturbed plant communities and habitat lands require costs associated with maintenance and monitoring, the FEIR should consider the potential impacts on adjacent MHPA lands and adjoining sensitive species, including Coastal California Gnatcatcher, of restoring habitat and providing funding for maintenance and monitoring in the 3.9 acres identified for conservation and dedication as open space.

B-7 **3). Range of feasible alternatives**

The DEIR considers alternatives to the project in section 10; however, it does not consider the one option most likely to result in reduced automobile transportation, VMT and GhG while meeting the economic goals of the project: the reduction of available parking.

The FEIR should evaluate the impacts of a reduced parking alternative on VMT, GhG, and transportation mode share, including the potential removal or rescaling of the parking structure (504 parking spaces) in the SE corner of the site. It should explain why a reduced parking alternative was not studied, given concerns raised over the impact of the parking garage.

B-8 **4) Visual Impacts**

The DEIR discusses visual impacts in section 5.17.

The proposed parking will have significant and unmitigable visual, aesthetic, and scenic impacts by obstructing a public vista across nearly four miles of the State Coastal Zone, including the Sorrento Valley, Peñasquitos Lagoon and Pacific Ocean. This is one of the few – if not the only – publicly accessible views of the Ocean in the University Community east of Interstate 5 or outside of the Coastal Zone.

This vista and surrounding canyon vistas offered from public rights of way are listed as a "scenic resource" on page 221 of the *University Community Plan*, 1987.

B-9 ***To reduce impacts to scenic resources including public views of Coastal Zone, Ocean, and Sorrento Valley from the public right of way on Towne Center Drive, the FEIR should study a***

B-4 This comment recommends that the dedication of open space be approved by the City Parks and Recreation Department Open Space Division Deputy Director. The Project's proposed conveyance of open space would be approved by the appropriate City representative consistent with City review policy. This comment does not address the analysis of environmental impacts presented in the Draft EIR. Therefore, no response to this comment or revision to the Draft EIR is required.

B-5 This comment indicates support for the Project's conveyance of onsite open space areas to the MHPA and recommends dedication should occur as part of the approval of the Project. As discussed in Section 3.0, *Project Description*, and Section 5.1, *Land Use*, of the Draft EIR, conveyance of the open space easements are addressed as part of the Project's Tentative Map application, which is included as one of the discretionary actions for the Project.

B-6 This comment indicates that the Final EIR should consider the potential impacts on adjacent MHPA lands and adjoining sensitive species from restoring habitat, and that funding for maintenance and monitoring in the 3.9 acres identified for conservation and dedication as open space should be provided. As noted on page 5.4-13 of the Draft EIR (and as shown on Figure 5.1-3, Open Space Easements, in Section 5.1, Land Use), the onsite open space would be conveyed to the City's MSCP preserve (the MHPA) through either fee title to the City, covenant of easement granted in favor of the City and wildlife agencies, or dedication of land in fee title to the City. To facilitate MHPA conveyance, any non-fee areas shall have covenant of easements for MHPA lands placed over them if located in the MHPA, and be maintained in perpetuity by the Owner/Permittee/Applicant unless otherwise agreed to by the City for acceptance of dedicated land in fee title.

B-7 This comment asserts that the EIR should include a discussion of an alternative that reduces available parking. This alternative was suggested during the EIR scoping process and is evaluated in Section 10.3.5 of the Draft EIR as an alternative considered and rejected. No further analysis of this suggested alternative is required. As discussed in Section 10.1of the Draft EIR, an EIR must describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly

B-7 (cont.)

attain most of the basic objectives of the project but would avoid or substantially lessen any significant effects of the project. As demonstrated by the analysis presented in the EIR, greenhouse gas (GHG) emissions impacts would be less than significant, and with implementation of the identified mitigation measures, the Project impact related to vehicle miles traveled (VMT) would also be less than significant. Further, the mitigation measures to reduce VMT include several measures focused on parking to encourage alternative modes of transportation, and to discourage single-occupancy vehicle trips, which reduce VMT and associated GHG emissions, as requested in this comment. These measures include, but are not limited to provision of bicycle parking in exceedance of the required amount, designated parking for onsite car-share vehicles and micro-mobility travel, and price workplace parking. The environmental impacts resulting from the proposed parking garage, including visual effects, have been evaluated in the Draft EIR, and no significant impacts would result. Therefore, a reduced parking alternative would not avoid or lessen any project impacts. Furthermore, a reduced parking alternative would not change the amount of mitigation measures associated with the Project. Further consideration of a reduced parking alternative to reduce VMT and GHG emissions is not warranted, as identified in the Draft EIR.

B-8 This comment asserts that a significant and unmitigable impact to visual, aesthetic, and scenic resources (e.g., coastal zone, ocean, and Sorrento Valley) would occur due to obstruction of a "public vista" resulting from the proposed parking garage in the southeast portion of the Project site. The City has established thresholds of significance that are the basis for determining whether a Project has the potential to result in significant impact. According to the City's CEQA Significance Determination Thresholds, projects that would block public views from designated open space areas, roads, or parks, or of significant visual landmarks or scenic vistas (Pacific Ocean, downtown skyline, mountains, canyons, waterways) may result in a significant impact. Public views from Towne Centre Drive are not designated by the City, including in the University Community Plan, as public view corridors or public viewing areas, and the primary viewers would be a limited number of pedestrians traveling along the north side of Towne Centre Drive. Therefore, as identified in Section 5.17, Visual

B-8 (cont.)

Effects and Neighborhood Character, of the Draft EIR, no significant impacts associated with obstructing views from a designated public view would occur.

B-9 (cont.)

feasible alternative that does not include the proposed parking garage at the SE corner of the project site.

The FEIR should study in particular the impacts of such a "reduced parking alternative" on the "scenic resources" identified on page 221 of the University Community Plan.

5) Transportation/Mobility: Parking, see section 3.2.2.

The DEIR argues that a goal of the project is to "promote use of alternative modes of transportation" (ES-4).

However, the project proposes to use the same standard parking ratio for the project that has been responsible for the city's inability to meet its mode share targets under the Climate Action Plan.

The DEIR indicates that the project will include 2,500 spaces for an estimated employment of 3,000 people, a ratio of 5:6 or 1 car per every 1.2 employees, the city minimum standard.

B-10

To meet City of San Diego Climate Action goals, the project should reduce single vehicle mode share to at least the level of CAP 2020 mode share targets.

Given its actual distance from accessible transit, the proposed Project and, absent reduced parking, the project will remain reliant on automobile transportation at ratios far exceeding Climate Action Plan targets (2020 or 2035), which reflect critical state and global needs.

The FEIR should evaluate the impact of removing the parking structure or otherwise reducing the number of parking spaces on transportation mode share.

The FEIR should explain how the project can meet project and city level mode share goals under the Climate Action Plan with the existing parking ratio.

5a) TDMs – Paid Parking

The DEIR addresses paid parking on page 5.2-30 as one of the required TDM measures. However, it does not address how the project should ensure that paid parking is not circumvented by tenants reimbursing employees for parking, which is a common practice.

B-11

On ES-11 the DEIR notes that its TDM plan "may be tailored to each tenant, and monitoring, reporting and penalties may be assessed to each tenant separately by the Permittee, although all monitoring, reporting and penalties shall remain the responsibility of the Permittee. TDM plan measures will be incorporated into tenant leases to ensure compliance."

The FEIR should explain how the TDM program requirements will prevent tenants from circumventing the requirements of TDM plan mitigation by reimbursing employees for paid parking.

B-9 This comment asserts that the Final EIR should study a reduced parking alternative to evaluate impacts to scenic resources, and specifically the Sorrento Valley – Soledad Canyon Open Space. Consistent with the goals outlined in the University Community Plan relative to Sorrento Valley – Soledad Canyon Open Space, the Project does not include any components that would involve physical impacts to these scenic resources. Therefore, evaluation of an alternative to avoid such impacts, including a reduced parking alternative, is not required. The commenter is also referred to Response to Comment B-7, which discusses the evaluation of a reduced parking alternative.

B-10 This comment indicates that "the Draft EIR argues that a goal of the Project is to promote the use of alternative modes of transportation (E-4)." The quoted section misstates the EIR. The text on page ES-4 states, "To facilitate use of transit, and to promote use of alternative modes of transportation, the existing contiguous sidewalk along the north side of Towne Centre Drive would be replaced with non-contiguous sidewalk, and onsite pedestrian paths would connect to the new sidewalk." Although the Project includes mitigation measures and design features to promote alternative modes of transportation, there is not a stated "goal," nor is there a Project Objective stating that "a goal of the project is to promote the use of alternative modes of transportation." The Project Objectives are found in Draft EIR Sections ES.3 and 3.1.2.

The Project proposes to provide parking for the proposed uses consistent with the City's Land Development Code. The comment's statement that the City's parking regulations have "been responsible for the city's inability to meet its mode share targets under the Climate Action Plan" does not address a specific environmental impact. Parking regulations for specified non-residential uses can be found in San Diego Land Development Code Table 142-05G. Minimum required parking for this Project within a transit area is 2.1 spaces per 1,000 square feet (sf) of floor area. Although the Project is located in a 2035 Transit Priority Area, it is not located in a Parking Standards Transit Priority Area. Additionally, the Project is located within the Coastal Overlay Zone and therefore, not eligible for the non-residential parking reform within Parking Standards Transit Priority Areas in Table 142-05G approved under Ordinance O-21401 (effective 01/16/2022, outside of the Coastal

B-10 (cont.)

Overlay Zone). Therefore, the minimum parking standard in Table 142-05G prior to O-21401 is applicable to the Project.

As shown in the Transportation section of the Draft EIR at Section 5.2.3, the Project is consistent with and will not conflict with City of San Diego General Plan Mobility Element and Bicycle Master Plan, Complete Communities: Mobility Choices, and the University Community Plan Transportation Element. As noted in Land Development Code Section 143.1101, "The purpose of the Mobility Choices Regulations is to reduce Citywide vehicle miles traveled (VMT) to address the environmental impacts of development related to noise, air pollution, and greenhouse gas emissions, and to promote public health and enjoyment, by investing in active transportation infrastructure and amenities that will result in the greatest reductions to Citywide VMT." The Land Development Manual Appendix T provides a list of VMT reduction measures that are split into categories, which include pedestrian, bicycle supportive, and transit supportive measures. Each measure is assigned a point value per unit of measure. For development in Mobility Zone 2, SDMC Section 143.1103(b)(1) identifies the requirement to provide VMT Reduction Measures totaling at least 5 points. The Project would obtain 11.5 points through the measures identified in Table 5.2-4, Mobility Choice VMT Reduction Measures, which exceeds the minimum 5-point requirement in Mobility Zone 2. The location of these facilities is shown on Figure 5.2-7, VMT Reduction Measures. As noted on the City's Complete Communities: Mobility Choices web site (https://www.sandiego.gov/complete-communities/mobility-choices), "Mobility Choices implements the Climate Action Plan by supporting infill development and investments in walking, bicycling, and public transit where the City can achieve the greatest amount of GHG emissions reductions."

As noted on the Mobility Choices website, "The Transportation Study Manual (TSM) updated the City's current Transportation Impact Study Manual. The TSM provides detailed CEQA transportation analysis guidelines using VMT based metrics to determine a project's environmental impacts with a focus on increasing safety for bicycle, pedestrians, and transit."

B-10 (cont.)

Pursuant to Section 5.2.3.B.2 of the Draft EIR, "the Project would be required to reduce employee VMT per employee by 32.47% to reduce Project VMT to below a level of significance (this represents 22.015 VMT per employee, which is 15% below the regional mean employee VMT per employee). Pursuant to guidance from CAPCOA 2021, the Project would implement Mitigation Measure MM 5.2-1, which would reduce the Project's VMT to less than 15% below the regional mean VMT per employee. Therefore, with mitigation, the Project would not result in VMT exceeding significance thresholds identified in the City's Transportation Study Manual and this impact would be less than significant." As noted at Draft EIR page 5.2-28, "A mandatory monitoring and reporting program would be implemented to ensure the calculated effectiveness is achieved. This program is defined in MM 5.2-1. Monitoring would be designed to ensure effectiveness of the Project's VMT reductions. Penalties for failing to meet VMT reduction targets would be assessed to the Permittee, who will be responsible for increasing effectiveness of VMT reduction measures (either increasing spending on current VMT reduction measures or implementing new measures)."

As noted in the Transportation Study Manual at page 29, "The City of San Diego requires TDM and transportation amenities for certain project types pursuant to the San Diego Municipal Code Section 142.0528, the CAP Consistency Checklist, and regulations related to Complete Communities: Mobility Choices... There are several resources for determining the reduction in VMT due to TDM measures such as the CAPCOA Quantification Report and the SANDAG Mobility Management Guidebook/ VMT Reduction Calculator Tool." None of the stated VMT reduction resources in the TSM available to the Project provide quantitative reductions in VMT for reduced parking ratios.

Section 5.7.3 of the Draft EIR analyzes whether the Project would conflict with the City's Climate Action Plan, and the analysis "demonstrates the Project's compliance with both the 2015 CAP and the 2022 CAP update." The CAP does not have specific mode share requirements for individual projects. The CAP Consistency Checklist contains measures that are required to be implemented

B-10 (cont.)

on a project-by-project basis to ensure that the specified emissions targets identified in the 2015 CAP are achieved. Implementation of these measures would ensure that new development is consistent with the CAP's assumptions for relevant CAP strategies toward achieving the identified GHG reduction targets. The CAP Consistency Checklist includes Transportation Demand Management Program requirements for employment-based projects with over 50 employees. The Draft EIR analyzes and provides substantial evidence for how the Project will meet the City's CAP requirements and VMT significance thresholds, and finds that the Project would be compliant with the 2015 and 2022 CAP, and will reduce VMT impacts to below a level of significance after mitigation is applied.

As identified under Response to Comment B-7 above, a Reduced Parking Alternative was evaluated in the Draft EIR at Section 10.3.5 and rejected because there were no impacts to GHG emissions with CAP consistency and VMT after mitigation was applied. As noted at Section 10.3.5, "the Project would not result in any significant impacts related to GHG emissions, and as discussed in Section 5.2, Transportation, the Project's potentially significant VMT impact would be less than significant with implementation of identified mitigation measures. The mitigation measures to reduce VMT include several measures to encourage alternative modes of transportation, and to discourage single occupancy vehicle trips, which serves to reduce VMT and associated GHG emissions, as requested in the Notice of Preparation (NOP) comment. These measures include, but are not limited to: provision of bicycle parking in exceedance of the required amount, designated parking for onsite car-share vehicles and micro-mobility travel, and price workplace parking. Therefore, alternatives that reduce GHG emissions and VMT are not required."

In addition, with regard to the proposed parking structure, the Draft EIR found that, "With respect to subterranean parking, the majority of the onsite parking consists of podium parking in the southern portion of the Project site. As shown on Figure 3-8, Site Sections, the four-level podium is partially subterranean. The environmental impacts resulting from the proposed parking garage, including visual effects, have been evaluated in this EIR and no significant

B-10 (cont.)

impacts would result. Furthermore, a Reduced Parking Alternative would not meet most of the Project's objectives. Therefore, alternatives that eliminate or reduce the size of the parking garage are not required."

B-11 This comment is related to the mitigation measures for VMT reduction, specifically paid parking. Paid parking is one of the seven quantified mitigation measures from the California Air Pollution Control Officers Association (CAPCOA) *Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity* published in December 2021 (CAPCOA 2021) framework, which include Measures T-12 Price Workplace Parking, T-6 Implement Commute Trip Reduction Program (Mandatory Implementation and Reporting), T-7 Implement Commute Trip Reduction Marketing, T-8 Provide Ridesharing Program, T-9 Implement Subsidized or Discounted Transit Program, T-10 Provide End of Trip Bicycle Facilities, T-11 Provide Employee Sponsored Vanpool, and Supportive but unquantified VMT reduction measures per the Project Traffic Impact Analysis (TIA) included as Appendix B1 such as T-44 Provide Shuttles (Gas or Electric) and Passenger Loading Zones.

These measures are part of the overall TDM program found in MM 5.2-1, which would reduce the Project's VMT to less than 15% below the regional mean VMT per employee. MM 5.2-1.e includes a Mandatory monitoring and reporting program that will evaluate the effectiveness of TDM measures. MM5.2-1.f includes penalties and procedures that will be required if the monitoring program does not show a 15% reduction in VMT below the regional mean VMT per employee. As stated on Draft EIR page 5.2-31, "If trip reductions are not being met, the City may require that the Permittee provide additional subsidies for transit passes, increase shuttle frequency, or other measures to ensure compliance. If these additional measures do not achieve the required results in two consecutive surveys, the Project will pay a penalty fee, equivalent to 5% of the Complete Communities: Mobility Choices Active Transportation Opt-In Fee, in place at the time of Project approval. The penalty shall be paid annually on January 1st of each year, until the project VMT reduction targets are met." Therefore, operational as well as monetary penalties are provided in

B-11 (cont.)

the mitigation measure to ensure compliance.

The Project will charge all employees of the site for parking. The Project developer will have operational control of site and parking garages, but does not control the compensation packages and benefits offered to individual employees of individual tenants in the building. Similarly, the Project developer cannot mandate the use of transit or vanpool programs, and may only use the tools available in the TDM program to encourage changes in commute behaviors. However, MM 5.2-1 is a mandatory program with monitoring and reporting requirements to the City of San Diego, which requires the Project to achieve the VMT reductions in the program, or operational changes can be made by the City and monetary penalties will be instituted pursuant to subsection "f" of MM 5.2-1 and paid to the City until the VMT targets are met.

Mitigation Measure 5.2-1 includes a number of measures including paid parking. As noted in the TIA (EIR Appendix B1), the effectiveness of measure T-12 Paid Workplace Parking goes beyond paid parking. Specifically, "in order to support this level of effectiveness, consistent with the best practices identified in 2021 CAPCOA Handbook to ensure other transportation options, the project will provide the following supportive measures." Among those measures are pedestrian improvements (as measure T-18), private shuttle connectivity to transit, on-site parking for micro-mobility and bicycle travel, passenger loading zones, transit encouragement programs, and access to services that reduce the need to drive such as café's, commercial stores, banks, post offices, restaurants and gyms. These supportive measures constitute part of the VMT reduction effectiveness of Measure T-12, and therefore paid parking is not the only aspect that determines the success of the mitigation measure.

With the conservative assumptions built into the VMT modeling, the robust VMT reduction measures that are part of the Project, and monitoring and to ensure compliance, VMT will be reduced below a level of significance, even if paid parking were found to be less effective than anticipated. No revisions to the Draft EIR are required.

B-11 (cont.)

If the FEIR determines that paid and uncompensated parking cannot be enforced as a TDM, the FEIR should assess the impacts of the project on VMT, GhG and mode share without the alternative of paid parking as a TDM measure.

5b) Transportation – VMT standard

B-12

The DEIR addresses Vehicle Miles Traveled in table 5.1-1 and section 5.2-24 through 30.

The FEIR should evaluate the project with a VMT standard based on the city employee average VMT in addition to the regional employee mean average.

6) Transportation: Mode Share to meet CAP targets for 2020 and 2035

The DEIR addresses transportation impacts in section 3.2.2.

Given that the project will not even complete construction for 68 months – between 5-6 years – it is important that the Project meet the most forward-looking environmental standards and CAP goals (see p 3-16).

The San Diego Climate Action Plan emphasizes the need to shift transportation mode share city-wide through conformance with Climate Action Plan targets. This is especially critical for "Urban Village" employment hubs such as UTC. If projects in this transit rich area do not meet mode share goals, the city will not meet its CAP goals and it will fail beyond that to address the climate crisis that the CAP reflects. Reduced auto, and increased bicycle and transit mode share is essential to shifting mode share overall. The project should at minimum meet mode share goals for 2020. Given the expectation that the project will not be completed for a number of years, the FEIR should explain why it may not be appropriate to plan to meet mode share targets for 2035.

B-13

The San Diego Climate Action Plan highlights the importance of meeting mode share targets. For Mode Share Targets see: https://www.climateactioncampaign.org/mode-share-report, tables 1 and 2.

The FEIR should explain the expected transportation mode share for the project as designed, including with the TDM and other mitigation measures proposed.

The FEIR should explain how the project will contribute to the city meeting its mode share targets.

If the Project is not designed to meet CAP mode share targets, the FEIR should explain why, as a major project in the critical employment and transit area of University City, it will not meet those targets.

The FEIR should explain what steps the project would need to take to meet CAP mode share targets.

B-12 This comment states that the EIR "should evaluate the Project with a VMT standard based on the city employee average VMT in addition to the regional employee mean average." This is not the CEQA Significance Threshold Standard approved by the San Diego City Council. The Transportation Impact Analysis provided in Appendix B1 of the Draft EIR states on page 4, "The City of San Diego Transportation Study Manual (TSM; dated September 29th, 2020) presents the guidelines for the analysis of CEQA Transportation VMT requirements which include screening criteria, significance thresholds, analysis methodology, and mitigation." The Transportation Study Manual provides the CEQA significance threshold approved by the San Diego City Council. Table 3 of the TSM provides "transportation VMT thresholds of significance by land use type." The threshold for determination of significant transportation VMT impact for Commercial Employment land uses, which includes research and development, is "15% below regional mean VMT per Employee." A footnote to this significance threshold states, "The regional mean and total regional VMT are determined using the SANDAG Regional Travel Demand Model. The specific model version and model year will be identified by the Development Services Department's Transportation Development Section." The Project uses the significance threshold from Table 3 for Commercial Employment land uses and has, therefore, utilized the correct VMT significance threshold. Use of another significance threshold would be inconsistent with the guidelines and policy of the City of San Diego. Therefore, no revisions to the Draft EIR are required.

B-13 This comment states that "the Draft EIR addresses transportation impacts in Section 3.2.2." This is incorrect. Transportation impacts are analyzed in Draft EIR Section 5.2. Section 3.2.2 of the Draft EIR includes a description of the transportation/circulation and parking components of the Project. As noted in Response to Comment B-11 above, Section 5.7.3 of the Draft EIR analyzes whether the Project would conflict with the City's Climate Action Plan, and the analysis "demonstrates the Project's compliance with both the 2015 CAP and the 2022 CAP update." The CAP does not have specific mode share requirements for individual projects, and instead relies on an array of strategies in a checklist related to the 2015 CAP and changes to the building code and Land Development Code for the 2022 CAP to show compliance with the CAP including requirements

B-13 (cont.)

for a Transportation Demand Management Program for employment-based projects with over 50 employees. The Draft EIR analyzes and provides substantial evidence for how the Project will meet the City's CAP requirements and finds that the Project will be compliant with the 2015 and 2022 CAP. In addition, the Draft EIR Section 5.2 analyzes VMT and concludes VMT impacts will be reduced to below a level of significance after mitigation is applied. The significance threshold is to reduce VMT to reach the result of 15% below employee regional mean VMT, to reduce GHGs. Whether that is achieved by specific numbers of employees walking, biking, taking transit, vanpool or carpool, work from home days, or other alternative transportation modes, the reduction in VMT is the requirement.

The Traffic Impact Analysis relies upon the CAPCOA 2021 mitigation framework which is the method of mitigation approved as part of the Transportation Study Manual. The CAPCOA 2021 Handbook at page 62 notes that "Transportation emissions can be reduced by improving the emissions profile of the vehicle fleet or by reducing VMT. Most of the measures quantified in this Handbook aim to reduce VMT and encourage mode shifts from single-occupancy vehicles to shared (e.g., transit) or active modes of transportation (e.g., bicycle). This can be accomplished by coordinating trip reduction or incentive programs; optimizing the land use of the project study area; enhancing road, bike and pedestrian networks; implementing parking policies; or improving transit systems." CAPCOA 2021 Handbook mitigation measures for VMT reduction are broken into project/site specific mitigation measures and program mitigation measures. Only project/site specific measures can be quantified and applied to specific projects as they have been done in MM 5.2-1. However, there are program mitigation measures that apply to program level land use documents, such as the Community Plan, which may help aid in mode share, but which are not allowed to be quantified as part of the mitigation program because they are beyond the scope of an individual project. For example, CAPCOA 2021 mitigation measure T-2 – Increase Job Density, notes that "increased densities affect the distance people travel and provide greater options for the mode of travel they chose. Increasing job density results in shorter and fewer trips by single occupancy vehicles and

B-13 (cont.)

thus a reduction in GHG emissions." However, the addition of new jobs in an area with large amounts of housing that is connected by transit will incentivize shifts in mode share from cars to walking, bicycling and transit ridership.

The project/site mitigation measures can be quantified and will increase mode share, as noted in the fact sheet for Measure T-6: "CTR programs discourage single-occupancy vehicle trips and encourage alternative modes of transportation such as carpooling, taking transit, walking, and biking, thereby reducing VMT and GHG emissions." Similarly, the fact sheet for Measure T-12 notes that the measure is most effective when there are other transportation options available in the area, "(i.e., transit service near the project site, shuttle service, or a complete active transportation network serving the site and surrounding community)." Although specific mode share percentages are not calculated, the CAPCOA 2021 Handbook provides evidence that when program and project mitigation measures are utilized, transportation mode changes occur that reduce VMT and, therefore, GHG emissions.

The comment asserts that "if the Project is not designed to meet CAP mode share targets, the FEIR should explain why." As noted above, the Project has been designed to be consistent with the CAP and will comply with the CAP policies and checklist. Neither the CAP nor the VMT CEQA significance thresholds require specific mode share be achieved by a project. The Project will mitigate the Project VMT impact to below a level of significance using the CAPCOA 2021 mitigation strategies in MM5.2-1, which were approved by the City Council as part of the TSM, and which have been shown to achieve mode share changes.

This comment provides a website purported to be from the City of San Diego. The website is for an advocacy group known as the Climate Action Campaign, and not the City of San Diego.

6a) Transportation Mode Share: Buffered Bike Lanes on Towne Centre Drive (see Section 3.2.2)

On p. 3-7, the DEIR relies on "Planned Bicycle Facilities" that are in a draft plan that has not been approved and if approved has no mechanism to be funded. The EIR cannot rely on bike facilities that are not currently planned and have little certainty of being built.

The DEIR further relies on "traffic calming measures" again proposed in a draft plan that has not been approved and when approved will have no mechanism to assure funding (3-8).

B-14 The DEIR also discusses dedication of transportation improvements on p 5.2-15

The FEIR should study transportation impacts on the basis of definite plans and funding.

Furthermore, there is no safe bike infrastructure on any of the major streets that would lead to the project, no approved plan for improving the bike infrastructure, and no plan in place for funding such infrastructure in the event it were approved in the future.

The FEIR should explain how the project will "promote use of alternative modes of transportation" (ES-4) and support transportation mode shift toward bicycle and pedestrian use without the addition of safe bicycle infrastructure on Towne Centre Drive.

B-15 ***The FEIR should evaluate VMT, GhG and mode share impacts of the project without bicycle infrastructure, and it should evaluate the impacts of the project on bicycle safety.***

The FEIR should study the impact on VMT, GhG and mode share of adding class II and class III buffered bike lanes and traffic calming measures on Towne Centre Drive as part of project.

B-16 To help meet promote alternative modes of transportation, meet CAP mode share targets and shift mobility from reliance on automobile transportation, new alternative transportation facilities must be completed with the project. On-site bicycle facilities proposed in the various TDM measures will not be effective unless a safe, secure and up to date bicycle network is completed to reach the site from the rest of the city, including the mid Coast Trolley which is over 1.5 miles from the project.

6b) **Transportation: Impacts on Level of Service and existing businesses and residents**

B-17 The DEIR evaluates traffic impacts on level of service on p. 5.1-74.

The FEIR should evaluate and confirm impacts to level of service, and foreseeable impacts on residents and businesses on Towne Centre Drive (from north end to La Jolla Village Drive), Eastgate Mall and Executive Drive, and the intersections of these arterials with one another.

B-18 **7) Add Rooftop Solar Panels**

B-14 This comment states that, "on page 3-7, the Draft EIR relies on Planned Bicycle facilities that are in a draft plan that has not been approved and if approved has no mechanism to be funded." The Draft EIR does not "rely" on the Planned Bicycle Facilities or traffic calming measures mentioned in the comment for mitigation, and these facilities are outside of the Project area. The discussion on pages 3-7 of the Draft EIR provides information to the reader, is explicit in the heading for the paragraph ("Planned Bicycle Facilities") that describes proposed bicycle lane designations in the vicinity of the Project and goes on to state that these facilities are within the "Draft Community Plan Update Recommended Mobility Network." These facilities are described as "proposed." The section states in its entirety:

> Planned Bicycle Facilities
>
> The Draft University Community Plan Update Recommended Mobility Network (February 2021) identifies Towne Centre Drive north of Eastgate Mall as a facility with a proposed Class II Buffered Bike Lane between Eastgate Mall and 9540 Towne Centre Drive driveway and with a Class III Bicycle Boulevard with vehicle volume and speed management strategies between 9540 Towne Centre Drive driveway and the northern terminus of the roadway. Additionally, the CPU effort proposes traffic calming enhancements along the entire segment north of Eastgate Mall.

The Project is consistent with and will not conflict with the adopted Bicycle Master Plan as discussed and analyzed in Table 5.2-2. Specific to the Project, transportation improvements are shown in Table 5.2-3 – Project Off-Site Transportation Improvements and will be implemented by the Project and will be conditions of the Project permits, therefore assuring their completion. Table 5.2-3 improvements are generated from the Local Mobility Analysis (LMA) required by the City of San Diego under their health and safety police powers and are not part of the CEQA analysis in the Draft EIR. The LMA is provided in the EIR as appendix B2 for informational purposes, and addresses mobility improvements required by the City.

As discussed in the Draft EIR, the University Community Plan Update will include a revised mobility plan for the University Community. After completion of the Community

B-14 (cont.)

Plan Update Mobility Element, the City's Facilities Financing Department will determine a financing mechanism to pay for proposed improvements. The Project will pay significant fees that can be used for regional bicycle infrastructure. However, the specific infrastructure is beyond the scope of this Project.

The Project, includes mitigation measures and design features to promote alternative modes of transportation. Notably, as described in EIR Section 3.2.2, Pedestrian and Bicycle Facilities, the existing contiguous sidewalk along the north side of Towne Centre Drive would be replaced with non-contiguous sidewalk, and onsite pedestrian paths would connect to the new sidewalk. Short- and long-term bicycle parking spaces and changing/shower facilities would also be provided onsite.

B-15 This comment mischaracterizes the analysis in the Draft EIR. The Project does not rely on proposed off-site bicycle infrastructure for VMT analysis. VMT analysis is completed based on SANDAG regional models as discussed in Section 5.2 of the Draft EIR. Proposed bicycle lane improvements in the University Community Plan Update are referenced for informational purposes and are described as "proposed" and "draft." The VMT analysis does not rely on these facilities to mitigate the impacts of the Project. The Project fully mitigates its' impacts from VMT through mitigation measure MM 5.2-1, and, therefore, additional analysis of impacts from Class II and Class III buffered bicycle lanes and traffic calming measures on Towne Centre Drive as part of the Project is unnecessary. As these improvements are proposed in the University Community Plan Update, the impacts of adding this infrastructure will be evaluated with the Community Plan Update. The Local Mobility Analysis on page 250 notes that a roundabout installation at Towne Centre Drive and Towne Centre Court was evaluated and found to be infeasible at this location.

B-16 This comment indicates new alternative transportation facilities must be completed with the Project to promote alternative modes of transportation. The comment also states that the Project's on-site bicycle facilities would not be effective unless a bicycle network is completed to connect the site to the City, including a bicycle connection to the Mid-Coast Trolley. As described in Section 3.2.2, *Pedestrian and Bicycle Facilities*, of the EIR, on-site bicycle facilities are part of a larger TDM program that will promote the use of bicycles as a potential mode of transportation to the Project site. The Project is not required to build all off-site bicycle infrastructure necessary to reach the Project site, as such infrastructure is beyond the scope of the Project, and the proposed offsite bicycle lanes are not needed to mitigate any Project impact. The City of San Diego Bicycle Master Plan (2013) includes an implementation and funding section that provides a strategy to fund the implementation of the City's bicycle network. The University Community Plan Update has proposed various bicycle facilities. The decision on when and how to construct this infrastructure is beyond the scope of this or any one project, as these facilities will serve the entire community. The Project does not require extended offsite bike lanes as mitigation., there is no nexus that would allow conditioning the Project on constructing or paying for the entirety of construction of the offsite bike lanes. Similarly, requiring the Project to construct or fund offsite bike facilities that serve the entire community would violate the proportionality test.

B-17 This comment indicates that the Draft EIR should evaluate and confirm impacts to level of service and foreseeable impacts on residents and businesses on Towne Centre Drive (from north end to La Jolla Village Drive), Eastgate Mall and Executive Drive, and the intersections of these arterials with one another. Senate Bill 743 changed the way transportation impacts are determined according to CEQA. Updates to the State CEQA Guidelines, City of San Diego CEQA Determination Thresholds, and City of San Diego Transportation Study Manual approved in December 2018 include the addition of State CEQA Guidelines Section 15064.3, of which Subdivision "b" establishes criteria for evaluating a project's transportation impacts based on project type, and using automobile VMT as the metric, rather than automobile delay (level of service). Therefore, all discretionary land use projects subject to CEQA, including

B-17 (cont.)

the Project, must evaluate transportation impacts related to VMT as part of the environmental review process. As such, the discussion of level of service-related traffic in Section 5.1, *Land Use*, of the Draft EIR is limited to acknowledgement that, pursuant to the City's requirements, an evaluation of the potential effects to intersection operations has been prepared, although not as a component of the required CEQA analysis, and applicable fees would be paid to address the Project's contribution to intersection deficiencies. The required Local Mobility Analysis (included as Technical Appendix B2) evaluates the Project's level of service in accordance with the City of San Diego's Transportation Study Manual. No revisions to the EIR are required.

B-18 This comment indicates that the Final EIR should explain why the Project is not designed to include rooftop solar panels on the five proposed buildings, and should evaluate designing the buildings with the inclusion of rooftop solar panels. Consistent the Step 2, Strategy 1 of the 2015 CAP Checklist, the Project would include Cool/Green Roofs. In addition, the Draft EIR identified that a minimum of 12,500 sf of photovoltaic (PV) panels would be installed on the parking garage to produce solar energy, and the roofs of the five proposed buildings would be solar-ready. However, subsequent to preparation of the Draft EIR, the 2022 Title 24 Building Energy Efficiency Standards for Residential and Nonresidential Buildings (Title 24 Energy Standards) have become effective and would be applicable to the Project.

Future tenants and related building energy requirements are yet to be determined. However, based on the requirements of the 2022 Title 24 Energy Standards, the Project is designed for rooftop solar paneling on each of the proposed buildings and the Project would comply with the 2022 – Building Energy Efficiency Standards For Residential and Nonresidential Buildings, and specifically California Building Code (CBC) Section 140.10, Perspective Requirements for Photovoltaic and Battery Storage Systems. Section 140.10 generally requires that all newly constructed building types, or mixed occupancy buildings where one or more of these building types constitute at least 80 percent of the floor area of the building, shall have a newly installed photovoltaic (PV) system meeting the minimum qualification requirements as further described by CBC Table 140.10-A

B-18 (cont.)

The DEIR discusses utilities on 5.15-5 and 9. It does not include discussion of rooftop solar on the 5 new buildings proposed on the site.

The FEIR should explain why the project is not designed to include rooftop solar panels and it should evaluate impacts of designing the buildings with the inclusion of rooftop solar panels.

B-19

8) All Electric Buildings.

The DEIR discusses utilities on 5.15-5 and 9.

The FEIR should evaluate impacts of designing the buildings to be fully electric.

B-20

9) Sustainable Building: LEED Gold

The DEIR notes that the project will achieve LEED Silver status, the minimum LEED rating, which is closely equivalent to what is required under state and local building code. (5.5-18)

The FEIR should evaluate the impacts of meeting a higher standard for sustainable building such as LEED Gold or Platinum and compare with impacts of LEED Silver.

B-21

10) Biological Resources

a). Edge effects - Unauthorized Entry

The CDFW notes in its scoping letter that appropriate fencing and signage should be used to prevent unauthorized access to the MHPA from the whole perimeter of the project site (CDFW, 5/5/21).

The DEIR addresses access to the MHPA on page 5.4-17 and in table 5.1.1 on p 5.1-58. It notes that the project would "deter" unauthorized access through the maintenance and construction of retaining walls around much of the perimeter, however it does not discuss the use of fencing or other means to "deter" access in those areas without walls, much less to "prevent" it. These areas, especially the SDGE access road on the west edge of the site, are currently fenced and are the most likely location for unauthorized access. The FEIR should discuss them specifically.

The FEIR should explain how the project will prevent as well as deter human intrusion into the MHPA lands through unwalled areas, given the large number of people who use the outdoor features and amenities on the site. The FEIR should explain how this restriction will be maintained and enforced and what measures the project will take to report intrusions and mitigate for them.

The FEIR should confirm that project perimeter fencing will include the gate to the SDGE access road on the western edge of the site.

B-18 (cont.)

-PV Capacity Factors, or the total of all available Solar Access Roof Areas (SARA). SARA includes the area of a building's roof space capable of structurally supporting a PV system, and the area of all roof space on covered parking areas, carports and all other newly constructed structures on a site that are compatible with supporting a PV system per Title 24, Part 2, Section 1511.2, with certain exceptions. Specific tenants and roof equipment needs have not yet been determined, which may limit the total PV system area available for use in the Project. However, the initial estimate of the approximate SARA for the Project, based on the average space needs for roof mounted equipment in high technology and biotechnology buildings, is approximately 117,000 square feet (sf). This SARA results in a 1638 kW PV system. Based on average solar panel output, a system of this size would utilize approximately 93,000 sf of roof space. The solar electricity produced would be available for use by the electricity grid. Further, all buildings that are required by CBC Section 140.10(a) to have a PV System are also required to have a battery storage system meeting the minimum qualification requirements as further described by CBC Table 140.10-B -Battery Storage Capacity Factors.

B-19 This comment indicates that the Final EIR should evaluate the impacts of designing the buildings to be fully electric. The Project is consistent with the Climate Action Plan and will be designed to be electric ready based upon the City of San Diego building codes in place at the time of construction. Specific tenants and specific research and development needs of those tenants are not known at this time.

B-20 This comment indicates that the Final EIR should evaluate the impacts of meeting a higher standard for sustainable buildings, such as LEED Gold or Platinum, and compare with impacts of LEED Silver. The EIR does not evaluate the impacts of meeting a LEED standard and meeting a specific LEED standard is not a specific mitigation measure for the Project, and a specific LEED standard has not been used to evaluate the Project's impact on the environment in the EIR. LEED standards are separate and apart from the City of San Diego and California Building Code. The LEED Program is administered by the California Green Building Council which is not a governmental agency. The Project is being designed to achieve LEED certification at a Gold Standard. However,

B-20 (cont.)

because the LEED standard is not determined until after construction of the building, a specific LEED standard is aspirational until it is conveyed by the Green Building Council. The EIR has not evaluated the Project based on a specific LEED Standard.

B-21 This comment indicates that the Final EIR should address how the Project will prevent and deter human intrusion into the MHPA, and should confirm that Project perimeter fencing would include the gate to the SDG&E access road to maintain the current conditions onsite. As noted in Section 5.4, B*iological Resources*, of the Draft EIR, the Project would be subject to the City's MHPA Land Use Adjacency Guidelines (LUAG), which includes a requirement for barriers to prevent access into the MHPA. The majority of the perimeter that the Project shares with the MHPA would be protected by existing or proposed retaining walls. The remainder of the site that would not be protected by a retaining wall would be protected by a fence. Furthermore, the Project would continue to close and lock the SDG&E access gate, consistent with existing conditions. As noted in Response to Comment A-3, the Project is required to comply with the LUAG and would provide signage; therefore, impacts related to access to the MHPA would be less than significant. No revisions to the Draft EIR are required.

B-21 (cont.)

FEIR should confirm that gate will remain closed and locked for the future of the project, with access for SDGE only. This would maintain the current conditions on site.

b) Edge effects: Light impacts

The DEIR addresses lighting in section 3.2.4 on page 3-11 and in section 5.4.3, p 5.4-16.

The DEIR notes that "Night lighting exposes wildlife to an unnatural light regime that may adversely affect foraging patterns, increase predation risk, cause biological clock disruptions, and result in a loss of species diversity in habitat adjacent to the Project site."

B-22

The FEIR should confirm that the project will use fully shielded outdoor lighting to prevent light overspill into MHPA/adjoining lands.

In addition, the FEIR should explain the impacts of interior lighting shining from the buildings after dark, which have the same impacts described on 5.4-16 above.

The FEIR should evaluate strategies to eliminate or mitigate impacts of indoor lighting on sensitive species including resident and migrating birds.

c) Direct impacts to Environmentally Sensitive Lands

The DEIR notes in section 2.5.4 that the City of San Diego Environmentally Sensitive Lands (ESL) Regulations are intended to protect, preserve and, where damaged, restore, the environmentally sensitive lands of San Diego and the viability of the species supported by those lands (Section 142.0101 of the San Diego Municipal Code).

B-23

The DEIR notes in table 5.1.1, page 5-1-63 that "steep hillsides, which qualify as ESL's would not be impacted by the project."

However, DEIR Figures 3-1 and 3-12 show that the proposed parking structure and pedestrian bridge will have direct impacts on ESL lands identified as having a greater than 4:1 slope. The proposed parking structure and pedestrian bridge are designed to extend into ESL lands.

The FEIR should confirm or correct the statement in table 5.1.1 and explain the expected impacts to ESL and mitigation as a result of the proposed parking structure and pedestrian bridge.

d). Habitat Fragmentation:

B-24

Recognizing that the project extends on a narrow finger of mesa top surrounded by MHPA lands through which wildlife move, the California Department of Fish and Wildlife (CDFW, Scoping Letter, 5/5/21) writes that to avoid habitat fragmentation of the MHPA, fencing around the site's perimeter should be designed to keep people out, but to allow wildlife to move through it.

B-22 This comment discusses lighting impacts to adjacent wildlife and indicates that the Final EIR should confirm that the Project would use fully shielded outdoor lighting and discuss impacts of interior lighting from the Project's building after dark. As identified in Section 3.2.4.A of the Draft EIR, lighting would be designed to protect biological resources by providing fully-shielded light fixtures to prevent light spill-over/light pollution into adjacent open space/MHPA areas. Further, Table 5.1-1 of the Draft EIR states that "Proposed exterior lighting would be in compliance with the City's Outdoor Lighting Regulations pursuant to SDMC Section 142.0740, and the MHPA Land Use Adjacency Guidelines (LUAG). Project lighting would include spill control features to direct lighting to onsite areas such that light would not trespass, beyond allowable levels, onto adjacent properties, including areas within the MHPA, or into the nighttime sky." The spill control features are consistent with the LUAG, which are designed to "ensure minimal impacts to the MHPA" (Section 1.4.3 of the City's MSCP Subarea Plan). It should be noted that the CDFW, which is the state agency with jurisdiction over the conservation, protection and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species, reviewed the Draft EIR and has provided a comment letter (refer to Comment Letter A). In its Draft EIR comment letter, CDFW has indicated concurrence that installation of exterior lighting in compliance with the LUAG is sufficient to avoid indirect lighting impacts to sensitive species within the MHPA.

The CDFW has not identified any concerns regarding potential indirect impacts due to interior lighting. Notwithstanding, interior nighttime lighting would be minimized to only what is required for tenant functionality and security, with occupancy sensors at interior areas.

B-23 This comment incorrectly states that a slope in the eastern portion of the Project site adjacent to the parking garage is an Environmentally Sensitive Land (ESL). Section 142.0101 of the City of San Diego Municipal Code defines an ESL as a site containing a natural gradient of at least 25% (emphasis added). As shown on Figure 5.1-2, *Environmentally Sensitive Lands*, of the Draft EIR, the hillside referenced by the commenter is a previously disturbed slope and is not a natural gradient; therefore, it is not considered an ESL. Therefore, the statement in Table 5.1-1 of the Draft EIR is

B-23 (cont.)

correct, and no revisions are required to the EIR.

B-24 For clarification the NOP comment letter does not refer to "allowing wildlife movement to move through" the Project site. This comment further indicates that the Final EIR should explain how the Project will avoid habitat fragmentation and assess strategies to facilitate the movement of certain wildlife species across the Project. The CDFW NOP comment letter is provided in Appendix A of the Draft EIR; the comments provided were comprehensively addressed in the Draft EIR Section 5.4, and supporting Biological Letter Report included in Appendix D of the Draft EIR.

The Project site is already in a developed condition. As identified in Draft EIR Section 2.2, the eastern portion of the Project site is currently developed with three scientific research buildings. The western portion of the Project site was recently used as a staging area for the Mid-Coast Trolley construction. Prior to its use as a construction staging area, the western portion of the Project site was rough graded with building pad sites to support a previously approved development, and drainage infrastructure was installed. Retaining walls and fences surround the majority of the Project site directly adjacent to MHPA lands. Potential impacts related to habitat movement are addressed in Section 5.4.3.A of the Draft EIR. As identified, the Project would occur on land outside the MHPA that is disturbed or already developed, and would preserve 3.98 acres in onsite open space that supports Tier I scrub oak chaparral, Tier II Diegan coastal sage scrub and Diegan coastal sage scrub-disturbed, Tier IIIB non-native grassland, and southern willow scrub. Therefore, the Project would protect land determined to provide necessary habitat quality, quantity, and connectivity to sustain the unique biodiversity of the San Diego region. The implementation of the Project would not result in the loss of regional or local wildlife corridors. As identified in the Draft EIR, potential impacts to wildlife movement would be less than significant, and no mitigation is required.

The CDFW, based on its review of this analysis, has not provided any comments regarding the potential for habitat fragmentation or the need to facilitate movement of certain

B-24 (cont.)

The DEIR addresses "wildlife corridors" in section 5.4.3 (5.4-6 and 5.4-15), but it *does not* address the CDFW concern with wildlife movement and habitat fragmentation or mitigation related to project fencing on the development site.

The FEIR should explain how the project will avoid habitat fragmentation and assess strategies to facilitate the movement of certain wildlife species across the project.

e). Direct and indirect impacts to sensitive, rare or threatened species *immediately adjacent* to the Project site.

The CDFW (Scoping Letter, 5/5/21) advises that the DEIR should include discussion of impacts to biological resources and rare and sensitive species in "adjacent areas that could also be affected by the Project." And in "adjoining habitat areas… where site activities could lead to direct or indirect impacts off site."

However, the Alden Biology Letter Report notes that the DEIR includes a "survey of existing resources on 20 acres to be developed".

B-25

The FEIR should include a full survey of adjacent areas and adjoining habitat lands that could be affected by direct or indirect impacts of the project.

The project sits atop a mesa surrounded by MHPA lands on steep slopes that include a variety of rare and or sensitive species. Biological assessment and prior survey by CDFW reveal that a number of these species and habitat areas are immediately adjacent to and downhill of the project site. E.g., location of California Gnatcatchers, San Diego Barrel Cactus, and Wart Stemmed Ceanothus – reported within 40 feet of the project site. Given the circumstances and proximity of rare and sensitive species, the FEIR should discuss potential and foreseeable impacts to these species in adjacent and adjoining areas and specific mitigation for these impacts.

f) Focused surveys for sensitive species.

The DEIR discusses sensitive plants and animal species on p 5.4-4 through 6.

The CDFW (Scoping Letter, 5/21/22) also advises that the DEIR included focused surveys for selected sensitive species, and it lists a number of sensitive species known to exist or have existed recently in the area.

B-26

However, the DEIR, Biology Letter Report (BLR) notes that "No focused sensitive animal species surveys were conducted." (BLR, 2) Rather the DEIR notes that a method "opportunistic" survey was adopted. 5.4-5

The FEIR should explain why no focused studies were conducted and the potential impact of this omission on sensitive species identified by CDFW and others with a high likelihood to exist on site or immediately adjacent to it.

B-24 (cont.)

wildlife species. Rather, CDFW acknowledges that existing and proposed Project perimeter walls would deter access to the adjacent MHPA, and suggests that the proposed walls surround the entire site. This would serve to direct wildlife around the developed site and within the MHPA, rather than facilitating wildlife access across the Project site. As addressed under Response to Comment A-3 in Comment Letter A, and in Response to Comment B-21 above, access to the MHPA from the Project site would be prevented by existing or proposed walls or fences.

B-25 This comment refers to the CDFW NOP commenter letter, and states that a full survey of adjacent areas and adjoining habitat lands to the Project should be evaluated in the Final EIR.

The CDFW NOP comment letter notes documented occurrences of sensitive plant species adjacent to the Project site, and indicates that the Draft EIR should include surveys in all areas of suitable habitat onsite. The statement of documented occurrences states that the CDFW believes there is potential for these species to occur on the Project site if there is suitable habitat. Therefore, a survey is to be conducted in such areas onsite, if they exist. For clarification the 25.44 acres of the Project site subject to development was surveyed, as identified on page 2 of the Biological Letter Report included in Appendix D of the Draft EIR. As noted on page 1 of the Biological Letter Report, the northern open space parcel was not surveyed as no impacts would occur in this area. If any sensitive species happened to be observed adjacent to the site, they were noted., but there is no requirement to survey adjacent areas. Further, the CDFW did not identify any concerns with the biological survey area for the Project in its Draft EIR comment letter.

No sensitive species were observed within the Project impact limits, which consist almost entirely of previously developed land. Sensitive vegetation communities and species located outside of the Project impact limits but within the MHPA would be avoided and preserved in place. For sites that are located within or adjacent to the City's MHPA, such as the Project site, a project must demonstrate compliance with the MHPA Land Use Adjacency Guidelines (LUAG) to address potential indirect effects to the MHPA

B-25 (cont.)

through features incorporated into the project and/or permit conditions.

The LUAG for noise (refer to Draft EIR Section 5.4) includes measures for potential impacts to the California gnatcatcher in the MHPA. No other threatened/endangered species (for which specific measures would be required) have potential to occur in the adjacent MHPA. Potential indirect impacts to other sensitive species that are known to occur or that may occur in the adjacent MHPA are also addressed through compliance with the LUAG. The CDFW in its Draft EIR comment letter (refer to Comment Letter A) acknowledges and agrees with the conclusion that compliance with the LUAG, which the Project would accomplish, would avoid indirect impacts to sensitive species within the LUAG. The CDFW's only related recommendation was to ensure that the events in the rooftop and recreational areas are also consistent with the LUAG to prevent noise and light pollution spillover into adjacent MHPA. As addressed in Response to Comment A-4 of Comment Letter A, these Project components would also be required to comply with the LUAG. No further analysis of indirect impacts to biological resources or revisions to the Draft EIR are required.

B-26 This comment states the Final EIR should explain why no focused studies for sensitive species were conducted by the Project, and indicates the Project should conduct a survey for the orange throated whiptail. In its review of the Draft EIR (refer to Comment Letter A), the CDFW has not indicated that additional focused surveys are required. As described in Section 5.4, *Biological Resources*, of the Draft EIR, the majority of the Project site is disturbed or developed, and does not constitute wildlife habitat. Other small habitat areas onsite were surveyed for animals, albeit opportunistically, but those areas would be added to the MHPA as part of the Project. Opportunistic surveys refer to mapping of species adjacent to the Project site that were observed while conducting the general biological resources mapping of the Project site. This is how the barrel cactus and coastal California gnatcatcher mapping was conducted. Also, the scrub oak chaparral habitat is noted as being dominated by scrub oak adjacent to the site, rather than attempting to show individual plants. Potential impacts to the MHPA (and any sensitive species therein, such as the

B-26 (cont.)

orange throated whiptail) are addressed through Project compliance with the LUAG.

As discussed in Response to Comment B-25 above, the Biological Letter Report includes an assessment of sensitive plant and animal species with the potential to occur within the Project impact area, which include the species identified in the CDFW NOP comment letter. The Project impact area is essentially a developed site; therefore, it lacks suitable native habitats for the identified species known to occur in the vicinity. Focused species surveys are only required where there is suitable habitat that would be impacted by the Project. As such, no focused sensitive species surveys were conducted within the developed site.

With respect to the orange throated whiptail, the Biological Letter Report acknowledged a moderate potential for this species to occur in coastal sage scrub and chaparral habitat, and a low potential for it to occur in the largely developed and disturbed Project impact area. As such, no significant impact to this species was identified. The conditions of coverage for this species also note that "habitat linkages between large blocks of protected lands are conserved in a functional manner." The Project would not alter any habitat linkages; instead, it would increase the amount of conserved land in the MHPA in accordance with the MSCP Subarea Plan.

Refer to Response to Comment B-30 below, which addresses comments related to Nuttall's scrub oak.

B-26 (cont.)

One species known to live on the slopes immediately to the east and west of the site is the **Orange Throated Whiptail** lizard, an MSCP recognized species. See confirmed observations on iNaturalist: https://www.inaturalist.org/observations?place_id=829&subview=map&taxon_id=194092).

The FEIR should include a focused assessment of sensitive species mentioned in the CDFW scoping comments, as well as a focused survey to assess impacts on the Orange Throated Whiptail lizard.

The significance of focused species analysis is illustrated by comment 10i below. BMZ2 includes a large mature Nuttall's Scrub Oak which is not identified in the BLR or figure 2-5.

g). Impacts to sensitive, rare or threatened species: California Gnatcatcher

The DEIR discusses sensitive animal species on p 5.5-5 and 6.

The DEIR identifies at least four California Gnatcatchers on and in the surrounding perimeter of the project site (Figure 2-5). The DEIR addresses the issue of construction impacts on California Gnatcatchers in the Biology Letter Report, (p 14-18)

B-27

Project construction is proposed to last for 68 months (ES-4), which could include at least 5 nesting seasons for California Gnatcatcher and other protected birds.

The FEIR should explain how the project will avoid impacts to these sensitive species while being able to progress over this period.

The UCPG recommends that the project should follow CDFW and City guidelines to avoid impacts of construction to nesting birds, including raptors and passerines such as the California Gnatcatcher.

Given the presence of California Gnatcatchers surrounding the site, **the UCPG recommends** that the project avoid construction during nesting season.

h). Direct and indirect impacts to sensitive, rare or threatened species: Impacts to San Diego Barrel Cactus

B-28

The DEIR discusses sensitive plants on p 5.5-4 and 5. It reveals at least 20 sensitive San Diego Barrel Cactus immediately to the west of the Project boundary and the proposed Brush Management Zone 2 in the SE corner area of the project adjoining Building E (Biology Letter Report, Figure 3, DEIR Figure 2-5).

The FEIR should confirm that there are no individual San Diego Barrel Cactus in this cluster of twenty that are on the project site, and it should disclose potential impacts and mitigation strategies to protect them.

B-27 This comment states that the Final EIR should address how impacts to the California gnatcatcher would be avoided during Project construction. As noted by the comment, construction impacts to the California gnatcatcher are addressed in Section 5.4, *Biological Resources*, of the Draft EIR. With adherence to the MHPA Land Use Adjacency Guidelines (LUAG) and implementation of the City's standard conditions, which require that pre-construction nesting bird surveys be conducted during the breeding season and actions identified that would ensure that construction noise levels do not exceed 60 dBA hourly average at the edge of occupied California gnatcatcher habitat, impacts would be less than significant. Furthermore, Section 5.11, *Noise*, of the Draft EIR also evaluates construction-related noise impacts to the California gnatcatcher, and concludes that, with adherence to applicable requirements, including the LUAG, construction-related noise impacts to the MHPA would be less than significant. As identified in its Draft EIR comment letter (refer to Comment Letter A), the CDFW concurs with the conclusion that implementation of construction activities in compliance with the LUAG would ensure that indirect impacts to wildlife would be less than significant. No additional analysis or revisions to the Draft EIR are required.

B-28 This comment states the Final EIR should confirm there are no San Diego barrel cactus within the Project's impact footprint, and should explain how the San Diego barrel cactus located outside of the Project's impact footprint would be avoided. Additionally, the comment states that the Final EIR should identify the Project's limits of impact and brush management areas. Section 5.4, *Biological Resources*, of the Draft EIR (page 5.4-14) states, "During the site visit conducted on May, 30, 2020, San Diego barrel cactus was observed off site and not within the impact area for the Project. This species would have been observed if it was present onsite because it is a perennial stem succulent that is detectable year-round." The San Diego barrel cactus are located outside of the Project's limits of impact and brush management areas. As such, no impacts would occur. During Project construction, impacts would be avoided with implementation of City standard conditions of approval, which require biological monitoring during construction, and a pre-construction meeting to discuss biological resources and review of the Project's limits of impacts. Furthermore, the Project would be required to comply with

B-28 (cont.)

The FEIR should explain how the project will avoid impacts to off-site Barrel Cactus that are within feet of the project and BMZ 2 boundaries and it should outline potential impacts and mitigation for impacts to Barrel Cactus off-site.

Good sense indicates that brush management on a steep and unmarked chaparral slope immediately adjacent to these identified species may very likely impact them. The DEIR claims that because these plants are outside the project boundary, "impacts to this species will not occur." This claim is not fully creditable.

The FEIR should explain how the project will avoid impacts to sensitive species on the project/BMZ boundary and outline the potential impacts of immediately adjacent Brush Management activities and strategies intended to mitigate them.

This reinforces the recommendation of the CDFW that "the DEIR should include a discussion regarding indirect Project impacts on biological resources, including resources in nearby public lands, open space, adjacent natural habitats, riparian ecosystems, and any designated and/or proposed or existing reserve lands" (5)

The UCPG recommends that among its strategies, that the project should carefully identify the project boundaries and the edges of Brush Management Zone 2 on the southwest facing slopes including and adjacent to the Barrel Cactus to ensure that BMZ activities do not extend beyond the project site and have unintended impacts on sensitive species located immediately adjacent to or on the project boundary.

B-29 ***The FEIR should evaluate the impacts of withdrawing 'Brush management' zones to within the retaining walls of the project.***

i). Impacts to sensitive, rare or threatened species: Nuttall's Scrub Oak.

The DEIR discusses sensitive plants on p 5.5-4 and 5. It identifies a number of this species on and around the site. However, it does not identify at least one large Nuttall's scrub oak in the BMZ2 at the SE portion of the site.

B-30 ***The FEIR should explain how the project will avoid impacts to Nuttall's Scrub Oak in its Brush Management Zone 2 in the SE corner of the project site. This section of BMZ 2 includes a at least one large Nuttall's Scrub Oak which is not shown in figure 3 of the Biology Letter Report.***

In the DEIR, the BLR survey does not show this sensitive species in this location.

The FEIR should discuss potential impacts and mitigation for this sensitive species inside and adjacent to the proposed BMZ2.

B-31 **j.) Impacts to sensitive, rare or threatened species: Wart Stemmed Ceanothus.**

B-28 (cont.)

the MHPA Land Use Adjacency Guidelines (LUAG), including requirements for barriers with the MHPA. Additionally, the Project's limits of impact and brush management areas are discussed in Section 3.0, *Project Description*, of the Draft EIR and shown on Figure 3-12, *Brush Management Plan*. No additional analysis or revisions to the Draft EIR are required.

B-29 This comment indicates that the Final EIR should evaluate withdrawing brush management zones to within the retaining walls of the Project. The Project site is not completely surrounded with retaining walls. Brush management activities are required in areas where retaining walls are not existing or proposed for the Project site. Brush management is required in order to limit the fuel load for potential fire. The Project is required to comply with the City's Brush Management Regulations, included as Section 142.0412 of the City's Municipal Code, as well as Fire Bureau Prevention Policies. The Project's brush management zones are located outside of the MHPA except for 0.01 acre within BMZ 2 (which is considered impact neutral by the City of San Diego). The City reviewed the Project's brush management plan and confirmed that withdrawing the brush management zones would not comply with City regulations and would not provide adequate brush management for the Project site. Thus, no evaluation of modified brush management zones is warranted, and no revisions to the Draft EIR are required.

B-30 This comment states that there is a Nuttall's scrub oak within the Project's brush management zone 2 area (BMZ 2), and that the Final EIR should address impacts to the Nuttall's scrub oak within and adjacent to BMZ 2. The Nuttall's scrub oak is not a State or Federally listed species as threatened or endangered. The area referenced by the comment is within Diegan coastal sage scrub habitat. The Diegan coastal sage scrub habitat is noted as containing a diverse suite of plant species, rather than attempting to show individual plants. Impacts to sensitive habitat are addressed in Section 5.4, *Biological Resources*, of the Draft EIR, and impacts were determined to be less than significant. Although the area referenced by the commenter is located outside of the MHPA, it should be noted that brush management zone 2 is considered impact neutral (i.e., not considered impacted but cannot be used as mitigation)

B-30 (cont.)

and is an allowable activity within the MHPA. It consists of removal of dead plant material, thinning to approximately 50%, and pruning of remaining plants. The goal is to create a staggered pattern of vegetation with a "natural" look. The thinning is to be prioritized as follows: 1) invasive non-native species; 2) non-native species; 3) flammable native species; 4) native species; and 5) regionally sensitive species. By following this approach, potentially occurring sensitive native species, if present within BMZ 2, would be avoided. Furthermore, the area referenced by the comment is located outside of the MHPA. Thus, no revisions to the Draft EIR are required.

B-31 This comment references the CDFW NOP comment letter, which reported an observation of a wart stemmed ceanothus adjacent to the Project site. The comment states that the Final EIR should address why a focused survey for this species was not conducted. The wart stemmed ceanothus is not state or federal listed as threatened or endangered. It is a CNPS 2.B.2 species considered fairly threatened in California but common elsewhere. It also is an MSCP covered species. There are no MSCP Area Specific Management Directives for this species in the Project vicinity. The California Native Diversity Database (CNDDB) shows that this species previously was mapped in the southeast corner of the Project site and adjacent developed area. All of the area within the CNDDB mapped polygon at this location has been developed. The Biological Letter Report (Attachment D of the Draft EIR) notes the potential for this species to occur within the Project impact area as low, and it was not observed during site visits. Should this species occur north of the Project site within the MHPA conservation area, then it would be protected and managed, along with the other sensitive species occurring within this area. Furthermore, CDFW provided a comment letter on the Draft EIR (refer to Comment Letter A), which does not indicate any additional focused surveys are required for the Project. As such, no significant impacts to this species would occur, and no focused surveys for this species or revisions to the Draft EIR are required.

B-31 (cont.)

CDFW (Scoping Letter, 5/5/21) reports an observation of Wart Stemmed Ceanothus within 40 feet of the project site, however this species is not shown in the Biology Letter Report.

The DEIR discusses potential impacts to sensitive species identified by CDFW on p 5.4-4 and 5. The plant survey took place on May 30, 2020, after the general bloom period for Wart Stemmed Ceanothus, so it is not surprising that the species was not identified through this method. In the absence of a focused survey, the DEIR is not convincing that this species is not present on site or in the area immediately adjacent.

The FEIR should explain why it did not undertake a focused survey for this sensitive species and it should undertake to remedy this shortcoming including a discussion of impacts and mitigation if necessary.

The UCPG supports the recommendation of the CDFW (5/5/21) that the FEIR should survey lands adjoining the project site for this species and disclose potential impacts of the project and strategies to mitigate them.

k). Adjacent Resources – Vernal pool impacts

B-32

The FEIR should evaluate impacts to disturbed vernal pool in the MHPA lands immediately adjoining the site, east of the proposed parking garage, and it should outline steps to avoid and mitigate impacts. See pool visible in photo 29, (Figure 3, Biological Letter Report). This site should be surveyed for vernal pool species listed in attachment D of the Biological Letter Report.

The DEIR discusses wetland impacts on p 5.4-21, but it does not mention the disturbed vernal pool among its discussion of indirect effects on MHPA resources.

B-33

The FEIR should explain how excavation and the construction of a subterranean parking level in the Parking Structure (see ES-4) will avoid impacts to vernal pool habitat in the MHPA lands immediately to the east of the project boundary, a few feet from the proposed Parking Structure.

l). Impacts of Fuel Modification – Brush Management

The DEIR discusses Brush Management on pages 3-9 and 3-10 and 5.4-17-18.

The FEIR should confirm that no Brush Management activities will take place in the MHPA on or off the project site.

B-34

Given the proximity of sensitive species on site and in un-surveyed areas immediately adjacent to the project site, the FEIR should explain how brush management activities will impact sensitive species and habitats, such as Nuttall's Scrub Oak, Coastal Barrel Cactus and Scrub Oak Chaparral, and it should explain how brush management activities will be designed to avoid impacts to adjacent lands and species inside the MHPA.

B-32 The comment states the Final EIR should evaluate impacts to a vernal pool within the MHPA land located off-site east of the Project site. Further, the comment claims the vernal pool is visible in a site photograph in the Project's Biological Letter Report. The area east of the Project site within the MHPA would not be directly impacted by the Project, and any potential indirect impacts would be addressed through compliance with the LUAG. The area referenced by the comment does not represent a vernal pool as it is not mapped as a vernal pool by CDFW. Furthermore, the CDFW NOP comment letter and Draft EIR comment letter do not identify the presence of a vernal pool within the vicinity of the Project site. As such, no further analysis or revisions to the Draft EIR are required.

B-33 This comment requests that the EIR explain how excavation and construction of the parking structure would avoid impacts to vernal pool habitat in the MHPA lands located immediately east of the Project boundary. As identified under Response to Comment B-32 above, there is no vernal pool habitat located in this area. Additionally, the Project's limits of impact with respect to biological resources are identified on Figure 5.4-1 of the EIR. This graphic has been refined in the Final EIR to better identify the impact line along the eastern boundary. As shown in the revised Figure 5.4-1, the Project's parking structure would be located within previously disturbed areas onsite, and would not impact any off-site areas, including off-site areas located within the MHPA east of the Project site. The Project's impacts to biological resources, including the MHPA, are discussed in Section 5.4, *Biological Resources*, of the Draft EIR. As concluded in the Draft EIR, the Project's impacts to biological resources would be less than significant. No additional analysis or revisions to the Draft EIR are required.

B-34 This comment discusses brush management and requests the Project avoid impacts to adjacent lands and species within the MHPA. Additionally, the comment requests that the Final EIR evaluate modifying the brush management areas to avoid sensitive species. The Draft EIR establishes the Project's impact area and includes discussion on how the Project (including brush management activities) would be designed to avoid impacts to adjacent lands and species within the MHPA. As identified on Table 5.4-2 and shown on Figure 5.4-1 of the Draft EIR, the Project would not include

B-34 (cont.)

To avoid impacts to sensitive species and habitats on the project site and immediately adjacent to it, the FEIR should assess the impacts of confining brush management activities to within the retaining walls surrounding the project site, and/or making modifications be made to retaining walls to allow removal of BMZ outside the walls.

m.) Impacts to Coastal Zone.

B-35

In the DEIR, the Biology Letter Report notes that "the project site is not within the Coastal Zone" (BLR, 3). However, Figure 3-1 shows that the northeastern portion of the site is inside the Coastal Zone. The DEIR notes that the project is within the Coastal Zone (5.1-14) and requires a Coastal Zone Permit.

The FEIR should correct this discrepancy and assess specific impacts of the project to the Coastal Zone on site and in adjoining Coastal Zone.

The FEIR should assess and report impacts on resources in the adjoining Coastal Zone.

n). Invasive Species – removal of existing invasive plants and prevention of future use

The City of San Diego General Plan states under Policy CE-G.1: Preserve natural habitats pursuant to the MSCP, that it is city policy to "Remove, avoid, or discourage the planting of invasive plant species." (DEIR, 5.1-67).

The DEIR discusses landscaping and invasive plants in section 5.4.3, p 5.4-17. See also BLR, 15. The DEIR notes that the project does not include any new invasive plant species in its landscape plan.

The FEIR should confirm that the Project will avoid using any invasive plant materials, including plants listed on CNPS list of invasive species.

B-36

However, the DEIR does not address existing invasive plants that are part of the current project which have escaped into adjoining ESLs.

The FEIR should address the foreseeable impacts of the existing invasive plants on the property and their impacts on adjoining sensitive lands, and it should seek to meet the letter and spirit of General Plan policy CE-G.1 by addressing steps to remove them.

This includes especially invasive plants in those areas marked as "ornamental" in Biology Letter Report, Figure 3, in particular highly invasive Pampas Grass which is widespread through this area as well as in the area described as BMZ2 along the west facing slope at the SE corner of the property.

In particular, the FEIR should address the impacts of existing Pampas Grass on the site and in adjoining lands down slope where it has escaped from this property, including potential steps to remove it.

B-34 (cont.)

any brush management zone 1 areas within the MHPA. The brush management zone 2 activities would occur in a total of 0.01 acre within the current MHPA boundary (including 0.001 acre of Tier 1 scrub oak chaparral habitat within the current MHPA boundary) and 0.33 acre of Tier 4 habitat outside the MHPA. Brush management zone 2 is considered impact neutral (i.e., not considered impacted but cannot be used as mitigation) and is an allowable activity within the MHPA. It consists of removal of dead plant material, thinning to approximately 50%, and pruning of remaining plants. The goal is to create a staggered pattern of vegetation with a more or less "natural" look. The thinning is to be prioritized as follows: 1) invasive non-native species; 2) non-native species; 3) flammable native species; 4) native species; and 5) regionally sensitive species. By following this approach, potentially occurring sensitive native species, if present within BMZ 2, would be avoided. Additionally, the Project would be required to comply with the LUAG due to the Project's proximity to the MHPA. The LUAG requires barriers along the outer boundary of BMZ 2 that would prevent brush management activities from extending beyond the Project's impact limits. The Project would be required by City regulations to adhere to the LUAG and remain within its approved limits. Please refer to Response to Comment B-29 regarding the infeasibility to modifying the Project's brush management plan. No revisions to the Draft EIR are required.

B-35 This comment correctly indicates there is a discrepancy between the Biology Letter Report and the Draft EIR related to the Project's location within the Coastal Zone. The Biology Letter Report has been modified to clarify the location of the Coastal Zone as requested.

Additionally, this comment indicates that the Final EIR should address impacts of the Project to the Coastal Zone onsite and in adjacent areas. The Project's relationship to the Coastal Zone is discussed and evaluated in the Draft EIR. As shown on Figure 2-9, Coastal and ALUCP Safety Zones in Relation to the Project, the northern portion of the Project site, including primarily the 7.0-acre open space parcel, is located in the non-appealable area of the Coastal Zone. The Project proposes the subdivision of property within the Coastal Overlay Zone, as well as the construction

B-35 (cont.)

of landscaping, fire access and recreational facilities in the development area of the Project site that is considered coastal development under the Land Development Code, and, therefore, a Coastal Development Permit is required. Pursuant to Land Development Code Section 126.0706, "the City Manager shall determine whether the proposed coastal development lies within the appealable area at the time the application for the Coastal Development Permit is submitted to the City." The Project is not located in the appealable area of the Coastal Zone. The Draft EIR appropriately evaluates impacts related to the Coastal Zone, and the required Coastal Development Permit is identified as a required permit for the Project (refer to Section 3.5.5 of the Draft EIR). No additional analysis and no revisions to the Draft EIR are required.

B-36 This comment requests that the EIR confirm that the Project would avoid using invasive plant materials, including plants listed on the California Native Plant Society list of invasive species. The commenter references several locations in the Draft EIR that discuss landscaping and invasive plants, including in Sections 5.1, Land Use, and 5.4, *Biological Resources*. The Draft EIR adequately analyzes and confirms that the Project would avoid using invasive plant materials, including plants listed on the California Native Plant Society List. Furthermore, the Project's Landscape Plan was reviewed and approved by City staff, who reviewed the plant palette and confirmed no invasive plant materials were included on the Landscape Plan. At the request of the University Community Planning Group (UCPG) during the EIR Scoping process, Native West Nursery also reviewed the plant palette and recommended native species that were incorporated into the Project's Landscape Plan. Furthermore, as discussed in Response to Comment B-2, as requested by the UCPG, the Project's Landscape Plan was updated to remove Chinese elm trees adjacent to the MHPA. No revisions to the Draft EIR are needed.

The comment also requests that the EIR address impacts from invasive species onsite and impacts due to the spread of invasive species into the MHPA. Furthermore, the comment requests that the EIR evaluate removing invasive species within the MHPA. All existing ornamental landscaped areas within the Project impact area, including

B-36 (cont.)

The FEIR should evaluate the impacts on the MSCP and adjoining sensitive lands of removing the existing invasive plant species that exist on the project site and those which have escaped from the project site into adjoining public lands, which are part of the City MHPA.

These invasive plant impacts were caused by the management of this property, and they are the responsibility of the property owner to redress. They should be resolved with the completion of this project.

o). Bird Strikes:

The DEIR discusses bird strikes in section (10.3.6)

The FEIR should address steps to eliminate potential bird strikes.

The Project includes five buildings up to 95 feet in height on a narrow headland surrounded by City of San Diego MHPA. Adjoining lands are well frequented by MHPA covered species, including Cooper's Hawk, Harrier, and federally threatened California Gnatcatcher.

In the context of a discussion of bird strikes, the DEIR notes that because the project is not IN the MHPA it will "largely avoid direct impacts to sensitive biological resources that occur in the MHPA areas adjacent to the Project site." (10.3.6)

B-37

Given that the project is surrounded by MHPA lands, and that birds, and other wild species do not recognize property lines, and that structures with significant glass features, especially those adjoining open space lands pose a well-known danger to bird species, this explanation is not credible.

The FEIR should explain how the project will avoid foreseeable bird strikes that will result because of the project's design and location. This explanation should reflect the latest science.

The FEIR should address specific design features and impacts of project design that carefully follows the recommendations of the CDFW to avoid direct impacts to birds:

"Bird Safe Architecture: further avoidance of direct impacts to birds, particularly migratory species, can be achieved through incorporation of "bird safe" elements in architectural design. Elements such as glazed windows, well-articulated building facades, and minimal nighttime lighting are encouraged to reduce collisions of migratory birds with buildings. Large flat windows, reflective glass, and transparent corners are strongly discouraged. CDFW recommends that the City follow as many of these guidelines as appropriate when considering structure design, as described in San Francisco's Standards for Bird Safe Buildings (the document can be found online at: https://sfplanning.org/sites/default/files/documents/reports/bird_safe_bldgs/Standards%20for%20Bird%20Safe%20Buildings%20-%2011-30-11.pdf)."

B-38

p). Noise impacts

B-36 (cont.)

those with invasive species, would be removed as part of the Project and these areas would be revegetated with non-invasive plant species. The Draft EIR analysis (page 5.4-17) addresses how potential impacts from invasive species would be reduced to a less than significant level through Project design:

"The landscape plans for the project do not include any invasive or potentially invasive species (including those identified in the California Invasive Plant Inventory prepared by the California Invasive Plant Council). Further, the landscape palette, which was reviewed by Native West Nursey, incorporates native plants from the adjacent canyons, as well as the region, in support of the diverse ecosystem (Native West Nursery, 2021)."

Further, the Project would adhere to SDMC Landscape Regulations, which do not allow the planting of invasive, non-native plant species. The Project would also comply with the LUAG that prohibit the use of invasive species in the vicinity of the MHPA. Compliance with the LUAG would prevent the spread of invasive species into the MHPA as none would be planted.

With respect to the removal of existing invasive plant species that are already in City-owned MHPA, such removal would be the responsibility of the City. With respect to the removal of existing invasive plant species outside of the MHPA and subject to private ownership, such removal would be the responsibility of the Owner/Applicant pursuant to the requirements of the conservation method (see Response To Comment B-6).

B-37 This comment discusses bird strikes and states the Final EIR should explain how the Project would avoid foreseeable bird strikes and follow recommendations of CDFW recommendations. A discussion of the Project's architectural design is included in Section 3.2.1, *Proposed Buildings*, of the Draft EIR. The majority of the MHPA-facing facades (south Building A façade, east and west Building B facades, north Building C façade, and south Building D façade) would be well-articulated with metal panels and exterior sunshades to limit the size of uninterrupted glazed areas and to prevent bird strikes. On other facades, where

B-37 (cont.)

large uninterrupted expanses of vision glass face MHPA habitats (west Building A façade, north Building B façade, east Building C façade, and east Building D façade), the Project would utilize specialized fritted glazing to deter birds, with a pattern sized at 4" high x 2" wide or smaller, per the referenced CDFW Standards for Bird-Safe Buildings. The CDFW Standards for Bird-Safe Buildings also include minimal nighttime lighting. Interior nighttime lighting would be minimized to only what is required for tenant functionality and security, with occupancy sensors at interior areas. Therefore, the Project would comply with the CDFW Standards for Bird Safe Buildings related to minimal nighttime lighting. Additionally, exterior lighting would be fully shielded to minimize spill light and upward light. Therefore, as identified Section 5.4, *Biological Resources*, of the Draft EIR, impacts associated with avian collisions would be less than significant. No further analysis or revisions to the Draft EIR are required.

B-38 (cont.)

The location of the project in the midst of MHPA habitat preserve poses significant impacts to adjoining lands as a result of amplified events throughout the project area.

The DEIR addresses the issue of construction noise impacts on one species, California Gnatcatchers, in the Biology Letter Report, (p 14-18) and on page 5.4-18-20, 5.1-23, and 5.11-12. but it does not address noise impacts from project operations on other wildlife or the MHPA as a whole.

The FEIR should explain how the project will avoid noise impacts to adjoining habitat lands, including potential impacts from amplified events on site, and including how the project will enforce this restriction.

The FEIR should assess noise impacts and potential mitigation for the three Building Generators for Buildings A, B, C, and D, which are located on the outer edge of the project site adjacent to MHPA lands, including adjacency to the reported locations of threatened Coastal California Gnatcatchers. See Biology Letter Report p 14-15.

q). Non-lethal removal of snakes

The DEIR does not address this issue.

B-39

The FEIR should explain how the project will avoid lethal impacts to wildlife, including in particular snakes, which find their way onto the project site, and it should outline potential impacts and strategies to enforce non-lethal protocols for snake removal.

Lethal removal of snakes and other native wildlife that enter the project sites pose a significant threat to species populations in adjoining habitat lands. Development of an irrigated project with large numbers of people in the midst of MHPA lands ensure that wildlife, including reptiles, will enter the project site. Non-lethal removal of these creatures represents best practice in land and property management. This restriction should be written into lease agreements with tenants.

r). Avoid use of rodenticide

The DEIR addresses the potential impact of toxins related to the project on page 5.1-15 and 16. The Alden Biology Letter Report discusses the impact of pesticides and other toxins spreading beyond project boundaries, but the DEIR does not address the issue of rodenticides on MHPA habitats and protected species. (BLR, p 14)

B-40

As the CDFW Scoping Letter (5/5/21) indicates, the use of rodenticides for pest control poses a significant threat to native birds and wildlife as poisons used for rodent control cascade into natural food chains, killing not only rodents but protected birds and other species. Best practices for land, habitat and property management include the avoidance of rodenticides for rodent control.

The FEIR should assess potential impacts of rodenticides and other pesticides on wildlife and explain how it will prevent lethal impacts to raptors and other predatory native wildlife as a

B-38 The comment states that the Final EIR should address noise impacts to adjacent MHPA lands from amplified events and building generators on-site. The Project does not include events requiring amplified sound on-site. Operational noise impacts to the MHPA are addressed in Section 5.11, Noise, of the Draft EIR. As identified, daytime and nighttime operational noise levels at the Project site boundary with adjacent open space would range from 23.6 dBA Leq to 50.3 dBA Leq, and would not be of sufficient volume or duration to impact or interfere with wildlife utilization of adjacent habitat or the MHPA. As such, the Project would not result in significant operational noise impacts within the adjacent MHPA, consistent with the LUAG. No further analysis or revisions to the Draft EIR are required.

B-39 This comment requests that the Final EIR explain how the Project would avoid lethal impacts to wildlife, including snakes, and requests that non-lethal removal of snakes be included as a restriction to lease agreements. Section 5.4, *Biological Resources*, of the Draft EIR indicated that impacts to wildlife would be less than significant; therefore, no mitigation is required. Notwithstanding, BioMed Realty (BMR) owner and future landlord of Project tenants, utilizes best practices for any wildlife and snake removal including reliance on animal control, local police, or fire departments to assist in non-lethal removal of snakes and other wildlife that may enter their properties. BMR oversees all landscaping-related contracts and, therefore, such restrictions in lease agreements for tenants are not required. BMR is committed to maintaining this practice for the Project. Revisions to the Draft EIR are not required.

B-40 This comment requests that the Final EIR evaluate the potential impacts of rodenticides and other pesticides on wildlife and explain how the Project would prevent impacts to raptors and other native wildlife. Consistent with Policy CE-A.11(a) discussed on pages 5.1-61 and 5.1-62 of the Draft EIR, an integrated pest management program would be developed for the Project, which would reduce the dependence on the use of pesticides/rodenticides. In addition, the Project is committed to the use of native landscaping, which is naturally pest-resistant and would further reduce dependence on the use of pesticides. BMR oversees all landscaping contracts and, therefore, such restrictions in lease agreements for tenants are not

B-40 (cont.)

result of pest/rodent control. It should explain how the project will enforce this avoidance with tenants over time.

s.) Potential for Hazardous materials on site

The DEIR discusses toxic materials as a result of the project on p 5.1-15 and 16. However, it does not address the potential for existing toxics on the site or their impacts on project tenants and surrounding wildlife.

B-41

Site surveys and aerial photographs reveal that the site has recently been used for a variety of activities including truck spray downs and clean outs that may have washed hazardous materials onto the site, including temporary water retention basins that may have previously been used to collect this wastewater.

The FEIR should assess the potential for hazardous materials or waste existing on site as a result of the site's former uses, and it should assess the impacts of these materials on the project and its tenants. This includes especially settling ponds, retention basins, project cleanout sites, and materials storage areas.

Approved December 13, 2022, by the UCPG

Andrew Wiese, UCPG Board Member
Chris Nielsen, UCPG Chair

B-40 (cont.)

required. Revisions to the Draft EIR are not required.

B-41 This comment requests that the Final EIR assess the potential for hazardous materials onsite as result of the site's former uses. The Project's Phase I Environmental Site Assessment (included as EIR Technical Appendix H) includes evaluation of existing site conditions and determined there were no existing hazards or hazardous materials onsite. A summary of the Phase I Environmental Site Assessment is included in Section 5.8, *Health and Safety*, of the Draft EIR, which indicates that impacts would be less than significant. No revisions to the Draft EIR are required.

San Diego County Archaeological Society, Inc.

Environmental Review Committee

23 November 2022

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

Subject: Draft Environmental Impact Report
Towne Centre View
Project No. 624751

Dear Ms. Osborn:

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

C-1

Based on the information contained in the DEIR and its Appendix I, we concur with the findings that the project as proposed, due to the development current present, is unlikely to result in significant impacts to cultural resources. Consequently, we agree that no cultural resources mitigation measures are necessary.

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

Sincerely,

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

cc: Brian F. Smith & Associates
SDCAS President
File

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

C-1 This comment states that the commenter concurs with the findings of the Project's Cultural Resources Report (included as Technical Appendix I to the Draft EIR) and that due to existing development, the Project is unlikely to result in significant impacts to cultural resources and that no cultural resources mitigation measures are required. No response to this comment or revision to the Draft EIR is required.

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Via Email

January 6, 2023

Sara Osborn
City of San Diego
Development Services Department
1222 First Avenue, MS 501
San Diego, CA 92101
DSDEAS@Sandiego.gov

Re: Comment on Draft Environmental Impact Report, Towne Centre View (Project No. 624751; SCH No. 2021040044)

Dear Ms. Osborn:

I am writing on behalf of Supporters Alliance for Environmental Responsibility ("SAFER") regarding the Draft Environmental Impact Report ("DEIR") prepared for the Towne Centre View Project (Project No. 624751; SCH No. 2021040044), including all actions related or referring to the proposed construction of an approximately one million square foot scientific research and development (R&D) campus that would include five two- to six-story buildings, a four-level podium parking structure, and a parking garage with six above grade levels and one partial below grade level, located north of the current terminus of Towne Centre Drive, generally between I-5 to the west and I-805 to the east.

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

We reserve the right to supplement these comments during review of the Final EIR for the Project and at public hearings concerning the Project. *Galante Vineyards v. Monterey Peninsula Water Management Dist*., 60 Cal. App. 4th 1109, 1121 (1997).

Sincerely,

Victoria Yundt
LOZEAU DRURY LLP

D-1 This comment summarizes the Project description, states the Draft EIR fails as an informational document and does not impose all feasible mitigation measures, and requests that the City revise the Draft EIR and recirculate the Revised Draft EIR. The Project's Draft EIR was prepared in accordance with CEQA (California Public Resources Code (PRC), Section 21000 et seq.), the CEQA Guidelines (14 CCR 15000 et seq.), and the City's EIR Preparation Guidelines. With respect to the requirement for additional mitigation measures, based on the City's established thresholds of significance, the Draft EIR determined that the Project would result in no impact, a less than significant impact, or a less than significant impact with implementation of standard conditions of approval for each topic, except for transportation-related/vehicle miles traveled (VMT) impacts. VMT impacts were determined to be less than significant with implementation of the identified mitigation measure. Therefore, the Draft EIR determined that there would be no significant and unavoidable impacts resulting from the Project and no additional mitigation is required. No revisions to the Draft EIR are required.

This comment fails to provide any specific comments regarding the information and analysis presented in the Draft EIR to substantiate the inaccurate assertions about the adequacy of the Draft EIR; therefore, no response can be provided. There were no comments provided in this letter or in other comments received by the City of San Diego on the Draft EIR that necessitate recirculation of the Draft EIR, as set forth in Section 15088.5 of the State CEQA Guidelines.

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January 4, 2023

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

VIA EMAIL TO:
DSDEAS@Sandiego.gov

Subject: Comments on Towne Center View EIR (SCH NO. 2021040044)

Dear Ms. Osborn,

Thank you for the opportunity to comment on the Environmental Impact Report (EIR) for the proposed Towne Center View Project. Please accept and consider these comments on behalf of Golden State Environmental Justice Alliance (GSEJA). Also, Golden State Environmental Justice Alliance formally requests to be added to the public interest list regarding any subsequent environmental documents, public notices, public hearings, and notices of determination for this project. Send all communications to Golden State Environmental Justice Alliance P.O. Box 79222 Corona, CA 92877.

E-1

1.0 Summary

The project proposes the construction and operation of a scientific research and development (R&D) complex that can accommodate approximately 1,000,000 square feet (sf) of building area on a 33.55-acre site. Site improvements would also be constructed that include associated utilities, internal circulation and access, hardscape (surface parking, driveways, and walkways) retaining walls, and landscape. The partially developed project site is located north of the current terminus of Towne Centre Drive. The parcels are designated "Scientific Research" and "Open Space" within Subarea 11 of the University Community Plan.

E-2

The following discretionary actions are necessary to implement the proposed project:

1. Community Plan Amendment to the University Community Plan to increase the intensity in Subarea 11 from 18,000 sf/acre to 1,000,000 sf.
2. Planned Development Permit to amend PID 96-7756 for Eastgate Acres and because of required deviations to the San Diego Municipal Code (reduced rear setback, reduced

E-1 This comment provides introductory remarks, including a request to be included on the public interest list for future Project notification. This comment does not address the analysis of environmental impacts presented in the Draft Environmental Impact Report (EIR). Therefore, no response to this comment or revision to the Draft EIR is required.

E-2 This comment provides a summary description of the Project and the Project's associated entitlements. This comment does not address the analysis of environmental impacts presented in the Draft EIR. Therefore, no response to this comment or revision to the Draft EIR is required.

loading space quantity, driveway width that exceeds that maximum permitted width, and a 19 ft tall retaining wall that excess the maximum height of 12 ft).

3. Site Development Permit because there are ESLs on site, the project is within the ALUC Overlay for MCAS Miramar, and the Project is within the CPIOZ Type A.
4. Neighborhood Development Permit for the alternative method of calculation for the ALUC Overlay Zone.
5. Coastal Development Permit to amend CDP 117798 because the northern portion of the Project area is within the non-appealable area of the Coastal Overlay Zone and the Project would subdivide the site in the Coastal Overlay Zone from the area where vertical development would be constructed.
6. Tentative Map to subdivide and configure the property to accommodate the proposed development, to subdivide the areas in the Coastal Overlay Zone from the area outside the Coastal Overlay Zone, and to provide necessary easements.
7. Public Street Vacation for the western terminus of Towne Centre Drive, west of Westerra Court.

E-2 (cont.)

5.3 Air Quality and Odors, 5.5 Energy, and 5.7 Greenhouse Gas Emissions

E-3 Please refer to attachments from SWAPE for a complete technical commentary and analysis.

E-4 The EIR does not include for analysis relevant environmental justice issues in reviewing potential impacts, including cumulative impacts from the proposed project. This is especially significant as the surrounding community is highly burdened by pollution. According to CalEnviroScreen 4.0[1], CalEPA's screening tool that ranks each census tract in the state for pollution and socioeconomic vulnerability, the proposed project s census tract (6073008339) ranks worse than 66% of the rest of the state overall. The proposed project's census tract and surrounding community, including residences and La Jolla Country Day School to the west, bears the impact of multiple sources of pollution and is more polluted than average on several pollution indicators measured by CalEnviroScreen. For example, the project census tract ranks in the 44th percentile for particulate matter (PM) 2.5 burden, the 91st percentile for diesel particulate matter (PM) burden, and the 80th percentile for traffic impacts. All of these environmental factors are typically attributed to heavy truck activity in the area.

Additionally, the census tract ranks in the 97th percentile for hazardous waste facility impacts. Hazardous waste generators and facilities contribute to the contamination of air, water and soil near waste generators and facilities can harm the environment as well as people[2].

[1] CalEnviroScreen 4.0 https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-40
[2] OEHHA Hazardous Waste Generators and Facilities
https://oehha.ca.gov/calenviroscreen/indicator/hazardous-waste-generators-and-facilities

E-3 This comment refers to attachments to Comment Letter E from SWAPE. Please refer to Responses to Comments E-19 through E-26 for specific responses to the comments provided by SWAPE in the attachments.

E-4 This comment states that the EIR does not include analysis of relevant environmental justice issues, including cumulative impacts from the Project and states the area is vulnerable to pollution and hazardous waste generators based on CalEnviroScreen and community demographics. The Project does not include the type of development that would generate emissions that would result in significant cumulative air quality pollution or hazardous waste generation. Furthermore, the comment makes a number of fundamental errors. The San Diego Association of Governments (SANDAG) has published maps of disadvantaged communities pursuant to California Health and Safety Code 39711 in conjunction with the 2021 Regional Plan. Neither the Project site, nor any areas of the University Community Plan area are designated as disadvantaged communities by SANDAG. (https://sandag.maps.arcgis.com/apps/Cascade/index.html?appid=897af882e8c14b1e996c33e48bc15347). In addition, the State of California Office of Environmental Health Hazards Assessment includes a map of census tracks that meet the SB535 definition for Disadvantages Communities designated by CALEPA (https://oehha.ca.gov/calenviroscreen/sb535) which does not include the Project site or any other census tracts within the University Community Plan area. According to the CalEPA Final Designation of Disadvantaged Communities Pursuant to Senate Bill 535 (https://calepa.ca.gov/wp-content/uploads/sites/6/2022/05/Updated-Disadvantaged-Communities-Designation-DAC-May-2022-Eng.a.hp_-1.pdf?emrc=e05e10) "Senate Bill (SB) 535 (De León, Chapter 830, Statutes of 2012) mandates that California use certain Cap-and-Trade auction proceeds to fund investments in "disadvantaged communities" (DACs). It charges the California Environmental Protection Agency (CalEPA) with the responsibility to designate DACs. CalEPA must base designations on "geographic, socioeconomic, public health, and environmental hazard criteria," but is given broad discretion for developing specific criteria and methods for applying those criteria. In issuing previous designations, CalEPA relied upon the California Communities Environmental Health Screening Tool (CalEnviroScreen),

E-4 (cont.)

a mapping tool developed by the Office of Environmental Health Hazard Assessment (OEHHA). On October 13, 2021, OEHHA released a new final version of CalEnviroScreen, Version 4.0. CalEPA determined that the improvements and updates in Version 4.0 were sufficiently material to warrant new designations of disadvantaged communities, pursuant to SB 535 (DAC designations). In this designation, CalEPA generally defines communities in terms of census tracts and identifies four types of geographic areas as disadvantaged: (1) census tracts receiving the highest 25 percent of overall scores in CalEnviroScreen 4.0; (2) census tracts lacking overall scores in CalEnviroScreen 4.0 due to data gaps, but receiving the highest 5 percent of CalEnviroScreen 4.0 cumulative pollution burden scores; (3) census tracts identified in the 2017 DAC designation as disadvantaged, regardless of their scores in CalEnviroScreen 4.0; (4) and areas under the control of federally recognized Tribes." Neither the Project site nor any census tract in the University Community Plan area were designated by CalEPA as disadvantaged communities under the criteria. Additionally, the analysis of hazardous waste generators and facilities is contained in Draft EIR Section 5.8, Health and Safety, which provides an assessment of cumulative hazardous and hazardous materials that demonstrates that the Project would not result in environmental justice issues related to hazardous waste generators and facilities. As discussed in the Draft EIR, the Project is not listed as a hazardous materials site and is not within proximity to a hazardous materials site and would not create a significant hazard to the public or environment. Furthermore, a number of existing regulations ensure that hazardous materials/waste users, generators, and transporters provide operational safety and emergency response measures so that no significant threats to public health and safety are created. With mandatory regulatory compliance, the Project would not pose a significant hazard to the public or the environment through the routine transport, use, storage, emission, or disposal of hazardous materials. No revisions to the EIR are required.

Regarding the demographics and the character of the neighborhood and the Project, the commenter appears to be confused. San Diego in general is a high-income city with dynamic workforce and educated, skilled population.

E-4 (cont.)

For example, the U. S. Census Bureau identifies the City of San Diego as having a median household income in the top five of the within the 25 most populous cities. US Census Bureau, Household Income: 2021 at 6, available at: https://www.census.gov/content/dam/Census/library/publications/2022/acs/acsbr-011.pdf. Within the City of San Diego, the University City Area tends to have high educational attainment and high incomes. According to the US Census Bureau, the percent of people in poverty in the entire City of San Diego is 10.7 percent. US Census Bureau, QuickFacts, available at https://www.census.gov/quickfacts/fact/table/sandiegocountycalifornia#. The Project itself has no significant environmental impacts. It will bring jobs to an area that is well-served by transit (and so the jobs are accessible to people throughout the San Diego region, including people without automobiles).

Additionally, the air quality analysis contained in the Draft EIR, which provides an assessment of the potential cumulative air quality impacts, demonstrates that the Project would not result in environmental justice issues related to pollution. Notwithstanding, for further information, a Health Risk Assessment (HRA) contained as an Exhibit A to the Response to Comments was prepared (refer to Response to Comment E-24 for a detailed discussion of the HRA prepared for the Project). The HRA further demonstrates the Project's impacts would be less than significant. Air quality impacts are basin-wide, and air quality is affected by all pollutant sources in the basin. Therefore, the ambient air quality measurements provided in the Air Quality Analysis are intended to provide a summary of basin-wide cumulative air quality impacts. As the individual Project thresholds are designed to help achieve attainment of cumulative basin-wide standards, they are also appropriate for assessing the Project's contribution to cumulative impacts. No revisions to the EIR are required.

E-4 (cont.)

Further, the census tract is a diverse community including 29% Asian-American, 13% Hispanic, and 2% African-American residents, whom are especially vulnerable to the impacts of pollution. The community has a high rate of poverty, meaning 79% of the households in the census tract have a total income before taxes that is less than the poverty level. Income can affect health when people cannot afford healthy living and working conditions, nutritious food and necessary medical care[3]. Poor communities are often located in areas with high levels of pollution[4]. Poverty can cause stress that weakens the immune system and causes people to become ill from pollution[5]. Living in poverty is also an indication that residents may lack health insurance or access to medical care.

E-5

California s Building Energy Code Compliance Software (CBECC) is the State's only approved energy compliance modeling software for non-residential buildings in compliance with Title 24[6]. CalEEMod is not listed as an approved software. The CalEEMod-based modeling in the EIR and appendices does not comply with the 2022 Building Energy Efficiency Standards and under-reports the project s significant Energy impacts and fuel consumption to the public and decision makers. Since the EIR did not accurately or adequately model the energy impacts in compliance with Title 24, a finding of significance must be made. A revised EIR with modeling using the approved software (CBECC) must be circulated for public review in order to adequately analyze the project s significant environmental impacts. This is vital as the EIR utilizes CalEEMod as a source in its methodology and analysis, which is clearly not the approved software.

E-6

5.1 Land Use

The EIR concludes that "although the Project includes an amendment to increase the development intensity in the University Community Plan for the Project site, as demonstrated through the analysis presented for each topical issue in Section 5, it would not result in significant indirect or secondary environmental impacts due to the increased intensity." However, this conclusion is based on misleading and erroneous analysis throughout all portions of the EIR that are not supported by meaningful evidence. The EIR must be revised to include adequate, accurate modeling in order to provide an adequate environmental analysis. Further, the EIR has not provided a consistency analysis with any policies or goals of the General Plan or UCP Plan. The EIR must be revised to include this analysis.

[3] OEHHA Poverty https://oehha.ca.gov/calenviroscreen/indicator/poverty
[4] Ibid.
[5] Ibid.
[6] California Energy Commission 2022 Energy Code Compliance Software https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2022-building-energy-efficiency-1

E-5 The commenter states that the State of California has one approved compliance modeling software for non-residential buildings related to energy. The commenter is correct that the three approved compliance models referenced are the three approved compliance methods specifically for Title 24 compliance, which is required for any development project at the time of physical building construction (estimated at approximately 12-18 months after entitlement). The CBECC compliance modeling software that is referenced by the commenter is used to confirm final design, with detailed information included in construction drawings, is Title 24 compliant. The final design, construction drawings are not available at this time and are not typically prepared until after the Project is approved/entitled. The Draft EIR and underlying technical studies correctly utilize CalEEMod which estimates energy demand based on average intensity factors for similar land use types based on the site plans provided to the City for entitlement.

CalEEMod is a statewide land use emissions computer model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify potential criteria pollutant and greenhouse gas (GHG) emissions associated with both construction and operations from a variety of land use projects. The model was developed for the California Air Pollution Officers Association (CAPCOA) in collaboration with the California Air Districts. Default data (e.g., emission factors, trip lengths, meteorology, source inventory, etc.) have been provided by the various California Air Districts to account for local requirements and conditions. The model is a comprehensive tool for quantifying air quality impacts from land use projects located throughout California. The model can be used for a variety of situations where an air quality analysis is necessary or desirable such as preparing California Environmental Quality Act (CEQA) or National Environmental Policy Act (NEPA) documents, conducting pre-project planning, and, verifying compliance with local air quality rules and regulations, etc. (Source: http://www.aqmd.gov/caleemod/)

Since the Project's tenants are unknown at this time, nor is information about the future tenants' energy use, it is appropriate to defer to the CalEEMod default assumptions

E-5 (cont.)

that have been derived by the CAPCOA based on survey data. The Project will be required to show compliance with 2022 Building Energy Efficiency Standards prior to issuance of a building permit and the City Building and Safety Department will verify compliance. No revisions to the EIR are required.

E-6 This comment asserts that the Draft EIR does not provide adequate evidence for environmental analysis related to land use, and does not provide an analysis of consistency with the polices or goals of the General Plan or University Community Plan. This comment does not provide any specific comments regarding the information or analysis presented in the Draft EIR to substantiate the assertion about the adequacy of the Draft EIR; therefore, no response can be provided. The Draft EIR provides an evaluation of the Project's environmental impacts in accordance with CEQA (California Public Resources Code (PRC), Section 21000 et seq.), the CEQA Guidelines (14 CCR 15000 et seq.), and the City's EIR Preparation Guidelines. Notably, the Draft EIR includes an analysis of the Project's consistency with General Plan and University Community Plan goals and policies in Section 5.1, *Land Use*. Specifically, analysis is provided on pages 5.1-19 through 5.1-21; in Table 5.1-1, *City of San Diego General Plan Consistency Analysis* (pages 5.1-34 through 5.1-73); and Table 5.1-2, U*niversity Community Plan Consistency Analysis* (pages 5.1-73 through 5.1-86). Revisions to the Draft EIR are not required.

E-7 Further, Table 5.1-3 Proposed Deviations lists the purpose of the four required variances necessary to accommodate the proposed project. The EIR does not provide any analysis of the deviations and their compatibility with the General Plan or the UCP. The EIR must be revised to include this analysis and a finding of significance due to the required deviations.

E-8 This section also provides no information or analysis regarding the required Neighborhood Development Permit for the alternative method of calculation for determining concentrations of people permitted in the ALUC Overlay Zone. There is also no discussion of the required Public Street Vacation for the western terminus of Towne Centre Drive, west of Westerra Court. The EIR does not adequately or accurately analyze all components required to accommodate the proposed project in its analysis and must be revised to include all components.

E-9 **5.8 Health and Safety**

A Neighborhood Development Permit is required for the alternative method of calculation for determining concentrations of people permitted in the ALUC Overlay Zone. This section refers the public and decision makers to Section 5.1 Land Use for analysis on this topic. However, Section 5.1 Land Use does not state or discuss that the alternative method of calculation for determining concentrations of people was utilized for the proposed project and no information on this topic is given in Section 5.1 Land Use. There is also no information provided on the standard method of calculation, why this calculation could not be used, what the methodology is for the alternative calculation, and why the alternative calculation is appropriate. The EIR must be revised to include all of this information for discussion and analysis in order to adequately and accurately analyze the project's potentially significant environmental impacts.

5.13 Population and Housing

The EIR has not provided any calculation of the construction jobs generated by the project. Additionally, the EIR relies upon the San Diego-Carlsbad region construction industry current employment of 61,830 workers. However, this statistic provides the number of workers that are already employed, which means that these workers would not be searching for new employment and the project requires additional workers to fill its roles.

E-10 The EIR also utilizes uncertain language that the project's construction jobs "would *likely* be filled by existing residents of the *region*," which is notably problematic as the geographic boundaries of the "region" of the project site are undefined. The same is true for the project's operational jobs as the EIR states it is "*anticipated* that employees would commute to the Project site from locations within the City *or nearby jurisdictions in the county*." Relying on the entire labor force within San Diego County to fill the project's construction and operational jobs will increase VMT and emissions during all phases of construction and operations and the EIR must be revised to account

E-7 This comment states that the Draft EIR does not provide analysis of the deviations presented in Table 5.1-3, Proposed Deviations, and their compatibility with the General Plan and University Community Plan. As stated by the commenter, the proposed deviations are part of the "Project." All Project components, including the proposed deviations, were analyzed as part of the Draft EIR. Section 5.1, *Land Use*, as well as Tables 5.1-1, *City of San Diego General Plan Consistency Analysis*, and 5.1-2, *University Community Plan Consistency Analysis*, found in Section 5.1, provides an analysis of the Project's consistency with the General Plan and University Community Plan, including the proposed deviations. Revisions to the Draft EIR are not required.

E-8 This comment states that the Land Use section of the Draft EIR does not provide analysis of the required Neighborhood Development Permit for the alternative method of calculation for determining concentrations of people permitted in the Marine Corps Air Station (MCAS) Miramar Airport Land Use Compatibility (ALUC) Zone, or the required Public Street Vacation for the western terminus of Towne Centre Drive. As identified in Section 3.5.4, the Project requires a Neighborhood Development Permit for the alternative method of calculation to demonstrate compliance with maximum intensity (people per acre) in the MCAS Miramar ALUC Zone. The use of an alternative method of calculation is allowed by San Diego Municipal Code Section 132.1515(d) for non-residential development, subject to approval of the Neighborhood Development Permit. The method for determining compliance with the maximum intensity is provided on Figure 3-1, Conceptual Site Plan, of the Draft EIR, and also discussed in Section 5.1, *Land Use*, under Issue 5 (starting on page 5.1-30). The method for calculating the maximum intensity is provided in Table 5.1-4, and the analysis clearly demonstrates compliance with the requirements of the MCAS Miramar ALUC Plan. As further discussed in Section 5.8, *Health and Safety*, of the Draft EIR, the San Diego Regional Airport Authority, the Airport Land Use Commission for San Diego County, has reviewed the Project and determined that the Project is consistent with the MCAS Miramar ALUC Plan, including with maximum intensity requirements. The San Diego Regional Airport Authority, the Airport Land Use Commission for San Diego County Consistency Determination Letter is attached as Exhibit B. No further

E-8 (cont.)

analysis of this issue or revisions to the Draft EIR are required.

The Project's Public Street Vacation is described in Section 3.0, *Project Description*, of the Draft EIR. As identified, the western terminus (approximately 595 feet of Towne Centre Drive west of Westerra Court) would be vacated and become part of the development site. As described in Section 3.4 of the Draft EIR, the public right-of-way for Towne Centre Drive would terminate at Westerra Court, and the intersection of Towne Centre Drive and Westerra Court would provide a turnaround as needed to accommodate Project and emergency vehicle access. These roadway improvements would occur within the physical impact limits evaluated in the Draft EIR. The proposed Public Street Vacation, which is a mapping action, does not result in any physical environmental impacts beyond those evaluated in the Draft EIR. No further analysis of this issue or revisions to the Draft EIR are required.

E-9 This comment states that the Draft EIR needs to be revised to provide additional information related to the use of an alternative method of calculating concentrations of people permitted in the MCAS Miramar ALUC Zone. Please refer to Response to Comment E-8, which addresses the sections of the Draft EIR where the alternative method of calculation, including analysis and methodology, is provided. To validate compliance with the calculation of concentrations of people within the MCAS Miramar ALUC Zone, both the standard calculation method and alternative method of calculating compliance have been utilized to demonstrate compliance. The calculations are attached as Exhibit C. As shown in Exhibit C, the Project would comply with the calculation of concentrations of people permitted in the MCAS Miramar ALUC Zone using the standard calculation method and alternative method of compliance. As discussed in the Draft EIR, the Project would be consistent with the provisions outlined for development within the Airport Influence Area for MCAS Miramar and would be consistent with the ALUC Plan. No hazards associated with operations at MCAS Miramar would result. No further analysis of this issue or revisions to the Draft EIR are required.

E-10 This comment states that the Draft EIR should provide a construction worker employment analysis to adequately and accurately analyze all potentially significant environmental impacts, including impacts related to vehicle miles traveled (VMT). As noted in Section 5.13, *Population and Housing*, of the Draft EIR, the threshold of significance for determining whether a project would have a significant impact related to population and housing is based on whether the project would "Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads and other infrastructure)." As identified in the Draft EIR analysis for Issue 1 (starting on page 5.13-5), "[c]onstruction jobs are temporary and construction workers move from job to job based on their specialty trade." The commenter's statement that workers would not be searching for new employment is inaccurate and does not reflect the nature of the construction industry. Further, the identification of the number of workers in the San Diego-Carlsbad region provided in the Draft EIR was simply to demonstrate the substantial number of construction workers in that region, such that construction workers would not need to relocate to the area, and the new temporary construction jobs would not induce substantial unplanned growth in the area.

The Project's VMT analysis was conducted in accordance with the *City of San Diego Transportation Study Manual* (TSM; dated September 29th, 2020), which presents the guidelines for the analysis of CEQA Transportation VMT requirements, including screening criteria, significance thresholds, analysis methodology, and mitigation. The TSM does not require the analysis of construction worker VMT. Further, the State of California Office of Planning and Research *Technical Advisory on Evaluating Transportation Impact in CEQA* (December 2018) does not identify construction worker VMT as an issue that needs to be evaluated in a project VMT analysis. Construction activities are continually occurring in the San Diego-Carlsbad region, including in the vicinity of the Project site. Therefore, there would not be a substantial change in regional VMT to warrant a quantitative evaluation of construction-related VMT. No further analysis of this issue or revisions to the Draft EIR are required.

E-10 (cont.)

for longer worker trip distances. For example, the project site is approximately 52 miles from Fallbrook, 43 miles from Descanso, and 50 miles from Julian while the VMT analysis determines that the project generated VMT is 32.6 VMT per service population (per employee). The revised EIR must also include a construction worker employment analysis to adequately and accurately analyze all potentially significant environmental impacts.

E-11

The EIR applies a credit for existing jobs at the project site to state the net increase of jobs will be only 2,400 because the applicant estimates that the existing on-site buildings have a total of 600 employees. The EIR does not provide meaningful evidence to support the claim that 600 employees are currently employed at the on-site buildings. The EIR be revised to provide substantial supporting evidence regarding the number of existing employees in order to provide an adequate and accurate environmental analysis.

E-12

SANDAG estimates the City of San Diego will have an increase of 210,366 jobs between 2016 and 2050. The University Community Plan Area will have an increase of 21,699 jobs between 2020 and 2050. The proposed project's 3,000 employees represents 1.4% of the City's employment growth and 13.8% of the UCP Area employment growth. A single project accounting for this amount of projected growth over 34 years (City) or 30 years (UCP) represents a significant amount of growth. The EIR must be revised to includes this analysis, and also provide a cumulative analysis discussion of projects approved since and projects "in the pipeline" to determine if the project will exceed SANDAG's employment growth forecast for the City or UCP area. Employment totals increase exponentially when cumulative industrial and commercial development activity is added to the proposed project. The EIR must be revised to include this information for analysis, and also provide a cumulative analysis discussion of projects approved since 2016 and projects "in the pipeline" to determine if the proposed project will exceed the employment/population growth forecasts by SANDAG, the City's General Plan, and/or the UCP Community Plan.

E-13

Additionally, the EIR is inadequate as it does not discuss the project's required Community Plan Amendment to the University Community Plan to increase the intensity in Subarea 11 from 18,000 sf/acre to 1,000,000 sf. This change has a significant and direct impact upon the Population and Housing analysis by permitting a significant increase in developable area at the project site. The EIR must be revised to include analysis of the required Community Plan Amendment to the University Community Plan in order to provide an adequate and accurate environmental analysis.

E-14

7.0 Growth Inducement and 8.0 Cumulative Impacts

The EIR does not meaningfully discuss or analyze the project's required changes and accommodations to certified plans and ordinances (Community Plan Amendment to the University Community Plan to increase the intensity in Subarea 11 from 18,000 sf/acre to 1,000,000 sf;

E-11 This comment states that the Draft EIR does not provide meaningful evidence to support the claim that 600 employees are employed on-site in the existing buildings. As identified in Section 3.1.1, *Project Purpose and Background*, of the Draft EIR, the existing buildings onsite are owned and operated by the Project Applicant, and the estimate of 600 existing employees is based on data from the Project Applicant. Further, page 5.13-6 of Section 5.13, *Population and Housing*, of the Draft EIR states that the Project Applicant estimated 3 employees per 1,000 square feet for the proposed type of use (emphasis added). As noted in the Draft EIR, the existing and proposed numbers of employees are estimates based on the Project Applicant's experience as a property manager for scientific research and office buildings in the Project area. For purposes of analysis in the Draft EIR, an estimated population is adequate, and evidence of an exact number of existing employees in not necessary to evaluate the Project's impacts to population and housing under CEQA. No further analysis of this issue or revisions to the Draft EIR are required.

E-12 The Project's employment growth falls within the projected employment growth for the City of San Diego as well as the University Community Plan area. As noted in the EIR, under the City of San Diego's CEQA Significance Thresholds a significant impact would occur if a project were to "Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads and other infrastructure)." The Project employment growth is within the growth projections of the General Plan and within the policy framework for where growth will occur. In addition, the Project does not create residential housing and would therefore not substantially increase growth in the area. The City of San Diego General Plan Housing Element for the 2021 to 2029 housing cycle includes a Regional Housing Needs Assessment of 108,036 homes planned to be built during the 8 year housing cycle. Assuming that the Project would create a need for housing equivalent to 1,920 homes, after the Project was fully built, those homes would represent less than 2% of the total number of homes that the City housing element plans to build within this 8 year cycle ending in 2029. Therefore, even a very conservative estimate of the potential housing needed due to growth in employment from the Project would not be substantial unplanned growth, because the

E-12 (cont.)

growth is already planned as shown in the City's Housing Element recently updated in 2020 (https://www.sandiego.gov/sites/default/files/he_final_print_view_june2021.pdf). In addition, employment growth numbers used in the EIR do not include the growth in both employment and housing in the Mira Mesa Community Plan Update which was approved in December of 2022. The Mira Mesa Community Plan includes the Sorrento Valley area where an increase of 32,000 jobs is planned to occur through 2050. The Sorrento Valley / Sorrento Mesa area is part of the SANDAG Tier 1 Employment Center which includes Sorrento Valley and the University Community Plan area, also called Sorrento Valley West. The University Community Plan is currently undergoing a comprehensive community plan update which includes land use scenarios that, on the low end, would add 55,000 new jobs to the University City area, and on the high end would add 70,000 new jobs. As a matter of public policy, the City's General Plan Economic Prosperity Element directs new job growth into the University area, as it is one of the City's designated Subregional Employment Centers. The Project fulfills the employment growth strategy in the Economic Prosperity Element at Policy EP-A.3, to "Encourage large regional employers to locate and expand in the Regional Center or Subregional Employment Areas;" and Policy EP-A.9 to "Efficiently utilize employment lands through increased intensity in "urban villages" and Subregional Employment Areas," and EP-A.10, to " Locate compatible employment uses on infill industrial sites and establish incentives to support job growth in existing urban areas." Therefore, the Project employment growth is within the planning paradigm and policy framework of the City's General Plan.

E-13 This comment states that the Draft EIR does not discuss the Project's Community Plan Amendment to increase intensity in Subarea 11 from 18,000 sf/acre to 1,000,000 sf, and that the proposed Community Plan Amendment would have a significant direct impact on population and housing by permitting an increase in developable area on-site. The Project's Community Plan Amendment is described in Section 3.0, *Project Description*, of the Draft EIR. As noted by Section 3.0, *Project Description*, "existing development and existing entitlements for the Project site collectively total 382,365 sf of building area within the Project site (190,000 sf entitled on the Cushman property and 192,365 entitled/

E-13 (cont.)

developed on the Project Applicant's property) … This represents an increase of 617,635 sf compared to existing entitlements." Therefore, the proposed Community Plan Amendment would result in an increase of 617,635 sf of development intensity in Subarea 11. The Community Plan Amendment is an application that is included in the Project's discretionary actions. Analysis of the Project includes all of the Project's discretionary actions, including the Community Plan Amendment. With implementation of the Project, no further development would occur in Subarea 11, as the remainder of the area is open space within the MHPA, and the Project at buildout would represent the 1,000,000 sf of allowed development. Additionally, Section 5.13, *Population and Housing*, of the Draft EIR evaluates the Project's estimated employment generation based on development of the Project, which includes development of 1,000,000 sf of scientific research uses, which would occur with implementation of the Community Plan Amendment. Thus, the Draft EIR adequately evaluates the Project's Community Plan Amendment, including in Section 5.13, *Population and Housing*. No further analysis of this issue or revisions to the Draft EIR are required.

E-14 This comment states the Draft EIR does not meaningfully discuss or analyze the Project's required changes, and provides a summary of the Project's discretionary applications. The comment also states that the Draft EIR should be required to include the required changes to plans and ordinances, and states that the Project was not included as part of growth forecasts. This comment does not specifically identify the environmental impacts that have purportedly not been evaluated in the Draft EIR, with the exception of the assertion that the Project is not included in the regional growth projections, which is addressed in Response to Comment E-12 above. Notwithstanding the lack of substantiation for this comment, the following information is provided to address the issues raised.

A detailed discussion of the Project's required changes is provided in Section 3.0, *Project Description*, and the environmental impacts resulting from the requested discretionary actions are evaluated throughout the Draft EIR consistent with the City of San Diego's CEQA review requirements and thresholds of significance. Please refer to

E-14 (cont.)

Response to Comment E-8 above, which addresses the proposed Neighborhood Development Permit for the alternative method of calculating maximum intensity relative to the MCAS Miramar ALUC Plan, and the Private Street Vacation. With respect to the proposed Planned Development Permit (PDP), the Project includes a PDP to reflect the proposed development on the Project site. Section 5.1, *Land Use*, of the Draft EIR includes a detailed discussion of the City's PDP procedures, which allow for deviations to the San Diego Municipal Code. As part of this action, Planned Industrial Permit (PID) 96-7756, which addresses the eastern portion of the Project site owned by the Project Applicant, would be amended to reflect the Project, which is evaluated throughout the Draft EIR. Further, the only proposed discretionary action that requires a "change" to a certified plan is the proposed Community Plan Amendment, and the requested change is specifically identified in Table 3-3, *Proposed Community Plan Amendment* – Table 2: *Land Use and Development Intensity Table*, of the Draft EIR. The environmental impacts from this increase in intensity are evaluated throughout the Draft EIR.

The comment also states that the Draft EIR should include a discussion regarding the "precedence" of approval of the Project's Community Plan Amendment application. A Community Plan Amendment is not a precedent-setting action, as this Community Plan Amendment is a standard discretionary application in the City of San Diego. Each Community Plan Amendment application is required to go through a "Community Plan Initiation" where the application is reviewed by City staff and the Planning Commission. All future Community Plan Amendment applications would be required to go through the initiation process for evaluation of the amendment proposal. Further, as discussed in Section 5.1, *Land Use*, of the Draft EIR, the City is in the process of updating the University Community Plan. This update plans for more opportunities for homes, jobs and mixed-use development connected to the University of California San Diego, retail and employment centers, hospitals, health care facilities, residential areas, public spaces, and bus rapid and light rail stations. The Project site is located in the Campus Point & Towne Center Employment Village identified in the University Community Plan Update; the proposed uses would be consistent with the anticipated employment growth and would not be precedent-setting. No further analysis of this issue or revisions to the Draft EIR are required.

Planned Development Permit to amend PID 96-7756 for Eastgate Acres and because of required deviations to the San Diego Municipal Code (reduced rear setback, reduced loading space quantity, driveway width that exceeds that maximum permitted width, and a 19 ft tall retaining wall that excess the maximum height of 12 ft); Neighborhood Development Permit for the alternative method of calculation for the ALUC Overlay Zone; and Public Street Vacation for the western terminus of Towne Centre Drive, west of Westerra Court) in these sections. This is misleading to the public and decision makers. The EIR must be revised to include the required changes and accommodations to certified plans and ordinances for discussion and analysis and include a finding of significance as the project will contribute to growth that was not included as part of growth forecasts in SANDAG's RTP/SCS, the UCP Plan, and/or the General Plan. The EIR must also include discussion for the precedence setting action that approval of the required UCP Plan Amendment to increase development intensity set for future land use changes in the area.

E-14 (cont.)

The EIR must also include a cumulative analysis discussion here to demonstrate the impact of the proposed project in a cumulative setting. For example, the list of cumulative projects in Table 8-1 Cumulative Projects is not utilized meaningfully. There is no cumulative analysis of employment generated by these projects. The EIR must be revised to include a cumulative quantified analysis of employment generated by all projects approved since 2016 and projects "in the pipeline" to determine if the proposed project will exceed the employment/population growth forecasts by SANDAG, the City's General Plan, and/or the UCP Community Plan.

E-15

10.0 Alternatives

The EIR is required to evaluate a reasonable range of alternatives to the proposed project which will avoid or substantially lessen any of the significant effects of the project (CEQA § 15126.6.) The alternatives chosen for analysis include the CEQA required "No Project" alternative and only two others - Development Pursuant to Existing Entitlements Alternative and Reduced Building Area Alternative. The EIR does not evaluate a reasonable range of alternatives as only two alternatives beyond the required No Project alternative is analyzed. The EIR must be revised to include analysis of a reasonable range of alternatives and foster informed decision making (CEQA § 15126.6). This could include alternatives such as development of the site with a project that meets all project objectives or a mixed-use project that provides affordable housing and local-serving commercial uses that may reduce VMT, GHG emissions, and improve Air Quality.

E-16

Conclusion

For the foregoing reasons, GSEJA believes the EIR is flawed and a revised EIR must be prepared for the proposed project and circulated for public review. Golden State Environmental Justice Alliance requests to be added to the public interest list regarding any subsequent environmental documents, public notices, public hearings, and notices of determination for this

E-17

E-15 This comment states that the Draft EIR should include a cumulative analysis discussion, and asserts that the list of cumulative projects provided in Table 8-1 of the Draft EIR is not utilized meaningfully because cumulative employment generated is not included. Please refer to Response to Comment E-12, which addresses cumulative employment growth. No further analysis of this issue or revisions to the Draft EIR are required.

E-16 This comment accurately identifies that an EIR is required to evaluate a reasonable range of alternatives to the proposed project that will avoid or substantially lessen any of the significant effects of the project (CEQA § 15126.6.). However, as identified in Section 10.4, *Proposed Project Alternatives*, of the Draft EIR, while an EIR was prepared for the Project, the Project's impacts are less than significant without mitigation for each topical issue except Transportation (VMT), and the Project's potentially significant VMT impact can be mitigated to a less than significant level. There are no significant and unavoidable impacts resulting from the Project. Therefore, when considering potential alternatives to the Project, the City focused on alternatives that would avoid or reduce the potentially significant impacts. Because the Project's significant transportation impact prior to mitigation is related to VMT, which is a function of its location, density, and project type, alternatives that would reduce or avoid this significant impact would need to be located on an alternative site (e.g., in a VMT-efficient area) or be substantially smaller in scale. The No Project/Development Pursuant to Existing Entitlements would have a similar VMT impact as the Project and would require the same mitigation measure MM 5.2-1 to reduce VMT to below a level of significance; therefore, the No Project/Development Pursuant to Existing Entitlements acts as the "reduced Project alternative." Therefore, although the Project did not result in any significant impacts, an alternatives analysis was presented in the Draft EIR which focuses on the CEQA-required No Project alternatives and a Reduced Building Area alternative, as suggested in the Notice of Preparation (NOP) comments.

This comment also suggests that alternatives such as a mixed use project should be addressed. Section 10.3.3 of the Draft EIR discusses an alternative mixed use or housing project, and explains why these alternatives were rejected. Notably, due to operations at MCAS Miramar and the

E-16 (cont.)

safety compatibility criteria in the ALUC Plan, mixed use or residential uses would not be viable on the Project site. The alternatives analysis provided for the Project sufficiently addresses a reasonable range of alternatives for a Project with no significant and unavoidable impacts. No further analysis of this issue or revisions to the Draft EIR are required.

E-17 This comment suggests that the Draft EIR should be recirculated and requests to receive Project-related public notices. Section 15088.5 of the State CEQA Guidelines states in part:

> (a) A lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under Section 15087 but before certification. As used in this section, the term "information" can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement. "Significant new information" requiring recirculation includes, for example, a disclosure showing that:
>
> > (1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
> >
> > (2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
> >
> > (3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but

E-17 (cont.)

project. Send all communications to Golden State Environmental Justice Alliance P.O. Box 79222 Corona, CA 92877.

Sincerely,

Gary Ho
Blum Collins & Ho, LLP

Attachments:
1. SWAPE Technical Analysis

E-17 (cont.)

the project's proponents decline to adopt it.

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

(b) Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR.

The information provided in this Final EIR, including the responses to comments received, does not constitute substantial new information that requires recirculation of the Draft EIR. As requested, the City will include Blum Collins, LLP and Golden State Environmental Justice Alliance on the notification list for all Project-related public notices that are required to be distributed.

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December 23, 2022

Gary Ho
Blum Collins LLP
707 Wilshire Blvd, Ste. 4880
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Subject: Comments on the Towne Centre View San Diego Project (SCH No. 2021040044)

Dear Mr. Ho,

We have reviewed the November 2022 Draft Environmental Impact Report ("DEIR") for the Towne Centre View San Diego ("Project") located in the City of San Diego ("City"). The Project proposes to demolish the existing 192,365-square-feet ("SF") of research space and construct a 999,386-SF research and development campus, as well as 2,500 parking spaces on the 26.5-acre site.

E-18

Our review concludes that the DEIR fails to adequately evaluate the Project's air quality, health risk, and greenhouse gas impacts. As a result, emissions and health risk impacts associated with construction and operation of the proposed Project are underestimated and inadequately addressed. A revised EIR should be prepared to adequately assess and mitigate the potential air quality, health risk, and greenhouse gas impacts that the project may have on the environment.

Air Quality

Unsubstantiated Input Parameters Used to Estimate Project Emissions

The DEIR's air quality analysis relies on emissions calculated with California Emissions Estimator Model ("CalEEMod") Version 2020.4.0 (p. 5.3-18).[1] CalEEMod provides recommended default values based on site-specific information, such as land use type, meteorological data, total lot acreage, project type and typical equipment associated with project type. If more specific project information is known, the user can change the default values and input project-specific values, but the California Environmental Quality Act ("CEQA") requires that such changes be justified by substantial evidence. Once all of the values are

E-19

[1] "CalEEMod Version 2020.4.0." California Air Pollution Control Officers Association (CAPCOA), May 2021, *available at:* http://www.aqmd.gov/caleemod/download-model.

E-18 This comment provides introductory remarks and a description of the Project and makes a broad statement that the Draft EIR does not adequately evaluate the Project's air quality, health risk, and greenhouse gas impacts. This comment is for informational purposes and does not specifically address the analysis of environmental impacts presented in the Draft EIR. Specific responses to the commenter's statements are provided in Responses to Comments E-19 through E-26 below.

E-19 The commenter incorrectly claims that the Draft EIR's air quality, health risk, and GHG impacts are underestimated and requests preparation of an updated EIR based on the subsequent comments. This is a summary of the detailed comments provided in the body of the comment letter, which are addressed in the following responses. No additional response is required and no revisions to the EIR are required.

E-19 (cont.)

inputted into the model, the Project's construction and operational emissions are calculated, and "output files" are generated. These output files disclose to the reader what parameters are utilized in calculating the Project's air pollutant emissions and make known which default values are changed as well as provide justification for the values selected.

When reviewing the Project's CalEEMod output files, provided in the Air Quality Impact Analysis ("AQ Analysis") as Appendix C to the DEIR, we found that several model inputs are not consistent with information disclosed in the DEIR. As a result, the Project's construction-related and operational emissions may be underestimated. A revised EIR should be prepared to include an updated air quality analysis that adequately evaluates the impacts that construction and operation of the Project will have on local and regional air quality.

Unsubstantiated Reduction to the Default Acres of Grading Value

Review of the CalEEMod output files demonstrates that the "Towne Centre View" model includes several reductions to the default acres of grading values (see excerpt below) (Appendix C, pp. 58, 147, 229).

Table Name	Column Name	Default Value	New Value
tblGrading	AcresOfGrading	183.00	25.50
tblGrading	AcresOfGrading	30.00	25.50
tblGrading	AcresOfGrading	75.00	25.50
tblGrading	AcresOfGrading	400.00	25.50
tblGrading	AcresOfGrading	90.00	25.50
tblGrading	AcresOfGrading	303.00	0.00
tblGrading	AcresOfGrading	452.00	0.00

E-20

As previously mentioned, the CalEEMod User's Guide requires any changes to model defaults be justified.[2] According to the "User Entered Comments & Non-Default Data" table, the justification provided for this change is:

> "[B]ased on site acreage" (Appendix C, pp. 57, 146, 228).

Furthermore, the DEIR indicates that the Project site is approximately 26.5-acres (p. ES-3). However, these changes are incorrect. According to the CalEEMod User's Guide:

> "[T]he dimensions (e.g., length and width) of the grading site have no impact on the calculation, only the total area to be graded. In order to properly grade a piece of land multiple passes with equipment may be required. The acres are based on the equipment list and days in grading or site preparation phase according to the anticipated maximum number of acres a given piece of equipment can pass over in an 8-hour workday."[3]

[2] "CalEEMod User's Guide." California Air Pollution Control Officers Association (CAPCOA), May 2021, *available at:* https://www.aqmd.gov/caleemod/user's-guide, p. 1, 14.
[3] "Appendix A – Calculation Details for CalEEMod." California Air Pollution Control Officers Association (CAPCOA), May 2021, *available at:* http://www.aqmd.gov/caleemod/user's-guide, p. 9.

E-20 The commenter claims that there is no evidence to justify the input changes to acres graded. The commenter claims that the acres graded in CalEEMod were inappropriately changed from the defaults and opines that the grading emissions are therefore understated. The commenter is correct that the default acres graded were modified; however, the default acres were revised in the model to conservatively overestimate emissions. The Project includes five distinct grading phases, each of which is likely to be a portion of the Project site. In the CalEEMod modeling, the default assumptions were manually overridden to provide that each of the five phases disturb almost the entirety of the site at approximately 25.5 acres of the Project site. The modeling, as stated in the Draft EIR therefore conservatively overestimates the potential grading for the Project site because it assumes that the 25.5 acres are effectively graded 5 times – in other words the Draft EIR and underlying technical study evaluated the grading associated with multiple passes of the Project site for a total of 127.5 acres graded. As such, no changes to the Draft EIR are required and the Draft EIR and underlying technical air quality calculations are appropriate and actually overstate the potential impacts.

Using the default assumptions in the CalEEMod model produces unrealistic assumptions, including that the entire site is graded dozens of times. However, Urban Crossroads, the air quality consultant for the Environmental Impact Report, re-ran the CalEEMod model using default assumptions for grading acres as the comment letter requested, and air quality impacts would still be less than significant using this unrealistically conservative assumption.

The revised calculations using default acreage assumptions in CalEEMod are attached as Exhibit D to this Final EIR. No revisions to the EIR are required.

E-20 (cont.)

As discussed above, the acres of grading values are based on construction equipment and the length of the grading and site preparation phases. As the dimensions of the Project site have no impact on the acres of grading values, the revised values are unsubstantiated.

These unsubstantiated reductions present an issue, as CalEEMod uses the acres of grading values to estimate the dust emissions associated with grading.[4] By including unsubstantiated reductions to the default acres of grading values, the model may underestimate the Project's construction-related emissions and should not be relied upon to determine Project significance.

E-21

Unsubstantiated Changes to Individual Construction Phase Lengths

Review of the CalEEMod output files demonstrates that the "Towne Centre View" model includes several changes to the default individual construction phase lengths (see excerpt below) (Appendix C, pp. 57, 58, 146, 147, 228, 229).

Table Name	Column Name	Default Value	New Value
tblConstructionPhase	NumDays	35.00	53.00
tblConstructionPhase	NumDays	35.00	79.00
tblConstructionPhase	NumDays	35.00	129.00
tblConstructionPhase	NumDays	35.00	121.00
tblConstructionPhase	NumDays	440.00	548.00
tblConstructionPhase	NumDays	440.00	428.00
tblConstructionPhase	NumDays	440.00	550.00
tblConstructionPhase	NumDays	440.00	354.00
tblConstructionPhase	NumDays	30.00	25.00
tblConstructionPhase	NumDays	30.00	76.00
tblConstructionPhase	NumDays	45.00	61.00
tblConstructionPhase	NumDays	45.00	10.00
tblConstructionPhase	NumDays	45.00	25.00
tblConstructionPhase	NumDays	45.00	100.00
tblConstructionPhase	NumDays	45.00	30.00
tblConstructionPhase	NumDays	35.00	212.00
tblConstructionPhase	NumDays	35.00	181.00
tblConstructionPhase	NumDays	20.00	202.00
tblConstructionPhase	NumDays	20.00	226.00

As a result of the above changes, the model includes the following construction schedule (see excerpt below) (Appendix C, pp. 64, 65, 152, 153, 234, 235).

[4] "Appendix A – Calculation Details for CalEEMod." California Air Pollution Control Officers Association (CAPCOA), May 2021, *available at:* https://www.aqmd.gov/caleemod/user's-guide, p. 9.

E-21 The commenter claims that changes have been made to the CalEEMod defaults and that these changes are not substantiated or identified in the Draft EIR. That is incorrect. The Project schedule was developed by Hathaway Dinwiddie, the construction manager for the Project. The site-specific information was developed by the Project's development team with input from a seasoned team that has built multiple projects in San Diego and elsewhere.

Section 5.3, *Air Quality and Odors*, of the Draft EIR and associated Appendix C – Air Quality Impact Analysis states on page 28 and 29, that "most phases overlap with other phases and thus represent a combined maximum emission throughout construction." This is a conservative assumption that tends to overstate emissions.

Additionally, should construction occur at a time after the respective dates, emissions from construction would be lower as emission rates decrease due to emission regulations becoming more stringent over time.

Additionally, the air quality analysis is very conservative in its analysis of VOCs.
The Project will have very little on-site exterior painting, as the building envelope is comprised primarily of vision glazing and of factory-painted metal panels. Given the Project's shell and core scope, interior painting will be kept to minimum at initial delivery. Low or no-VOC paint will be used for restrooms, lobbies, and back-of-house support spaces. The balance of the interior spaces will be left unfinished / unpainted for the purposes of this study. See letter from Perkins & Will, architect for the Project attached as Exhibit E.

Therefore, the construction schedule utilized in the analysis, shown in Table 3-2, represents a 'worst-case' analysis scenario.

The comment requests "Until a proper source is provided for the individual construction phase lengths, the model should have proportionately altered the default phase lengths to match the proposed total construction duration of 68 months." Urban Crossroad developed a schedule proportionately altering the default phase lengths, as requested. But Hathaway Dinwiddie determined that such a schedule is not realistic for this Project. See letter from

E-21 (cont.)

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days
1	Phase 1 Utilities	Trenching	4/4/2022	12/19/2022	5	181
2	Phase 1 Grading	Grading	5/14/2022	10/5/2022	5	100
3	Phase 1 Building Construction	Building Construction	10/6/2022	12/5/2024	5	550
4	Phase 1 Paving	Paving	4/28/2023	1/16/2024	5	181
5	Demo Existing	Demolition	8/31/2023	12/19/2023	5	76
6	Phase 1 Site Preparation	Site Preparation	12/18/2023	11/4/2024	5	226
7	Phase 1 Architectural Coating	Architectural Coating	5/15/2024	11/4/2024	5	121
8	Phase 2 Grading	Grading	7/8/2024	8/16/2024	5	30
9	Phase 2 Building Construction	Building Construction	8/17/2024	1/12/2026	5	354
10	Phase 3 Grading	Grading	2/11/2025	5/6/2025	5	61
11	Phase 3 Building Construction	Building Construction	5/7/2025	7/2/2027	5	548
12	Phase 2 Architectural Coating	Architectural Coating	10/24/2025	1/12/2026	5	53
13	Phase 3 Paving	Paving	2/23/2026	12/14/2026	5	212
14	Phase 4 Grading	Grading	4/9/2026	4/22/2026	5	10
15	Phase 4 Building Construction	Building Construction	4/23/2026	12/30/2027	5	428
16	Phase 3 Site Preparation	Site Preparation	9/17/2026	7/2/2027	5	202
17	Phase 4 Demo	Demolition	2/16/2027	3/22/2027	5	25
18	Building E Grading	Grading	2/16/2027	3/22/2027	5	25
19	Phase 3 Architectural Coating	Architectural Coating	3/15/2027	7/2/2027	5	79
20	Phase 4 Architectural Coating	Architectural Coating	6/26/2027	12/30/2027	5	129

As previously mentioned, the CalEEMod User's Guide requires any changes to model defaults be justified.[5] According to the "User Entered Comments & Non-Default Data" table, the justification provided for these changes is:

> "[B]ased on project engineer input" (Appendix C, pp. 56, 145, 227).

Additionally, regarding the Project's anticipated construction schedule, the DEIR states:

> "For purposes of analysis in this EIR it is estimated that construction of the Project would last approximately 68 months" (p. ES-4)

Furthermore, the DEIR provides the following construction schedule (see excerpt below) (Table 5.3-6, p. 5.3-21):

[5] "CalEEMod User's Guide." California Air Pollution Control Officers Association (CAPCOA), May 2021, *available at:* https://www.aqmd.gov/caleemod/user's-guide, p. 1, 14.

E-21 (cont.)

Hathaway Dinwiddie, architect for the Project attached as Exhibit F. Among other things, it does not include a phase for utilities. The Project schedule assumed in the EIR is realistic, supported by substantial evidence, including the expertise of Dinwiddie Hathaway, and conservative. No revisions to the EIR are required.

E-21 (cont.)

Table 5.3-6 Estimated Construction Schedule

Phase Name	Start Date	End Date	Days
Phase 1 Utilities	4/4/2022	12/19/2022	181
Phase 1 Grading	5/14/2022	10/5/2022	100
Phase 1 Building Construction	10/6/2022	12/5/2024	550
Phase 1 Paving	4/28/2023	1/16/2024	181
Demolition of Existing Building	8/31/2023	12/19/2023	76
Phase 1 Site Preparation	12/18/2023	11/4/2024	226
Phase 1 Architectural Coating	5/15/2024	11/4/2024	121
Phase 2 Grading	7/8/2024	8/16/2024	30
Phase 2 Building Construction	8/17/2024	1/12/2026	354
Phase 3 Grading	2/11/2025	5/6/2025	61
Phase 3 Building Construction	5/7/2025	7/2/2027	548
Phase 2 Architectural Coating	10/24/2025	1/12/2026	53
Phase 3 Paving	2/23/2026	12/14/2026	212
Phase 4 Grading	4/9/2026	4/22/2026	10
Phase 4 Building Construction	4/23/2026	12/30/2027	428
Phase 3 Site Preparation	9/17/2026	7/2/2027	202
Phase 4 Demolition	2/16/2027	3/22/2027	25
Building E Grading	2/16/2027	3/22/2027	25
Phase 3 Architectural Coating	3/15/2027	7/2/2027	79
Phase 4 Architectural Coating	6/26/2027	12/30/2027	129

However, the DEIR and associated documents fail to provide a source for the above table to support the revised induvial construction phase lengths. As such, absent additional information, we cannot verify that the revised induvial construction phase lengths, as included in the model, are an accurate representation of the expected construction schedule.

These unsubstantiated changes present an issue, as the construction-related emissions are improperly spread out over a longer period of time for some phases, but not for others. According to the CalEEMod User's Guide, each construction phase is associated with different emissions activities (see excerpt below).[6]

[6] "CalEEMod User's Guide." California Air Pollution Control Officers Association (CAPCOA), May 2021, *available at:* https://www.aqmd.gov/caleemod/user's-guide, p. 32.

E-21 (cont.)

Demolition involves removing buildings or structures.

Site Preparation involves clearing vegetation (grubbing and tree/stump removal) and removing stones and other unwanted material or debris prior to grading.

Grading involves the cut and fill of land to ensure that the proper base and slope is created for the foundation.

Building Construction involves the construction of the foundation, structures and buildings.

Architectural Coating involves the application of coatings to both the interior and exterior of buildings or structures, the painting of parking lot or parking garage striping, associated signage and curbs, and the painting of the walls or other components such as stair railings inside parking structures.

Paving involves the laying of concrete or asphalt such as in parking lots, roads, driveways, or sidewalks.

By disproportionately altering and extending some of the individual construction phase lengths without proper justification, the model assumes there are a greater number of days to complete the construction activities required by the prolonged phases. As a result, there will be less construction activities required per day and, consequently, less pollutants emitted per day. Therefore, the model may underestimate the peak daily emissions associated with some phases of construction and should not be relied upon to determine Project significance. Until a proper source is provided for the individual construction phase lengths, the model should have *proportionately* altered the default phase lengths to match the proposed total construction duration of 68 months.

E-22

Diesel Particulate Matter Emissions Inadequately Evaluated

The DEIR concludes that the Project would have a less-than-significant health risk impact without conducting a quantified construction or operational health risk analysis ("HRA"). Regarding the health risk impacts associated with Project construction and operation, the DEIR states:

> "Given the proposed construction schedule of the Project, there is a potential that some of the Project's buildings would be occupied while remaining buildings are constructed. Results of the regional emissions analysis discussed under issue questions 2 and 3 indicate that the Project would not exceed the City's significance thresholds during construction. These thresholds are based on emissions level considered protective of the general public with an adequate margin of safety. Therefore, sensitive receptors, including on-site occupants that may occupy the buildings while remaining buildings are under construction, would not be exposed to substantial pollutant concentrations during Project construction. Furthermore, as discussed below, Project traffic would not create or result in a CO 'hotspot.' Therefore, sensitive receptors would not be exposed to substantial pollutant concentrations as the result of Project operations or associated on-stie stationary sources," (p. 5.3-26).

As demonstrated above, the DEIR claims that Project would have a less-than-significant health risk impact as criteria air pollutant emissions would not exceed the relevant significance thresholds. However, the DEIR's evaluation of the Project's potential health risk impacts, as well as the subsequent less-than-significant impact conclusion, is incorrect for three reasons.

E-22 The commenter claims that a construction and operational HRA should have been conducted to determine the potential health risks from the Project. As stated in the EIR, a construction HRA was not required due to the location of adjacent potential receptors as well as the predominant wind patterns that blow away from the sensitive receptors (page 5.3-25). The Towne Centre Drive area includes other industrial and high technology / biotechnology buildings and is located in restrictive airspace for MCAS Miramar that does not allow the construction of residential development. The closest residential structure is approximately 0.25 miles from the Project site and is located across a canyon area. Furthermore, as stated in the Draft EIR, the Project is not associated with a land use type that would have the propensity to generate a substantive health risk impact during operational activity (see pages 5.3-25 and 5.3-26).

Nonetheless, a Health Risk Assessment has been conducted environmental scientists at Urban Crossroads performed for the Project using US EPA approved AERMOD modeling software that models annual ground-level concentrations of pollutants (diesel particulates in this case). The Health Risk Assessment is attached as Exhibit A. The AERMOD software uses regional meteorological data, which takes into account wind flows. The resulting risk calculations are consistent with guidance from the Office of Environmental Health Hazard Assessment (OEHHA), EPA, and the Air Pollution Control District. The AERMOD assumes conservative long-term exposure over the duration of construction activities and for operations over 30 years. The model also conservatively assumes elevated breathing rates (e.g., that people are breathing more quickly or deeper than a typical person would). Using conservative assumptions, the results of the modeling show no significant cancer risk from the Project. No revisions to the EIR are required.

E-22 (cont.)

First, by failing to prepare a quantified construction and operational HRA, the Project is inconsistent with CEQA's requirement to make "a reasonable effort to substantively connect a project's air quality impacts to likely health consequences." [7] This poses a problem, as according to the DEIR, construction of the Project would produce DPM emissions through the exhaust stacks of construction equipment over a duration of approximately 68 months (p. ES-4). Furthermore, according to the Transportation Impact Analysis ("TIA") provided as Appendix B to the DEIR, operation of the Project is anticipated to generate approximately 2,400 daily unadjusted driveway trips, which would produce additional exhaust emissions and continue to expose nearby, existing sensitive receptors to DPM emissions (p. 7). However, the DEIR and associated documents fail to evaluate the toxic air contaminant ("TAC") emissions associated with Project construction and operation or indicate the concentrations at which such pollutants would trigger adverse health effects. Thus, without making a reasonable effort to connect the Project's TAC emissions to the potential health risks posed to nearby receptors, the DEIR is inconsistent with CEQA's requirement to correlate Project-generated emissions with potential adverse impacts on human health.

Second, the Office of Environmental Health Hazard Assessment ("OEHHA"), the organization responsible for providing guidance on conducting HRAs in California, released its most recent *Risk Assessment Guidelines: Guidance Manual for Preparation of Health Risk Assessments* in February 2015. This guidance document describes the types of projects that warrant the preparation of an HRA. Specifically, OEHHA recommends that all short-term projects lasting at least 2 months assess cancer risks.[8] Furthermore, according to OEHHA:

> "Exposure from projects lasting more than 6 months should be evaluated for the duration of the project. In all cases, for assessing risk to residential receptors, the exposure should be assumed to start in the third trimester to allow for the use of the ASFs (OEHHA, 2009)."[9]

Thus, as the Project's anticipated construction duration exceeds the 2-month and 6-month requirements set forth by OEHHA, construction of the Project meets the threshold warranting a quantified HRA under OEHHA guidance and should be evaluated for the entire 68-month construction period. Furthermore, OEHHA recommends that an exposure duration of 30 years should be used to estimate the individual cancer risk at the maximally exposed individual resident ("MEIR").[10] While the DEIR fails to provide the expected lifetime of the proposed Project, we can reasonably assume that the Project would operate for at least 30 years, if not more. Therefore, operation of the Project also exceeds the 2-month and 6-month requirements set forth by OEHHA and should be evaluated for the entire 30-year residential exposure duration, as indicated by OEHHA guidance. These recommendations reflect

[7] "Sierra Club v. County of Fresno." Supreme Court of California, December 2018, *available at:* https://ceqaportal.org/decisions/1907/Sierra%20Club%20v.%20County%20of%20Fresno.pdf.
[8] "Risk Assessment Guidelines: Guidance Manual for Preparation of Health Risk Assessments." OEHHA, February 2015, *available at:* https://oehha.ca.gov/media/downloads/crnr/2015guidancemanual.pdf, p. 8-18.
[9] "Risk Assessment Guidelines: Guidance Manual for Preparation of Health Risk Assessments." OEHHA, February 2015, *available at:* https://oehha.ca.gov/media/downloads/crnr/2015guidancemanual.pdf, p. 8-18.
[10] "Risk Assessment Guidelines: Guidance Manual for Preparation of Health Risk Assessments." OEHHA, February 2015, *available at:* https://oehha.ca.gov/media/downloads/crnr/2015guidancemanual.pdf, p. 2-4.

E-22 (cont.)

the most recent state health risk policies, and as such, an EIR should be prepared to include an analysis of health risk impacts posed to nearby sensitive receptors from Project-generated DPM emissions.

Third, by claiming a less-than-significant impact without conducting a quantified construction or operational HRA for nearby, existing sensitive receptors, the DEIR fails to compare the Project's excess cancer risk to the SDPACD's specific numeric threshold of 10 in one million.[11] Thus, in accordance with the most relevant guidance, an assessment of the health risk posed to nearby, existing receptors as a result of Project construction and operation should be conducted.

Screening-Level Analysis Demonstrates Potentially Significant Health Risk Impact

In order to conduct our screening-level risk assessment we relied upon AERSCREEN, which is a screening level air quality dispersion model.[12] As discussed above, the model replaced SCREEN3, and AERSCREEN is included in the OEHHA and the California Air Pollution Control Officers Associated ("CAPCOA") guidance as the appropriate air dispersion model for Level 2 health risk screening assessments ("HRSAs").[13, 14] A Level 2 HRSA utilizes a limited amount of site-specific information to generate maximum reasonable downwind concentrations of air contaminants to which nearby sensitive receptors may be exposed. If an unacceptable air quality hazard is determined to be possible using AERSCREEN, a more refined modeling approach is required prior to approval of the Project.

E-23

We prepared a preliminary HRA of the Project's construction and operational health risk impact to residential sensitive receptors using the annual PM_{10} exhaust estimates from the DEIR's CalEEMod output files. Consistent with recommendations set forth by OEHHA, we assumed residential exposure begins during the third trimester stage of life.[15] The DEIR's CalEEMod model indicates that construction activities will generate approximately 2,489 pounds of DPM over the 2,096-day construction period.[16] The AERSCREEN model relies on a continuous average emission rate to simulate maximum downward concentrations from point, area, and volume emission sources. To account for the variability in equipment usage and truck trips over Project construction, we calculated an average DPM emission rate by the following equation:

$$Emission\ Rate\ \left(\frac{grams}{second}\right) = \frac{2{,}488.8\ lbs}{2{,}096\ days} \times \frac{453.6\ grams}{lbs} \times \frac{1\ day}{24\ hours} \times \frac{1\ hour}{3{,}600\ seconds} = \mathbf{0.00623\ g/s}$$

[11] "Supplemental Guidelines for Submission of Air Toxics "Hot Spots" Program Health Risk Assessments (HRAs)." San Diego County Air Pollution Control District (SDAPCD) July 2022, *available at:* https://www.sdapcd.org/content/dam/sdapcd/documents/permits/air-toxics/Hot-Spots-Guidelines.pdf.
[12] "AERSCREEN Released as the EPA Recommended Screening Model," U.S. EPA, April 2011, *available at:* http://www.epa.gov/ttn/scram/guidance/clarification/20110411_AERSCREEN_Release_Memo.pdf
[13] "Risk Assessment Guidelines: Guidance Manual for Preparation of Health Risk Assessments." OEHHA, February 2015, *available at:* https://oehha.ca.gov/media/downloads/crnr/2015guidancemanual.pdf.
[14] "Health Risk Assessments for Proposed Land Use Projects." CAPCOA, July 2009, *available at:* http://www.capcoa.org/wp-content/uploads/2012/03/CAPCOA_HRA_LU_Guidelines_8-6-09.pdf.
[15] "Risk Assessment Guidelines: Guidance Manual for Preparation of Health Risk Assessments." OEHHA, February 2015, *available at:* https://oehha.ca.gov/media/downloads/crnr/2015guidancemanual.pdf, p. 8-18.
[16] See Attachment A for health risk calculations.

E-23 The commenter attempts to provide a screening-level risk assessment for construction and operations based on AERSCREEN. However, the industry standard to evaluate screening-level risk assessment is AERMOD. Thus, the analysis presented with the comment letter is flawed and not a valid screening tool for the following reasons:

- The commenter calculates daily construction emissions over a 24 hour period – which overstates any potential impacts from construction activity to health risks as daily construction would not occur continually over a 24 hour period. The Project's daily construction emissions would instead occur over an 8 hour period. Furthermore, the commenter calculated construction emissions using AERSCREEN; however, the industry standard to evaluate screening-level risk assessment if AERMOD.
- The AERSCREEN model is a screening tool that is not appropriate to utilize for potential health risk impacts. To underscore this, AERSCREEN only produces a potential one-hour concentration which is not appropriate for risk calculations.
- The commenter conflates particulate matter as diesel particulate matter (DPM), which results in overstated potential impacts since the analysis presumes that every vehicle accessing the site would generate DPM, whereas only 5% of vehicles accessing the site have the potential to generate DPM emissions. As such, the commenter's calculation of potential health risks from operational activity is more than 90% overstated.
- In addition, the HRA appears to conclude that receptors will stay in the same location for 24 hours per day and 350 days per year, which significantly overstates potential exposure.

As such, the analysis in the Draft EIR and supporting technical analysis accurately assess the Project's construction and operational air impacts and potential for the Project to expose sensitive receptors to substantial pollutant concentrations and no construction HRA is required or changes to the Draft

E-23 (cont.)

Using this equation, we estimated a construction emission rate of 0.00623 grams per second ("g/s"). Subtracting the 2,096-day construction period from the total residential duration of 30 years, we assumed that after Project construction, the sensitive receptor would be exposed to the Project's operational DPM for an additional 24.2 years. The DEIR's operational CalEEMod emissions indicate that operational activities will generate approximately 1,523 pounds of DPM per year throughout operation. Applying the same equation used to estimate the construction DPM rate, we estimated the following emission rate for Project operation:

$$Emission\ Rate\ \left(\frac{grams}{second}\right) = \frac{1{,}523\ lbs}{365\ days} \times \frac{453.6\ grams}{lbs} \times \frac{1\ day}{24\ hours} \times \frac{1\ hour}{3{,}600\ seconds} = \mathbf{0.0219\ g/s}$$

Using this equation, we estimated an operational emission rate of 0.0219 g/s. Construction and operation were simulated as a 26.5-acre rectangular area source in AERSCREEN, with approximate dimensions of 463- by 232-meters. A release height of three meters was selected to represent the height of stacks of operational equipment and other heavy-duty vehicles, and an initial vertical dimension of one and a half meters was used to simulate instantaneous plume dispersion upon release. An urban meteorological setting was selected with model-default inputs for wind speed and direction distribution. The population of San Diego was obtained from U.S. 2020 Census data.[17]

The AERSCREEN model generates maximum reasonable estimates of single-hour DPM concentrations from the Project Site. The United States Environmental Protection Agency ("U.S. EPA") suggests that the annualized average concentration of an air pollutant be estimated by multiplying the single-hour concentration by 10% in screening procedures.[18] According to the DEIR, the nearest sensitive receptors are residential uses located approximately 0.2 miles, or 321 meters, from the Project site (p. 5.8-1). Thus, the single-hour concentration estimated by AERSCREEN for Project construction is approximately 1.429 µg/m^3 DPM at approximately 325 meters downwind. Multiplying this single-hour concentration by 10%, we get an annualized average concentration of 0.1429 µg/m^3 for Project construction at the MEIR. For Project operation, the single-hour concentration estimated by AERSCREEN is 5.024 µg/m^3 DPM at approximately 325 meters downwind. Multiplying this single-hour concentration by 10%, we get an annualized average concentration of 0.5024 µg/m^3 for Project operation at the MEIR.[19]

We calculated the excess cancer risk to the MEIR using applicable HRA methodologies prescribed by OEHHA, as recommended by SDAPCD.[20] Specifically, guidance from OEHHA and the CARB recommends the use of a standard point estimate approach, including high-point estimate (i.e. 95th percentile) breathing rates and age sensitivity factors ("ASF") in order to account for the increased sensitivity to carcinogens during early-in-life exposure and accurately assess risk for susceptible subpopulations such

[17] "San Diego." U.S. Census Bureau, 2020, *available at:* https://datacommons.org/place/geoId/0666000.
[18] "Screening Procedures for Estimating the Air Quality Impact of Stationary Sources Revised." U.S. EPA, October 1992, *available at:* http://www.epa.gov/ttn/scram/guidance/guide/EPA-454R-92-019_OCR.pdf.
[19] See Attachment B for AERSCREEN output files.
[20] "Supplemental Guidelines for Submission of Rule 1200 Health Risk Assessments (HRAs)." SDAPCD, July 2019, *available at:* https://www.sandiegocounty.gov/content/dam/sdc/apcd/PDF/Toxics_Program/APCD_1200_Supplemental_Guidelines.pdf.

E-23 (cont.)

EIR are required. Notwithstanding, as discussed above in Response to Comment E-22, for further information an HRA has been prepared, and it shows no significant impacts from the Project.

E-23 (cont.)

as children. The residential exposure parameters, such as the daily breathing rates ("BR/BW"), exposure duration ("ED"), age sensitivity factors ("ASF"), fraction of time at home ("FAH"), and exposure frequency ("EF") utilized for the various age groups in our screening-level HRA are as follows:

Exposure Assumptions for Residential Individual Cancer Risk

Age Group	Breathing Rate (L/kg-day)[21]	Age Sensitivity Factor[22]	Exposure Duration (years)	Fraction of Time at Home[23]	Exposure Frequency (days/year)[24]	Exposure Time (hours/day)
3rd Trimester	361	10	0.25	1	350	24
Infant (0 - 2)	1090	10	2	1	350	24
Child (2 - 16)	572	3	14	1	350	24
Adult (16 - 30)	261	1	14	0.73	350	24

For the inhalation pathway, the procedure requires the incorporation of several discrete variates to effectively quantify dose for each age group. Once determined, contaminant dose is multiplied by the cancer potency factor ("CPF") in units of inverse dose expressed in milligrams per kilogram per day (mg/kg/day^{-1}) to derive the cancer risk estimate. To assess exposures, we utilized the following dose algorithm:

$$Dose_{AIR,per\ age\ group} = C_{air} \times EF \times \left[\frac{BR}{BW}\right] \times A \times CF$$

where:

$Dose_{AIR}$ = dose by inhalation (mg/kg/day), per age group
C_{air} = concentration of contaminant in air (µg/m3)
EF = exposure frequency (number of days/365 days)
BR/BW = daily breathing rate normalized to body weight (L/kg/day)
A = inhalation absorption factor (default = 1)
CF = conversion factor (1x10-6, µg to mg, L to m3)

[21] "Supplemental Guidelines for Preparing Risk Assessments for the Air Toxics 'Hot Spots' Information and Assessment Act." SCAQMD, October 2020, available at: http://www.aqmd.gov/docs/default-source/planning/risk-assessment/ab-2588-supplemental-guidelines.pdf?sfvrsn=19, p. 19; see also "Risk Assessment Guidelines Guidance Manual for Preparation of Health Risk Assessments." OEHHA, February 2015, available at: https://oehha.ca.gov/media/downloads/crnr/2015guidancemanual.pdf.
[22] "Risk Assessment Guidelines Guidance Manual for Preparation of Health Risk Assessments." OEHHA, February 2015, available at: https://oehha.ca.gov/media/downloads/crnr/2015guidancemanual.pdf, p. 8-5 Table 8.3.
[23] "Risk Assessment Procedures." SCAQMD, August 2017, available at: http://www.aqmd.gov/docs/default-source/rule-book/Proposed-Rules/1401/riskassessmentprocedures_2017_080717.pdf, p. 7.
[24] "Risk Assessment Guidelines Guidance Manual for Preparation of Health Risk Assessments." OEHHA, February 2015, available at: https://oehha.ca.gov/media/downloads/crnr/2015guidancemanual.pdf, p. 5-24.

E-23 (cont.)

To calculate the overall cancer risk, we used the following equation for each appropriate age group:

$$Cancer\ Risk_{AIR} = Dose_{AIR} \times CPF \times ASF \times FAH \times \frac{ED}{AT}$$

where:

$Dose_{AIR}$ = dose by inhalation (mg/kg/day), per age group
CPF = cancer potency factor, chemical-specific $(mg/kg/day)^{-1}$
ASF = age sensitivity factor, per age group
FAH = fraction of time at home, per age group (for residential receptors only)
ED = exposure duration (years)
AT = averaging time period over which exposure duration is averaged (always 70 years)

Consistent with the 2,096-day construction schedule, the annualized average concentration for construction was used for the entire third trimester of pregnancy (0.25 years), the entire infantile stage of life (0 – 2 years), and the first 3.49 years of the child stage of life. The annualized average concentration for operation was used for the remainder of the 30-year exposure period, which makes up the latter 10.51 years of the child stage of life, as well as the entire adult (16 – 30 years) stage of life. The results of our calculations are shown in the table below.

The Maximally Exposed Individual at an Existing Residential Receptor

Age Group	**Emissions Source**	**Duration** (years)	**Concentration** (ug/m3)	**Cancer Risk**
3rd Trimester	Construction	0.25	0.1429	1.94E-06
Infant (0 - 2)	Construction	2	0.1429	4.69E-05
	Construction	*3.49*	*0.1429*	*1.29E-05*
	Operation	*10.51*	*0.5024*	*1.37E-04*
Child (2 - 16)	Total	14		1.49E-04
Adult (16 - 30)	Operation	14	0.5024	2.02E-05
Lifetime		**30**		**2.18E-04**

As demonstrated in the table above, the excess cancer risks for the 3rd trimester of pregnancy, infants, children, and adults at the MEIR located approximately 325 meters away, over the course of Project construction and operation, are approximately 1.94, 46.9, 149, and 20.2 in one million, respectively. The excess cancer risk over the course of a residential lifetime (30 years) is approximately 218 in one million. The infant, child, adult, and lifetime cancer risks exceed the SDAPCD threshold of 10 in one million, thus resulting in a potentially significant impact not previously addressed or identified by the DEIR.

E-23 (cont.)

Our analysis represents a screening-level HRA, which is known to be conservative and tends to err on the side of health protection. The purpose of the screening-level HRA is to demonstrate the potential link between Project-generated emissions and adverse health risk impacts. According to the U.S. EPA:

> "EPA's Exposure Assessment Guidelines recommend completing exposure assessments iteratively using a tiered approach to 'strike a balance between the costs of adding detail and refinement to an assessment and the benefits associated with that additional refinement' (U.S. EPA, 1992).
>
> In other words, an assessment using basic tools (e.g., simple exposure calculations, default values, rules of thumb, conservative assumptions) can be conducted as the first phase (or tier) of the overall assessment (i.e., a screening-level assessment).
>
> The exposure assessor or risk manager can then determine whether the results of the screening-level assessment warrant further evaluation through refinements of the input data and exposure assumptions or by using more advanced models."

As demonstrated above, screening-level analyses warrant further evaluation in a refined modeling approach. Thus, as our screening-level HRA demonstrates that construction and operation of the Project could result in a potentially significant health risk impact, an EIR should be prepared to include a refined health risk analysis which adequately and accurately evaluates health risk impacts associated with both Project construction and operation. If the refined analysis similarly concludes that the Project would result in a significant health risk impact, then mitigation measures should be incorporated, as described in our "Feasible Mitigation Measures Available to Reduce Emissions" section below.

Greenhouse Gas

Failure to Adequately Evaluate Greenhouse Gas Impacts

E-24

The DEIR concludes that the Project would not result in significant greenhouse gas ("GHG") impacts. Specifically, the DEIR relies on the Project's consistency with the City's Climate Action Plan ("CAP"), stating:

> "The Project would be consistent with both City's 2015 CAP and 2022 CAP update. The Project meets all requirements of the City's 2015 CAP Consistency Checklist and 2022 CAP Consistency Regulations. Therefore, the Project would not conflict with the 2015 CAP, 2022 CAP update, or any applicable plan, policy, or regulation for the purpose of reducing GHG emissions. Impacts would be less than significant" (p. 5.7-26).

Furthermore, the DEIR includes the following sustainability features:

> "The Project would include sustainable features that exceed state and local requirements (e.g., the California Title 24 Energy Efficiency Standards for Residential and Nonresidential Buildings, the CALGreen Code, and the City of San Diego Climate Action Plan [CAP]). These sustainable features include, but are not limited to the following design features or operational characteristics, some of which have been previously discussed in this section:

E-24 The City of San Diego requires that the Project complete the City's Climate Action Plan Consistency Checklist (Appendix G to the Draft EIR) to determine consistency with the City's Climate Action Plan. CAP strategies in Step 2 of the Checklist have been incorporated into the Project as Project features and will be constructed with the Project. To ensure Project compliance of the strategies, the CAP Consistency Checklist will be made part of "Exhibit A" and a condition of approval. In addition, the Project includes a robust TDM plan that includes all of the measures in Step 2 measures 3-7 as well as additional measures that have been quantified to reduce VMT and thus GHGs.

The Project is grandfathered under the 2015 CAP because the Project includes a vesting tentative map and because the 2022 CAP by its terms exempts projects that were deemed complete by its adoption date. Ordinance 21528 (Sept. 21, 2022), section 10 "That no permits shall be issued for development that is inconsistent with the provisions of this Ordinance unless a deemed complete application for such permits is submitted to the City prior to the date on which the applicable provisions of this Ordinance become effective."

Nonetheless, the Draft EIR demonstrates that the Project will also be consistent with the 2022 CAP, which replaces the checklist with CAP consistency regulations in the San Diego Municipal Code to ensure that both ministerial and discretionary projects will comply with the GHG reduction requirements in the CAP. The new GHG reduction measures in the CAP are enforced through regulatory measures at the time of construction, and implemented at the time of building permit. The Draft EIR finds that the Project is consistent with both the 2015 and 2022 CAP and there will be a less than significant impact from the Project. No revisions to the EIR are required.

- Transportation Demand Management Measures […]
- Energy Efficient and Sustainable Building Design Features […]
- Biological Resources Protection […]
- Water Conservation Measures […]" (p. 3-14, 3-15).

However, the DEIR's claim that the Project is consistent with the City's CAP is unsupported. In order to be fully consistent with the City's CAP the, DEIR should include the above-mentioned sustainability features as formal mitigation measures. According to the AEP *CEQA Portal Topic Paper* on Mitigation Measures:

> "While not 'mitigation', a good practice is to include those project design feature(s) that address environmental impacts in the mitigation monitoring and reporting program (MMRP). Often the MMRP is all that accompanies building and construction plans through the permit process. If the design features are not listed as important to addressing an environmental impact, it is easy for someone not involved in the original environmental process to approve a change to the project that could eliminate one or more of the design features without understanding the resulting environmental impact."

As such, in order to be consistent with the City's CAP, we recommend the Project include all sustainability features as formal mitigation measures. Until then, the DEIR's conclusion that the project would be consistent with the City's CAP is unsubstantiated (p. 5.7-26). Therefore, the Project's GHG analysis is insufficient and the DEIR's less-than-significant impact conclusion should not be relied upon.

E-24 (cont.)

Mitigation

Feasible Mitigation Measures Available to Reduce Emissions

Our analysis demonstrates that the Project would result in potentially significant health risk and GHG impacts that should be mitigated further. As such, in an effort to reduce the Project's emissions, we identified several mitigation measures that are applicable to the proposed Project. Therefore, to reduce the Project's emissions, we recommend consideration of SCAG's 2020 *RTP/SCS* PEIR's Air Quality Project Level Mitigation Measures ("PMM-AQ-1"), as described below: [25]

E-25

SCAG RTP/SCS 2020-2045
Air Quality Project Level Mitigation Measures – PMM-AQ-1:

[25] "4.0 Mitigation Measures." Connect SoCal Program Environmental Impact Report Addendum #1, September 2020, available at: https://scag.ca.gov/sites/main/files/file-attachments/fpeir_connectsocal_addendum_4_mitigationmeasures.pdf?1606004420, p. 4.0-2 – 4.0-10; 4.0-19 – 4.0-23; See also: "Certified Final Connect SoCal Program Environmental Impact Report." Southern California Association of Governments (SCAG), May 2020, *available at:* https://scag.ca.gov/peir.

E-25 The Project does not result in any significant unmitigated impacts, therefore there is no requirement to add any additional mitigation measures or to evaluate feasible additional mitigation measures beyond those already included in the Draft EIR. The list of measures provided by the commenter are mostly made up of standard measures included on most construction sites in California and although not needed as mitigation, the following measures will be implemented as Best Management Practices during construction. No revisions to the EIR are required.

a) Minimize land disturbance.

b) Suspend grading and earth moving when wind gusts exceed 25 miles per hour unless the soil is wet enough to prevent dust plumes.

c) Cover trucks when hauling dirt.

d) Stabilize the surface of dirt piles if not removed immediately.

e) Limit vehicular paths on unpaved surfaces and stabilize any temporary roads.

f) Minimize unnecessary vehicular and machinery activities.

g) Sweep paved streets at least once per day where there is evidence of dirt that has been carried on to the roadway.

h) Revegetate disturbed land, including vehicular paths created during construction to avoid future off-road vehicular activities.

i) Require contractors to assemble a comprehensive inventory list (i.e., make, model, engine year, horsepower, emission rates) of all heavy-duty off-road (portable and mobile) equipment (50 horsepower and greater) that could be used an aggregate of 40 or more hours for the construction project. Prepare a plan for approval by the applicable air district demonstrating achievement of the applicable percent reduction for a CARB-approved fleet.

j) Ensure that all construction equipment is properly tuned and maintained.

k) Minimize idling time to 5 minutes—saves fuel and reduces emissions.

l) Provide an operational water truck on-site at all times. Use watering trucks to minimize dust; watering should be sufficient to confine dust plumes to the project work areas. Sweep paved streets at least once per day where there is evidence of dirt that has been carried on to the roadway.

m) Utilize existing power sources (e.g., power poles) or clean fuel generators rather than temporary power generators.

E-25 (cont.)

In accordance with provisions of sections 15091(a)(2) and 15126.4(a)(1)(B) of the *State CEQA Guidelines*, a Lead Agency for a project can and should consider mitigation measures to reduce substantial adverse effects related to violating air quality standards. Such measures may include the following or other comparable measures identified by the Lead Agency:
a) Minimize land disturbance.
b) Suspend grading and earth moving when wind gusts exceed 25 miles per hour unless the soil is wet enough to prevent dust plumes.
c) Cover trucks when hauling dirt.
d) Stabilize the surface of dirt piles if not removed immediately.
e) Limit vehicular paths on unpaved surfaces and stabilize any temporary roads.
f) Minimize unnecessary vehicular and machinery activities.
g) Sweep paved streets at least once per day where there is evidence of dirt that has been carried on to the roadway.
h) Revegetate disturbed land, including vehicular paths created during construction to avoid future off-road vehicular activities.
i) On Caltrans projects, Caltrans Standard Specifications 10-Dust Control, 17-Watering, and 18-Dust Palliative shall be incorporated into project specifications.
j) Require contractors to assemble a comprehensive inventory list (i.e., make, model, engine year, horsepower, emission rates) of all heavy-duty off-road (portable and mobile) equipment (50 horsepower and greater) that could be used an aggregate of 40 or more hours for the construction project. Prepare a plan for approval by the applicable air district demonstrating achievement of the applicable percent reduction for a CARB-approved fleet.
k) Ensure that all construction equipment is properly tuned and maintained.
l) Minimize idling time to 5 minutes—saves fuel and reduces emissions.
m) Provide an operational water truck on-site at all times. Use watering trucks to minimize dust; watering should be sufficient to confine dust plumes to the project work areas. Sweep paved streets at least once per day where there is evidence of dirt that has been carried on to the roadway.
n) Utilize existing power sources (e.g., power poles) or clean fuel generators rather than temporary power generators.
o) Develop a traffic plan to minimize traffic flow interference from construction activities. The plan may include advance public notice of routing, use of public transportation, and satellite parking areas with a shuttle service. Schedule operations affecting traffic for off-peak hours. Minimize obstruction of through-traffic lanes. Provide a flag person to guide traffic properly and ensure safety at construction sites.
p) As appropriate require that portable engines and portable engine-driven equipment units used at the project work site, with the exception of on-road and off-road motor vehicles, obtain CARB Portable Equipment Registration with the state or a local district permit. Arrange appropriate consultations with the CARB or the District to determine registration and permitting requirements prior to equipment operation at the site.
q) Require projects within 500 feet of residences, hospitals, or schools to use Tier 4 equipment for all engines above 50 horsepower (hp) unless the individual project can demonstrate that Tier 4 engines would not be required to mitigate emissions below significance thresholds.
r) Projects located within the South Coast Air Basin should consider applying for South Coast AQMD "SOON" funds which provides funds to applicable fleets for the purchase of commercially available low-emission heavy-duty engines to achieve near-term reduction of NOx emissions from in-use off-road diesel vehicles.
s) Projects located within AB 617 communities should review the applicable Community Emissions Reduction Plan (CERP) for additional mitigation that can be applied to individual projects.

14

E-25 (cont.)

n) Develop a traffic plan to minimize traffic flow interference from construction activities. The plan may include advance public notice of routing, use of public transportation, and satellite parking areas with a shuttle service. Schedule operations affecting traffic for off-peak hours. Minimize obstruction of through-traffic lanes. Provide a flag person to guide traffic properly and ensure safety at construction sites.

o) As appropriate require that portable engines and portable engine-driven equipment units used at the project work site, with the exception of on-road and off-road motor vehicles, obtain CARB Portable Equipment Registration with the state or a local district permit. Arrange appropriate consultations with the CARB or the District to determine registration and permitting requirements prior to equipment operation at the site.

p) Projects should work with local cities and counties to install adequate signage that prohibits truck idling in certain locations (e.g., near schools and sensitive receptors).

q) Develop an ongoing monitoring, inspection, and maintenance program for the MERV filters.

r) The following criteria related to diesel emissions shall be implemented on by individual project sponsors as appropriate and feasible:

- Diesel nonroad vehicles on site for more than 10 total days shall have either (1) engines that meet EPA on road emissions standards or (2) emission control technology verified by EPA or CARB to reduce PM emissions by a minimum of 85%
- Diesel generators on site for more than 10 total days shall be equipped with emission control technology verified by EPA or CARB to reduce PM emissions by a minimum of 85%.
- Nonroad diesel engines on site shall be Tier 2 or higher.
- Diesel nonroad construction equipment on site for more than 10 total days shall have either (1) engines meeting EPA Tier 4 nonroad emissions standards or (2) emission control technology verified by EPA or CARB for use with nonroad engines to reduce PM emissions by a minimum of 85% for engines for 50 hp and greater and by a minimum of 20% for engines less than 50 hp.
- mission control technology shall be operated, maintained, and serviced as recommended by the emission control technology manufacturer.
- Diesel vehicles, construction equipment, and generators on site shall be fueled with ultra-low sulfur diesel fuel (ULSD) or a biodiesel blend approved by the original engine manufacturer with sulfur content of 15 ppm or less.

E-25 (cont.)

t) Where applicable, projects should provide information about air quality related programs to schools, including the Environmental Justice Community Partnerships (EJCP), Clean Air Ranger Education (CARE), and Why Air Quality Matters programs.

u) Projects should work with local cities and counties to install adequate signage that prohibits truck idling in certain locations (e.g., near schools and sensitive receptors).

y) Projects that will introduce sensitive receptors within 500 feet of freeways and other sources should consider installing high efficiency of enhanced filtration units, such as Minimum Efficiency Reporting Value (MERV) 13 or better. Installation of enhanced filtration units can be verified during occupancy inspection prior to the issuance of an occupancy permit.

z) Develop an ongoing monitoring, inspection, and maintenance program for the MERV filters.

aa) Consult the SCAG Environmental Justice Toolbox for potential measures to address impacts to low-income and/or minority communities.

bb) The following criteria related to diesel emissions shall be implemented on by individual project sponsors as appropriate and feasible:

- Diesel nonroad vehicles on site for more than 10 total days shall have either (1) engines that meet EPA on road emissions standards or (2) emission control technology verified by EPA or CARB to reduce PM emissions by a minimum of 85%
- Diesel generators on site for more than 10 total days shall be equipped with emission control technology verified by EPA or CARB to reduce PM emissions by a minimum of 85%.
- Nonroad diesel engines on site shall be Tier 2 or higher.
- Diesel nonroad construction equipment on site for more than 10 total days shall have either (1) engines meeting EPA Tier 4 nonroad emissions standards or (2) emission control technology verified by EPA or CARB for use with nonroad engines to reduce PM emissions by a minimum of 85% for engines for 50 hp and greater and by a minimum of 20% for engines less than 50 hp.
- Emission control technology shall be operated, maintained, and serviced as recommended by the emission control technology manufacturer.
- Diesel vehicles, construction equipment, and generators on site shall be fueled with ultra-low sulfur diesel fuel (ULSD) or a biodiesel blend approved by the original engine manufacturer with sulfur content of 15 ppm or less.
- The construction contractor shall maintain a list of all diesel vehicles, construction equipment, and generators to be used on site. The list shall include the following:
  i. Contractor and subcontractor name and address, plus contact person responsible for the vehicles or equipment.
  ii. Equipment type, equipment manufacturer, equipment serial number, engine manufacturer, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation.
  iii. For the emission control technology installed: technology type, serial number, make, model, manufacturer, EPA/CARB verification number/level, and installation date and hour-meter reading on installation date.
- The contractor shall establish generator sites and truck-staging zones for vehicles waiting to load or unload material on site. Such zones shall be located where diesel emissions have the least impact on abutters, the general public, and especially sensitive receptors such as hospitals, schools, daycare facilities, elderly housing, and convalescent facilities.
- The contractor shall maintain a monthly report that, for each on road diesel vehicle, nonroad construction equipment, or generator onsite, includes:
  i. Hour-meter readings on arrival on-site, the first and last day of every month, and on off-site date.
  ii. Any problems with the equipment or emission controls.
  iii. Certified copies of fuel deliveries for the time period that identify:
    1. Source of supply
    2. Quantity of fuel
    3. Quantity of fuel, including sulfur content (percent by weight)

E-25 (cont.)

- The construction contractor shall maintain a list of all diesel vehicles, construction equipment, and generators to be used on site. The list shall include the following:
  i. Contractor and subcontractor name and address, plus contact person responsible for the vehicles or equipment.
  ii. Equipment type, equipment manufacturer, equipment serial number, engine manufacturer, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation.
  iii. For the emission control technology installed: technology type, serial number, make, model, manufacturer, EPA/CARB verification number/level, and installation date and hour-meter reading on installation date.
- The contractor shall establish generator sites and truck-staging zones for vehicles waiting to load or unload material on site. Such zones shall be located where diesel emissions have the least impact on abutters, the general public, and especially sensitive receptors such as hospitals, schools, daycare facilities, elderly housing, and convalescent facilities.
- The contractor shall maintain a monthly report that, for each on road diesel vehicle, nonroad construction equipment, or generator onsite, includes:
  i. Hour-meter readings on arrival on-site, the first and last day of every month, and on off-site date.
  ii. Any problems with the equipment or emission controls.
  iii. Certified copies of fuel deliveries for the time period that identify:
  1. Source of supply
  2. Quantity of fuel
  3. Quantity of fuel, including sulfur content (percent by weight)

E-25 (cont.)

cc) Project should exceed Title-24 Building Envelope Energy Efficiency Standards (California Building Standards Code). The following measures can be used to increase energy efficiency:

- Provide pedestrian network improvements, such as interconnected street network, narrower roadways and shorter block lengths, sidewalks, accessibility to transit and transit shelters, traffic calming measures, parks and public spaces, minimize pedestrian barriers.
- Provide traffic calming measures, such as:
    i. Marked crosswalks
    ii. Count-down signal timers
    iii. Curb extensions iv. Speed tables
    iv. Raised crosswalks
    v. Raised intersections
    vi. Median islands
    vii. Tight corner radii
    viii. Roundabouts or mini-circles
    ix. On-street parking
    x. Chicanes/chokers
- Create urban non-motorized zones
- Provide bike parking in non-residential and multi-unit residential projects
- Dedicate land for bike trails
- Limit parking supply through:
    i. Elimination (or reduction) of minimum parking requirements
    ii. Creation of maximum parking requirements
    iii. Provision of shared parking
- Require residential area parking permit.
- Provide ride-sharing programs
    i. Designate a certain percentage of parking spacing for ride sharing vehicles
    ii. Designating adequate passenger loading and unloading and waiting areas for ride-sharing vehicles
    iii. Providing a web site or messaging board for coordinating rides
    iv. Permanent transportation management association membership and finding requirement.

These measures offer a cost-effective, feasible way to incorporate lower-emitting design features into the proposed Project, which subsequently, reduce emissions released during Project construction and operation. A revised EIR should be prepared to include all feasible mitigation measures, as well as include updated air quality, health risk, and GHG analyses to ensure that the necessary mitigation measures are implemented to reduce emissions to below thresholds. The updated EIR should also demonstrate a commitment to the implementation of these measures prior to Project approval, to ensure that the Project's significant emissions are reduced to the maximum extent possible.

E-26

Disclaimer

SWAPE has received limited discovery regarding this project. Additional information may become available in the future; thus, we retain the right to revise or amend this report when additional information becomes available. Our professional services have been performed using that degree of care and skill ordinarily exercised, under similar circumstances, by reputable environmental consultants practicing in this or similar localities at the time of service. No other warranty, expressed or implied, is made as to the scope of work, work methodologies and protocols, site conditions, analytical testing results, and findings presented. This report reflects efforts which were limited to information that was reasonably accessible at the time of the work, and may contain informational gaps, inconsistencies, or

E-26 No response is needed as this is merely a disclaimer.

E-26 (cont.)

otherwise be incomplete due to the unavailability or uncertainty of information obtained or provided by third parties.

Sincerely,

Matt Hagemann, P.G., C.Hg.

Paul E. Rosenfeld, Ph.D.

Attachment A: Health Risk Calculations
Attachment B: AERSCREEN Output Files
Attachment C: Matt Hagemann CV
Attachment D: Paul Rosenfeld CV

E-26 (cont.)

No response is needed as this is merely a disclaimer.

Attachment A

Construction	
2022	
Annual Emissions (tons/year)	0.1646
Daily Emissions (lbs/day)	0.901917808
Construction Duration (days)	272
Total DPM (lbs)	245.3216438
Total DPM (g)	111277.8976
Start Date	4/4/2022
End Date	1/1/2023
Construction Days	272
2023	
Annual Emissions (tons/year)	0.2046
Daily Emissions (lbs/day)	1.12109589
Construction Duration (days)	365
Total DPM (lbs)	409.2
Total DPM (g)	185613.12
Start Date	1/1/2023
End Date	1/1/2024
Construction Days	365
2024	
Annual Emissions (tons/year)	0.3082
Daily Emissions (lbs/day)	1.688767123
Construction Duration (days)	366
Total DPM (lbs)	618.0887671
Total DPM (g)	280365.0648
Start Date	1/1/2024
End Date	1/1/2025
Construction Days	366
2025	
Annual Emissions (tons/year)	0.17
Daily Emissions (lbs/day)	0.931506849
Construction Duration (days)	365
Total DPM (lbs)	340
Total DPM (g)	154224
Start Date	1/1/2025
End Date	1/1/2026
Construction Days	365
2026	
Annual Emissions (tons/year)	0.2228
Daily Emissions (lbs/day)	1.220821918
Construction Duration (days)	365
Total DPM (lbs)	445.6
Total DPM (g)	202124.16
Start Date	1/1/2026
End Date	1/1/2027
Construction Days	365
2027	
Annual Emissions (tons/year)	0.2165
Daily Emissions (lbs/day)	1.18630137
Construction Duration (days)	363
Total DPM (lbs)	430.6273973
Total DPM (g)	195332.5874
Start Date	1/1/2027
End Date	12/30/2027
Construction Days	363

Total	
Total DPM (lbs)	2488.837808
Total DPM (g)	1128936.83
Emission Rate (g/s)	0.006233969
Release Height (meters)	3
Total Acreage	26.5
Max Horizontal (meters)	463.12
Min Horizontal (meters)	231.56
Initial Vertical Dimension (meters)	1.5
Setting	Urban
Population	1,381,611
Start Date	4/4/2022
End Date	12/30/2027
Total Construction Days	2096
Total Years of Construction	5.74
Total Years of Operation	24.26

Operation	
Emission Rate	
Annual Emissions (tons/year)	0.7616
Daily Emissions (lbs/day)	4.173150685
Total DPM (lbs)	1523.2
Emission Rate (g/s)	0.021909041
Release Height (meters)	3
Total Acreage	26.5
Max Horizontal (meters)	463.12
Min Horizontal (meters)	231.56
Initial Vertical Dimension (meters)	1.5
Setting	Urban
Population	1,381,611

Attachment B

```
AERSCREEN 21112 / AERMOD 21112                                      12/21/22
                                                                    17:01:56

TITLE: Towne Centre, Construction


------------------------------------------------------------------------------
*****************************  AREA PARAMETERS  *****************************
------------------------------------------------------------------------------

SOURCE EMISSION RATE:         0.623E-02 g/s             0.495E-01 lb/hr

AREA EMISSION RATE:           0.581E-07 g/(s-m2)        0.461E-06 lb/(hr-m2)
AREA HEIGHT:                       3.00 meters               9.84 feet
AREA SOURCE LONG SIDE:           463.12 meters            1519.42 feet
AREA SOURCE SHORT SIDE:          231.56 meters             759.71 feet
INITIAL VERTICAL DIMENSION:        1.50 meters               4.92 feet
RURAL OR URBAN:                   URBAN
POPULATION:                     1381611

INITIAL PROBE DISTANCE =          5000. meters             16404. feet


------------------------------------------------------------------------------
***********************  BUILDING DOWNWASH PARAMETERS  ***********************
------------------------------------------------------------------------------

               BUILDING DOWNWASH NOT USED FOR NON-POINT SOURCES


------------------------------------------------------------------------------
*************************  FLOW SECTOR ANALYSIS  *************************
                 25 meter receptor spacing: 1. meters - 5000. meters
------------------------------------------------------------------------------


   MAXIMUM  IMPACT  RECEPTOR

   Zo        SURFACE   1-HR CONC  RADIAL  DIST   TEMPORAL
   SECTOR    ROUGHNESS  (ug/m3)    (deg)   (m)    PERIOD
  ----------------------------------------------------
      1*       1.000     2.609       0   225.0     WIN
* = worst case diagonal


------------------------------------------------------------------------------
```

```
**********  MAKEMET METEOROLOGY PARAMETERS  **********
--------------------------------------------------------------------------------

MIN/MAX TEMPERATURE:    250.0 / 310.0 (K)

MINIMUM WIND SPEED:       0.5 m/s

ANEMOMETER HEIGHT:     10.000 meters

SURFACE CHARACTERISTICS INPUT: AERMET SEASONAL TABLES

DOMINANT SURFACE PROFILE: Urban
DOMINANT CLIMATE TYPE:    Average Moisture
DOMINANT SEASON:          Winter

ALBEDO:                   0.35
BOWEN RATIO:              1.50
ROUGHNESS LENGTH:       1.000 (meters)

SURFACE FRICTION VELOCITY (U*) NOT ADUSTED


       METEOROLOGY CONDITIONS USED TO PREDICT OVERALL MAXIMUM IMPACT
       -------------------------------------------------------------

 YR MO DY JDY HR
 -- -- -- --- --
 10 01 10  10 01

    H0     U*     W*  DT/DZ ZICNV ZIMCH  M-O LEN    Z0  BOWEN ALBEDO  REF WS
 - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -
 -1.30  0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50

    HT  REF TA     HT
- - - - - - - - - - -
  10.0   310.0    2.0



--------------------------------------------------------------------------------
********************** AERSCREEN AUTOMATED DISTANCES **********************
                  OVERALL MAXIMUM CONCENTRATIONS BY DISTANCE
--------------------------------------------------------------------------------

                     MAXIMUM                           MAXIMUM
            DIST     1-HR CONC                DIST     1-HR CONC
             (m)      (ug/m3)                  (m)      (ug/m3)
          --------------------              --------------------
            1.00     2.061                2525.00    0.9784E-01
```

25.00	2.141	2550.00	0.9655E-01
50.00	2.218	2575.00	0.9529E-01
75.00	2.288	2600.00	0.9406E-01
100.00	2.353	2625.00	0.9285E-01
125.00	2.412	2650.00	0.9167E-01
150.00	2.467	2675.00	0.9051E-01
175.00	2.518	2700.00	0.8937E-01
200.00	2.565	2725.00	0.8827E-01
225.00	2.609	2750.00	0.8719E-01
250.00	2.575	2775.00	0.8613E-01
275.00	2.008	2800.00	0.8509E-01
300.00	1.639	2825.00	0.8408E-01
325.00	1.429	2850.00	0.8308E-01
350.00	1.284	2875.00	0.8211E-01
375.00	1.173	2900.00	0.8116E-01
400.00	1.084	2925.00	0.8022E-01
425.00	1.007	2950.00	0.7931E-01
450.00	0.9385	2975.00	0.7841E-01
475.00	0.8773	3000.00	0.7754E-01
500.00	0.8229	3025.00	0.7667E-01
525.00	0.7741	3050.00	0.7583E-01
550.00	0.7299	3075.00	0.7500E-01
575.00	0.6899	3100.00	0.7419E-01
600.00	0.6533	3125.00	0.7339E-01
625.00	0.6202	3150.00	0.7260E-01
650.00	0.5899	3175.00	0.7183E-01
675.00	0.5619	3200.00	0.7107E-01
700.00	0.5361	3225.00	0.7033E-01
725.00	0.5124	3250.00	0.6960E-01
750.00	0.4902	3275.00	0.6888E-01
775.00	0.4698	3300.00	0.6817E-01
800.00	0.4510	3325.00	0.6748E-01
825.00	0.4333	3350.00	0.6680E-01
850.00	0.4167	3375.00	0.6613E-01
875.00	0.4011	3400.00	0.6548E-01
900.00	0.3866	3425.00	0.6483E-01
925.00	0.3731	3450.00	0.6419E-01
950.00	0.3602	3475.00	0.6356E-01
975.00	0.3481	3500.00	0.6294E-01
1000.00	0.3367	3525.00	0.6234E-01
1025.00	0.3259	3550.00	0.6174E-01
1050.00	0.3158	3575.00	0.6115E-01
1075.00	0.3063	3600.00	0.6058E-01
1100.00	0.2972	3625.00	0.6001E-01
1125.00	0.2884	3650.00	0.5945E-01
1150.00	0.2801	3675.00	0.5890E-01
1175.00	0.2722	3700.00	0.5836E-01
1200.00	0.2646	3725.00	0.5783E-01
1225.00	0.2575	3750.00	0.5731E-01
1250.00	0.2507	3775.00	0.5679E-01

1275.00	0.2443	3800.00	0.5629E-01
1300.00	0.2381	3825.00	0.5579E-01
1325.00	0.2322	3850.00	0.5530E-01
1350.00	0.2265	3875.00	0.5482E-01
1375.00	0.2210	3900.00	0.5434E-01
1400.00	0.2158	3925.00	0.5387E-01
1425.00	0.2108	3950.00	0.5341E-01
1450.00	0.2059	3975.00	0.5295E-01
1475.00	0.2013	4000.00	0.5250E-01
1500.00	0.1968	4025.00	0.5206E-01
1525.00	0.1925	4050.00	0.5162E-01
1550.00	0.1884	4075.00	0.5120E-01
1575.00	0.1844	4100.00	0.5077E-01
1600.00	0.1805	4125.00	0.5036E-01
1625.00	0.1769	4150.00	0.4994E-01
1650.00	0.1733	4175.00	0.4954E-01
1675.00	0.1699	4200.00	0.4914E-01
1700.00	0.1666	4225.00	0.4875E-01
1725.00	0.1633	4250.00	0.4836E-01
1750.00	0.1602	4275.00	0.4797E-01
1775.00	0.1572	4300.00	0.4805E-01
1800.00	0.1542	4325.00	0.4767E-01
1825.00	0.1514	4350.00	0.4730E-01
1850.00	0.1487	4375.00	0.4693E-01
1875.00	0.1460	4400.00	0.4656E-01
1900.00	0.1435	4425.00	0.4620E-01
1925.00	0.1410	4450.00	0.4585E-01
1950.00	0.1386	4475.00	0.4550E-01
1975.00	0.1362	4500.00	0.4515E-01
2000.00	0.1340	4525.00	0.4481E-01
2025.00	0.1318	4550.00	0.4448E-01
2050.00	0.1296	4575.00	0.4414E-01
2075.00	0.1275	4600.00	0.4382E-01
2100.00	0.1255	4625.00	0.4349E-01
2125.00	0.1235	4650.00	0.4317E-01
2150.00	0.1216	4675.00	0.4286E-01
2175.00	0.1197	4700.00	0.4255E-01
2200.00	0.1179	4725.00	0.4224E-01
2225.00	0.1161	4750.00	0.4193E-01
2250.00	0.1144	4775.00	0.4163E-01
2275.00	0.1127	4800.00	0.4134E-01
2300.00	0.1110	4825.00	0.4104E-01
2325.00	0.1094	4850.00	0.4076E-01
2350.00	0.1078	4875.00	0.4047E-01
2375.00	0.1063	4900.00	0.4019E-01
2400.00	0.1048	4925.00	0.3991E-01
2425.00	0.1033	4950.00	0.3963E-01
2450.00	0.1019	4975.00	0.3936E-01
2475.00	0.1005	5000.00	0.3909E-01
2500.00	0.9917E-01		

```
--------------------------------------------------------------------------------
**********  AERSCREEN MAXIMUM IMPACT SUMMARY  **********
--------------------------------------------------------------------------------

3-hour, 8-hour, and 24-hour scaled
concentrations are equal to the 1-hour concentration as referenced in
SCREENING PROCEDURES FOR ESTIMATING THE AIR QUALITY
IMPACT OF STATIONARY SOURCES, REVISED (Section 4.5.4)
Report number EPA-454/R-92-019
http://www.epa.gov/scram001/guidance_permit.htm
under Screening Guidance

                     MAXIMUM      SCALED      SCALED      SCALED      SCALED
                      1-HOUR      3-HOUR      8-HOUR     24-HOUR      ANNUAL
  CALCULATION           CONC        CONC        CONC        CONC        CONC
   PROCEDURE         (ug/m3)     (ug/m3)     (ug/m3)     (ug/m3)     (ug/m3)
---------------    ----------  ----------  ----------  ----------  ----------
FLAT TERRAIN        2.621       2.621       2.621       2.621         N/A

DISTANCE FROM SOURCE        232.00 meters



IMPACT AT THE
AMBIENT BOUNDARY    2.061       2.061       2.061       2.061         N/A

DISTANCE FROM SOURCE          1.00 meters
```

```
AERSCREEN 21112 / AERMOD 21112                                      12/20/22
                                                                    17:10:26

TITLE: Towne Center, Operations


------------------------------------------------------------------------------
*****************************  AREA PARAMETERS  ***************************
------------------------------------------------------------------------------

SOURCE EMISSION RATE:           0.0219 g/s                0.174 lb/hr

AREA EMISSION RATE:           0.204E-06 g/(s-m2)        0.162E-05 lb/(hr-m2)
AREA HEIGHT:                      3.00 meters               9.84 feet
AREA SOURCE LONG SIDE:          463.12 meters            1519.42 feet
AREA SOURCE SHORT SIDE:         231.56 meters             759.71 feet
INITIAL VERTICAL DIMENSION:       1.50 meters               4.92 feet
RURAL OR URBAN:                  URBAN
POPULATION:                    1381611

INITIAL PROBE DISTANCE =         5000. meters             16404. feet


------------------------------------------------------------------------------
***********************  BUILDING DOWNWASH PARAMETERS  ***********************
------------------------------------------------------------------------------

              BUILDING DOWNWASH NOT USED FOR NON-POINT SOURCES


------------------------------------------------------------------------------
*************************  FLOW SECTOR ANALYSIS  *****************************
                25 meter receptor spacing: 1. meters - 5000. meters
------------------------------------------------------------------------------


   MAXIMUM  IMPACT  RECEPTOR

   Zo        SURFACE   1-HR CONC  RADIAL  DIST   TEMPORAL
   SECTOR    ROUGHNESS  (ug/m3)    (deg)   (m)    PERIOD
  ----------------------------------------------------------
      1*       1.000     9.169       0   225.0     WIN
* = worst case diagonal



------------------------------------------------------------------------------
```

```
**********  MAKEMET METEOROLOGY PARAMETERS  **********
--------------------------------------------------------------------------------

MIN/MAX TEMPERATURE:    250.0 / 310.0 (K)

MINIMUM WIND SPEED:       0.5 m/s

ANEMOMETER HEIGHT:     10.000 meters

SURFACE CHARACTERISTICS INPUT: AERMET SEASONAL TABLES

DOMINANT SURFACE PROFILE: Urban
DOMINANT CLIMATE TYPE:    Average Moisture
DOMINANT SEASON:          Winter

ALBEDO:                   0.35
BOWEN RATIO:              1.50
ROUGHNESS LENGTH:       1.000 (meters)

SURFACE FRICTION VELOCITY (U*) NOT ADUSTED


       METEOROLOGY CONDITIONS USED TO PREDICT OVERALL MAXIMUM IMPACT
       -------------------------------------------------------------

 YR MO DY JDY HR
 -- -- -- --- --
 10 01 10  10 01

    H0     U*     W*  DT/DZ ZICNV ZIMCH  M-O LEN    Z0  BOWEN ALBEDO  REF WS
 - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -
 -1.30  0.043 -9.000  0.020 -999.   21.      6.0 1.000   1.50   0.35    0.50

    HT  REF TA     HT
- - - - - - - - - - -
  10.0   310.0    2.0



--------------------------------------------------------------------------------
********** AERSCREEN AUTOMATED DISTANCES **********
                  OVERALL MAXIMUM CONCENTRATIONS BY DISTANCE
--------------------------------------------------------------------------------

                    MAXIMUM                          MAXIMUM
           DIST     1-HR CONC                DIST     1-HR CONC
             (m)      (ug/m3)                  (m)      (ug/m3)
         --------------------              --------------------
            1.00     7.242                2525.00    0.3439
```

25.00	7.526	2550.00	0.3393
50.00	7.795	2575.00	0.3349
75.00	8.042	2600.00	0.3306
100.00	8.268	2625.00	0.3263
125.00	8.477	2650.00	0.3222
150.00	8.669	2675.00	0.3181
175.00	8.848	2700.00	0.3141
200.00	9.015	2725.00	0.3102
225.00	9.169	2750.00	0.3064
250.00	9.052	2775.00	0.3027
275.00	7.056	2800.00	0.2991
300.00	5.762	2825.00	0.2955
325.00	5.024	2850.00	0.2920
350.00	4.514	2875.00	0.2886
375.00	4.124	2900.00	0.2852
400.00	3.811	2925.00	0.2820
425.00	3.539	2950.00	0.2787
450.00	3.299	2975.00	0.2756
475.00	3.083	3000.00	0.2725
500.00	2.892	3025.00	0.2695
525.00	2.721	3050.00	0.2665
550.00	2.565	3075.00	0.2636
575.00	2.425	3100.00	0.2607
600.00	2.296	3125.00	0.2579
625.00	2.180	3150.00	0.2552
650.00	2.073	3175.00	0.2524
675.00	1.975	3200.00	0.2498
700.00	1.884	3225.00	0.2472
725.00	1.801	3250.00	0.2446
750.00	1.723	3275.00	0.2421
775.00	1.651	3300.00	0.2396
800.00	1.585	3325.00	0.2372
825.00	1.523	3350.00	0.2348
850.00	1.464	3375.00	0.2324
875.00	1.410	3400.00	0.2301
900.00	1.359	3425.00	0.2278
925.00	1.311	3450.00	0.2256
950.00	1.266	3475.00	0.2234
975.00	1.223	3500.00	0.2212
1000.00	1.183	3525.00	0.2191
1025.00	1.145	3550.00	0.2170
1050.00	1.110	3575.00	0.2149
1075.00	1.076	3600.00	0.2129
1100.00	1.044	3625.00	0.2109
1125.00	1.014	3650.00	0.2089
1150.00	0.9843	3675.00	0.2070
1175.00	0.9565	3700.00	0.2051
1200.00	0.9301	3725.00	0.2033
1225.00	0.9050	3750.00	0.2014
1250.00	0.8812	3775.00	0.1996

1275.00	0.8584	3800.00	0.1978
1300.00	0.8368	3825.00	0.1961
1325.00	0.8161	3850.00	0.1944
1350.00	0.7962	3875.00	0.1927
1375.00	0.7769	3900.00	0.1910
1400.00	0.7584	3925.00	0.1893
1425.00	0.7408	3950.00	0.1877
1450.00	0.7237	3975.00	0.1861
1475.00	0.7073	4000.00	0.1845
1500.00	0.6916	4025.00	0.1830
1525.00	0.6765	4050.00	0.1814
1550.00	0.6620	4075.00	0.1799
1575.00	0.6480	4100.00	0.1784
1600.00	0.6345	4125.00	0.1770
1625.00	0.6216	4150.00	0.1755
1650.00	0.6091	4175.00	0.1741
1675.00	0.5970	4200.00	0.1727
1700.00	0.5854	4225.00	0.1713
1725.00	0.5740	4250.00	0.1700
1750.00	0.5630	4275.00	0.1686
1775.00	0.5524	4300.00	0.1689
1800.00	0.5421	4325.00	0.1675
1825.00	0.5322	4350.00	0.1662
1850.00	0.5226	4375.00	0.1649
1875.00	0.5133	4400.00	0.1636
1900.00	0.5042	4425.00	0.1624
1925.00	0.4955	4450.00	0.1611
1950.00	0.4870	4475.00	0.1599
1975.00	0.4788	4500.00	0.1587
2000.00	0.4708	4525.00	0.1575
2025.00	0.4631	4550.00	0.1563
2050.00	0.4555	4575.00	0.1551
2075.00	0.4481	4600.00	0.1540
2100.00	0.4409	4625.00	0.1529
2125.00	0.4340	4650.00	0.1517
2150.00	0.4272	4675.00	0.1506
2175.00	0.4206	4700.00	0.1495
2200.00	0.4142	4725.00	0.1484
2225.00	0.4080	4750.00	0.1474
2250.00	0.4019	4775.00	0.1463
2275.00	0.3960	4800.00	0.1453
2300.00	0.3902	4825.00	0.1443
2325.00	0.3845	4850.00	0.1432
2350.00	0.3790	4875.00	0.1422
2375.00	0.3736	4900.00	0.1412
2400.00	0.3683	4925.00	0.1403
2425.00	0.3632	4950.00	0.1393
2450.00	0.3582	4975.00	0.1383
2475.00	0.3533	5000.00	0.1374
2500.00	0.3485		

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**********  AERSCREEN MAXIMUM IMPACT SUMMARY  **********
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3-hour, 8-hour, and 24-hour scaled
concentrations are equal to the 1-hour concentration as referenced in
SCREENING PROCEDURES FOR ESTIMATING THE AIR QUALITY
IMPACT OF STATIONARY SOURCES, REVISED (Section 4.5.4)
Report number EPA-454/R-92-019
http://www.epa.gov/scram001/guidance_permit.htm
under Screening Guidance

                     MAXIMUM      SCALED      SCALED      SCALED      SCALED
                      1-HOUR      3-HOUR      8-HOUR     24-HOUR      ANNUAL
  CALCULATION           CONC        CONC        CONC        CONC        CONC
   PROCEDURE         (ug/m3)     (ug/m3)     (ug/m3)     (ug/m3)     (ug/m3)
---------------    ----------  ----------  ----------  ----------  ----------
FLAT TERRAIN        9.211       9.211       9.211       9.211         N/A

DISTANCE FROM SOURCE        232.00 meters


IMPACT AT THE
AMBIENT BOUNDARY    7.242       7.242       7.242       7.242         N/A

DISTANCE FROM SOURCE          1.00 meters
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Attachment C

SWAPE Technical Consultation, Data Analysis and Litigation Support for the Environment

2656 29th Street, Suite 201
Santa Monica, CA 90405

Matt Hagemann, P.G, C.Hg.
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mhagemann@swape.com

Matthew F. Hagemann, P.G., C.Hg., QSD, QSP

Geologic and Hydrogeologic Characterization
Investigation and Remediation Strategies
Litigation Support and Testifying Expert
Industrial Stormwater Compliance
CEQA Review

Education:

M.S. Degree, Geology, California State University Los Angeles, Los Angeles, CA, 1984.
B.A. Degree, Geology, Humboldt State University, Arcata, CA, 1982.

Professional Certifications:

California Professional Geologist
California Certified Hydrogeologist
Qualified SWPPP Developer and Practitioner

Professional Experience:

Matt has 30 years of experience in environmental policy, contaminant assessment and remediation, stormwater compliance, and CEQA review. He spent nine years with the U.S. EPA in the RCRA and Superfund programs and served as EPA's Senior Science Policy Advisor in the Western Regional Office where he identified emerging threats to groundwater from perchlorate and MTBE. While with EPA, Matt also served as a Senior Hydrogeologist in the oversight of the assessment of seven major military facilities undergoing base closure. He led numerous enforcement actions under provisions of the Resource Conservation and Recovery Act (RCRA) and directed efforts to improve hydrogeologic characterization and water quality monitoring. For the past 15 years, as a founding partner with SWAPE, Matt has developed extensive client relationships and has managed complex projects that include consultation as an expert witness and a regulatory specialist, and a manager of projects ranging from industrial stormwater compliance to CEQA review of impacts from hazardous waste, air quality and greenhouse gas emissions.

Positions Matt has held include:

- Founding Partner, Soil/Water/Air Protection Enterprise (SWAPE) (2003 – present);
- Geology Instructor, Golden West College, 2010 – 2104, 2017;
- Senior Environmental Analyst, Komex H2O Science, Inc. (2000 -- 2003);

- Executive Director, Orange Coast Watch (2001 – 2004);
- Senior Science Policy Advisor and Hydrogeologist, U.S. Environmental Protection Agency (1989–1998);
- Hydrogeologist, National Park Service, Water Resources Division (1998 – 2000);
- Adjunct Faculty Member, San Francisco State University, Department of Geosciences (1993 – 1998);
- Instructor, College of Marin, Department of Science (1990 – 1995);
- Geologist, U.S. Forest Service (1986 – 1998); and
- Geologist, Dames & Moore (1984 – 1986).

Senior Regulatory and Litigation Support Analyst:

With SWAPE, Matt's responsibilities have included:

- Lead analyst and testifying expert in the review of over 300 environmental impact reports and negative declarations since 2003 under CEQA that identify significant issues with regard to hazardous waste, water resources, water quality, air quality, greenhouse gas emissions, and geologic hazards. Make recommendations for additional mitigation measures to lead agencies at the local and county level to include additional characterization of health risks and implementation of protective measures to reduce worker exposure to hazards from toxins and Valley Fever.
- Stormwater analysis, sampling and best management practice evaluation at more than 100 industrial facilities.
- Expert witness on numerous cases including, for example, perfluorooctanoic acid (PFOA) contamination of groundwater, MTBE litigation, air toxins at hazards at a school, CERCLA compliance in assessment and remediation, and industrial stormwater contamination.
- Technical assistance and litigation support for vapor intrusion concerns.
- Lead analyst and testifying expert in the review of environmental issues in license applications for large solar power plants before the California Energy Commission.
- Manager of a project to evaluate numerous formerly used military sites in the western U.S.
- Manager of a comprehensive evaluation of potential sources of perchlorate contamination in Southern California drinking water wells.
- Manager and designated expert for litigation support under provisions of Proposition 65 in the review of releases of gasoline to sources drinking water at major refineries and hundreds of gas stations throughout California.

With Komex H2O Science Inc., Matt's duties included the following:

- Senior author of a report on the extent of perchlorate contamination that was used in testimony by the former U.S. EPA Administrator and General Counsel.
- Senior researcher in the development of a comprehensive, electronically interactive chronology of MTBE use, research, and regulation.
- Senior researcher in the development of a comprehensive, electronically interactive chronology of perchlorate use, research, and regulation.
- Senior researcher in a study that estimates nationwide costs for MTBE remediation and drinking water treatment, results of which were published in newspapers nationwide and in testimony against provisions of an energy bill that would limit liability for oil companies.
- Research to support litigation to restore drinking water supplies that have been contaminated by MTBE in California and New York.

- Expert witness testimony in a case of oil production-related contamination in Mississippi.
- Lead author for a multi-volume remedial investigation report for an operating school in Los Angeles that met strict regulatory requirements and rigorous deadlines.
- Development of strategic approaches for cleanup of contaminated sites in consultation with clients and regulators.

Executive Director:

As Executive Director with Orange Coast Watch, Matt led efforts to restore water quality at Orange County beaches from multiple sources of contamination including urban runoff and the discharge of wastewater. In reporting to a Board of Directors that included representatives from leading Orange County universities and businesses, Matt prepared issue papers in the areas of treatment and disinfection of wastewater and control of the discharge of grease to sewer systems. Matt actively participated in the development of countywide water quality permits for the control of urban runoff and permits for the discharge of wastewater. Matt worked with other nonprofits to protect and restore water quality, including Surfrider, Natural Resources Defense Council and Orange County CoastKeeper as well as with business institutions including the Orange County Business Council.

Hydrogeology:

As a Senior Hydrogeologist with the U.S. Environmental Protection Agency, Matt led investigations to characterize and cleanup closing military bases, including Mare Island Naval Shipyard, Hunters Point Naval Shipyard, Treasure Island Naval Station, Alameda Naval Station, Moffett Field, Mather Army Airfield, and Sacramento Army Depot. Specific activities were as follows:

- Led efforts to model groundwater flow and contaminant transport, ensured adequacy of monitoring networks, and assessed cleanup alternatives for contaminated sediment, soil, and groundwater.
- Initiated a regional program for evaluation of groundwater sampling practices and laboratory analysis at military bases.
- Identified emerging issues, wrote technical guidance, and assisted in policy and regulation development through work on four national U.S. EPA workgroups, including the Superfund Groundwater Technical Forum and the Federal Facilities Forum.

At the request of the State of Hawaii, Matt developed a methodology to determine the vulnerability of groundwater to contamination on the islands of Maui and Oahu. He used analytical models and a GIS to show zones of vulnerability, and the results were adopted and published by the State of Hawaii and County of Maui.

As a hydrogeologist with the EPA Groundwater Protection Section, Matt worked with provisions of the Safe Drinking Water Act and NEPA to prevent drinking water contamination. Specific activities included the following:

- Received an EPA Bronze Medal for his contribution to the development of national guidance for the protection of drinking water.
- Managed the Sole Source Aquifer Program and protected the drinking water of two communities through designation under the Safe Drinking Water Act. He prepared geologic reports, conducted

public hearings, and responded to public comments from residents who were very concerned about the impact of designation.

- Reviewed a number of Environmental Impact Statements for planned major developments, including large hazardous and solid waste disposal facilities, mine reclamation, and water transfer.

Matt served as a hydrogeologist with the RCRA Hazardous Waste program. Duties were as follows:

- Supervised the hydrogeologic investigation of hazardous waste sites to determine compliance with Subtitle C requirements.
- Reviewed and wrote "part B" permits for the disposal of hazardous waste.
- Conducted RCRA Corrective Action investigations of waste sites and led inspections that formed the basis for significant enforcement actions that were developed in close coordination with U.S. EPA legal counsel.
- Wrote contract specifications and supervised contractor's investigations of waste sites.

With the National Park Service, Matt directed service-wide investigations of contaminant sources to prevent degradation of water quality, including the following tasks:

- Applied pertinent laws and regulations including CERCLA, RCRA, NEPA, NRDA, and the Clean Water Act to control military, mining, and landfill contaminants.
- Conducted watershed-scale investigations of contaminants at parks, including Yellowstone and Olympic National Park.
- Identified high-levels of perchlorate in soil adjacent to a national park in New Mexico and advised park superintendent on appropriate response actions under CERCLA.
- Served as a Park Service representative on the Interagency Perchlorate Steering Committee, a national workgroup.
- Developed a program to conduct environmental compliance audits of all National Parks while serving on a national workgroup.
- Co-authored two papers on the potential for water contamination from the operation of personal watercraft and snowmobiles, these papers serving as the basis for the development of nation-wide policy on the use of these vehicles in National Parks.
- Contributed to the Federal Multi-Agency Source Water Agreement under the Clean Water Action Plan.

Policy:

Served senior management as the Senior Science Policy Advisor with the U.S. Environmental Protection Agency, Region 9.

Activities included the following:

- Advised the Regional Administrator and senior management on emerging issues such as the potential for the gasoline additive MTBE and ammonium perchlorate to contaminate drinking water supplies.
- Shaped EPA's national response to these threats by serving on workgroups and by contributing to guidance, including the Office of Research and Development publication, Oxygenates in Water: Critical Information and Research Needs.
- Improved the technical training of EPA's scientific and engineering staff.
- Earned an EPA Bronze Medal for representing the region's 300 scientists and engineers in negotiations with the Administrator and senior management to better integrate scientific

principles into the policy-making process.
- Established national protocol for the peer review of scientific documents.

Geology:

With the U.S. Forest Service, Matt led investigations to determine hillslope stability of areas proposed for timber harvest in the central Oregon Coast Range. Specific activities were as follows:

- Mapped geology in the field, and used aerial photographic interpretation and mathematical models to determine slope stability.
- Coordinated his research with community members who were concerned with natural resource protection.
- Characterized the geology of an aquifer that serves as the sole source of drinking water for the city of Medford, Oregon.

As a consultant with Dames and Moore, Matt led geologic investigations of two contaminated sites (later listed on the Superfund NPL) in the Portland, Oregon, area and a large hazardous waste site in eastern Oregon. Duties included the following:

- Supervised year-long effort for soil and groundwater sampling.
- Conducted aquifer tests.
- Investigated active faults beneath sites proposed for hazardous waste disposal.

Teaching:

From 1990 to 1998, Matt taught at least one course per semester at the community college and university levels:

- At San Francisco State University, held an adjunct faculty position and taught courses in environmental geology, oceanography (lab and lecture), hydrogeology, and groundwater contamination.
- Served as a committee member for graduate and undergraduate students.
- Taught courses in environmental geology and oceanography at the College of Marin.

Matt is currently a part time geology instructor at Golden West College in Huntington Beach, California where he taught from 2010 to 2014 and in 2017.

Invited Testimony, Reports, Papers and Presentations:

Hagemann, M.F., 2008. Disclosure of Hazardous Waste Issues under CEQA. Presentation to the Public Environmental Law Conference, Eugene, Oregon.

Hagemann, M.F., 2008. Disclosure of Hazardous Waste Issues under CEQA. Invited presentation to U.S. EPA Region 9, San Francisco, California.

Hagemann, M.F., 2005. Use of Electronic Databases in Environmental Regulation, Policy Making and Public Participation. Brownfields 2005, Denver, Coloradao.

Hagemann, M.F., 2004. Perchlorate Contamination of the Colorado River and Impacts to Drinking Water in Nevada and the Southwestern U.S. Presentation to a meeting of the American Groundwater Trust, Las Vegas, NV (served on conference organizing committee).

Hagemann, M.F., 2004. Invited testimony to a California Senate committee hearing on air toxins at schools in Southern California, Los Angeles.

Brown, A., Farrow, J., Gray, A. and **Hagemann, M.**, 2004. An Estimate of Costs to Address MTBE Releases from Underground Storage Tanks and the Resulting Impact to Drinking Water Wells. Presentation to the Ground Water and Environmental Law Conference, National Groundwater Association.

Hagemann, M.F., 2004. Perchlorate Contamination of the Colorado River and Impacts to Drinking Water in Arizona and the Southwestern U.S. Presentation to a meeting of the American Groundwater Trust, Phoenix, AZ (served on conference organizing committee).

Hagemann, M.F., 2003. Perchlorate Contamination of the Colorado River and Impacts to Drinking Water in the Southwestern U.S. Invited presentation to a special committee meeting of the National Academy of Sciences, Irvine, CA.

Hagemann, M.F., 2003. Perchlorate Contamination of the Colorado River. Invited presentation to a tribal EPA meeting, Pechanga, CA.

Hagemann, M.F., 2003. Perchlorate Contamination of the Colorado River. Invited presentation to a meeting of tribal repesentatives, Parker, AZ.

Hagemann, M.F., 2003. Impact of Perchlorate on the Colorado River and Associated Drinking Water Supplies. Invited presentation to the Inter-Tribal Meeting, Torres Martinez Tribe.

Hagemann, M.F., 2003. The Emergence of Perchlorate as a Widespread Drinking Water Contaminant. Invited presentation to the U.S. EPA Region 9.

Hagemann, M.F., 2003. A Deductive Approach to the Assessment of Perchlorate Contamination. Invited presentation to the California Assembly Natural Resources Committee.

Hagemann, M.F., 2003. Perchlorate: A Cold War Legacy in Drinking Water. Presentation to a meeting of the National Groundwater Association.

Hagemann, M.F., 2002. From Tank to Tap: A Chronology of MTBE in Groundwater. Presentation to a meeting of the National Groundwater Association.

Hagemann, M.F., 2002. A Chronology of MTBE in Groundwater and an Estimate of Costs to Address Impacts to Groundwater. Presentation to the annual meeting of the Society of Environmental Journalists.

Hagemann, M.F., 2002. An Estimate of the Cost to Address MTBE Contamination in Groundwater (and Who Will Pay). Presentation to a meeting of the National Groundwater Association.

Hagemann, M.F., 2002. An Estimate of Costs to Address MTBE Releases from Underground Storage Tanks and the Resulting Impact to Drinking Water Wells. Presentation to a meeting of the U.S. EPA and State Underground Storage Tank Program managers.

Hagemann, M.F., 2001. From Tank to Tap: A Chronology of MTBE in Groundwater. Unpublished report.

Hagemann, M.F., 2001. Estimated Cleanup Cost for MTBE in Groundwater Used as Drinking Water. Unpublished report.

Hagemann, M.F., 2001. Estimated Costs to Address MTBE Releases from Leaking Underground Storage Tanks. Unpublished report.

Hagemann, M.F., and VanMouwerik, M., 1999. Potential Water Quality Concerns Related to Snowmobile Usage. Water Resources Division, National Park Service, Technical Report.

VanMouwerik, M. and **Hagemann, M.F**. 1999, Water Quality Concerns Related to Personal Watercraft Usage. Water Resources Division, National Park Service, Technical Report.

Hagemann, M.F., 1999, Is Dilution the Solution to Pollution in National Parks? The George Wright Society Biannual Meeting, Asheville, North Carolina.

Hagemann, M.F., 1997, The Potential for MTBE to Contaminate Groundwater. U.S. EPA Superfund Groundwater Technical Forum Annual Meeting, Las Vegas, Nevada.

Hagemann, M.F., and Gill, M., 1996, Impediments to Intrinsic Remediation, Moffett Field Naval Air Station, Conference on Intrinsic Remediation of Chlorinated Hydrocarbons, Salt Lake City.

Hagemann, M.F., Fukunaga, G.L., 1996, The Vulnerability of Groundwater to Anthropogenic Contaminants on the Island of Maui, Hawaii. Hawaii Water Works Association Annual Meeting, Maui, October 1996.

Hagemann, M. F., Fukanaga, G. L., 1996, Ranking Groundwater Vulnerability in Central Oahu, Hawaii. Proceedings, Geographic Information Systems in Environmental Resources Management, Air and Waste Management Association Publication VIP-61.

Hagemann, M.F., 1994. Groundwater Characterization and Cleanup at Closing Military Bases in California. Proceedings, California Groundwater Resources Association Meeting.

Hagemann, M.F. and Sabol, M.A., 1993. Role of the U.S. EPA in the High Plains States Groundwater Recharge Demonstration Program. Proceedings, Sixth Biennial Symposium on the Artificial Recharge of Groundwater.

Hagemann, M.F., 1993. U.S. EPA Policy on the Technical Impracticability of the Cleanup of DNAPL-contaminated Groundwater. California Groundwater Resources Association Meeting.

Hagemann, M.F., 1992. Dense Nonaqueous Phase Liquid Contamination of Groundwater: An Ounce of Prevention... Proceedings, Association of Engineering Geologists Annual Meeting, v. 35.

Other Experience:

Selected as subject matter expert for the California Professional Geologist licensing examinations, 2009-2011.

Attachment D

SWAPE Technical Consultation, Data Analysis and Litigation Support for the Environment

SOIL WATER AIR PROTECTION ENTERPRISE
2656 29th Street, Suite 201
Santa Monica, California 90405
Attn: Paul Rosenfeld, Ph.D.
Mobil: (310) 795-2335
Office: (310) 452-5555
Fax: (310) 452-5550
Email: prosenfeld@swape.com

Paul Rosenfeld, Ph.D.

Chemical Fate and Transport & Air Dispersion Modeling

Principal Environmental Chemist

Risk Assessment & Remediation Specialist

Education

Ph.D. Soil Chemistry, University of Washington, 1999. Dissertation on volatile organic compound filtration.

M.S. Environmental Science, U.C. Berkeley, 1995. Thesis on organic waste economics.

B.A. Environmental Studies, U.C. Santa Barbara, 1991. Focus on wastewater treatment.

Professional Experience

Dr. Rosenfeld has over 25 years of experience conducting environmental investigations and risk assessments for evaluating impacts to human health, property, and ecological receptors. His expertise focuses on the fate and transport of environmental contaminants, human health risk, exposure assessment, and ecological restoration. Dr. Rosenfeld has evaluated and modeled emissions from oil spills, landfills, boilers and incinerators, process stacks, storage tanks, confined animal feeding operations, industrial, military and agricultural sources, unconventional oil drilling operations, and locomotive and construction engines. His project experience ranges from monitoring and modeling of pollution sources to evaluating impacts of pollution on workers at industrial facilities and residents in surrounding communities. Dr. Rosenfeld has also successfully modeled exposure to contaminants distributed by water systems and via vapor intrusion.

Dr. Rosenfeld has investigated and designed remediation programs and risk assessments for contaminated sites containing lead, heavy metals, mold, bacteria, particulate matter, petroleum hydrocarbons, chlorinated solvents, pesticides, radioactive waste, dioxins and furans, semi- and volatile organic compounds, PCBs, PAHs, creosote, perchlorate, asbestos, per- and poly-fluoroalkyl substances (PFOA/PFOS), unusual polymers, fuel oxygenates (MTBE), among other pollutants. Dr. Rosenfeld also has experience evaluating greenhouse gas emissions from various projects and is an expert on the assessment of odors from industrial and agricultural sites, as well as the evaluation of odor nuisance impacts and technologies for abatement of odorous emissions. As a principal scientist at SWAPE, Dr. Rosenfeld directs air dispersion modeling and exposure assessments. He has served as an expert witness and testified about pollution sources causing nuisance and/or personal injury at sites and has testified as an expert witness on numerous cases involving exposure to soil, water and air contaminants from industrial, railroad, agricultural, and military sources.

Professional History:

Soil Water Air Protection Enterprise (SWAPE); 2003 to present; Principal and Founding Partner
UCLA School of Public Health; 2007 to 2011; Lecturer (Assistant Researcher)
UCLA School of Public Health; 2003 to 2006; Adjunct Professor
UCLA Environmental Science and Engineering Program; 2002-2004; Doctoral Intern Coordinator
UCLA Institute of the Environment, 2001-2002; Research Associate
Komex H_2O Science, 2001 to 2003; Senior Remediation Scientist
National Groundwater Association, 2002-2004; Lecturer
San Diego State University, 1999-2001; Adjunct Professor
Anteon Corp., San Diego, 2000-2001; Remediation Project Manager
Ogden (now Amec), San Diego, 2000-2000; Remediation Project Manager
Bechtel, San Diego, California, 1999 – 2000; Risk Assessor
King County, Seattle, 1996 – 1999; Scientist
James River Corp., Washington, 1995-96; Scientist
Big Creek Lumber, Davenport, California, 1995; Scientist
Plumas Corp., California and USFS, Tahoe 1993-1995; Scientist
Peace Corps and World Wildlife Fund, St. Kitts, West Indies, 1991-1993; Scientist

Publications:

Rosenfeld P. E., Spaeth K., Hallman R., Bressler R., Smith, G., (2022) Cancer Risk and Diesel Exhaust Exposure Among Railroad Workers. *Water Air Soil Pollution.* **233,** 171.

Remy, L.L., Clay T., Byers, V., **Rosenfeld P. E.** (2019) Hospital, Health, and Community Burden After Oil Refinery Fires, Richmond, California 2007 and 2012. *Environmental Health.* 18:48

Simons, R.A., Seo, Y. **Rosenfeld, P**., (2015) Modeling the Effect of Refinery Emission On Residential Property Value. Journal of Real Estate Research. 27(3):321-342

Chen, J. A, Zapata A. R., Sutherland A. J., Molmen, D.R., Chow, B. S., Wu, L. E., **Rosenfeld, P. E.,** Hesse, R. C., (2012) Sulfur Dioxide and Volatile Organic Compound Exposure To A Community In Texas City Texas Evaluated Using Aermod and Empirical Data. *American Journal of Environmental Science*, 8(6), 622-632.

Rosenfeld, P.E. & Feng, L. (2011). *The Risks of Hazardous Waste.* Amsterdam: Elsevier Publishing.

Cheremisinoff, N.P., & **Rosenfeld, P.E.** (2011). *Handbook of Pollution Prevention and Cleaner Production: Best Practices in the Agrochemical Industry*, Amsterdam: Elsevier Publishing.

Gonzalez, J., Feng, L., Sutherland, A., Waller, C., Sok, H., Hesse, R., **Rosenfeld, P.** (2010). PCBs and Dioxins/Furans in Attic Dust Collected Near Former PCB Production and Secondary Copper Facilities in Sauget, IL. *Procedia Environmental Sciences*. 113–125.

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Cheremisinoff, N.P., & **Rosenfeld, P.E.** (2010). *Handbook of Pollution Prevention and Cleaner Production: Best Practices in the Wood and Paper Industries.* Amsterdam: Elsevier Publishing.

Cheremisinoff, N.P., & **Rosenfeld, P.E.** (2009). *Handbook of Pollution Prevention and Cleaner Production: Best Practices in the Petroleum Industry*. Amsterdam: Elsevier Publishing.

Wu, C., Tam, L., Clark, J., **Rosenfeld, P**. (2009). Dioxin and furan blood lipid concentrations in populations living near four wood treatment facilities in the United States. *WIT Transactions on Ecology and the Environment, Air Pollution,* 123 (17), 319-327.

Tam L. K.., Wu C. D., Clark J. J. and **Rosenfeld, P.E.** (2008). A Statistical Analysis Of Attic Dust And Blood Lipid Concentrations Of Tetrachloro-p-Dibenzodioxin (TCDD) Toxicity Equivalency Quotients (TEQ) In Two Populations Near Wood Treatment Facilities. *Organohalogen Compounds*, 70, 002252-002255.

Tam L. K.., Wu C. D., Clark J. J. and **Rosenfeld, P.E.** (2008). Methods For Collect Samples For Assessing Dioxins And Other Environmental Contaminants In Attic Dust: A Review. *Organohalogen Compounds*, 70, 000527-000530.

Hensley, A.R. A. Scott, J. J. J. Clark, **Rosenfeld, P.E.** (2007). Attic Dust and Human Blood Samples Collected near a Former Wood Treatment Facility. *Environmental Research*. 105, 194-197.

Rosenfeld, P.E., J. J. J. Clark, A. R. Hensley, M. Suffet. (2007). The Use of an Odor Wheel Classification for Evaluation of Human Health Risk Criteria for Compost Facilities. *Water Science & Technology* 55(5), 345-357.

Rosenfeld, P. E., M. Suffet. (2007). The Anatomy Of Odour Wheels For Odours Of Drinking Water, Wastewater, Compost And The Urban Environment. *Water Science & Technology* 55(5), 335-344.

Sullivan, P. J. Clark, J.J.J., Agardy, F. J., **Rosenfeld, P.E.** (2007). *Toxic Legacy, Synthetic Toxins in the Food, Water, and Air in American Cities.* Boston Massachusetts: Elsevier Publishing

Rosenfeld, P.E., and Suffet I.H. (2004). Control of Compost Odor Using High Carbon Wood Ash. *Water Science and Technology*. 49(9),171-178.

Rosenfeld P. E., J.J. Clark, I.H. (Mel) Suffet (2004). The Value of An Odor-Quality-Wheel Classification Scheme For The Urban Environment. *Water Environment Federation's Technical Exhibition and Conference (WEFTEC) 2004.* New Orleans, October 2-6, 2004.

Rosenfeld, P.E., and Suffet, I.H. (2004). Understanding Odorants Associated With Compost, Biomass Facilities, and the Land Application of Biosolids. *Water Science and Technology*. 49(9), 193-199.

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Rosenfeld, P. E., Grey, M. A., Sellew, P. (2004). Measurement of Biosolids Odor and Odorant Emissions from Windrows, Static Pile and Biofilter. *Water Environment Research*. 76(4), 310-315.

Rosenfeld, P.E., Grey, M and Suffet, M. (2002). Compost Demonstration Project, Sacramento California Using High-Carbon Wood Ash to Control Odor at a Green Materials Composting Facility. *Integrated Waste Management Board Public Affairs Office*, Publications Clearinghouse (MS–6), Sacramento, CA Publication #442-02-008.

Rosenfeld, P.E., and C.L. Henry. (2001). Characterization of odor emissions from three different biosolids. *Water Soil and Air Pollution*. 127(1-4), 173-191.

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Rosenfeld, P. E. (1991). How to Build a Small Rural Anaerobic Digester & Uses Of Biogas In The First And Third World. Bachelors Thesis. University of California.

Presentations:

Rosenfeld, P.E., "The science for Perfluorinated Chemicals (PFAS): What makes remediation so hard?" Law Seminars International, (May 9-10, 2018) 800 Fifth Avenue, Suite 101 Seattle, WA.

Rosenfeld, P.E., Sutherland, A; Hesse, R.; Zapata, A. (October 3-6, 2013). Air dispersion modeling of volatile organic emissions from multiple natural gas wells in Decatur, TX. *44th Western Regional Meeting, American Chemical Society.* Lecture conducted from Santa Clara, CA.

Sok, H.L.; Waller, C.C.; Feng, L.; Gonzalez, J.; Sutherland, A.J.; Wisdom-Stack, T.; Sahai, R.K.; Hesse, R.C.; **Rosenfeld, P.E.** (June 20-23, 2010). Atrazine: A Persistent Pesticide in Urban Drinking Water. *Urban Environmental Pollution*. Lecture conducted from Boston, MA.

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Rosenfeld, P.E. (April 19-23, 2009). Perfluoroctanoic Acid (PFOA) and Perfluoroactane Sulfonate (PFOS) Contamination in Drinking Water From the Use of Aqueous Film Forming Foams (AFFF) at Airports in the United States. *2009 Ground Water Summit and 2009 Ground Water Protection Council Spring Meeting*, Lecture conducted from Tuscon, AZ.

Rosenfeld, P.E. (April 19-23, 2009). Cost to Filter Atrazine Contamination from Drinking Water in the United States" Contamination in Drinking Water From the Use of Aqueous Film Forming Foams (AFFF) at Airports in the United States. *2009 Ground Water Summit and 2009 Ground Water Protection Council Spring Meeting*. Lecture conducted from Tuscon, AZ.

Wu, C., Tam, L., Clark, J., **Rosenfeld, P**. (20-22 July, 2009). Dioxin and furan blood lipid concentrations in populations living near four wood treatment facilities in the United States. Brebbia, C.A. and Popov, V., eds., *Air Pollution XVII: Proceedings of the Seventeenth International Conference on Modeling, Monitoring and Management of Air Pollution*. Lecture conducted from Tallinn, Estonia.

Rosenfeld, P. E. (October 15-18, 2007). Moss Point Community Exposure To Contaminants From A Releasing Facility. *The 23rd Annual International Conferences on Soils Sediment and Water.* Platform lecture conducted from University of Massachusetts, Amherst MA.

Rosenfeld, P. E. (October 15-18, 2007). The Repeated Trespass of Tritium-Contaminated Water Into A Surrounding Community Form Repeated Waste Spills From A Nuclear Power Plant. *The 23rd Annual International Conferences on Soils Sediment and Water*. Platform lecture conducted from University of Massachusetts, Amherst MA.

Rosenfeld, P. E. (October 15-18, 2007). Somerville Community Exposure To Contaminants From Wood Treatment Facility Emissions. The *23rd Annual International Conferences on Soils Sediment and Water*. Lecture conducted from University of Massachusetts, Amherst MA.

Rosenfeld P. E. (March 2007). Production, Chemical Properties, Toxicology, & Treatment Case Studies of 1,2,3-Trichloropropane (TCP). *The Association for Environmental Health and Sciences (AEHS) Annual Meeting*. Lecture conducted from San Diego, CA.

Rosenfeld P. E. (March 2007). Blood and Attic Sampling for Dioxin/Furan, PAH, and Metal Exposure in Florala, Alabama. *The AEHS Annual Meeting.* Lecture conducted from San Diego, CA.

Hensley A.R., Scott, A., **Rosenfeld P.E.,** Clark, J.J.J. (August 21 – 25, 2006). Dioxin Containing Attic Dust And Human Blood Samples Collected Near A Former Wood Treatment Facility. *The 26th International Symposium on Halogenated Persistent Organic Pollutants – DIOXIN2006*. Lecture conducted from Radisson SAS Scandinavia Hotel in Oslo Norway.

Hensley A.R., Scott, A., **Rosenfeld P.E.,** Clark, J.J.J. (November 4-8, 2006). Dioxin Containing Attic Dust And Human Blood Samples Collected Near A Former Wood Treatment Facility. *APHA 134 Annual Meeting & Exposition.* Lecture conducted from Boston Massachusetts.

Paul Rosenfeld Ph.D. (October 24-25, 2005). Fate, Transport and Persistence of PFOA and Related Chemicals. Mealey's C8/PFOA. *Science, Risk & Litigation Conference.* Lecture conducted from The Rittenhouse Hotel, Philadelphia, PA.

Paul Rosenfeld Ph.D. (September 19, 2005). Brominated Flame Retardants in Groundwater: Pathways to Human Ingestion, *Toxicology and Remediation PEMA Emerging Contaminant Conference*. Lecture conducted from Hilton Hotel, Irvine California.

Paul Rosenfeld Ph.D. (September 19, 2005). Fate, Transport, Toxicity, And Persistence of 1,2,3-TCP. *PEMA Emerging Contaminant Conference.* Lecture conducted from Hilton Hotel in Irvine, California.

Paul Rosenfeld Ph.D. (September 26-27, 2005). Fate, Transport and Persistence of PDBEs. *Mealey's Groundwater Conference.* Lecture conducted from Ritz Carlton Hotel, Marina Del Ray, California.

Paul Rosenfeld Ph.D. (June 7-8, 2005). Fate, Transport and Persistence of PFOA and Related Chemicals. *International Society of Environmental Forensics: Focus On Emerging Contaminants*. Lecture conducted from Sheraton Oceanfront Hotel, Virginia Beach, Virginia.

Paul Rosenfeld Ph.D. (July 21-22, 2005). Fate Transport, Persistence and Toxicology of PFOA and Related Perfluorochemicals. *2005 National Groundwater Association Ground Water And Environmental Law Conference*. Lecture conducted from Wyndham Baltimore Inner Harbor, Baltimore Maryland.

Paul Rosenfeld Ph.D. (July 21-22, 2005). Brominated Flame Retardants in Groundwater: Pathways to Human Ingestion, Toxicology and Remediation. *2005 National Groundwater Association Ground Water and Environmental Law Conference.* Lecture conducted from Wyndham Baltimore Inner Harbor, Baltimore Maryland.

Paul Rosenfeld, Ph.D. and James Clark Ph.D. and Rob Hesse R.G. (May 5-6, 2004). Tert-butyl Alcohol Liability and Toxicology, A National Problem and Unquantified Liability. *National Groundwater Association. Environmental Law Conference*. Lecture conducted from Congress Plaza Hotel, Chicago Illinois.

Paul Rosenfeld, Ph.D. (March 2004). Perchlorate Toxicology. *Meeting of the American Groundwater Trust*. Lecture conducted from Phoenix Arizona.

Hagemann, M.F., **Paul Rosenfeld, Ph.D.** and Rob Hesse (2004). Perchlorate Contamination of the Colorado River. *Meeting of tribal representatives*. Lecture conducted from Parker, AZ.

Paul Rosenfeld, Ph.D. (April 7, 2004). A National Damage Assessment Model For PCE and Dry Cleaners. *Drycleaner Symposium. California Ground Water Association*. Lecture conducted from Radison Hotel, Sacramento, California.

Rosenfeld, P. E., Grey, M., (June 2003) Two stage biofilter for biosolids composting odor control. *Seventh International In Situ And On Site Bioremediation Symposium Battelle Conference* Orlando, FL.

Paul Rosenfeld, Ph.D. and James Clark Ph.D. (February 20-21, 2003) Understanding Historical Use, Chemical Properties, Toxicity and Regulatory Guidance of 1,4 Dioxane. *National Groundwater Association. Southwest Focus Conference. Water Supply and Emerging Contaminants*.. Lecture conducted from Hyatt Regency Phoenix Arizona.

Paul Rosenfeld, Ph.D. (February 6-7, 2003). Underground Storage Tank Litigation and Remediation. *California CUPA Forum*. Lecture conducted from Marriott Hotel, Anaheim California.

Paul Rosenfeld, Ph.D. (October 23, 2002) Underground Storage Tank Litigation and Remediation. *EPA Underground Storage Tank Roundtable*. Lecture conducted from Sacramento California.

Rosenfeld, P.E. and Suffet, M. (October 7- 10, 2002). Understanding Odor from Compost, *Wastewater and Industrial Processes. Sixth Annual Symposium On Off Flavors in the Aquatic Environment. International Water Association*. Lecture conducted from Barcelona Spain.

Rosenfeld, P.E. and Suffet, M. (October 7- 10, 2002). Using High Carbon Wood Ash to Control Compost Odor. *Sixth Annual Symposium On Off Flavors in the Aquatic Environment. International Water Association*. Lecture conducted from Barcelona Spain.

Rosenfeld, P.E. and Grey, M. A. (September 22-24, 2002). Biocycle Composting For Coastal Sage Restoration. *Northwest Biosolids Management Association*. Lecture conducted from Vancouver Washington..

Rosenfeld, P.E. and Grey, M. A. (November 11-14, 2002). Using High-Carbon Wood Ash to Control Odor at a Green Materials Composting Facility. *Soil Science Society Annual Conferenc*e. Lecture conducted from Indianapolis, Maryland.

Rosenfeld. P.E. (September 16, 2000). Two stage biofilter for biosolids composting odor control. *Water Environment Federation.* Lecture conducted from Anaheim California.

Rosenfeld. P.E. (October 16, 2000). Wood ash and biofilter control of compost odor. *Biofest.* Lecture conducted from Ocean Shores, California.

Rosenfeld, P.E. (2000). Bioremediation Using Organic Soil Amendments. *California Resource Recovery Association*. Lecture conducted from Sacramento California.

Rosenfeld, P.E., C.L. Henry, R. Harrison. (1998). Oat and Grass Seed Germination and Nitrogen and Sulfur Emissions Following Biosolids Incorporation With High-Carbon Wood-Ash. *Water Environment Federation 12th Annual Residuals and Biosolids Management Conference Proceedings*. Lecture conducted from Bellevue Washington.

Rosenfeld, P.E., and C.L. Henry. (1999). An evaluation of ash incorporation with biosolids for odor reduction. *Soil Science Society of America*. Lecture conducted from Salt Lake City Utah.

Rosenfeld, P.E., C.L. Henry, R. Harrison. (1998). Comparison of Microbial Activity and Odor Emissions from Three Different Biosolids Applied to Forest Soil. *Brown and Caldwell.* Lecture conducted from Seattle Washington.

Rosenfeld, P.E., C.L. Henry. (1998). Characterization, Quantification, and Control of Odor Emissions from Biosolids Application To Forest Soil. *Biofest.* Lecture conducted from Lake Chelan, Washington.

Rosenfeld, P.E, C.L. Henry, R. Harrison. (1998). Oat and Grass Seed Germination and Nitrogen and Sulfur Emissions Following Biosolids Incorporation With High-Carbon Wood-Ash. Water Environment Federation 12th Annual Residuals and Biosolids Management Conference Proceedings. Lecture conducted from Bellevue Washington.

Rosenfeld, P.E., C.L. Henry, R. B. Harrison, and R. Dills. (1997). Comparison of Odor Emissions From Three Different Biosolids Applied to Forest Soil. *Soil Science Society of America*. Lecture conducted from Anaheim California.

Teaching Experience:

UCLA Department of Environmental Health (Summer 2003 through 20010) Taught Environmental Health Science 100 to students, including undergrad, medical doctors, public health professionals and nurses. Course focused on the health effects of environmental contaminants.

National Ground Water Association, Successful Remediation Technologies. Custom Course in Sante Fe, New Mexico. May 21, 2002. Focused on fate and transport of fuel contaminants associated with underground storage tanks.

National Ground Water Association; Successful Remediation Technologies Course in Chicago Illinois. April 1, 2002. Focused on fate and transport of contaminants associated with Superfund and RCRA sites.

California Integrated Waste Management Board, April and May, 2001. Alternative Landfill Caps Seminar in San Diego, Ventura, and San Francisco. Focused on both prescriptive and innovative landfill cover design.

UCLA Department of Environmental Engineering, February 5, 2002. Seminar on Successful Remediation Technologies focusing on Groundwater Remediation.

University Of Washington, Soil Science Program, Teaching Assistant for several courses including: Soil Chemistry, Organic Soil Amendments, and Soil Stability.

U.C. Berkeley, Environmental Science Program Teaching Assistant for Environmental Science 10.

Academic Grants Awarded:

California Integrated Waste Management Board. $41,000 grant awarded to UCLA Institute of the Environment. Goal: To investigate effect of high carbon wood ash on volatile organic emissions from compost. 2001.

Synagro Technologies, Corona California: $10,000 grant awarded to San Diego State University.
Goal: investigate effect of biosolids for restoration and remediation of degraded coastal sage soils. 2000.

King County, Department of Research and Technology, Washington State. $100,000 grant awarded to University of Washington: Goal: To investigate odor emissions from biosolids application and the effect of polymers and ash on VOC emissions. 1998.

Northwest Biosolids Management Association, Washington State. $20,000 grant awarded to investigate effect of polymers and ash on VOC emissions from biosolids. 1997.

James River Corporation, Oregon: $10,000 grant was awarded to investigate the success of genetically engineered Poplar trees with resistance to round-up. 1996.

United State Forest Service, Tahoe National Forest: $15,000 grant was awarded to investigating fire ecology of the Tahoe National Forest. 1995.

Kellogg Foundation, Washington D.C. $500 grant was awarded to construct a large anaerobic digester on St. Kitts in West Indies. 1993

Deposition and/or Trial Testimony:

In the Superior Court of the State of California, County of San Bernardino
Billy Wildrick, Plaintiff vs. BNSF Railway Company
Case No. CIVDS1711810
Rosenfeld Deposition 10-17-2022

In the State Court of Bibb County, State of Georgia
Richard Hutcherson, Plaintiff vs Norfolk Southern Railway Company
Case No. 10-SCCV-092007
Rosenfeld Deposition 10-6-2022

In the Civil District Court of the Parish of Orleans, State of Louisiana
Millard Clark, Plaintiff vs. Dixie Carriers, Inc. et al.
Case No. 2020-03891
Rosenfeld Deposition 9-15-2022

In The Circuit Court of Livingston County, State of Missouri, Circuit Civil Division
Shirley Ralls, Plaintiff vs. Canadian Pacific Railway and Soo Line Railroad
Case No. 18-LV-CC0020
Rosenfeld Deposition 9-7-2022

In The Circuit Court of the 13th Judicial Circuit Court, Hillsborough County, Florida Civil Division
Jonny C. Daniels, Plaintiff vs. CSX Transportation Inc.
Case No. 20-CA-5502
Rosenfeld Deposition 9-1-2022

In The Circuit Court of St. Louis County, State of Missouri
Kieth Luke et. al. Plaintiff vs. Monsanto Company et. al.
Case No. 19SL-CC03191
Rosenfeld Deposition 8-25-2022

In The Circuit Court of the 13th Judicial Circuit Court, Hillsborough County, Florida Civil Division
Jeffery S. Lamotte, Plaintiff vs. CSX Transportation Inc.
Case No. NO. 20-CA-0049
Rosenfeld Deposition 8-22-2022

In State of Minnesota District Court, County of St. Louis Sixth Judicial District
Greg Bean, Plaintiff vs. Soo Line Railroad Company
Case No. 69-DU-CV-21-760
Rosenfeld Deposition 8-17-2022

In United States District Court Western District of Washington at Tacoma, Washington
John D. Fitzgerald Plaintiff vs. BNSF
Case No. 3:21-cv-05288-RJB
Rosenfeld Deposition 8-11-2022

In Circuit Court of the Sixth Judicial Circuit, Macon Illinois
Rocky Bennyhoff Plaintiff vs. Norfolk Southern
Case No. 20-L-56
Rosenfeld Deposition 8-3-2022

In Court of Common Pleas, Hamilton County Ohio
Joe Briggins Plaintiff vs. CSX
Case No. A2004464
Rosenfeld Deposition 6-17-2022

In the Superior Court of the State of California, County of Kern
George LaFazia vs. BNSF Railway Company.
Case No. BCV-19-103087
Rosenfeld Deposition 5-17-2022

In the Circuit Court of Cook County Illinois
Bobby Earles vs. Penn Central et. al.
Case No. 2020-L-000550
Rosenfeld Deposition 4-16-2022

In United States District Court Easter District of Florida
Albert Hartman Plaintiff vs. Illinois Central
Case No. 2:20-cv-1633
Rosenfeld Deposition 4-4-2022

In the Circuit Court of the 4th Judicial Circuit, in and For Duval County, Florida
Barbara Steele vs. CSX Transportation
Case No.16-219-Ca-008796
Rosenfeld Deposition 3-15-2022

In United States District Court Easter District of New York
Romano et al. vs. Northrup Grumman Corporation
Case No. 16-cv-5760
Rosenfeld Deposition 3-10-2022

In the Circuit Court of Cook County Illinois
Linda Benjamin vs. Illinois Central
Case No. No. 2019 L 007599
Rosenfeld Deposition 1-26-2022

In the Circuit Court of Cook County Illinois
Donald Smith vs. Illinois Central
Case No. No. 2019 L 003426
Rosenfeld Deposition 1-24-2022

In the Circuit Court of Cook County Illinois
Jan Holeman vs. BNSF
Case No. 2019 L 000675
Rosenfeld Deposition 1-18-2022

In the State Court of Bibb County State of Georgia
Dwayne B. Garrett vs. Norfolk Southern
Case No. 20-SCCV-091232
Rosenfeld Deposition 11-10-2021

In the Circuit Court of Cook County Illinois
Joseph Ruepke vs. BNSF
Case No. 2019 L 007730
Rosenfeld Deposition 11-5-2021

In the United States District Court For the District of Nebraska
Steven Gillett vs. BNSF
Case No. 4:20-cv-03120
Rosenfeld Deposition 10-28-2021

In the Montana Thirteenth District Court of Yellowstone County
James Eadus vs. Soo Line Railroad and BNSF
Case No. DV 19-1056
Rosenfeld Deposition 10-21-2021

In the Circuit Court Of The Twentieth Judicial Circuit, St Clair County, Illinois
Martha Custer et al.cvs. Cerro Flow Products, Inc.
Case No. 0i9-L-2295
Rosenfeld Deposition 5-14-2021
Trial October 8-4-2021

In the Circuit Court of Cook County Illinois
Joseph Rafferty vs. Consolidated Rail Corporation and National Railroad Passenger Corporation d/b/a AMTRAK,
Case No. 18-L-6845
Rosenfeld Deposition 6-28-2021

In the United States District Court For the Northern District of Illinois
Theresa Romcoe vs. Northeast Illinois Regional Commuter Railroad Corporation d/b/a METRA Rail
Case No. 17-cv-8517
Rosenfeld Deposition 5-25-2021

In the Superior Court of the State of Arizona In and For the Cunty of Maricopa
Mary Tryon et al. vs. The City of Pheonix v. Cox Cactus Farm, L.L.C., Utah Shelter Systems, Inc.
Case No. CV20127-094749
Rosenfeld Deposition 5-7-2021

In the United States District Court for the Eastern District of Texas Beaumont Division
Robinson, Jeremy et al vs. CNA Insurance Company et al.
Case No. 1:17-cv-000508
Rosenfeld Deposition 3-25-2021

In the Superior Court of the State of California, County of San Bernardino
Gary Garner, Personal Representative for the Estate of Melvin Garner vs. BNSF Railway Company.
Case No. 1720288
Rosenfeld Deposition 2-23-2021

In the Superior Court of the State of California, County of Los Angeles, Spring Street Courthouse
Benny M Rodriguez vs. Union Pacific Railroad, A Corporation, et al.
Case No. 18STCV01162
Rosenfeld Deposition 12-23-2020

In the Circuit Court of Jackson County, Missouri
Karen Cornwell, Plaintiff, vs. Marathon Petroleum, LP, Defendant.
Case No. 1716-CV10006
Rosenfeld Deposition 8-30-2019

In the United States District Court For The District of New Jersey
Duarte et al, Plaintiffs, vs. United States Metals Refining Company et. al. Defendant.
Case No. 2:17-cv-01624-ES-SCM
Rosenfeld Deposition 6-7-2019

In the United States District Court of Southern District of Texas Galveston Division
M/T Carla Maersk vs. Conti 168., Schiffahrts-GMBH & Co. Bulker KG MS "Conti Perdido" Defendant.
Case No. 3:15-CV-00106 consolidated with 3:15-CV-00237
Rosenfeld Deposition 5-9-2019

In The Superior Court of the State of California In And For The County Of Los Angeles – Santa Monica
Carole-Taddeo-Bates et al., vs. Ifran Khan et al., Defendants
Case No. BC615636
Rosenfeld Deposition 1-26-2019

In The Superior Court of the State of California In And For The County Of Los Angeles – Santa Monica
The San Gabriel Valley Council of Governments et al. vs El Adobe Apts. Inc. et al., Defendants
Case No. BC646857
Rosenfeld Deposition 10-6-2018; Trial 3-7-19

In United States District Court For The District of Colorado
Bells et al. Plaintiffs vs. The 3M Company et al., Defendants
Case No. 1:16-cv-02531-RBJ
Rosenfeld Deposition 3-15-2018 and 4-3-2018

In The District Court Of Regan County, Texas, 112th Judicial District
Phillip Bales et al., Plaintiff vs. Dow Agrosciences, LLC, et al., Defendants
Cause No. 1923
Rosenfeld Deposition 11-17-2017

In The Superior Court of the State of California In And For The County Of Contra Costa
Simons et al., Plaintifs vs. Chevron Corporation, et al., Defendants
Cause No. C12-01481
Rosenfeld Deposition 11-20-2017

In The Circuit Court Of The Twentieth Judicial Circuit, St Clair County, Illinois
Martha Custer et al., Plaintiff vs. Cerro Flow Products, Inc., Defendants
Case No.: No. 0i9-L-2295
Rosenfeld Deposition 8-23-2017

In United States District Court For The Southern District of Mississippi
Guy Manuel vs. The BP Exploration et al., Defendants
Case No. 1:19-cv-00315-RHW
Rosenfeld Deposition 4-22-2020

In The Superior Court of the State of California, For The County of Los Angeles
Warrn Gilbert and Penny Gilber, Plaintiff vs. BMW of North America LLC
Case No. LC102019 (c/w BC582154)
Rosenfeld Deposition 8-16-2017, Trail 8-28-2018

In the Northern District Court of Mississippi, Greenville Division
Brenda J. Cooper, et al., Plaintiffs, vs. Meritor Inc., et al., Defendants
Case No. 4:16-cv-52-DMB-JVM
Rosenfeld Deposition July 2017

In The Superior Court of the State of Washington, County of Snohomish
Michael Davis and Julie Davis et al., Plaintiff vs. Cedar Grove Composting Inc., Defendants
Case No. 13-2-03987-5
Rosenfeld Deposition, February 2017
Trial March 2017

In The Superior Court of the State of California, County of Alameda
Charles Spain., Plaintiff vs. Thermo Fisher Scientific, et al., Defendants
Case No. RG14711115
Rosenfeld Deposition September 2015

In The Iowa District Court In And For Poweshiek County
Russell D. Winburn, et al., Plaintiffs vs. Doug Hoksbergen, et al., Defendants
Case No. LALA002187
Rosenfeld Deposition August 2015

In The Circuit Court of Ohio County, West Virginia
Robert Andrews, et al. v. Antero, et al.
Civil Action No. 14-C-30000
Rosenfeld Deposition June 2015

In The Iowa District Court for Muscatine County
Laurie Freeman et. al. Plaintiffs vs. Grain Processing Corporation, Defendant
Case No. 4980
Rosenfeld Deposition May 2015

In the Circuit Court of the 17th Judicial Circuit, in and For Broward County, Florida
Walter Hinton, et. al. Plaintiff, vs. City of Fort Lauderdale, Florida, a Municipality, Defendant.
Case No. CACE07030358 (26)
Rosenfeld Deposition December 2014

In the County Court of Dallas County Texas
Lisa Parr et al, Plaintiff, vs. Aruba et al, Defendant.
Case No. cc-11-01650-E
Rosenfeld Deposition: March and September 2013
Rosenfeld Trial April 2014

In the Court of Common Pleas of Tuscarawas County Ohio
John Michael Abicht, et al., Plaintiffs, vs. Republic Services, Inc., et al., Defendants
Case No. 2008 CT 10 0741 (Cons. w/ 2009 CV 10 0987)
Rosenfeld Deposition October 2012

In the United States District Court for the Middle District of Alabama, Northern Division
James K. Benefield, et al., Plaintiffs, vs. International Paper Company, Defendant.
Civil Action No. 2:09-cv-232-WHA-TFM
Rosenfeld Deposition July 2010, June 2011

In the Circuit Court of Jefferson County Alabama
Jaeanette Moss Anthony, et al., Plaintiffs, vs. Drummond Company Inc., et al., Defendants
Civil Action No. CV 2008-2076
Rosenfeld Deposition September 2010

In the United States District Court, Western District Lafayette Division
Ackle et al., Plaintiffs, vs. Citgo Petroleum Corporation, et al., Defendants.
Case No. 2:07CV1052
Rosenfeld Deposition July 2009

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TECHNICAL APPENDICES

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LIST OF ACRONYMS AND ABBREVIATIONS

AB	Assembly Bill
ADT	average daily traffic
AFY	acre-feet per year
AIA	Airport Influence Area
AICUZ	Air Installation Compatible Use Zone
ALUC	Airport Land Use Commission
ALUCP	Airport Land Use Compatibility Plan
AMSL	above mean sea level
APCD	Air Pollution Control District
APN	Assessors Parcel Number
APZ II	Accident Potential Zone Two
AQMP	Air Quality Management Plan
ASCE	American Society of Civil Engineers
ASTM	American Society for Testing and Materials
BAAQMD	Bay Area Air Quality Management District
BACM	Best Available Control Measures
BMP	best management practice
BMZ	Brush Management Zone
BNSF	Burlington Northern & Santa Fe
BRT	Bus Rapid Transit
BTU	British thermal units
C&D	construction and demolition
CAA	Clean Air Act
CAAQS	California Ambient Air Quality Standards
CAFÉ	Corporate Average Fuel Economy
CalEEMod	California Emissions Estimator Model
CALGreen	California Green Building Standards Code
CalRecycle	California Department of Resources Recycling and Recovery
Caltrans	California Department of Transportation
CAP	Climate Action Plan
CARB	California Air Resources Board
CASQA	California Stormwater Quality Association
CBC	California Building Code
CCAA	California Clean Air Act
CCR	California Code of Regulations
CDE	California Department of Education
CDP	Coastal Development Permit
CEC	California Energy Commission
CEQA	California Environmental Quality Act

CFR	Code of Federal Regulations
Cfs	cubic feet per second
CGS	California Geological Survey
CH4	methane
City	City of San Diego
CMP	Congestion Management Program
CNEL	Community Noise Equivalent Level
CO	carbon monoxide
CO2	carbon dioxide
CO2e	carbon dioxide equivalent
CPA	Community Plan Amendment
CPIOZ	Community Plan Implementation Overlay Zone
CPUC	California Public Utilities Commission
CWA	Clean Water Act
Cy	cubic yard
dB	decibel
dBA	A-weighted decibel
DMA	Drainage Management Area
DPM	diesel particulate matter
DU	dwelling unit
DWR	California Department of Water Resources
EIR	Environmental Impact Report
EMS	emergency medical services
EMT	emergency medical technician
EO	Executive Order
EPIC	Energy and Policy Initiatives Center
ESD	Environmental Services Department
ESL	Environmentally Sensitive Land
F	Fahrenheit
FAA	Federal Aviation Administration
FAR	floor area ratio
FBA	Facilities Benefit Assessment
FEMA	Federal Emergency Management Agency
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
FY	fiscal year
GFA	gross floor area
GHG	greenhouse gas
Gpd	gallons per day
GWh	gigawatt hour
GWP	global warming potential
H2S	hydrogen sulfide

HA	hydrologic area
HAP	hazardous air pollutant
HCM	Highway Capacity Manual
HDM	Highway Design Manual
HFCs	hydrofluorocarbons
HRA	health risk assessment
HU	hydrologic unit
HVAC	heating, ventilation, and air conditioning
Hz	hertz
I	Interstate
IBC	International Building Code
IPCC	United Nations Intergovernmental Panel on Climate Change
ITE	Institute of Transportation Engineers
IWMP	Integrated Waste Management Plan
kHz	kilohertz
km	kilometer
kWh	kilowatt hours
KV	kilovolt
LDC	Land Development Code
LCFS	Low Carbon Fuel Standard
LEQ	one-hour average sound level
LID	low impact development
LOS	level of service
MCAS	Marine Corps Air Station
mg/m3	milligrams per cubic meter
mgd	million gallons per day
MHPA	Multi-habitat Planning Area
MMC	Mitigation Monitoring Coordination
MMRP	Mitigation Monitoring and Reporting Program
MMT	million metric tons
Mph	miles per hour
Mpg	miles per gallon
MPOs	Metropolitan Planning Organizations
MS4	Municipal Separate Storm Sewer Systems
MSCP	Multiple Species Conservation Program
MT	metric ton
MW	megawatt
MWD	Metropolitan Water District of Southern California
N2O	nitrous oxide
NAAQS	National Ambient Air Quality Standards
NDP	Neighborhood Development Permit

NFPA	National Fire Protection Agency
NHTSA	United States Department of Transportation's National Highway Traffic Safety Administration
NO	nitric oxide
NO2	nitrogen dioxide
NOAA	National Oceanic and Atmospheric Administration
NOP	Notice of Preparation
NOX	nitrogen oxides
NPDES	National Pollutant Discharge Elimination System
NSLU	noise-sensitive land use
O3	ozone
OPR	Office of Planning and Research
OSHA	Occupational Safety and Health Administration
Pb	lead
PDP	Planned Development Permit
PFCs	perfluorocarbons
PID	Planning Industrial Permit
PM	particulate matter
PM10	respirable particulate matter
PM2.5	fine particulate matter
Ppm	parts per million
PPV	peak particle velocity
PRC	Public Resources Code
PTS	Project Tracking System
PUD	Public Utilities Department
PV	photovoltaic
R&D	Research and Development
RAQS	Regional Air Quality Strategy
RCP	Regional Comprehensive Plan
ROG	reactive organic gas
RTP	Regional Transportation Plan
RWQCB	Regional Water Quality Control Board
SANDAG	San Diego Association of Governments
SB	Senate Bill
SCAQMD	South Coast Air Quality Management District
SCE	Southern California Edison
SCH	State Clearinghouse
SCR	Substantial Conformance Review
SCS	Sustainable Communities Strategy
SDAB	San Diego Air Basin

SDAPCD	San Diego Air Pollution Control District
SDCRAA	San Diego County Regional Airport Authority
SDCWA	San Diego County Water Authority
SDFD	San Diego Fire-Rescue Department
SDG&E	San Diego Gas and Electric
SDMC	San Diego Municipal Code
SDP	Site Development Permit
SDPD	San Diego Police Department
SDUSD	San Diego Unified School District
SF	square feet
SF6	sulfur hexafluoride
SIP	State Implementation Plan
SO2	sulfur dioxide
SPL	sound pressure level
SR-52	State Route 52
SR	Scientific Research
SRI	Solar Reflection Index
STC	Sound Transmission Class
SWIS	Solid Waste Information System
SWP	State Water Project
SWPPP	Storm Water Pollution Prevention Plan
SWQMP	Storm Water Quality Management Plan
SWRCB	State Water Resources Control Board
TAC	toxic air contaminant
TIA	Traffic Impact Analysis
TM	Tentative Map
TMA	Transit Management Area
TPA	Transit Priority Area
TDM	Transportation Demand Management
TMDL	total maximum daily load
TZ	Transition Zone
UCP	University Community Plan
UCSD	University of California, San Diego
USEPA	U.S. Environmental Protection Agency
USMC	U.S. Marine Corps
UTC	University Town Center
UWMP	Urban Water Management Plan
V/C	volume to capacity ratio
VMT	vehicle miles traveled
VOC	volatile organic compound

WDM	waste diversion measure
WMP	Waste Management Plan
WQCP	Water Quality Control Plan
WSA	Water Supply Assessment

ES EXECUTIVE SUMMARY

This Environmental Impact Report (EIR) has been prepared for the Towne Centre View Project (Project), a private development project in the University Community Plan area of the City of San Diego (City). This summary provides a brief synopsis of the EIR for the Project. This summary does not contain the extensive background and analysis found in the EIR. Therefore, the reader should review the entire EIR to fully understand the Project and its related environmental consequences. This EIR was prepared under the direction of the City's Environmental Analysis Section and reflects the independent judgment of the City.

ES.1 PURPOSE AND SCOPE OF THIS EIR

This EIR has been prepared in accordance the California Environmental Quality Act (CEQA) (California Public Resources Code (PRC), Section 21000 et seq.), the CEQA Guidelines (14 CCR 15000 et seq.), and the City's EIR Preparation Guidelines. Per Section 21067 of CEQA and Sections 15050 through 15053 and Section 15367 and of the State CEQA Guidelines, the City of San Diego is the Lead Agency under whose authority this document has been prepared. As the CEQA Lead Agency, the City has the primary responsibility for evaluating the environmental effects of the Project and is considering approval or disapproval of the Project in light of these effects.

As an informational document, this EIR is intended for use by the City of San Diego decision-makers and members of the general public in evaluating the potential environmental effects of the Project. As required by CEQA, this EIR: (1) describes the Project, including its location, objectives, and features; (2) describes the existing conditions at the project site and surrounding areas; (3) analyzes the direct, indirect, and cumulative adverse physical effects that would occur to the existing conditions if the Project is implemented; (4) identifies feasible means of avoiding or substantially lessening the significant adverse effects, if available; (5) provides a determination of significance for each impact after mitigation is incorporated; and (6) evaluates a reasonable range of feasible alternatives to the Project that would obtain most of the basic project objectives and avoid or substantially lessen a significant project-related impact.

ES.2 PROJECT LOCATION AND SETTING

The Project site is located north of the current terminus of Towne Centre Drive, generally between I-5 to the west and I-805 to the east. The Project site in its entirety encompasses 33.55 acres and is currently associated with the following addresses: 9855/9865/9875/9885 Towne Centre Drive.[1] The proposed development area is limited to the four privately-owned parcels in the southern portion of the Project site and a portion of the Towne Center Drive right-of-way; collectively these areas encompass approximately 26.5-acres. The approximately undeveloped 7.0-acre northern parcel of

[1] Assessor Parcel Number (APN) 343-121-35-00, APN 343-121-36-00, APN 343-121-37-00, APN 343-121-36-00, APN 343-121-42-00, and APN 343-121-43-00.

the Project site is within the City's Multi-Habitat Planning Area (MHPA) and would remain conserved open space.

The eastern portion of the Project site (approximately 11.3 acres) is currently developed with three scientific research buildings owned by the Project Applicant with approximately 192,365 square feet (sf) of building area and a 7,370-sf covered courtyard, and associated facilities and site improvements (surface parking, landscaping, utility infrastructure, recreational amenities, etc.). The western portion of the Project site is entitled for 190,000 sf of research and development (R&D) uses (pursuant to Coastal Development Permit 117798 and Site Development Permit 2758, PTS #1591) and was recently used as a staging area for the Mid-Coast Trolley construction. Prior to its use as a construction staging area, the western portion of the Project site was rough graded with building pad sites to support the previously approved development, and drainage infrastructure was installed. Vehicular access to the existing buildings onsite is provided from two driveways along Towne Centre Drive, and access to the western portion of the Project site is provided from a driveway at the cul-de-sac at the western terminus of Towne Centre Drive. There is an existing contiguous sidewalk along the portion of Towne Centre Drive adjacent to the Project site. The western portion of the Project site is within a Transit Priority Area (TPA) although the nearest transit stop is 0.64 miles walking distance.

The Project site is located on a graded mesa and elevations on site range from approximately 330 to 360 feet above mean sea level (AMSL). The proposed development area consists primarily of ornamental landscaping, disturbed land and developed area (approximately 20.4 acre). Small areas around the existing developed/graded area support revegetated habitat, landscaping, and native and naturalized vegetation. There are areas within the MHPA on site and surrounding the Project site. The Project site is within a very high fire hazard severity zone (VHFHSZ).

The Project site is designated Scientific Research and Open Space in the University Community Plan; is designated "Park, Open Space and Recreation" and "Industrial Employment" in the General Plan; and is zoned IP-1-1 (Industrial Park) and Residential Single Unit (RS-1-7). The Project site is entirely within a Community Plan Implementation Overlay Zone (CPIOZ) Type A (intended to limit uses and development intensity to the levels specified in the Land Use and Development Intensity Table of the Community Plan), and within the airport influence area (AIA) for Marine Corps Air Station (MCAS) Miramar (approximately 3.0 miles to the southeast) and the associated Airport Land Use Compatibility (ALUC) Overlay Zone. Portions of the Project site are within the City's MHPA; are within a Coastal Overlay Zone; and, include environmentally sensitive lands (ESLs), consisting of steep hillsides and sensitive biological resources.

Surrounding land uses include two- and three-level office uses in the Eastgate Technology Park along Towne Centre Drive and Westerra Court to the south (south of Towne Centre Drive) and east of the eastern portion of the Project site. Undeveloped open space in the MHPA to the north/ northeast/ northwest, west, and south (west of Westerra Court) is characterized by steep canyon slopes and these open space areas provide a buffer between the Project site and existing uses beyond the open space areas.

ES.3 PROJECT OBJECTIVES

The following are the goals and objectives of the Project:

- Maximize base sector employment uses in the Subregional Employment Area consistent with the General Plan's Economic Prosperity Element policies by increasing the allowable intensity of employment uses in the University community where major transportation and transit infrastructure are planned and currently exist.
- Develop a prominent single-site campus with sufficient scale and amenities that encourages large, regional, base-sector employers to locate and expand in the Subregional Employment Area of the University community.
- Encourage the retention and creation of middle-income employment by facilitating the expansion of high technology business facilities in the Subregional Employment Area.
- Maximize employment opportunities in Prime Industrial Lands while complying with the Airport Land Use Compatibility Plan for MCAS Miramar and respecting the surrounding environmentally sensitive lands by locating development on previously developed and existing disturbed areas.
- Implement energy-efficient and sustainable building practices and landscape practices, including efficient use of reclaimed water available from existing City infrastructure.
- Develop a Project that reduces 100-year storm event peak discharge rates.

ES.4 PROJECT DESCRIPTION

The purpose of the Towne Centre View Project is to provide a cohesive, scientific research and development (R&D) campus in the City of San Diego that can accommodate approximately 1,000,000 sf of gross floor area (GFA) building area discussed in further detail below, while preserving existing open space in the City's MHPA within and surrounding the Project site.

The physical Project components would involve removal of the existing buildings and associated facilities to accommodate development/redevelopment of the 26.5-acre southern portion of the Project site with a new five-building campus. As shown in Figure 2-5, *Multi-Habitat Planning Area and Vegetation*, a portion of the area surrounding the development footprint of the Project site is also located within the MHPA. The northern undeveloped 7.0-acre parcel in the MHPA would remain conserved open space. The proposed R&D campus would include five buildings (Buildings A through E), which would have an estimated GFA of 999,386 sf, with additional 1,027,650 sf of area excluded from the GFA consisting of balcony and roof deck space, and parking garage. The buildings would range in size from 5,924 sf of GFA (Building E) to 294,066 sf of GFA (Building B). Building E would be two levels, Building D would be five levels, and Buildings A – C would be six levels; the maximum building heights would range between 389.0 (Building E) and 466.5 feet (Buildings A – C) AMSL. The Project would include a four-level podium parking structure located generally in the southern portion of the Project site and is intended to be primarily subterranean under proposed

Buildings A – D, and a parking garage in the eastern portion of the Project site (six above grade levels and one partial below grade level). The Project would include sustainable features that exceed state and local requirements (e.g., the California Title 24 Energy Efficiency Standards for Residential and Nonresidential Buildings, the CALGreen Code, and the City of San Diego Climate Action Plan [CAP]).

The Project would provide access to parking structures, surface parking, and drop-off areas through two driveways along Towne Centre Drive east of Westerra Court, and one driveway at the proposed terminus turnaround. The existing terminus to Towne Centre Drive within the Project site would be vacated and developed as part of the Project site. The intersection of Towne Centre Drive and Westerra Court would provide a turnaround to accommodate vehicular and emergency access. Approximately 2,500 automobile parking spaces would be provided onsite in the podium parking structure and parking garage, and in a surface parking area (north of Building C).

To facilitate use of transit, and to promote use of alternative modes of transportation, the existing contiguous sidewalk along the north side of Towne Centre Drive would be replaced with non-contiguous sidewalk, and onsite pedestrian paths would connect to the new sidewalk. Short- and long-term bicycle parking spaces and changing/shower facilities would also be provided onsite. Additionally, to reduce vehicle travel, the Project would include transportation demand management (TDM) measures, and a shuttle service to increase the Project's connectivity to transit within the University community.

Native and drought resistant landscaping would be planted throughout the proposed development area, and on-site amenities would be provided for employees and guests (e.g., recreation, sports fields/courts, and roof terraces). Brush management would also be implemented in compliance with the City's requirements for fire protection. Existing retaining walls surrounding the previously graded and developed portions of the Project site would be retained and new retaining walls would be installed, as needed for grading, brush management, or proposed development features. Utility infrastructure would be installed on site to serve the proposed uses and would connect to existing utilities adjacent to the Project site within Towne Centre Drive.

For purposes of analysis in this EIR it is estimated that construction of the Project would last approximately 68 months. Construction of the Project would require the export of approximately 297,040 cubic yards (cy) of soil and the import of 7,900 cy of fill material[2]. The depth of excavation and fill would vary for the Project components; however, the maximum depth of cut/excavation is anticipated to be up to 50 feet and the maximum fill depth is estimated to be 25 feet.

The Project would require approval of the following discretionary actions by the City of San Diego:

- **Community Plan Amendment** to amend Community Plan Table 3 to to increase the intensity in Subarea 11 to 1,000,000 sf;

[2] This estimate is more conservative than the total grading quantities identified on the conceptual grading plan, which indicate approximately 285,000 cy of cut and approximately 158,500 cy of fill, resulting in an estimated export of 126,500 cy of soil.

- **Planned Development Permit** to amend PID 96-7756 for Eastgate Acres (Biomed Property) and because of required deviations to the San Diego Municipal Code and Street Design Manual;
- **Site Development Permit** because there are ESLs on site, the Project is within the ALUC Overlay for MCAS Miramar and involves a community plan amendment, and the Project is within the CPIOZ Type A;
- **Neighborhood Development Permit** for the alternative method of calculation for the ALUC Overlay Zone;
- **Coastal Development Permit** to amend CDP 117798 because the northern portion of the Project area is within the non-appealable area of the Coastal Overlay Zone and the Project would subdivide the site in the Coastal Overlay Zone from the area where vertical development would be constructed;
- **Tentative Map** to subdivide and configure the property to accommodate the proposed development, to subdivide the areas in the Coastal Overlay Zone from the area outside the Coastal Overlay Zone, and to provide necessary easements; and
- **Public Street Vacation** for the western terminus of Towne Centre Drive, west of Westerra Court.

Additionally, permits would be required from the State Water Resources Control Board (coverage under the statewide general National Pollutant Discharge Elimination System [NPDES] for stormwater discharges from construction sites, and San Diego Air Pollution Control District (SDAPCD) (permits to construct and to operate new stationary sources or equipment).

The Project has been reviewed by the Federal Aviation Administration, which has made a "No Hazard Determination" for the proposed buildings and the required construction equipment, and the San Diego County Regional Airport Authority, which has determined the Project does not conflict with the MCAS Miramar Airport Land Use Compatibility Plan.

ES.5 SUMMARY OF SIGNIFICANT IMPACTS AND MITIGATION MEASURES THAT REDUCE OR AVOID SIGNIFICANT EFFECTS

Table ES-1, *Summary of Environmental Impacts and Mitigation Measures*, located at the end of this Section, summarizes the results of the environmental analysis completed for the Project. Table ES-1 identifies the potentially significant impacts resulting from the Project, includes mitigation measures identified to reduce and/or avoid significant environmental effects, and identifies the level of significance with implementation of mitigation measures. The mitigation measures listed in Table ES-1 are also discussed within each relevant topic area, and fully contained in Section 12.0, *Mitigation, Monitoring, and Reporting Program* (MMRP).

As shown in Table ES-1, impacts related to transportation were found to be significant without mitigation. However, following implementation of a mitigation measure, impacts related to transportation would be reduced to a level below significance.

The EIR determined that the Project would not result in any direct or cumulative significant and unavoidable impacts.

ES.6 AREAS OF CONTROVERSY

The Project's Notice of Preparation (NOP) was distributed on April 5, 2021 for a 30-day public review and comment period, and a public scoping meeting was held on April 15, 2021. Public comments were received on the NOP that raised several environmental issues. The NOP, comment letters, and public scoping meeting transcript are included in this EIR as Appendix A.

A total of six letters were received during the NOP period, including three letters from state agencies (California Department of Transportation [Caltrans], California Department of Fish and Wildlife [CDFW] and Native American Heritage Commission [NAHC]), and three letters from members of the public (James W. Royle Jr. of San Diego County Archaeological Society, Inc., Andrew Wiese, PhD resident of University City, and Deborah Knight of Friends of Rose Canyon).

Issues of controversy raised in response to the NOP include concerns related to traffic, biological resources, visual effects and neighborhood character, noise, air quality and odor, greenhouse gases, hydrology and water quality, historical resources, paleontological resources, public utilities, wildfire geologic conditions, and growth inducement. Several commenters also suggested alternatives to be considered in the EIR. The NOP, comment letter, and public scoping meeting transcript are included in this EIR as Appendix A.

ES.7 ISSUES TO BE RESOLVED BY THE DECISION-MAKING BODY

The City Council must review the Project and this EIR and determine if the Project should be adopted and implemented. If the Project is selected for adoption, the City Council will be required to certify the EIR, determine whether and how to mitigate significant impacts, and adopt associated Findings of Fact pursuant to CEQA Guidelines Section 15091 for the following significant impacts identified in the EIR:

- Transportation

A Statement of Overriding Considerations pursuant to CEQA Guidelines Section 15093 would be required for those impacts found to be significant and unmitigable. However, it should be noted that the EIR did not identify any significant and unmitigable impacts. Thus, a Statement of Overriding Considerations is not required.

ES.8 PROJECT ALTERNATIVES

Section 15126.6 of the CEQA Guidelines requires the discussion of "a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of

the project" and evaluation of the comparative merits of the alternatives. The alternatives discussion is intended to "focus on alternatives to the project or its location, which are capable of avoiding or substantially lessening any significant effects of the project," even if these alternatives would impede to some degree the attainment of the Project objectives.

In addition to the Project, the EIR addresses in detail the following three alternatives per the above-noted CEQA requirements: the No Project/No Development - Reuse of Existing Buildings Alternative, No Project/Development Pursuant to Existing Entitlements Alternative, and Reduced Building Area Alternative. These alternatives are summarized below, and evaluated in full in Chapter 10.0, *Alternatives*, of this document. A summary comparison of the impacts associated with the Project with the Project alternatives is included in Table ES-2, *Comparison of Project and Alternative Impacts*.

ES.8.1 No Project/No Development - Reuse of Existing Buildings Alternative

Section 15126.6(e) of the CEQA Guidelines provides that the "no project" analysis shall discuss the existing conditions at the time the NOP is published, as well as what would be reasonably expected to occur in the foreseeable future if a project were not approved, based on current plans and consistent with available infrastructure and community services. Accordingly, the No Project Alternative/No Development - Reuse of Existing Buildings Alternative assumes that the Project would not be approved, no demolition of the existing buildings on site would occur, new development would not occur, and the existing buildings on site would continue to be occupied. Existing development on site includes approximately 192,365 sf of building area and 7,370 sf of covered courtyard, and associated facilities and site improvements (surface parking, landscaping, utility infrastructure, recreational amenities, etc.).

ES.8.2 No Project/Development Pursuant to Existing Entitlements Alternative

The No Project/Development Pursuant to Existing Entitlements Alternative reflects development of the site pursuant to existing entitlements consistent with the existing land use and zoning designations. This Alternative would include reuse of the existing buildings with no new development in the eastern portion of the Project site, and construction of entitled development on the western portion of the Project site (approximately 15.2 acres, excluding the approximately 7.0-acre open space parcel in the northern portion of the Project site). The western portion of the Project site is entitled for 190,000 sf of regional and corporate headquarters office space (pursuant to Coastal Development Permit No. 117798 and Site Development Permit No. 2758 approved by the City of San Diego in March 2005). This area was mass graded in 2009 and building pads were established for the approved development, which consisted of three buildings: Building A, four stories; Building B, three stories, and Building C, two stories (refer to Figure 11-1, *Approved/Entitled Site Plan for Western Portion of the Project Site*). This approved development was never constructed. The area was recently used as a staging area for the Mid-Coast Trolley construction under a lease agreement with the current property owner (Cushman) and is completely disturbed. The

construction staging activities were completed in the Summer 2021. Development of the western portion of the Project site would occur in the same development area as anticipated for the Project.

In summary, the No Project/Development Pursuant to Existing Entitlements Alternative would involve 389,735 sf of development, including 192,365 sf of existing building area, 7,370 sf of existing covered building space, and 190,000 sf entitled on the western portion of the Project site. The existing and proposed development would be served by existing roadways and infrastructure, consistent with the Project.

ES.8.3 Reduced Building Area Alternative

Evaluation of a Reduced Building Area Alternative is not required to address the Project's impacts that are less than significant without mitigation. Further, a Reduced Building Area Alternative would not avoid the Project's potentially significant VMT impacts, which are mitigated to a less than significant. However, this Reduced Building Area Alternative is being evaluated to provide a reasonable range of alternatives in this EIR, and to address comments received on the NOP requesting consideration of an alternative with reduced intensity, and associated reduction in building size/massing, trip generation, etc.

As with the Project, the Reduced Building Area Alternative would involve the demolition of the existing buildings on site, redevelopment of the eastern portion of the Project site, and development of the western portion of the Project site, which remains undeveloped, but previously disturbed. Construction activities would be similar to the Project, but the amount of grading would likely be reduced due to the elimination of subterranean podium parking.

This alternative anticipates the construction 695,000 sf of scientific research buildings, which is approximately 305,000 sf less than the Project, and approximately 305,000 sf more than the building area allowed by existing entitlements (389,735 sf of development). Under this alternative, four buildings in the same location as Buildings A, B, C and E would be constructed, with reduced building area and reduced building height. Buildings A, B and C would be 4 to 5 levels (compared to 5 to 6 levels with the Project), and Building E would remain 2 levels. With the reduction in building area, subterranean podium parking would not be financially feasible; therefore, above ground parking structure would be required. This would include the parking structure currently proposed with the Project in the southeast portion of the Project site, and additional parking structures located along Towne Centre Drive generally at the site of proposed Building D. The alternative would include an on-site circulation system, exterior amenity areas, landscaping, sustainable building features, utility infrastructure, etc., consistent with the Project. Additionally, the regulatory requirements, City standards conditions, and Project-specific mitigation measures to reduce VMT impacts to a less than significant level, would also apply to this alternative.

ES.8.4 Environmentally Superior Alternative

The CEQA Guidelines require the identification of an environmentally superior alternative among the alternatives analyzed in an EIR. The guidelines also require that if the No Project Alternative is

identified as the environmentally superior alternative, another environmentally superior alternative must be identified. The No Project/No Development – Reuse of Existing Buildings Alternative is identified as the environmentally superior alternative. The No Project Alternative does not meet the objectives of the Project as outlined in Section 11.2.1.

Of the remaining alternatives, the environmentally superior alternative is the No Project/ Development Pursuant to Existing Entitlements Alternative. This alternative would reduce the Project's less than significant impacts related to air quality, GHG emissions, noise, public utilities, and visual effects/neighborhood character. Impacts related to the following topical issues would be similar to the Project: land use, transportation, biological resources, energy, geology and soils, health and safety, historical resources, hydrology, paleontological resources, population and housing, tribal cultural resources, water quality, and wildfire. This alternative would meet most of the Project objectives, but not to the same extent as the Project, due primarily to the reduction in building area and associated reduction in employment opportunities. However, it would not meet the objective to develop a prominent single-site campus with scale and amenities that encourages large, regional, base-sector employers to locate and expand in the Subregional Employment Area of the University community.

ES.9 SUMMARY OF SIGNIFICANT IMPACTS AND MITIGATION

Table ES-1 Summary of Environmental Impacts and Mitigation Measures

Environmental Impacts	Mitigation Measures	Level of Significance After Mitigation
5.2 Transportation		
The Project is expected to generate 32.6 employee VMT per employee, which exceeds the regional mean of 25.9 VMT per employee for the San Diego Region, resulting in a potentially significant VMT impact.	**MM 5.2-1** A Transportation Demand Management plan (the "TDM Plan") shall be implemented by the Permittee in order to reduce automobile trips and Vehicle Miles Traveled ("VMT") generated by the proposed Project. a. TDM Plan. Prior to issuance of the first building permit, the Permittee will submit to the City of San Diego a TDM plan outlining the TDM measures, approach to implementation, expected VMT reductions and monitoring program. Prior to issuance of the first building permit, the TDM Plan must be approved by City of San Diego Development Services Department. If the Project is leased as a multi-tenant campus, the TDM plan may be tailored to each tenant, and monitoring, reporting and penalties may be assessed to each tenant separately by the Permittee, although all monitoring, reporting and penalties shall remain the responsibility of the	Less than significant

	Permittee. TDM plan measures will be incorporated into tenant leases to ensure compliance. b. Elements of TDM Plan. As outlined in the Project TIA included as Appendix B1, the following measures shall be included in the TDM Plan and implemented by the Permittee: T-12 Price Workplace Parking T-6 Implement Commute Trip Reduction Program (Mandatory Implementation and Reporting) T-7 Implement Commute Trip Reduction Marketing T-8 Provide Ridesharing Program T-9 Implement Subsidized or Discounted Transit Program T-10 Provide End of Trip Bicycle Facilities T-11 Provide Employee Sponsored Vanpool Supportive but unquantified VMT reduction measures per the Project TIA included as Appendix B1 such as T-44 Provide Shuttles (Gas or Electric) and Passenger Loading Zones	

	c. TDM Goals. TDM measures, as outlined in the TDM Plan and evaluated in the VMT Assessment Memo (USAI, April 2022), shall be implemented to reduce the project site VMT by 32.47%. This is established based on the commercial employment VMT significance threshold of 15% below the SANDAG Series 13 Base Year 2012 regional mean VMT, 22.105 VMT per employee, and the Series 13 Year 2025 project VMT of 32.6 VMT per employee that would be expected from the 3,000 employees anticipated from the proposed 1 million square feet of research and development (R&D) use included in the project site. According to the Local Mobility Analysis prepared for the project site, the project will be expected to generate approximately 8,000 vehicular trips per day based on the City of San Diego *Land Development Code Trip Generation Manual (2003*) which is a net increase of 6,461 daily vehicular trips over existing development. d. Program Manager. Within three (3) months following approval of the first occupancy permit, the Permittee shall designate an individual to act as the Program	

	Manager ("PM") for the Project, whose responsibility will be to implement the TDM measures, with on-going coordination with the City of San Diego Development Services Department. e. Monitoring and Reporting. No later than one (1) year following the issuance of the first occupancy permit of the final phase of the project if the Project is being completed in phases or after the final Occupancy Permit if the Project is being constructed in a single phase for one tenant, a monitoring and reporting report will be submitted to the City of San Diego Development Services Department. The effectiveness of the TDM Plan shall be evaluated using surveys and traffic counts. The Permittee shall coordinate with the City of San Diego with data collected and reported, which will include but may not be limited to: Calculating average vehicle occupancy Count of daily vehicle trips to and from the site Online survey of employees Intercept surveys at building entrances	

	Documentation of level of daily shuttle usage Permittee shall submit the results of the data collection to the City of San Diego Development Services Department and shall state whether the TDM goals have been met. Such TDM surveys shall be conducted annually by the Permittee following the initial survey. If the TDM surveys show that the trip reduction objective is being met after a total of five annual surveys, the Permittee shall proceed with the TDM measures as implemented. f. Failure to Meet VMT Reduction Goals. In the event the first TDM survey indicates that the VMT goal has not been met, the Permittee shall meet with City of San Diego Development Services Department staff to review the measures in place and to develop modifications to the TDM measures and/or adopt additional TDM measures. If trip reductions are not being met, the City may require that the Permittee provide additional subsidies for transit passes, increase shuttle	

	frequency, or other measures to ensure compliance. If these additional measures do not achieve the required results in two consecutive surveys, the Project will pay a penalty fee, equivalent to 5% of the Complete Communities: Mobility Choices Active Transportation Opt-In Fee, in place at the time of Project approval. The penalty shall be paid annually on January 1st of each year, until the project VMT reduction targets are met.	

Table ES-2 Comparison of Project and Alternative Impacts

Environmental Issue Area[1]	Project	Alternatives		
		No Project/ No Development - Reuse of Existing Buildings Alternative	No Project/ Development Pursuant to Existing Entitlements	Reduced Building Area Alternative
Transportation	SM	N	N	SM

[1] Includes issue areas with significant impacts identified for the Project

SM = significant but mitigable impacts; SU = significant and unmitigated impacts; N = no significant impacts; - = reduced impact level(s) relative to the Project; + = increased impact level(s) relative to the Project

1.0 INTRODUCTION

This section provides a brief description of the Project scope, the purpose and legal authority for this Environmental Impact Report (EIR), the EIR scope and process, and an explanation of how the EIR is organized.

1.1 PROJECT SCOPE

This EIR contains an analysis of the Project described in detail in Chapter 3.0, *Project Description*. The Towne Centre View Project (Project) in its entirety encompasses 33.55 acres and is currently associated with the following addresses: 9855/9865/9875/9885 Towne Centre Drive.[1] The proposed development area is limited to the four privately-owned parcels in the southern portion of the Project site and a portion of the Towne Center Drive right-of-way; collectively these areas encompass approximately 26.5-acres. The approximately 7.0-acre northern parcel of the Project site is within the City's Multi-Habitat Planning Area (MHPA) and would remain conserved open space.

The Project involves the development of a cohesive, state-of-the-industry scientific research and development (R&D) campus in the City of San Diego that can accommodate approximately 1,000,000 square feet (sf) of building area, while preserving existing open space in the City's MHPA within and surrounding the Project site. The Project site is designated for "Industrial Employment" and "Open Space" land uses. The southern portion of the Project site (approximately 26.5 acres) is zoned IP-1-1 (Industrial Park) and the northern approximately 7.0-acre open space parcel is zoned Residential Single Unit (RS-1-7). Existing buildings in the eastern portion of the Project site (192,365 sf of building area) would be removed and the five new buildings (999,386 sf of gross floor area [GFA] and 1,027,650 sf of areas considered exempt including below-grade parking and tenant space, above-grade open parking structures, and balconies and roof decks) would be developed; the northern approximately 7.0-acre parcel of the Project site would remain undeveloped open space in the MHPA. The Project would require the approval of the following:

- **University Community Plan Amendment (CPA)** to increase the allowed intensity for the Project site in Table 2, *Land Use and Development Intensity*, of the University Community Plan, for Subarea 11, from 382,365 sf of building area to 1,000,000 sf of building area (an increase of 617,635 sf).
- **Planned Development Permit (PDP)** to (1) reflect the proposed development on the Project site, including an amendment to existing Planned Industrial Development Permit (PID) 96-7756, which addresses the eastern portion of the Project site, and (2) due to proposed deviations to the San Diego Municipal Code for rear setbacks, minimum required loading area quantity, maximum permitted driveway width, and retaining wall heights, each of which are discussed in more detail in Section 3.0, *Project Description*.

[1] Assessor Parcel Number (APN) 343-121-35-00, APN 343-121-36-00, APN 343-121-37-00, APN 343-121-36-00, APN 343-121-42-00, and APN 343-121-43-00.

- **Site Development Permit (SDP)** because the Project site includes Environmentally Sensitive Lands (ESL) including sensitive biological resources and steep hillsides; is located within the Community Plan Implementation Overlay Zone (CPIOZ) Type "A" identified in the University Community Plan, and is within the Airport Land Use Compatibility overlay for Marine Corps Air Station (MCAS) Miramar.
- **Coastal Development Permit (CDP)** because the northern portion of the Project is located in the non-appealable area of the Coastal Overlay Zone and the Project would subdivide the northern portion of the site within the Coastal Overlay Zone where vertical development would not occur.
- **Neighborhood Development Permit (NDP)** because the Project utilizes the Alternative Method of calculation to demonstrate compliance with maximum intensity (people per acre) in the Airport Land Use Compatibility Zone (refer to SDMC Section 132.1515(d)).
- **Tentative Map (TM) and Public Street Vacation** to reconfigure the existing parcels and for vacation of the western terminus of Towne Centre Drive (west of Westerra Court).

1.2 PURPOSE AND LEGAL AUTHORITY

The purposes of an EIR are to provide public agencies and the public in general with detailed information about a proposed project's potential environmental effects; to list ways that the significant effects of a project might be minimized; and to indicate alternatives to the project. The City of San Diego (City) is the Lead Agency, as defined by Section 15051(b)(1) of the CEQA Guidelines, for the project evaluated in this EIR. Under CEQA, the public agency with the greatest responsibility for supervising or approving a proposed project or the first public agency to take discretionary action to proceed with a proposed project should ordinarily act as the Lead Agency. The Lead Agency is responsible for preparing the EIR and has primary responsibility for approving the project. This EIR is an informational document for use by the City, other decision-makers, and members of the general public to evaluate the environmental effects of the Project. This document complies with the criteria, standards, and procedures of CEQA (California Public Resources Code Section 21000 et seq.) and the CEQA Guidelines (California Code of Regulations [CCR] Title 14 Section 15000 et seq.); the City's EIR Guidelines (December 2005); and the City's CEQA Significance Determination Thresholds (December 2020. This document has been prepared as a Project EIR pursuant to Section 15161 of the CEQA Guidelines, and it represents the independent judgment of the City as Lead Agency.

1.3 ENVIRONMENTAL IMPACT REPORT SCOPE

This EIR contains a project-level analysis of the proposed Towne Centre View Project, as described in Chapter 3.0, *Project Description*, of this EIR. According to Section 15161 of the CEQA Guidelines, a project EIR should "focus primarily on the changes in the environment that would result from the development project…and shall examine all phases of the project including planning, construction, and operation." Where this EIR has determined that certain environmental impacts would be potentially significant, mitigation measures directed at reducing or avoiding significant adverse

environmental effects have been identified. As identified through the analysis presented in Chapter 5.0, *Environmental Analysis*, of this EIR, no significant and unavoidable impacts would result from the Project. Notwithstanding, feasible alternatives to the Project have been developed. An analysis of the impacts of Project alternatives compared to those of the Project provides a basis for consideration by decision-makers.

Effects that have been determined not to be potentially significant are addressed in Chapter 9.0, *Effects Found Not to be Significant*, of this EIR. As identified, for the Towne Centre View Project, the topical areas with effects found not to be significant for any issues include agricultural and forestry resources and mineral resources.

1.4 NOTICE OF PREPARATION/SCOPING MEETING

In reviewing the application for the Project, the City concluded that the Project could result in potentially significant environmental effects. As Lead Agency, the City prepared a Notice of Preparation (NOP), which was distributed on April 5, 2021, to responsible and trustee agencies, as well as various other governmental agencies, and interested organizations including the Office of Planning and Research's State Clearinghouse (SCH), and interested individuals. The purpose of the NOP was to solicit comments on the scope and analysis to be included in the EIR for the Project.

Consistent with Section 21083.9 of the CEQA Statutes, a public scoping meeting to solicit comments regarding the scope and analysis of the EIR was required. Due to the State of Emergency associated with COVID-19, in the interest of public health and safety and in accordance with guidance provided from the Office of Planning and Research (OPR), the City did not conduct an in-person scoping meeting. In lieu of a public scoping meeting, a pre-recorded presentation was made accessible to the public and available for viewing from April 5, 2021 through May 5, 2021.

A copy of the NOP, the scoping presentation, comments received during the NOP public review/scoping period, and the scoping letter prepared by the City are included in Appendix A. Comments received during the NOP public review/scoping period expressed concern regarding the following topical issues, or requested that these issues be addressed in the EIR: aesthetics, biological resources, cultural/historical resources, hydrology/drainage, land use, transportation, tribal cultural resources, and wildfire. These issues are analyzed in Chapter 5.0, *Environmental Analysis*, of this EIR, as appropriate.

Based on initial review of the Project by the City and comments received during review of the NOP public review/scoping period, the City determined that the EIR for the Project should address the following environmental issues:

- Land Use (Section 5.1)
- Transportation (Section 5.2)
- Air Quality and Odors (Section 5.3)
- Biological Resources (Section 5.4)
- Energy (Section 5.5)
- Geologic Conditions (Section 5.6)
- Greenhouse Gas Emissions (Section 5.7)
- Health and Safety (Section 5.8)
- Historical Resources (Section 5.9)
- Hydrology (Section 5.10)

- Noise (Section 5.11)
- Paleontological Resources (Section 5.12)
- Population and Housing (Section 5.13)
- Public Services and Facilities (Section 5.14)
- Public Utilities (Section 5.15)
- Tribal Cultural Resources (Section 5.16)
- Visual Effects/Neighborhood Character (Section 5.17)
- Water Quality (Section 5.18)
- Wildfire (Section 5.19)

1.5 AVAILABILITY AND REVIEW OF THE DRAFT EIR

This EIR is being distributed to responsible and trustee agencies, other affected agencies, interested parties, and all parties who requested a copy of the EIR in accordance with Section 21092 of the CEQA Statutes. The EIR's Notice of Completion/Notice of Availability was also distributed as required by CEQA.

This EIR and documents incorporated by reference have been made available for review by members of the public and public agencies for 45 calendar days (from November 22, 2022 to January 6, 2022) to provide comments "on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated" (CEQA Guidelines Section 15204). The Draft EIR and associated technical appendices are available on the City's CEQA webpage:

https://www.sandiego.gov/ceqa/draft

Comments on the Draft EIR maybe submitted electronically via email to DSDEAS@sandiego.gov; the comments should reference the Project name and number (Towne Centre View/No. 624751) in the subject line. The City requests that all comments be provided electronically, however if a hard copy submittal is necessary, it may be submitted to:

Sara Osborn
Development Services Department
1222 First Avenue, MS-501
San Diego, CA 92101

Upon completion of the 45-day public review period, written responses to all significant environmental issues raised will be prepared and included in the Final EIR. The City, as Lead Agency, will consider the written comments received on the Draft EIR and before or at the public hearing in making its decision whether to certify the Final EIR as complete and in compliance with CEQA, and whether to approve or deny the Project, or take action on a Project alternative.

Subsequent to certification of the Final EIR, agencies with permitting authority over all or portions of the Project may use the Final EIR to evaluate environmental effects of the Project, as they pertain to the approval or denial of applicable permits. These agencies may include, but are not limited to the California Coastal Commission, State Water Resources Control Board, San Diego County Regional Rail Authority, and the San Diego Air Pollution Control District. The discretionary and/or

administrative actions that may be necessary from these agencies to fully implement the Project are described in Section 3.6, *Other Agency Approvals*, of this Draft EIR.

1.6 CONTENT OF THIS EIR

In accordance with Sections 15120 through 15132 of the State CEQA Guidelines, the EIR is formatted to address the required contents of an EIR. Technical studies have been summarized within individual environmental issue sections; the full technical studies have been included as appendices to the EIR, as referenced in each section. The EIR has been organized in the following manner:

- **Executive Summary** is provided at the beginning of this document, which discusses the Project description, alternatives, and conclusions reached in the impact analysis. In addition, the Executive Summary includes a discussion of areas of controversy known to the City, including those issues identified by other agencies and the public.
- **Chapter 1.0 Introduction** provides a brief description of the scope of the project, the purpose and legal authority of the document, EIR scoping and content, information on the public review process, and an explanation of the document format.
- **Chapter 2.0 Environmental Setting** provides an overview of the Project location and physical characteristics of the Project site and surrounding areas, and the regional and local setting. The setting discussion also addresses the relevant planning documents and community planning policies that apply to the Project.
- **Chapter 3.0 Project Description** provides the purpose, background, and objectives of the Project; details the physical and operational characteristics of the Project; and, presents the required discretionary actions.
- **Chapter 4.0 History of Project Changes** chronicles any changes that have been made to the Project in response to environmental concerns raised during the City's review of the Project.
- **Chapter 5.0 Environmental Analysis** includes a description of the existing conditions relevant to each environmental topic; presents the threshold(s) of significance, based on the City of San Diego's California Environmental Quality Act Significance Determination Thresholds (November 2020), for the particular issue area under evaluation; identifies an issue statement or issue statements; assesses any impacts associated with implementation of the Project; provides a summary of the significance of any Project impacts; and presents recommended mitigation measures and mitigation monitoring and reporting, as appropriate, for each significant issue area. The issue statements identified on the City's Scoping Letter (Appendix A of this EIR) form the basis of the impact analysis.
- **Chapter 6.0 Significant Irreversible Environmental Changes** identifies that no significant unavoidable impacts would result from implementation of the Project as potentially significant vehicle miles traveled (VMT) impacts can be mitigated to below a level of significance.
- **Chapter 7.0 Growth Inducement** discusses the ways in which the Project could foster economic or population growth.

- **Chapter 8.0 Cumulative Effects** addresses the cumulative impacts caused by the Project in combination with other past, present, and reasonably foreseeable future development in the area.
- **Chapter 9.0 Effects Found Not to be Significant** presents a brief discussion of the environmental effects of the project that were evaluated and were found not to be potentially significant.
- **Chapter 10.0 Alternatives** provides a description and evaluation of alternatives to the Project, which could reduce potentially significant environmental impacts associated with implementation of the Project.
- **Chapter 11.0 Mitigation Monitoring and Reporting Program** documents the various mitigation measures required as part of the Project, the department responsible for monitoring, the monitoring and reporting schedule, and the completion requirements.
- **Chapter 12.0 References** includes a list of the reference materials consulted in the course of the EIR's preparation.
- **Chapter 13.0 Individuals and Agencies Consulted** includes a list of agencies and individuals contacted during preparation of the EIR and lists those persons and agencies responsible for the preparation of the EIR.

2.0 ENVIRONMENTAL SETTING

Following is a description of the general regional and local environmental setting for the Towne Centre View Project site and surrounding area. This section also provides a brief overview of applicable local and regional planning programs. More detailed information regarding the environmental setting is provided for each topical issue in Chapter 5.0 of this environmental impact report (EIR). Pursuant to Section 15125(a) of the California Environmental Quality Act (CEQA) Guidelines, the environmental setting, as described in this EIR, constitutes the baseline physical existing conditions in the Project area at the time the Notice of Preparation (NOP) for the EIR was distributed in April 2021.

2.1 REGIONAL SETTING

The Project site is located in the University Community Plan area of the City of San Diego (refer to Figure 2-1*, Regional Location Map*). The City covers approximately 206,989 acres in the southwest section of San Diego County, in Southern California. The University Community Plan area encompasses approximately 8,500 acres in the northwest section of the City and is bound by Los Penasquitos Lagoon and the toe of the east-facing slopes of Sorrento Valley on the north; the Burlington Northern & Santa Fe (BNSF) Railway, Marine Corps Air Station (MCAS) Miramar and Interstate 805 (I-805) on the east; State Route 52 (SR-52) on the south; and Interstate 5 (I-5), Gilman Drive, North Torrey Pines Road, and the Pacific Ocean on the west. The Project site is located in the Central Subarea of the University Community Plan area. Neighboring communities include Torrey Pines, Mira Mesa, Clairemont, and La Jolla.

2.2 PROJECT LOCATION AND EXISTING SITE CONDITIONS

The Project site is located north of the current terminus of Towne Centre Drive, generally between I-5 to the west and I-805 to the east (refer to Figure 2-2, *Vicinity Map*). The Project site in its entirety encompasses 33.55 acres and is currently associated with the following addresses: 9855/9865/9875/9885 Towne Centre Drive.[1] The proposed development area is limited to the four privately-owned parcels in the southern portion of the Project site and a portion of the Towne Center Drive right-of-way; collectively these areas encompass approximately 26.5-acres. The approximately 7.0-acre northern parcel of the Project site is within the City's Multi-Habitat Planning Area (MHPA) and would remain conserved open space.

As shown on the aerial photograph provided on Figure 2-3, *Aerial Photograph*, the eastern portion of the Project site (approximately 11.3 acres) is currently developed with three scientific research buildings (previously entitled under Planned Industrial Permit (PID) 96-7756) owned by the Project Applicant with approximately 192,365 square feet (sf) of building area and a 7,370-sf covered

[1] Assessor Parcel Number (APN) 343-121-35-00, APN 343-121-36-00, APN 343-121-37-00, APN 343-121-36-00, APN 343-121-42-00, and APN 343-121-43-00.

courtyard, and associated facilities and site improvements (surface parking, landscaping, utility infrastructure, recreational amenities, etc.). The western portion of the Project site is entitled for 190,000 sf of research and development (R&D) uses (pursuant to Coastal Development Permit No. 117798 and Site Development Permit No. 2758, PTS #1591) and was recently used as a staging area for the Mid-Coast Trolley construction. Prior to its use as a construction staging area, the western portion of the Project site was rough graded with building pad sites to support the previously approved development, and drainage infrastructure was installed.

The Project site is located on a graded mesa and much of the proposed development area is covered by fill material. Elevations on-site ranges from approximately 330 and 360 feet above mean sea level (AMSL). The existing drainage infrastructure in the western portion of the Project site includes sedimentation basins, outlet structures from the sedimentation basins including perforated riser pipes or stand pipes, brow ditch conveyance channels and level spreaders to dissipate concentrated flow and minimize the erosion potential at discharge points in the canyons around the perimeter of the Project site. Storm water from the developed eastern portion of the Project site flows overland and in storm drains, also to discharge points in the canyons around the perimeter of the Project site. Along the southern Project site boundary, storm water runoff is conveyed via storm drains to the public storm drain in Towne Center Drive. Additionally, there is existing utility infrastructure on-site, including water, sewer, and dry utilities that serve the existing uses.

Vehicular access to the existing buildings on-site is provided from two driveways along Towne Centre Drive, and access to the western portion of the Project site is provided from a driveway at the cul-de-sac at the western terminus of Towne Centre Drive. There is an existing contiguous sidewalk along the portion of Towne Centre Drive adjacent to the Project site. The Project site is within a Transit Priority Area (TPA).[2]

Small areas around the existing developed/graded area support revegetated habitat, landscaping, and native and naturalized vegetation. There are areas within the MHPA on-site and surrounding the Project site, as shown on Figure 2-5, *Multi-Habitat Planning Area and Vegetation Communities*, and further discussed below. The proposed development area consists primarily of ornamental landscaping, disturbed land and developed area (approximately 20.4 acre). The remaining portion of the proposed development area includes the following vegetation types: southern willow scrub, scrub oak chaparral, Diegan coastal sage scrub, Diegan coastal sage scrub-disturbed, Diegan coastal sage scrub-revegetation, and non-native grassland. (Alden Environmental, 2022)

There are existing retaining walls on-site that surround the existing developed area in the eastern portion of the Project site and the recently completed construction staging area in the western portion of the Project site. The existing retaining walls range in exposed retaining height from 0 to

[2] A TPA is "an area located within ½-mile of a major transit stop that is existing or planned." The Mid-Coast Trolley plans to extend trolley service from the Santa Fe Depot in Downtown San Diego to the University Community area. One of the trolley stations is located along Voigt Drive, just west of the intersection of Campus Point Drive and Voigt Drive, which is 1.6 miles walking distance from the Project site. The nearest bus transit station to the Project site is located 0.64-mile walking distance from the Project site.

12-feet, and were installed when the site was initially graded during the period between 2008 to 2011.

2.3 SURROUNDING LAND USES

As shown on Figure 2-3, *Aerial Photograph*, there are two- and three-level office uses in the Eastgate Technology Park along Towne Centre Drive and Westerra Court to the south (south of Towne Centre Drive) and east of the eastern portion of the Project site. As depicted on Figure 2-4, *USGS Topographic Map*, the Project site is surrounded by undeveloped open space in the MHPA to the north/northeast/northwest, west, and south (west of Westerra Court); these open space areas are characterized by steep canyon slopes. The open space area to the north provides a physical buffer between the Project site and office and commercial uses along Sorrento Valley Road and Roselle Street to the north. The BNSF Railway used by Amtrak is located further to the north (north of the open space area and at the bottom of the slope). The open space to the west and south of the Project site provides a physical buffer between the Project site and office uses west of Campus Point Drive, and residential uses to the south (north of Genesee Avenue between Campus Point Drive and Eastgate Mall). There are existing informal trails within the open space area surrounding the Project site. Although the Project does not include any modifications to trail access, these trails are not identified in the University community plan.

2.4 PREVIOUS ENTITLEMENT

The eastern portion of the Project site (approximately 11.3 acres) is currently developed with three scientific research buildings with approximately 192,365 square feet (sf) of building area and a 7,370-sf covered courtyard. The existing buildings are owned and operated by the Project Applicant and were constructed between 2001 and 2007. The western portion of the Project site (approximately 15.2 acres, excluding the approximately 7.0-acre open space parcel in the northern portion of the Project site) is entitled for 190,000 sf of regional and corporate headquarters office space (pursuant to Coastal Development Permit No. 117798 and Site Development Permit No. 2758 approved by the City of San Diego in March 2005 under PTS #1591). This area was mass graded in 2009 and building pads were established for the approved development, which consisted of three buildings: Building A, four stories; Building B, three stories, and Building C, two stories. This approved development was never constructed. The area was recently used as a staging area for the Mid-Coast Trolley construction under a lease agreement with the current property owner (Cushman). The construction staging activities were completed in Summer 2021.

In 2019, Cushman submitted an application to the City of San Diego to amend Site Development Permit No. 2758 and Coastal Development Permit No. 117798 (PTS #1591) for the construction of three science and R&D buildings totaling 340,000 square feet to a maximum 88-foot height, and the construction of two, 4-story parking structures containing 1,183 parking spaces. The development was never constructed, and Cushman is no longer processing this application.

2.5 PLANNING CONTEXT

In accordance with the requirements of Section 15125(d) of the CEQA Guidelines, this environmental setting discussion includes statements relative to the Project's conformance with the General Plan and applicable regional plans. An overview of relevant plans is provided below and additional information is provided in the respective environmental analysis sections presented in Chapter 5.0 of this EIR.

2.5.1 City of San Diego General Plan

A comprehensive update to the City of San Diego's General Plan was adopted by the City Council on March 10, 2008. The Strategic Framework Element provides the overall structure that guided the General Plan update and represents the City's approach for shaping growth within the City, while attempting to preserve the character of its existing communities and natural resources. The main goal of the Strategic Framework Element was to introduce the City of Villages strategy. This strategy addresses the urban development trends of the past and the challenges of the future, while outlining implementation strategies for the continued growth of the City beyond the year 2020. The overall focus of this strategy was to determine where and how new growth and redevelopment would occur to ensure the long-term environmental, social, and economic health of the City and its communities. The Project site is within the "Subregional Employment Area" village type, and specifically within the University/Sorrento Mesa Subregional Employment Area.

In addition to the Strategic Framework Element, the City's General Plan contains Elements focusing on the following topics: Land Use and Community Planning; Mobility; Urban Design; Economic Prosperity; Public Facilities, Services & Safety; Recreation; Conservation; Noise; Historic Preservation; and Housing. These elements are discussed in Section 5.1, *Land Use*, of this EIR, and Table 5.1-1, *City of San Diego General Plan Consistency Analysis*, provides a consistency analysis with applicable goals and policies of the General Plan Elements. As identified though the analysis, the Project is consistent with the applicable goals and policies.

As shown on Figure 2-6, *City of San Diego General Plan Land Use and Street System Map*, the Project site is designated "Industrial Employment" and "Open Space". The portion of the site designated as "Open Space" is the northern approximately 7.0-acre open space parcel that would remain undeveloped. Table LU-4, *General Plan and Community Plan Land Use Categories*, of the General Plan establishes the linkage between General Plan land use categories and a menu of 26 standardized community plan designations that are to be applied through the community plan process. The Industrial Employment designation allows for scientific research, product development and testing, engineering, and any other basic research functions leading to new product development with limited light manufacturing. Allowed office uses are limited to corporate headquarters, unless the office use is accessory to the primary use or as direct support for scientific research uses. The Economic Prosperity Element of the General Plan designates the Project site as Prime Industrial Lands, which are areas that support export-oriented base sector activities such as warehouse distribution, heavy or light manufacturing, research and development uses.

2.5.2 University Community Plan

As previously discussed, the Project site is located within the University Community Plan area of the City of San Diego. The University Community Plan was adopted by the City Council on July 7, 1987 and has been subsequently amended; the last printing of the University Community Plan with approved amendments was in 2018. Additional amendments after the 2018 printing associated with approval of the Costa Verde Revitalization Project in 2020 have also been taken into consideration in the analysis presented in this EIR. The University Community Plan provides the policies for growth and development within the approximately 8,500-acre plan area. It also designates areas for residential, commercial, industrial, business park, and public uses, as well as areas that are to remain undeveloped. The University Community Plan includes 12 Elements that address plan policies specific to development within the University Community Plan area. These elements are discussed in Section 5.1, of this EIR; Table 5.1-2, *University Community Plan Consistency Analysis*, provides a consistency analysis with applicable goals, policies and recommendations of the Community Plan Elements.

The University Community Plan area has evolved from a "college town" into a major urban node consistent with the City of Villages strategy in the General Plan; this was facilitated by, among other things, the development of the University Towne Center regional shopping center, the addition of high-intensity office uses adjacent to areas dedicated science/research uses, and the accessibility of the community to the regional transportation system (including transit). It is expected that there will be a continued transition of the community to a high-intensity, innovative, mixed-use area.

As shown on Figure 14, *Central Subarea #2*, of the Community Plan, the Project site is currently designated "Scientific Research" (SR) and "Open Space". The portion of the site designated as "Open Space" is the northern 7.0-acre open space parcel that would remain undeveloped. Scientific Research, as noted in Section 2.5.1, is a General Plan-recommended Community Plan designation. Figure 26, *Land Use and Development Intensity Subarea Map*, of the Community Plan, identifies the designated subareas within the University Community Plan for purposes of tracking allowed development intensity, and Table 2, *Land Use and Development Intensity Table*, identifies the currently allowed development intensity. The Project site is within Subarea 11, which is allocated 18,000 sf per acre for areas designated Scientific Research. However, as described in Section 3.5.1, *Community Plan Amendment*, of this EIR, existing development and existing entitlements for the Project site collectively allow for the development of 382,365 sf of building area within the Project site. Therefore, the Project involves a proposed Community Plan Amendment to allow up to 1,000,000 sf of Scientific Research uses within Subarea 11, which would increase the allowed development intensity by 617,635 sf.

Additionally, the Project site is located within the Community Plan Implementation Overlay Zone (CPIOZ) Type "A" identified in Figure 27 of the Community Plan, which is intended to limit uses and development intensity to the levels specified in the Land Use and Development Intensity Table. To implement the planned land use intensities, a CPIOZ Type "A" has been applied to the northern portion of the community, including Subarea 11, which includes the Project site. Development

projects within the CPIOZ "A" are subject to ministerial permit review for consistency with the goals and proposals outlined in the Community Plan.

2.5.3 Zoning

As shown on Figure 2-8, *Zoning Map*, the southern portion of the Project site (approximately 26.5 acres) is zoned IP-1-1 (Industrial Park). The purpose of the IP zones is to provide for high quality science and business park development. The property development standards of this zone are intended to create a campus-like environment characterized by comprehensive site design, substantial landscaping, and amenities that serve the surrounding development in a manner that preserves the industrial nature of the zones. The IP-1-1 zone allows research and development uses with some limited manufacturing.

The northern approximately 7.0-acre open space parcel is zoned Residential Single Unit (RS-1-7). The portion of the site that is zoned RS-1-7 would remain undeveloped.

2.5.4 City of San Diego Environmentally Sensitive Lands Regulations

The City of San Diego Environmentally Sensitive Lands (ESL) Regulations are intended to protect, preserve and, where damaged, restore, the environmentally sensitive lands of San Diego and the viability of the species supported by those lands (Section 142.0101 of the San Diego Municipal Code). The regulations apply to proposed development when the following ESLs are present: sensitive biological resources, steep hillsides, coastal beaches, sensitive coastal bluffs, and special flood hazard areas. These regulations are applicable to the Project because the Project site includes sensitive biological resources and steep hillsides. As defined in the City of San Diego Land Development Code Biology Guidelines, sensitive biological resources are those lands included within the MHPA as identified in the City of San Diego's MSCP Subarea Plan, the Vernal Pool Habitat Conservation Plan, and other lands outside the MHPA that contain wetlands; vegetation communities classifiable as Tier I, II, IIIA or IIIB; habitat for rare, endangered or threatened species; or narrow endemic species. There are MHPA areas on-site and surrounding the Project, as well as Tier I, Tier II, and Tier IIIB habitats, which are considered ESLs. These ESLs are discussed further in Section 5.4, *Biological Resources*, of this EIR.

2.5.5 Multi Species Conservation Program Subarea Plan/Multi-Habitat Planning Area

San Diego's *Multiple Species Conservation Program* (MSCP) is a comprehensive habitat conservation planning program that covers approximately 900 square miles; its purpose is to preserve a network of habitat and open space in the southwestern region of San Diego County (City of San Diego, 1998). The MSCP was developed pursuant to the Federal and California Endangered Species Acts and the California Natural Community Conservation Planning Act of 1992 (as further discussed in Section 5.4, *Biological Resources*, of this EIR). The MSCP is designed to preserve native habitat for multiple species rather than focusing efforts on one species at a time. This is accomplished by identifying

areas for directed development and areas to be conserved in perpetuity (referred to as MHPAs) to achieve a workable balance between smart growth and species protection. Covered species under the MSCP are those species that are federally or State-listed as Threatened or Endangered, and which are included within the Incidental Take Authorization under the MSCP agreement with the federal and local agencies.

In accordance with the MSCP, the City developed the *City of San Diego MSCP Subarea Plan* to implement the MSCP and MHPA within the City of San Diego (City of San Diego, 1997). The City of San Diego's MSCP Subarea Plan and Implementation Agreement (IA) were adopted by City Council and approved by the wildlife agencies in 1997. The Project site is located within the City of San Diego subarea, which encompasses approximately 206,000 acres within the MSCP study area. Based on the City's 2019 MSCP Annual Report, the City's MHPA conservation requirement is 52,727 acres (City of San Diego, 2020). As shown on Figure 2-5, *Multi-Habitat Planning Area and Vegetation Communities*, there are MHPA conservation areas on-site (primarily the northern parcel that would remain undeveloped) and surrounding the Project site. The Project's compliance with MSCP and MHPA requirements is discussed further in Section 5.4, *Biological Resources,* of this EIR.

2.5.6 North City Coastal Program

Pursuant to Section V of the University Community Plan, "the Local Coastal Program of the City of San Diego has been divided into twelve segments. The Coastal Zone portions of the University community have been incorporated into the North City Local Coastal Program segment….Both the Plan and the North City Local Coastal Program Land Use Plan are components of the City's total Local Coastal Program. The plan identifies the basic land use, development intensity and circulation system within its coastal areas. The North City Local Coastal Program Land Use Plan further clarifies and adds specific coastal resource protection policies needed to satisfy the requirements of the Coastal Act. Both plans are designed to be compatible with each other. Where any apparent conflict exists, the North City Local Coastal Program Land Use Plan shall apply." As shown on Figure 2-9, *Coastal and ALUCP Safety Zones in Relation to the Project*, the northern portion of the Project site including primarily the 7.0-acre open space parcel, is located in the non-appealable area of the Coastal Zone. A Coastal Development Permit issued by the City is required for all coastal development of a premises within the Coastal Overlay Zone described in Chapter 13, Article 2, Division 4. Therefore, a Coastal Development Permit is required, as further discussed in Section 5.1, *Land Use*.

2.5.7 Marine Corps Air Station Miramar Airport Land Use Compatibility Plan

As shown on Figure 2-1, Marine Corps Air Station (MCAS) Miramar is located approximately 3.0 miles southeast of the Project site. The MCAS Miramar Airport Land Use Compatibility Plan (ALUCP) was adopted in October 2008 by the San Diego County Regional Airport Authority (Airport Authority), serving as the Airport Land Use Commission (ALUC), and was subsequently amended in December 2010 and November 2011 (ALUC, 2011). The purpose of ALUCPs is to promote compatibility between airports and the land uses that surround them. The ALUCP is used by the ALUC to review land use

development proposals within the airport influence area (AIA) at MCAS Miramar; the Project site is within the MCAS Miramar AIA.

The ALUCP provides compatibility policies and criteria applicable to local agencies in their preparation or amendment of land use plans and ordinances and to landowners in their design of new development. The ALUCP addresses potential airport compatibility impacts related to the following specific airport-related factors/layers: noise, safety, airspace protection, and overflight. Proposed land use development must comply with the compatibility policies and maps for each of these compatibility factors/layers. The Project site is located within Review Area 1 of the ALUCP and therefore requires a review and consistency determination by the Airport Authority, acting as the ALUC, that the Project is consistent with the policies in the ALUCP. As shown on Figure 2-10, *MCAS Miramar ALUCP Compatibility Policy Map: Safety,* the Project site is located in the Accident Potential Zone II (APZ II), and Transition Zone (TZ) of the ALUCP. Figure 2-9, *Coastal and ALUCP Safety Zones in Relation to the Project*, depicts these zones in relation to the Project.

Federal regulations require military services to prepare an Air Installation Compatible Use Zone (AICUZ) study for each military airfield. The AICUZ reflects restrictions on land uses near military airports. The MCAS Miramar AICUZ 2020 Update was adopted in June 2020 and regulates land uses relative to noise and safety zones similar to the ALUCP (MCAS Miramar, 2020). As shown on Figure 2-11, *MCAS Miramar AICUZ 2020 CNEL Contours*, although the Project site is outside the 60 dB CNEL contour for the 2005 AICUZ (which is consistent with the ALUCP), it is within the 60-65 dB CNEL contour for MCAS Miramar as presented in the AICUZ 2020 Update. Noise level compatibly is discussed in Section 5.11, *Noise*, of this EIR. Based on review of Figure ES-2, *Comparison of 2020 APZs with AICUZ 2005 APZs*, of the AICUZ 2020 Update, the APZ II Zone has not changed and is consistent with that presented in the ALUCP. As shown on Figure 2-11, and further discussed in Section 5.8, *Health and Safety*, of this EIR, the northern portion of the Project site is with the APZ II Zone and within an area where the proposed use would be considered conditionally acceptable.

The Federal Aviation Administration (FAA) has reviewed the Project under the provisions of Title 14 of the Code of Federal Regulations (CFR, Part 77) and determined that the proposed structures do not exceed obstruction standards and would not be a hazard to air navigation (refer to the discussion in Section 5.8, *Health and Safety*, of this EIR).

2.5.8 San Diego Regional Air Quality Strategy

San Diego County, including the Project site and surrounding areas, is located within the San Diego Air Basin (SDAB), which is within the jurisdiction of San Diego Air Pollution Control District (SDAPCD). The SDAPCD has jurisdiction over the SDAB and is responsible for controlling air pollution emissions, primarily from stationary sources. The SDAPCD is responsible for developing and implementing programs that will attain and maintain the ambient air quality standards for pollutants in areas that are or have been found to be in nonattainment. The *2016 Revision of the Regional Air Quality Strategy for San Diego County* (RAQS), last updated in December 2016, was developed to identify feasible emission control measures and provide expeditious progress toward attaining the State ozone standards (SDAPCD, 2016). The two pollutants addressed in the RAQS are volatile organic

compounds (VOC) and oxides of nitrogen (NOx), which are precursors to the formation of ozone. Refer to Section 5.3, *Air Quality and Odors*, for a complete analysis of Project compliance with the RAQS.

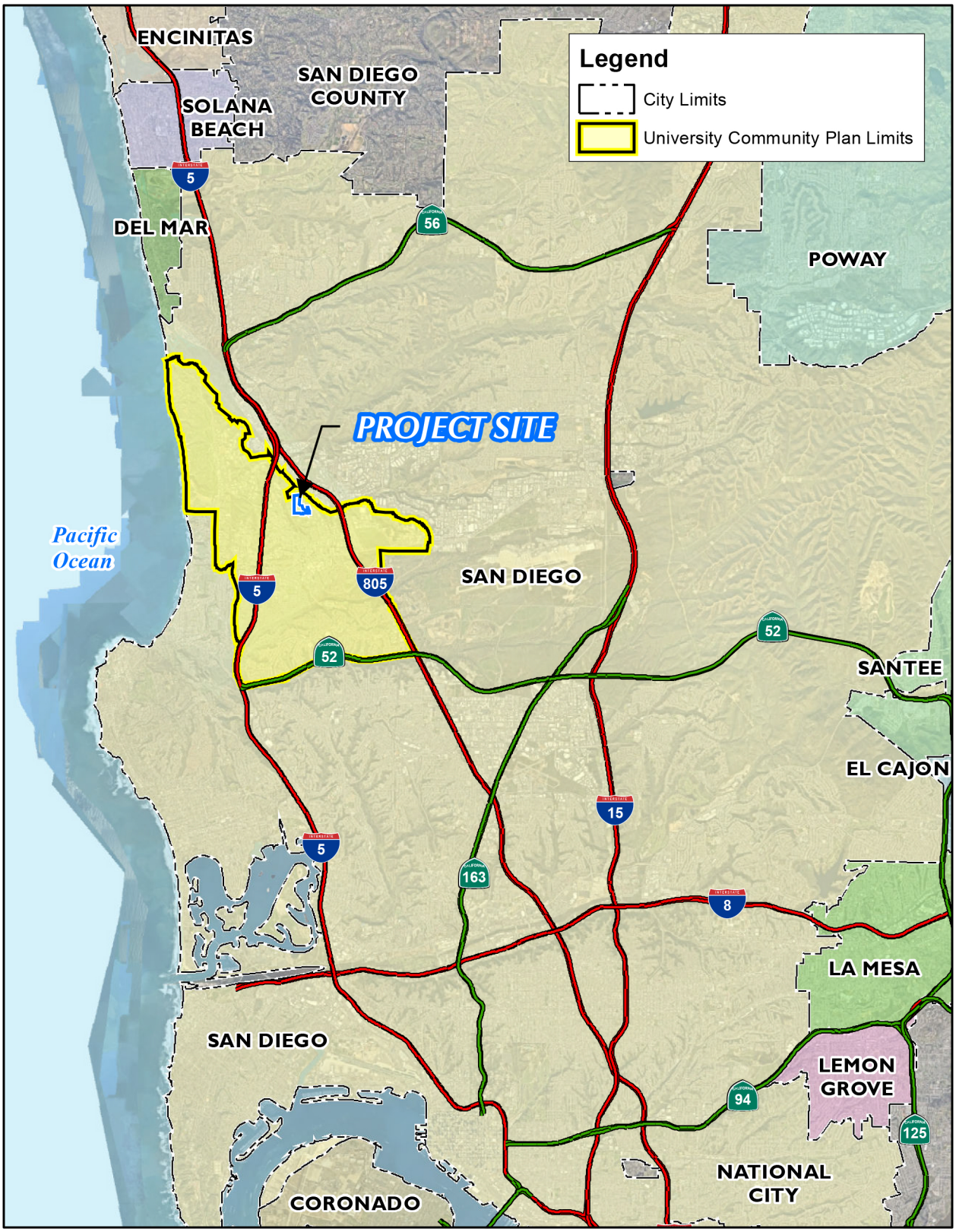
2.5.9 San Diego Forward: The Regional Plan

The San Diego Association of Governmental (SANDAG) is the Metropolitan Planning Organization (MPO) for San Diego County (including 18 cities and the county government), and is mandated by the state and federal government to prepare a Regional Transportation Plan (RTP), Sustainable Communities Strategy (SCS), and Regional Comprehensive Plan (RCP). SANDAG approved the *San Diego Forward – The Regional Plan* (2021 Regional Plan) on December 10, 2021 (SANDAG, 2021). The 2021 Regional Plan combines the County's RCP and RTP/SCS and serves as a blueprint for how the San Diego region will grow and how SANDAG will invest in transportation infrastructure that will provide more choices, strengthen the economy, promote a healthy environment, and support thriving communities. The Regional Plan includes the following required elements: Policy Element, Sustainable Communities Strategy, Financial Element, and Action Element.

On October 9, 2019, SANDAG adopted the *2019 Federal Regional Transportation Plan* (2019 Federal RTP) that complies with federal requirements for the development of regional transportation plans, retains air quality conformity approval from the U.S. Department of Transportation, and preserves funding for the region's transportation investments (SANDAG, 2019). The 2019 Federal RTP builds on the 2015 Regional Plan with updated project costs and revenues and a new regional growth forecast. The Project consistency with SANDAG's regional planning programs is discussed in Section 5.1, *Land Use,* of this EIR.

2.5.10 Water Quality Control Plan for the San Diego Basin

The San Diego Regional Water Quality Control Board (RWQCB) adopted a *Water Quality Control Plan for the San Diego Basin* (Basin Plan) to guide and coordinate the management of water quality in the region (RWQCB, 1994). The Basin Plan was adopted in 1994, and has been subsequently amended through May 2016. The purpose of the Basin Plan is to: (1) designate beneficial uses of the Region's surface and ground waters; (2) designate water quality objectives for the reasonable protection of those uses; and (3) establish an implementation plan to achieve the objectives. The Project area is included in the 170-square-mile Penasquitos Hydrologic Unit; the receiving waters are Soledad Canyon, Los Penasquitos Lagoon, and the Pacific Ocean. Refer to Section 5.18, *Water Quality*, of this EIR for a complete analysis of Project compliance with storm water management and water quality within the Project site and with RWQCB regulatory requirements for the protection of water quality.

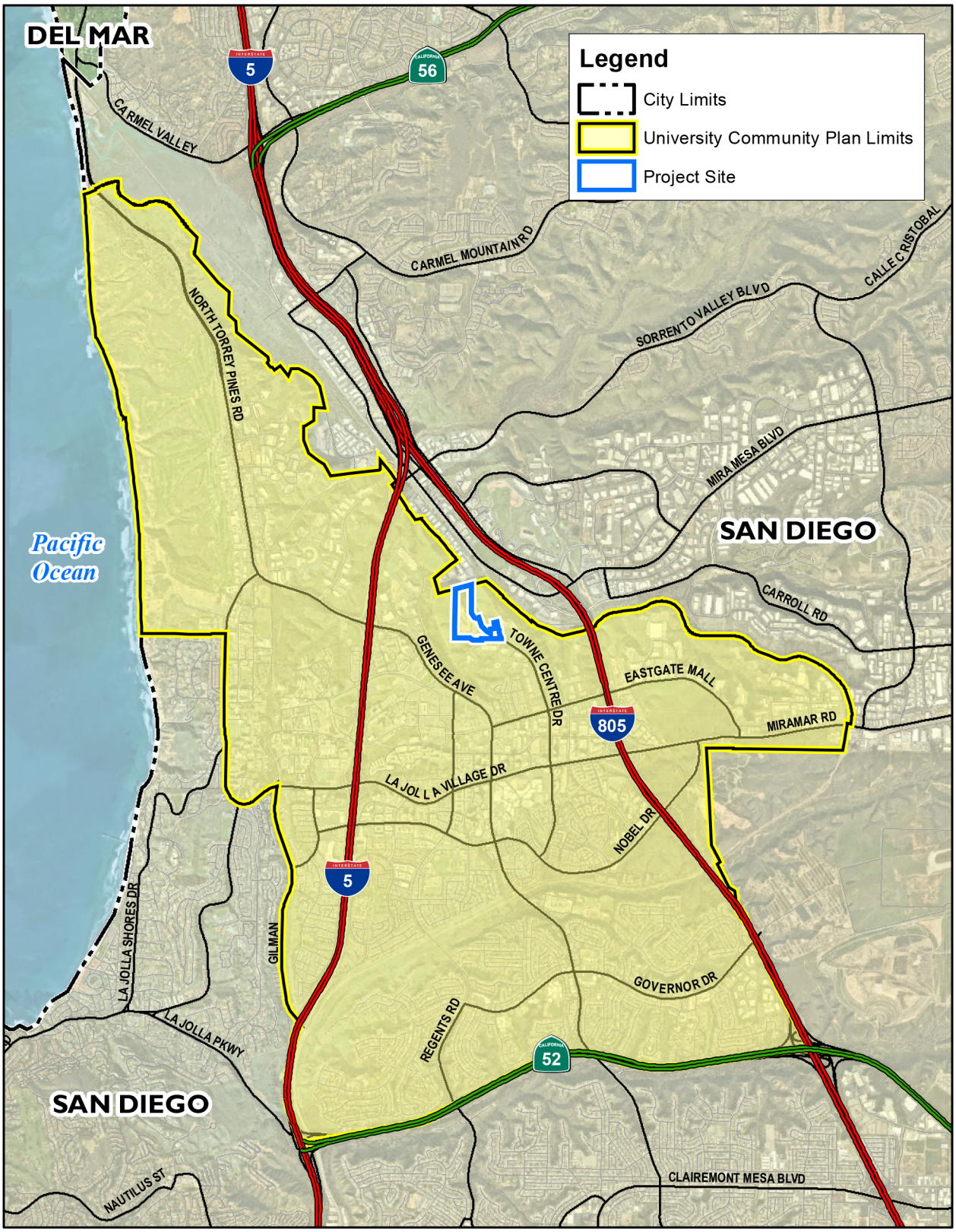


Source(s): ESRI, Nearmap Imagery (2021), SanGIS (2021)

Figure 2-1

0 1 2 4 Miles

Regional Location Map

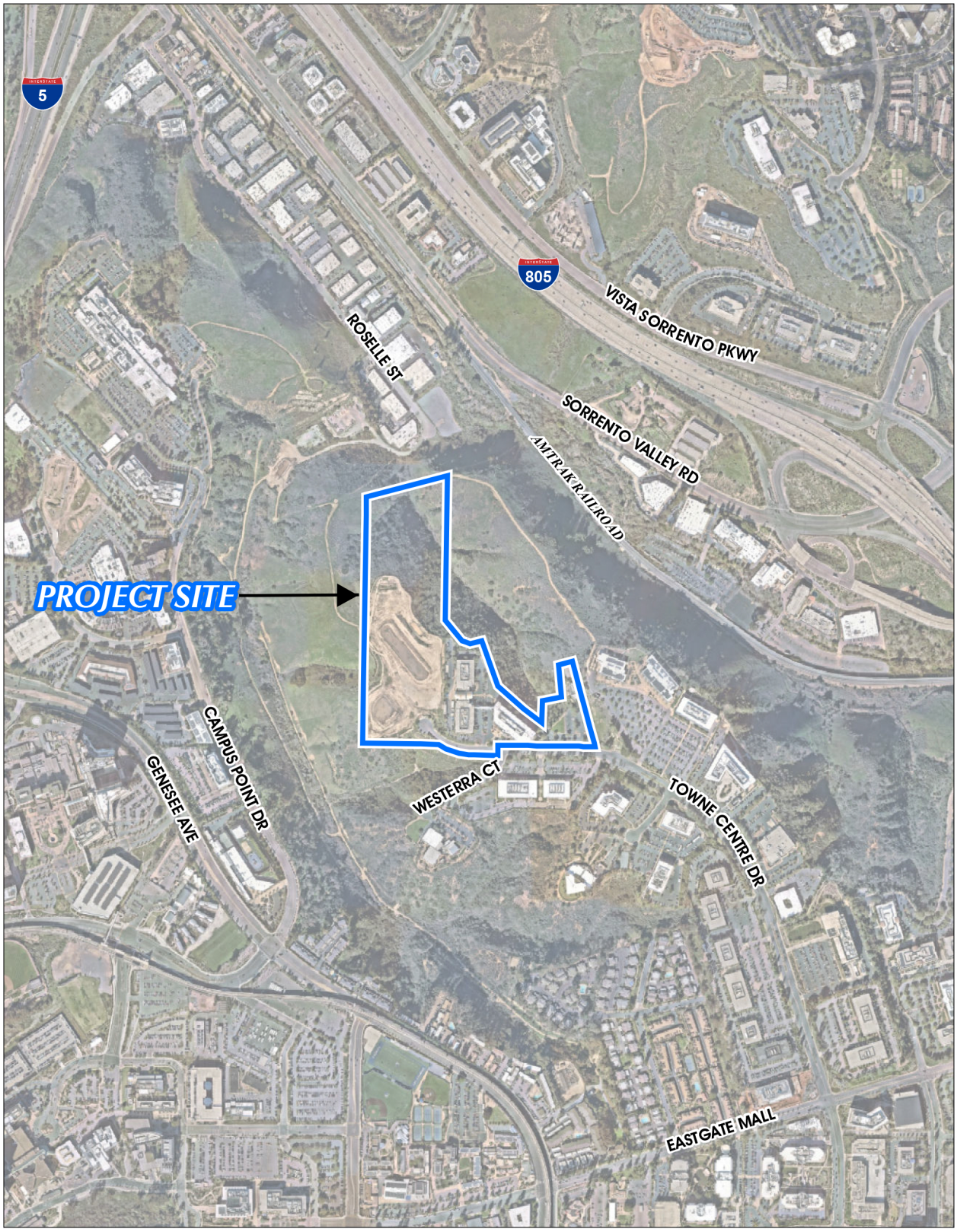


Source(s): ESRI, Nearmap Imagery (2021), SanGIS (2021)

Figure 2-2

0 0.25 0.5 1 Miles

Vicinity Map

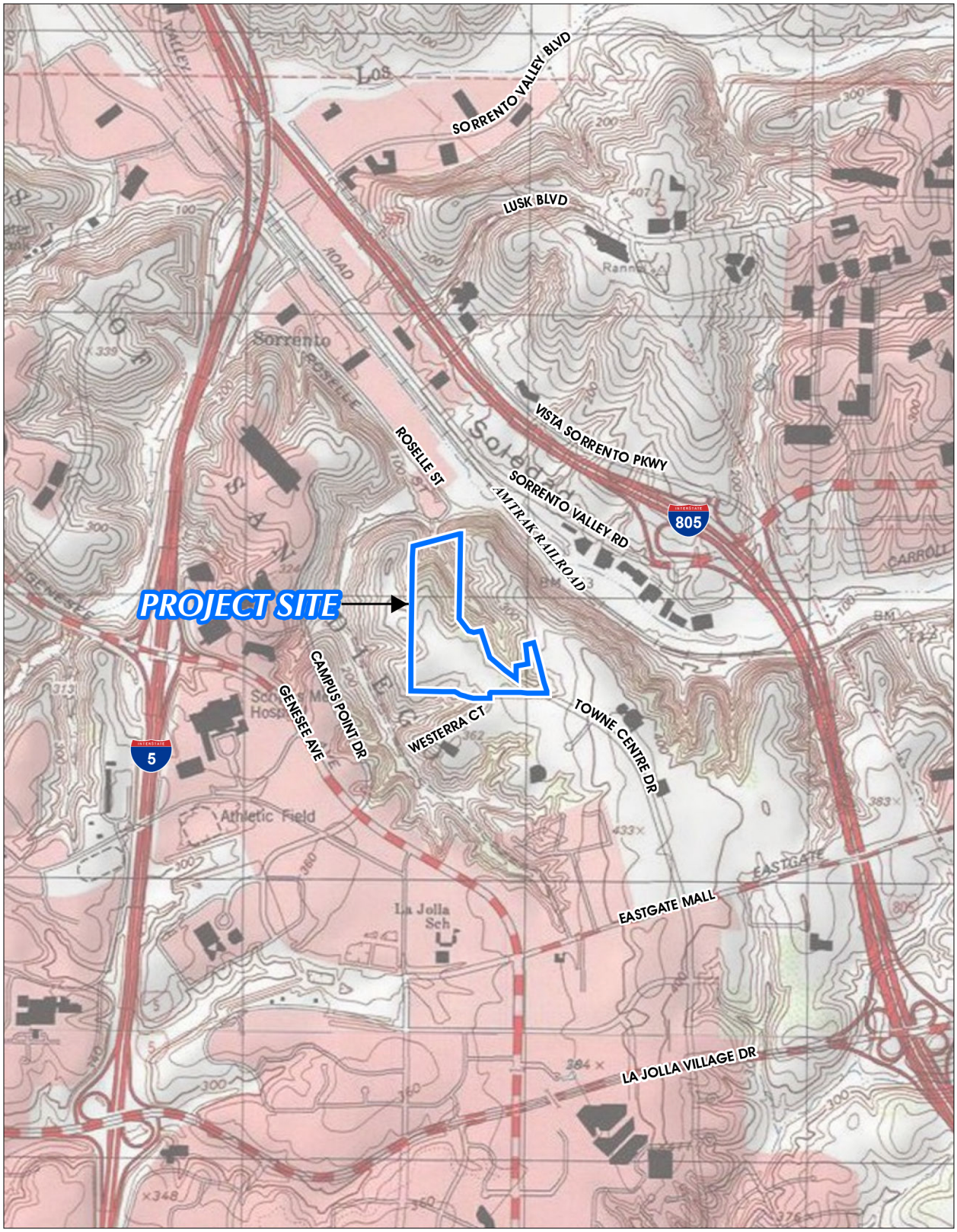


Source(s): ESRI, Nearmap Imagery (2021), SanGIS (2021)

Figure 2-3

0 250 500 1,000 Feet

Aerial Photograph

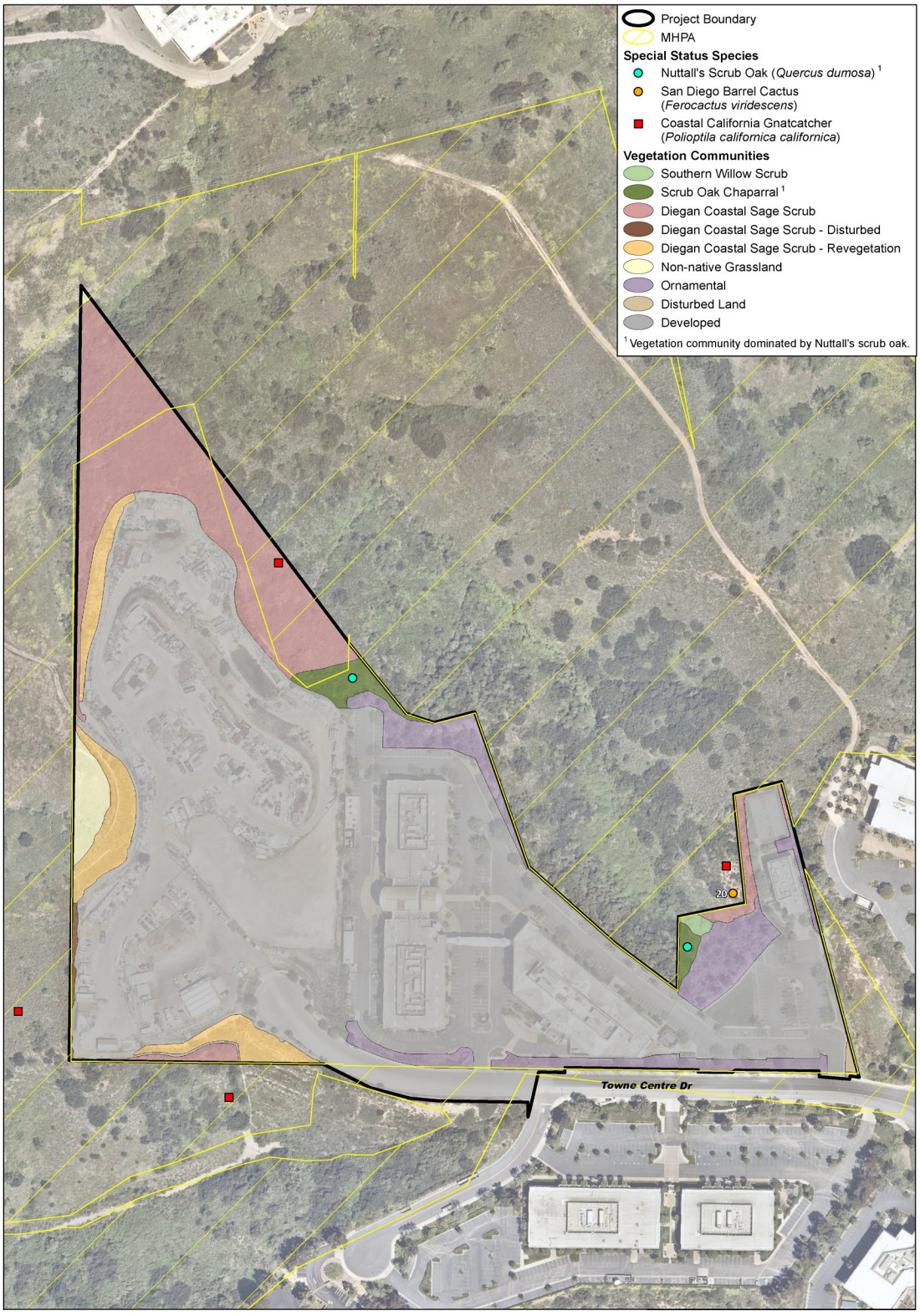


Source(s): ESRI, usgs (2013), SanGIS (2021)

Figure 2-4

0 425 850 1,700 Feet

USGS Topographic Map

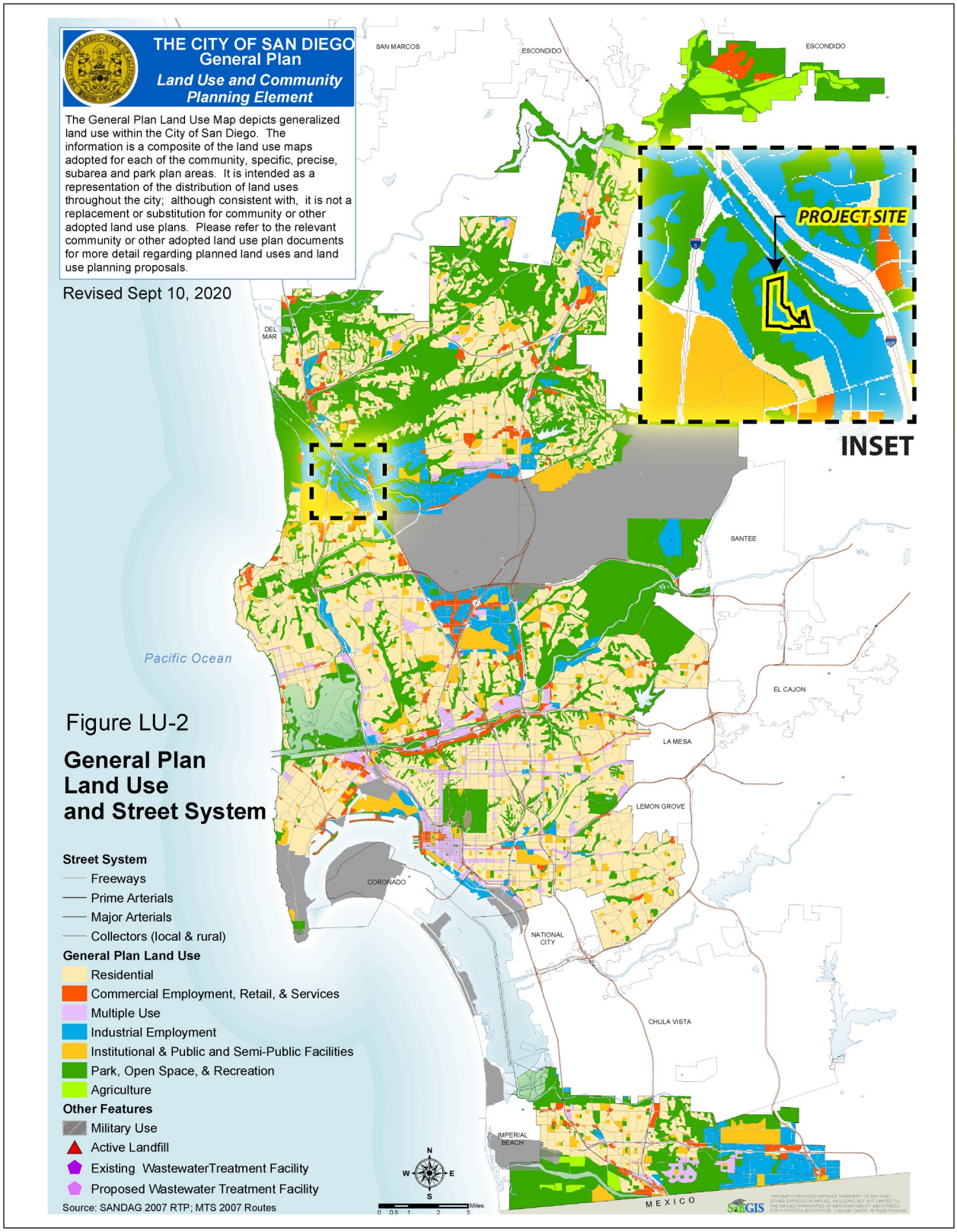


Source(s): Alden Environmental, Inc. (04-12-2021)

Figure 2-5

Not to Scale

Multi-Habitat Planning Area and Vegetation Communities

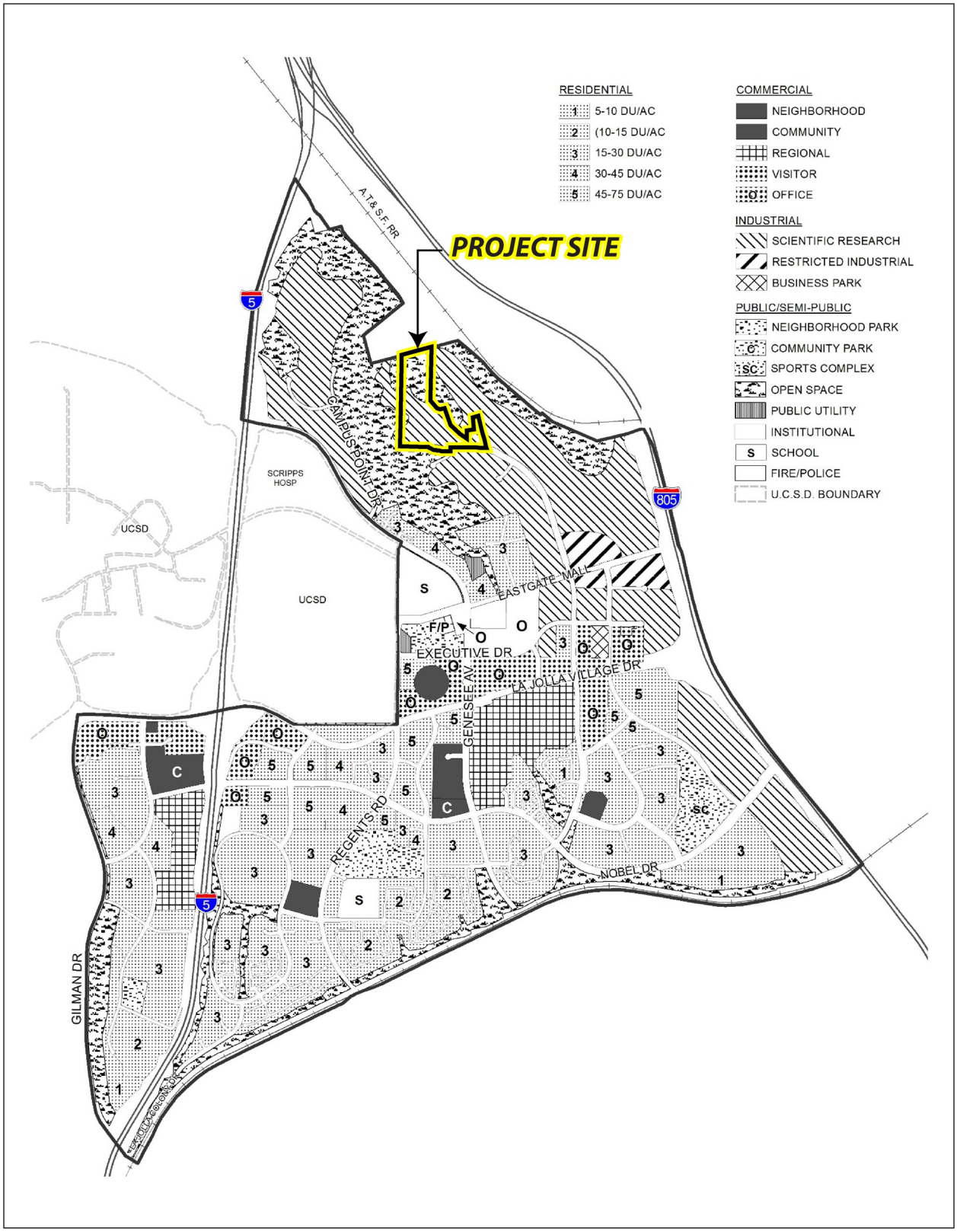


Source(s): City of San Diego (September 2020)

Figure 2-6

Not to Scale

City of San Diego General Plan Land Use and Street System Map

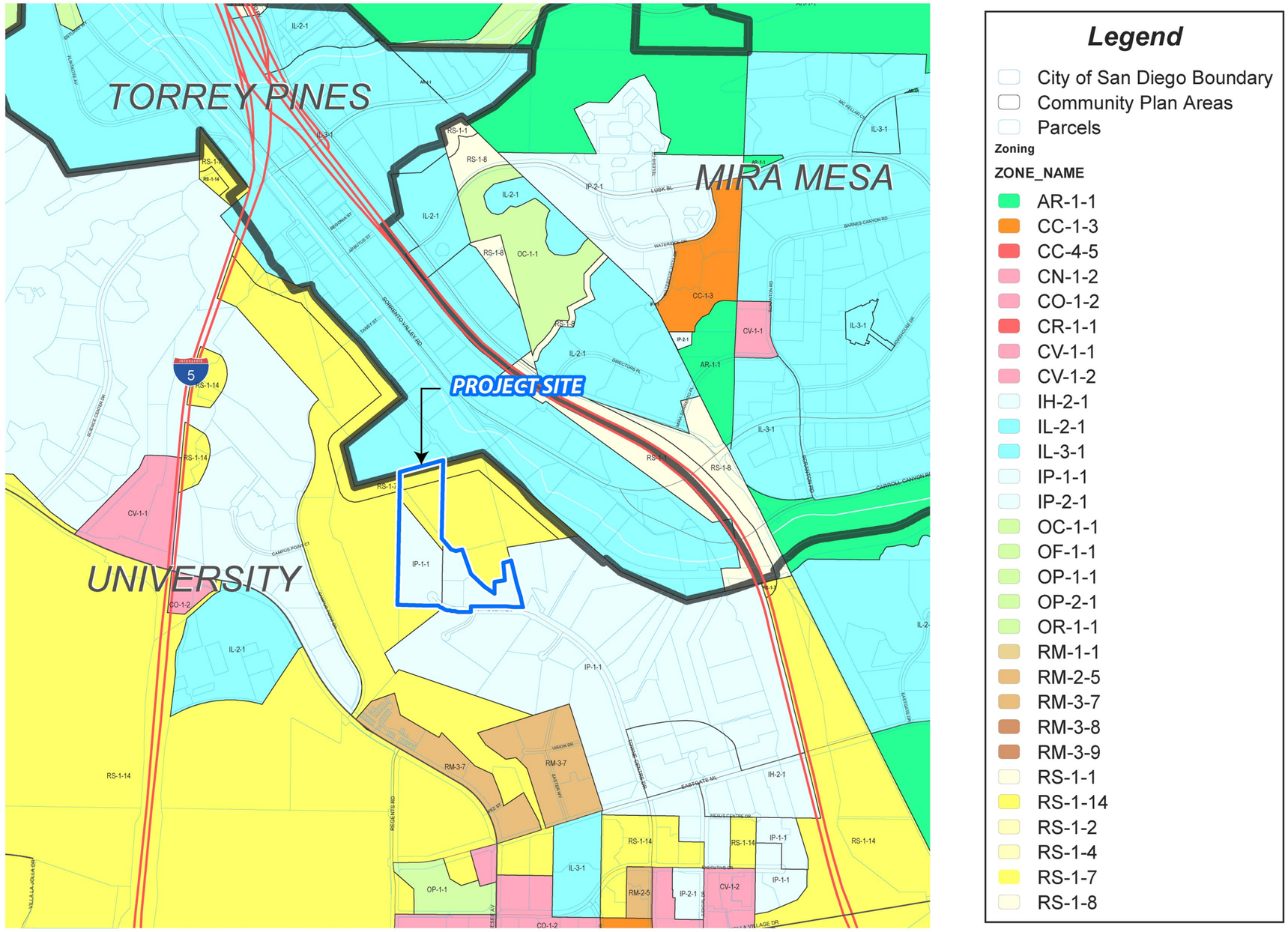


Source(s): University Community Plan (07-11-2019)

Figure 2-7

Not to Scale

Existing University Community Plan Land Use Designations

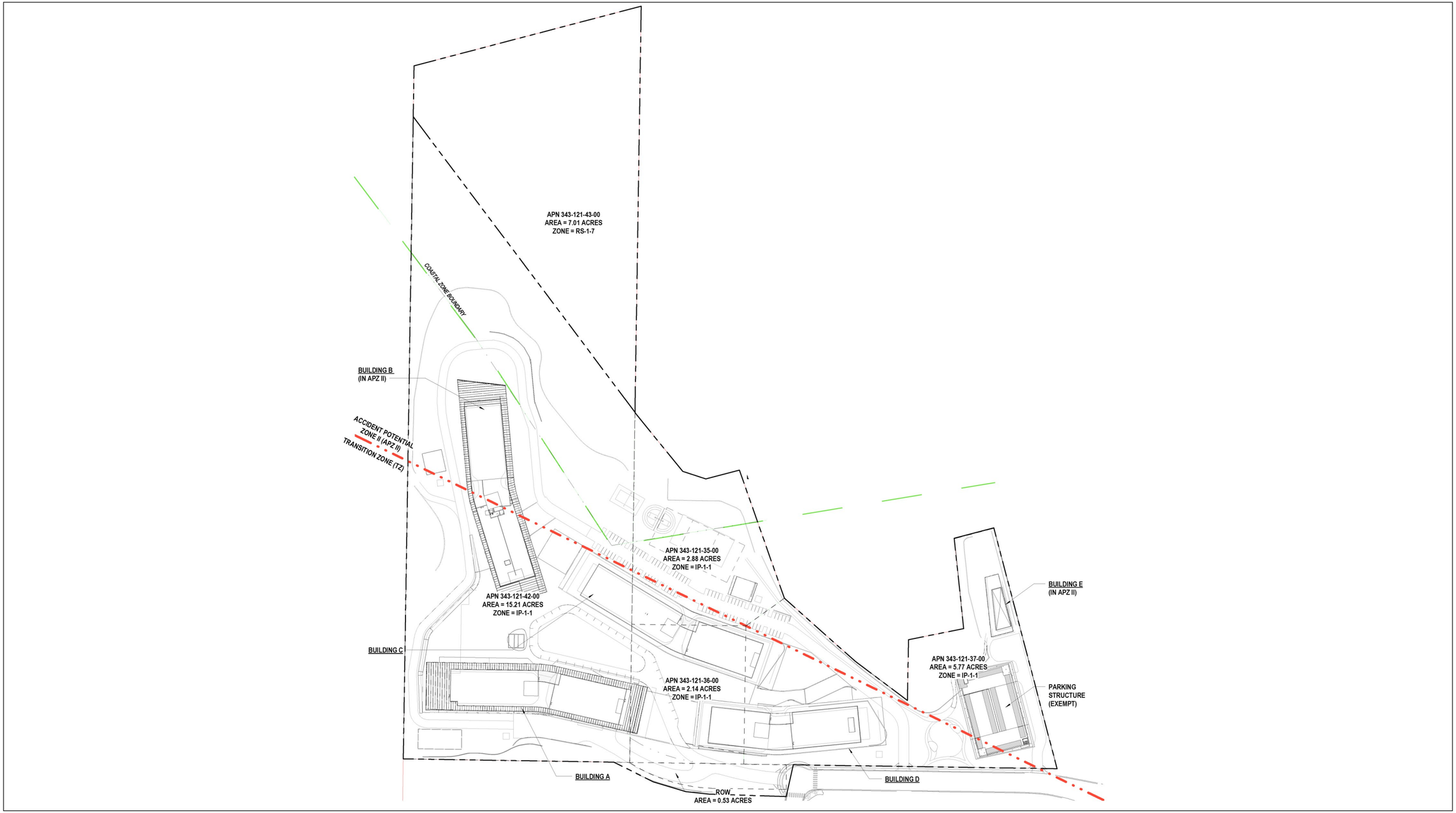


Source(s): SanGIS (06-10-2019)

Figure 2-8

Not to Scale

Zoning Map

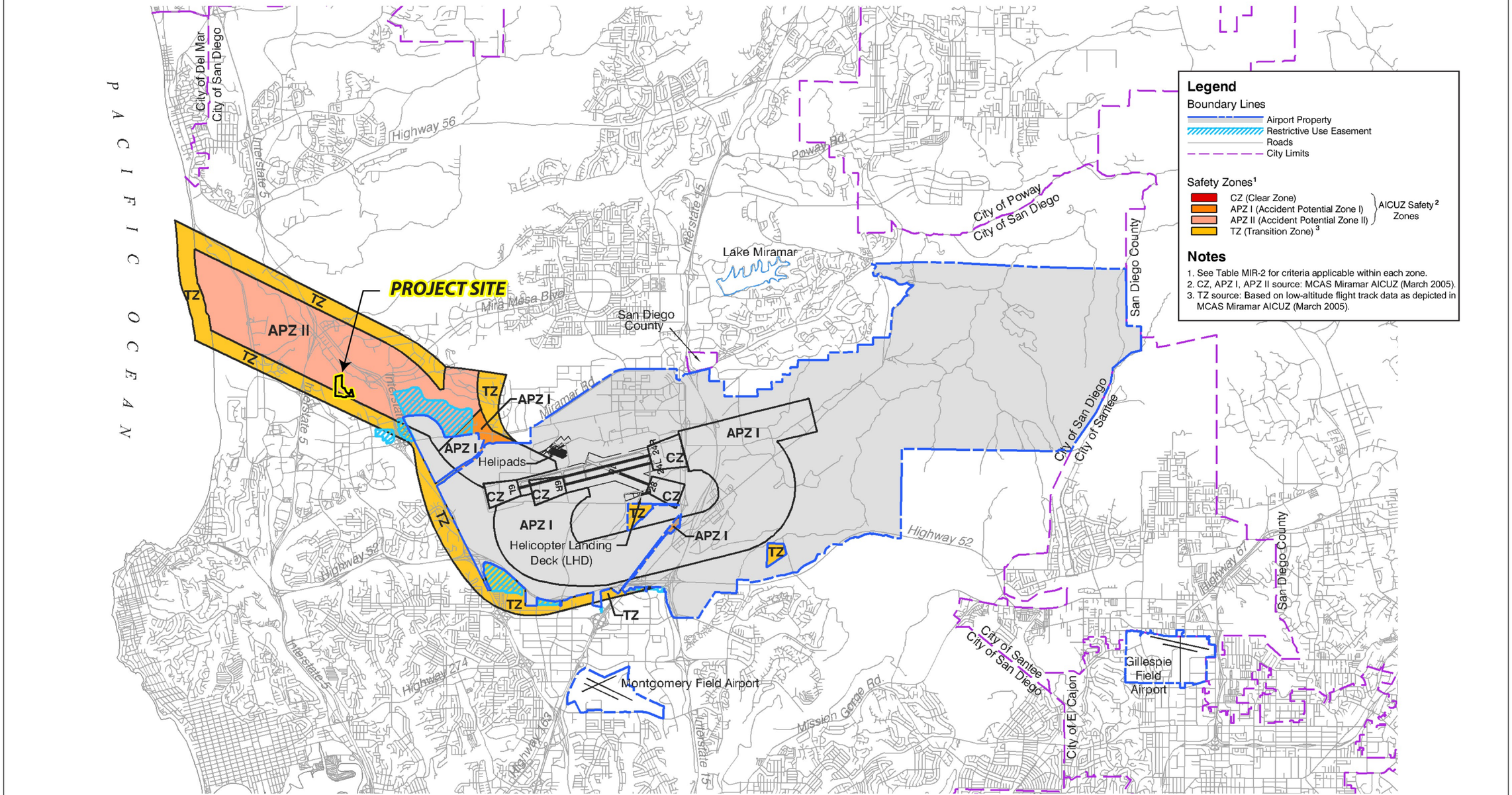


Source(s): Perkins & Will (12-15-2021)

Figure 2-9

Not to Scale

Coastal and ALUCP Safety Zones in Relation to the Project

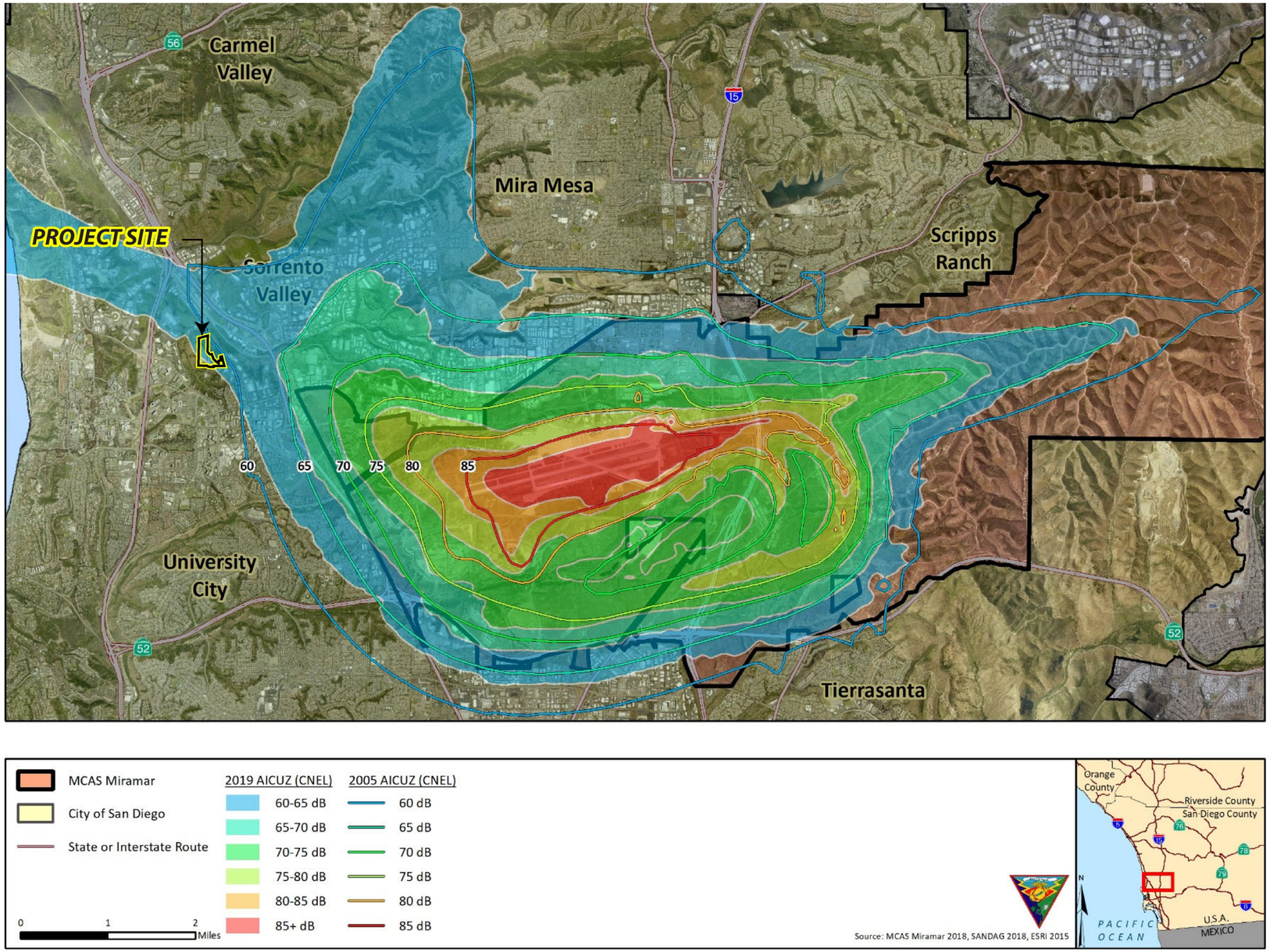


Source(s): MCAS Miramar (October 2008)

Figure 2-10

Not to Scale

MCAS Miramar ALUCP Compatibility Policy Map: Safety



Source(s): MCAS Miramar (2018)

Figure 2-11

Not to Scale

MCAS Miramar AICUZ 2020 CNEL Contours

3.0 PROJECT DESCRIPTION

This chapter of the Environmental Impact Report (EIR) provides a statement of the Project goals and objectives, describes the specific characteristics of the Project, discusses project phasing and construction, and identifies the discretionary actions required to implement the Project. This chapter has been prepared pursuant to Section 15124 of the State California Environmental Quality Act (CEQA) Guidelines.

3.1 PURPOSE, BACKGROUND, AND OBJECTIVES OF THE PROJECT

3.1.1 Project Purpose and Background

The purpose of the Towne Centre View Project is to provide a scientific research and development (R&D) campus in the City of San Diego that can accommodate approximately 1,000,000 square feet (sf) of building area, while preserving existing open space in the City's Multi-Habitat Planning Area (MHPA) within and surrounding the Project site, and adhering to various regulations applicable to development of the Project site. A large multi-building campus is preferred to meet the operational needs of technology and life science companies (e.g., large, regional, base-sector high technology employers).

As previously discussed in Chapter 2.0, *Environmental Setting*, (refer to Figure 2-2, *Vicinity Map*) the Project site is located north of the current terminus of Towne Centre Drive in the University Community Planning Area. The Project site in its entirety encompasses 33.55 acres, including approximately 26.5 acres to be developed and approximately 7.0-acres within the City's Multi-Habitat Planning Area (MHPA) to be preserved with an open space easement. As shown on Figure 2-5, *Multi-Habitat Planning Area and Vegetation Communities,* areas surrounding the development footprint of the Project site are also located within the MHPA.

The eastern portion of the Project site (approximately 11.3 acres) is currently developed with three scientific research buildings with approximately 192,365 sf of building area and 7,370 sf of covered courtyard. The existing buildings are owned and operated by the Project Applicant and were constructed between 2001 and 2007. The western portion of the Project site (approximately 15.2 acres, excluding the approximately 7.0-acre open space parcel in the northern portion of the Project site) is entitled for 190,000 sf of regional and corporate headquarters office space (pursuant to Coastal Development Permit No. 117798 and Site Development Permit No. 2758 approved by the City of San Diego in March 2005 under PTS #1591). This area was mass graded in 2009 and building pads were established for the approved development, which consisted of three buildings: Building A, four stories; Building B, three stories, and Building C, two stories. This approved development was never constructed. The area was recently used as a staging area for the Mid-Coast Trolley construction under a lease agreement with the current property owner (Cushman). The construction staging activities were completed in Summer 2021.

A detailed discussion of the regulations relevant to development of the Project site is provided in Section 5.1, *Land Use.* In summary, the Project is wholly within the Prime Industrial Lands designation in the City's General Plan. The site is within the University Community Plan area of the City of San Diego and is designated Scientific Research and Open Space in the Community Plan; is designated "Park, Open Space and Recreation" and "Industrial Employment" in the General Plan; and is zoned IP-1-1 (Industrial Park) and Residential Single Unit (RS-1-7). The Project site is entirely within a Community Plan Implementation Overlay Zone (CPIOZ) Type A (intended to limit uses and development intensity to the levels specified in the Land Use and Development Intensity Table of the Community Plan), and within the airport influence area (AIA) for Marine Corps Air Station (MCAS) Miramar and the associated Airport Land Use Compatibility (ALUC) Overlay Zone. Portions of the Project site are within the City's MHPA; are within a Coastal Overlay Zone; and, include environmentally sensitive lands (ESLs), consisting of steep hillsides and sensitive biological resources. In light of these conditions, the existing permits associated with approved and existing development at the Project site, the proposed increase in development intensity at the Project site, and other Project-specific characteristics, the following discretionary approvals, which are described in Section 3.5 are required for the development of an approximately 1,000,000 sf state-of-the-industry scientific R&D campus at the Project site: Community Plan Amendment (CPA), Planned Development Permit (PDP), Site Development Permit (SDP), Neighborhood Development Permit (NDP), Coastal Development Permit (CDP), Tentative Map (TM), and Public Street Vacation are required for the Project. The physical Project components associated with development/redevelopment of the 26.5-acre southern portion of the Project site with a new five-building campus, are described in Section 3.2, below. As previously noted and shown in Figure 2-5, a portion of the area surrounding the development footprint of the Project site is also located within the MHPA. The northern undeveloped 7.0-acre parcel in the MHPA would remain conserved open space.

3.1.2 Project Objectives

Section 15124 of the CEQA Guidelines requires an EIR to include a statement of objectives sought by the proposed project. This disclosure assists in developing the range of project alternatives for the EIR to investigate, as well as aid in the preparation of Findings and Statement of Overriding Considerations, if necessary. The Project objectives associated with the Towne Centre View Project and related actions are:

- Maximize base sector employment uses in the Subregional Employment Area consistent with the General Plan's Economic Prosperity Element policies by increasing the allowable intensity of employment uses in the University community where major transportation and transit infrastructure are planned and currently exist.
- Develop a prominent single-site campus with sufficient scale and amenities that encourages large, regional, base-sector employers to locate and expand in the Subregional Employment Area of the University community.
- Encourage the retention and creation of middle-income employment by facilitating the expansion of high technology business facilities in the Subregional Employment Area.

- Maximize employment opportunities in Prime Industrial Lands while complying with the Airport Land Use Compatibility Plan for MCAS Miramar and respecting the surrounding environmentally sensitive lands by locating development on previously developed and existing disturbed areas.
- Implement energy-efficient and sustainable building practices and landscape practices, including efficient use of reclaimed water available from existing City infrastructure.
- Develop a Project that reduces 100-year storm event peak discharge rates.

3.2 PROJECT COMPONENTS (ON SITE)

As previously mentioned, the Project involves development of a five-building scientific R&D campus on site. A conceptual site plan is presented on Figure 3-1, *Conceptual Site Plan*, and the following on-site Project components are described below:

- Proposed Buildings
- Transportation/Circulation and Parking
- Landscape/Brush Management and Amenities
- Lighting and Walls/Fences
- Utility Infrastructure
- Sustainable Features
- Operational Characteristics

3.2.1 Proposed Buildings

Buildings A through E, which are further described below, would have an estimated gross floor area (GFA)[1] of 999,386 sf, with additional 1,027,650 sf of area excluded from the GFA consisting of balcony and roof deck space, and parking garage as summarized in Table 3-1, *Proposed Building and Parking Structure Summary*. While specific tenants have not been identified, the proposed buildings would accommodate R&D, laboratory, technology, and corporate office uses, as further discussed under 3.2.7, *Operational Characteristics*. The buildings would range in size from 5,924 sf of GFA (Building E) to 280,066 sf of GFA (Building B).

Buildings A – D would have an overall building height ranging from 107.3 feet to 131.5 feet; however, due to the varied topography of the Project site, the building elevations at top of parapet for Buildings A – C would consistently be at building elevation of 466.5 feet above mean sea level (AMSL), and the building elevation at top of parapet for Building D would be 450.6 feet AMSL.[2] Building E would have a building elevation of 389.0 feet AMSL at top of parapet. A below-grade, podium parking structure would be provided generally in the southern portion of the Project site

[1] Per City of San Diego Municipal Code Chapter 11, Article 3, Division 1, the gross floor area (GFA) includes occupied interior spaces, interior shafts (stairs, elevators, mechanical shafts), and covered mechanical penthouses. Area excluded from GFA and floor area ratio (FAR) calculations, include: below-grade parking and tenant space, above-grade open parking structures, balconies and roof decks.

[2] The building height is calculated as the overall building height in relation to the lowest adjacent grade.

Table 3-1 Proposed Building and Parking Structure Summary

Building/Parking Structure	Gross Floor Area (sf)	Exempt Area[1] (sf)	Total Area (sf)	Building Height (feet)
Buildings				
Building A	254,358	12,953	267,311	127.1 – six levels
Building B	280,066	14,000	294,066	131.5 – six levels
Building C	270,932	13,183	284,115	123.4 – six levels
Building D	188,106	6,268	194,374	107.3 – five levels
Building E	5,924	-	5,924	34.5 – two levels
Parking Structures				
Podium				
Building Support Space	-	177,846	177,846	
Parking Area	-	648,067	648,067	
Parking Garage	-	155,333	155,333	76 feet above grade 7 parking levels[2]
Total	999,386	1,027,650	2,027,036	

1. Area excluded from gross floor area and floor area ratio (FAR) calculations per SDMC Chapter 11, Article 3, Division 1, include: below-grade parking and tenant space, above-grade open parking structures, and balconies and roof decks.
2. There are six parking levels above grade, including roof level parking, and one partial below grade parking level.

(primarily subterranean under the proposed Buildings A through D). A primarily above-grade parking garage would be provided in the southeast corner of the Project site.

As shown in the conceptual building elevations presented in Figure 3-2 through Figure 3-6, and conceptual renderings presented in Figure 3-7, each building would be clad in a curtain wall system composed of vision glazing, spandrel glazing, and metal panel. Facades would be articulated with consideration given to both energy efficiency and interior/exterior occupant experience. Low-E glazing, in concert with exterior shading devices at south and west-facing facades, would minimize external heat gain and reduce peak HVAC loads. These vertical and horizontal shading devices would provide textural relief on the facades, which would reduce the perceived mass of the buildings through a play of reflectivity and shadow. Exterior terraces at each level would draw occupants outdoors and would further reduce the scale of the buildings as the massing is carved away at these exterior niches. Glazing at areas likely to attract birds would incorporate bird safety measures such as exterior frit patterns. High percentages of vision glazing at regularly occupied areas would maximize daylight penetration at the floor plates and would provide ample views to the surrounding natural landscape. The first floor of each building would be set back from the level above to provide shaded, covered areas for occupant use in support of an active ground-level environment.

The proposed buildings would comply with the development standards for industrial zones set forth in Table 131-06C of the San Diego Municipal Code (SDMC) related to, but not limited to minimum lot area, GFA, and maximum floor-to-area (FAR). The Project is requesting deviations from the development regulations for industrial zones set forth in the SDMC related to rear setbacks, the minimum required number of loading areas, maximum permitted driveway width, and retaining wall

height, as well as a deviation from Street Design Manual standards for minimum turnaround curb radius. For additional details about the requested deviations, please refer to Section 3.5, *Discretionary Actions* . The proposed buildings would also comply with the California Building Standards Code (CBSC), as adopted (with amendments) by the City of San Diego, including California Title 24 Energy Efficiency Standards for Residential and Nonresidential Buildings (Title 24 Standards) and the Title 24 California Green Building Standards Code (CALGreen Code).

B. Building A

As shown on Figure 3-1, Building A would be located in the southwest portion of the site and is within the MCAS Miramar Transition Zone. Building A would consist of a new six-level building with approximately 254,358 sf of GFA consisting of tenant and mechanical space, and 12,953 sf of exempt area consisting of balconies and a roof deck, for a total area of 267,311 sf. Building A would have an overall building height of 127.1 feet, extending from an elevation of 339.4 feet to 466.5 feet at top of parapet. A conceptual elevation of Building A is depicted on Figure 3-2, *Conceptual Elevations – Building A*.

C. Building B

Building B would be located in the northwest portion of the site and is within the MCAS Miramar Accident Potential Zone (APZ) II. Building B would consist of a new six-level building with approximately 280,066 sf of GFA consisting of tenant and mechanical space, and 14,000 sf of exempt area consisting of balconies and a roof deck, for a total area of 294,066 sf. Building B would have an overall building height of 131.5 feet, extending from an elevation of 335.0 feet to 466.5 feet at top of parapet. A conceptual elevation of Building B is depicted on Figure 3-3, *Conceptual Elevations – Building B.*

D. Building C

Building C would be located in the central portion of the Project site and is within the MCAS Miramar Transition Zone. Building C would consist of a new six-level building with approximately 270,932 sf of GFA consisting of tenant and mechanical space, and 13,183 sf of exempt area consisting of balconies and a roof deck, for a total area of 284,115 sf. Building C would have an overall building height of 123.4 feet, extending from an elevation of 343.1 feet to 466.5 feet at top of parapet. A conceptual elevation of Building C is depicted in Figure 3-4, *Conceptual Elevations – Building C*.

E. Building D

Building D would be located in the southern portion of the Project site north of the terminus of Towne Centre Drive and is within the MCAS Miramar Transition Zone. Building D would consist of a new five-level building with approximately 188,106 sf of GFA consisting of tenant and mechanical space, and 6,268 sf of exempt area consisting of balconies and a roof deck, for a total area of 194,374 sf. Building D would have an overall building height of 107.3 feet, extending from an elevation of 343.3 feet to 450.6 feet at top of parapet. A conceptual elevation of Building D is depicted in Figure 3-5, *Conceptual Elevations – Building D*.

F. Building E

Building E would be located in the northeast portion of the Project site within the MCAS Miramar APZ II, and would be physically separated from Buildings A – D by an existing canyon. Building E would consist of a new two-level building with approximately 5,924 sf of GFA consisting of tenant space. Building E would have an overall building height of 34.5 feet, extending from an elevation of 354.5 feet to 389.0 feet at top of parapet. A conceptual elevation of Building E is depicted in Figure 3-6, *Conceptual Elevations – Building E*.

G. Podium Parking Structure and Parking Garage

A four-level podium parking structure would be provided generally in the southern portion of the Project site (primarily subterranean under the proposed Buildings A through D as shown on Figure 3-8, *Site Sections*). In addition to parking areas provided on parking levels P1 through P4 (discussed under Section 3.2.2, below), the podium structure would include approximately 177,846 sf of accessory high-bay space and space for other support functions, with the majority of this space (169,159 sf) on parking level P1 (refer to Figure 3-9, *Overall Floor Plan – Podium Level P1*). This space is exempt from the calculation of GFA and in addition to accessory high-bay space, would include bicycle storage, building support space, loading area, and mechanical, electrical, and plumbing (MEP) space. Loading areas would be provided on the north, south, and east sides of the podium on parking level P1.

The parking garage would be up to 76 feet high (above grade) and would consist of six above grade levels and one partial below grade level. The garage is exempt from gross square foot area calculations per SDMC 113.0234(a)(6) given the structure is open air and over 75% open on more than two elevations. The top level of parking is open to the sky and provides shading for more than 50% of the parking stall area to meet code requirements and reduce heat gain. Planting areas would be provided on and around the parking structure to reduce heat gain. Additionally, a minimum of 12,500 sf of photovoltaic (PV) panels would be installed on the parking garage to produce solar energy.

3.2.2 Transportation/Circulation and Parking

A. Vehicular Circulation

The Project would include two driveways along Towne Centre Drive and one driveway at the proposed Towne Centre Drive turnaround, providing access to parking structures, surface parking, and drop-off areas (refer to 3.5.3). The easternmost driveway would provide access to Building E and the parking structure in the eastern portion of the Project site and the other driveways would provide access to Buildings A – D and associated uses. The Project is requesting a deviation from the Land Development Code related to maximum permitted driveway width and a deviation from the Street Design Manual for the minimum turnaround curb radius. For additional details about the requested deviation, please refer to Section 3.5.2, *Planned Development Permit (PDP)*. A loop road central to Buildings A – D would accommodate building pick-ups/drop-offs. As shown on Figure 3-10,

Fire Access Plan, fire access roads would extend along the perimeter of the proposed development area as required by the California Fire Code and the San Diego Fire Prevention Bureau policy.

The existing terminus to Towne Centre Drive west of Westerra Court would be vacated and developed as part of the Project site. The intersection of Towne Centre Drive and Westerra Court would be modified, as necessary to accommodate vehicular and emergency access (refer to Section 3.4, *Frontage)*. The Project would require a deviation from the City's Street Design Manual related to turnaround curb radius. For additional details about the requested deviation, please refer to Section 3.5.2.

B. Pedestrian and Bicycle Facilities

The Project site is located within a Transit Priority Area (TPA)[3]. To facilitate use of transit, and to promote use of alternative modes of transportation, the existing contiguous sidewalk along the north side of Towne Centre Drive would be replaced with non-contiguous sidewalk, and on-site pedestrian paths would connect to the new sidewalk along Towne Centre Drive. An elevated pedestrian pathway would connect the pedestrian path in the eastern portion of the Project site (near Building E and the proposed parking garage) to other on-site pedestrian facilities. Additionally, 50 short-term bicycle parking spaces and 120 long-term bicycle parking spaces would be provided on site, in excess of the SDMC requirements. The Project would also include changing/shower facilities on parking level P1 (refer to Figure 3-9).

To reduce vehicle travel, the Project would include transportation demand management (TDM) measures, including short- and long-term bicycle parking spaces, on-site bicycle repair station, bicycle riders guide/promotion programs, changing/shower facilities, pedestrian resting areas/recreation nodes, pedestrian-scale lighting adjacent to public pedestrian walkways, on-site car-share vehicle spaces, on-site parking are designated for micro-mobility travel (e.g. bicycles, e-bikes, electric scooters, shared bicycles, and electric pedal-assisted bicycles), passenger loading zones, Transit Encouragement Programs, access to services that reduce the need to drive, such as cafes, commercial stores, banks, post offices, restaurants, gyms, either onsite or within 1,320 feet (1/4-mile) of the structure/use, and a shuttle service to increase the Project's connectivity to transit within the University community.

Planned Bicycle Facilities

The Draft University Community Plan Update Recommended Mobility Network (*February 2021*) identifies Towne Centre Drive north of Eastgate Mall as a facility with a proposed Class II Buffered Bike Lane between Eastgate Mall and 9540 Towne Centre Drive driveway and with a Class III Bicycle Boulevard with vehicle volume and speed management strategies between 9540 Towne Centre

[3] A TPA is "an area located within ½-mile of a major transit stop that is existing or planned." The Mid-Coast Trolley extended trolley service from the Santa Fe Depot in Downtown San Diego to the University Community area. One of the trolley stations is located along Voigt Drive, just west of the intersection of Campus Point Drive and Voigt Drive, which is 1.6 miles walking distance from the Project site. The nearest bus transit station to the Project site is located 0.64-mile walking distance from the Project site.

Drive driveway and the northern terminus of the roadway. Additionally, the CPU effort proposes traffic calming enhancements along the entire segment north of Eastgate Mall.

C. Parking

The Project would include approximately 2,500 on-site automobile parking spaces consisting of podium parking (1,872 spaces), surface parking (124 spaces north of Building C), and a parking garage in the southeast portion of the Project site (504 spaces) (refer to Figure 3-1). As previously discussed, the podium parking structure would have 4 levels of parking. The parking garage would have 7 levels of parking (1 below grade and 6 above grade). The parking spaces would include 2,085 standard parking spaces, 32 accessible parking spaces (26 standard and 6 van), 233 spaces for clean air/zero emissions vehicles, and 150 electric vehicle charging station/electric vehicle service equipment (EVCS/EVSE) accessible spaces[4] (Of the 150 EVCS/EVSE spaces, 75 spaces are required and would include the necessary equipment and would be available for use upon completion of construction, and the remaining 75 spaces are not required but would have the infrastructure in place for future installation of the necessary EVCS/EVSE equipment). In addition to automobile parking, the Project would include 49 motorcycle parking stalls, and bicycle parking (discussed above).

3.2.3 Landscape/Brush Management and Amenities

A. Landscape and Brush Management

Figure 3-11, *Conceptual Landscape Plan*, depicts the proposed landscape concept for the Project. As shown, the Project would include landscaping throughout the proposed development area. Approximately 67,579 sf of combined landscape area for street yard, perimeter planning (in street yard), façade planting, remaining yard (inside MHPA), and remaining yard (outside MHPA) would be provided, which exceeds the required 42,615 sf for combined street yard, perimeter planning (in street yard), façade planting, remaining yard (inside MHPA), and remaining yard (outside MHPA.) The landscape palette would include native and adaptive drought tolerant grasses, succulents, shrubs, and trees (including street trees) to reduce water use and promote the positive aesthetics of a drought tolerant landscape. The landscape palette, which incorporates native species recommended by Native West Nursery, would include a number of native plants compatible with the surrounding canyon and region including giant chalk dudleya (*Dudleya edulis*), Lanceleaf liveforever (*Dudleya lanceolata*), Shaw's agave (*Agave shawii*), cliff spurge (*Euphorbia misera*), Pacific mist manzanita (*Arctostaphylos 'Pacific Mist'*), hummingbird sage (*Salvia 'Pt Sal Spreader'*), California goldenrod (*Solidago californica*), seaside daisy (*Erigeron glaucus*), coyote mint (Monardella 'Russian River'), sunset manzanita (Arctostaphylos 'Sunset'), evergreen currant (*Ribes viburnifolium*), San Diego viguiera (*Bahiopsis laciniata*), munz sage (*Salvia munzii*), fairy duster (*Calliandra californica*), purple three awn (*Aristida purpurea*), alkali scaton (Sporobolus airoides), creeping wild rye (*Leymus triticoides*), San Diego sedge (*Carex spissa*), California meadow sedge (*Carex pansa*), canyon grey (*Artemisia*

[4]EVCS and EVSE are used interchangeable and refer to cabinets, conduit and boxes required per the CalGreen Code, California Energy Commission, and City of San Diego Climate Action Plan Consistency Checklist requirements.

californica), coyote brush (*Baccharis pilularis*), Cleveland sage (*Salvia clevelandii*), hollyleaf cherry (*Prunus illicifolia*), San Diego mahogany (*Cercocarpus minutiflorus*), and black sage (*Salvia mellifera*). Landscaping would be established in disturbed areas outside of the building lines to give a seamless appearance throughout the Project. The ornamental landscaped areas within Brush Management Zone 1 would be permanently irrigated with recycled water according to plant type and environment exposure and would receive complete water coverage by means of a modern, automatically controlled, electrically operated, underground piped sprinkler system.

As further discussed in Section 5.19, *Wildfire*, of this Draft EIR, the Project site is within a very high fire hazard severity zone (VHFHSZ). To provide a fire break, SDMC Section 142.0412 requires brush management on publicly or privately owned premises that are within 100 feet of a structure and contain native or naturalized vegetation. Therefore, brush management is required for Buildings A, B, D, and E as well as the parking garage. The proposed brush management plan is depicted on Figure 3-12 and the brush management sections are shown on Figure 3-13. Brush management activities would be conducted in accordance with applicable restriction in place to protect sensitive biological resources, as further discussed in Section 5.4, Biological Resources, of this Draft EIR. As shown on Figure 3-12, Zone 1 and Zone 2 brush management is required; these zones are described below:

- **Zone 1**. Brush management Zone One is the area adjacent to the structure, shall be least flammable, and shall typically consist of pavement and permanently irrigated ornamental planting. Planting within this zone shall be primarily low growing (less than 4 feet in height) and this zone shall be maintained on a regular basis by pruning and thinning plants, controlling weeds, and maintaining irrigation system.
- **Zone 2.** Brush management Zone Two is the area between Zone One and any area of native or naturalized vegetation and typically consists of thinned, native or naturalized non-irrigated vegetation. Within this zone, 50% of all plants over 24 inches in height shall be cut and cleared to a height of 6 inches. All plants remaining after 50% are reduced in height, shall be pruned to reduce fuel loading in accordance with landscape standards in the City Landscape Development Manual. Non-native plants shall be pruned before native plants are pruned. New plants shall be low- growing with a maximum height of 24 inches. At maturity of 24 inches, all new planting within Zone 2 shall be irrigated temporarily until established.

Portions of proposed Buildings A, B, D and E and the parking garage are within 100 feet of native or naturalized vegetation and are subject to applicable brush management requirements. The Project's proposed brush management plan, including alternative compliance measures are presented in Figures 3-12 and 3-13 includes the following:

- **Building A:** There is naturalized vegetation west and south of Building A. The area to the west of the Project site is owned by the City, and there are slopes greater than 4:1 ratio south of eastern Building A. The SDMC does not allow any BMZs to occur within City-owned land. Per SDMC Section 142.0412(f), the BMZ Zone Two width may be decreased by 1½-feet for each 1-foot increase in BMZ Zone One width. Under this allowance, west of Building A, as

well as a portion of the south westerly facade of Building A, the BMZ Zone One would be expanded to 79 feet and BMZ Zone Two would be 0 feet. This brush management plan is extended to south of the western portion of Building A. The SDMC also does not allow Zone One brush management within slopes greater than 4:1; thus, south of the eastern portion of Building A, per Section SDMC Section 142.0412(f), BMZ Zone One would be 58 feet and BMZ Zone Two would be 30.5 feet implemented in the area with slopes greater than 4:1.

- **Building B:** Per SDMC Section 142.0412(f), the BMZ Zone Two width may be decreased by 1½-feet for each 1-foot increase in BMZ Zone One width. Under this allowance, west of the southern portion of Building B, BMZ Zone One has been expanded up ranging between 50 to 79 feet and a corresponding BMZ Zone Two would be between 42.5 feet to 0 feet and implemented in the area with a slope greater than 4:1. Likewise, east of the northern portion of Building B, BMZ Zone One would be 58 feet and BMZ Zone Two would be 30.5 feet.

- **Building D:** The Project is unable to meet the standard BMZ requirements northeast of Building D due to the distance from façade to the property line being 41 feet 5 inches at the closest point. Therefore, the brush management program for Building D will implement two provisions allowed under SDMC Section 142.0412. First, per SDMC Section 142.0412(f) , the BMZ Zone Two width may be decreased by 1½-feet for each 1-foot increase in BMZ Zone One width. Accordingly, Zone One will range between 41.5 feet to 79 feet (where 79 feet represents a full brush management program with no zone two required). Second, SDMC Section 142.0412(i) which allows for alternative brush management compliance measures, and as identified in San Diego Fire Prevention Bureau Policy B-18-01, the proposed brush management plan includes alternative compliance measures consisting of a fire barrier wall where the full brush management Zone Two cannot be provided. A 4-foot-high retaining wall currently exists along the Project boundary northeast of Building D and this wall would be modified to 9-feet-high. Therefore, a BMZ Zone 2 of 6 feet would be implemented on-site in the area between the wall and the property line achieving alternative compliance for a full brush management equivalency.

- **Building E:** The Project is unable to meet the standard BMZ requirements due to the limited distance to the property line and the presence of biologically sensitive land. Therefore, the proposed brush management plan includes alternative compliance measures, which rely on use of the existing site wall that is located east, west and north of Building E. BMZ Zone 1 would be implemented around the building within the property boundaries and up to the existing site wall. BMZ Zone 2 would be implemented west of Building E between the site wall and the property boundary.

- **Parking Garage:** There is naturalized vegetation west, north, and east of the parking garage. BMZ Zone 1 would be implemented around the parking garage within the property boundaries up to 79 feet and up to 48 feet to the existing site wall along the Project's eastern boundary.

B. Amenities

As shown on the conceptual site plan (refer to 3.5.3), on-site amenities would be provided for employees and visitors. This would include, but not be limited to, a recreational amenity area, including sports fields/courts located north of Building C. Roof terraces would also be provided, which would provide tenant amenity space for conferencing and small events. As shown on the conceptual landscape plan (refer to Figure 3-11), accessible pedestrian pathways extend throughout the Project site to facilitate access to the proposed amenities and vista viewing areas. The on-site pedestrian pathways would connect to the proposed non-contiguous sidewalk along Towne Centre Drive and Westerra Court. Furthermore, the Project would provide access to services that reduce the need to drive, such as cafes, commercial stores, banks, post offices, restaurants, gyms, either onsite or within 1,320 feet (1/4-mile) of the structure/use.

3.2.4 Lighting and Walls/Fences

A. Exterior Lighting

Project lighting would be provided in parking areas, on buildings, along pedestrian pathways, and along internal roadways for safety, security, and wayfinding. All lighting would comply with the requirements of the SDMC and MHPA adjacency guidelines, and would not spill over to adjacent open space areas within the MHPA. As noted below in Section 3.2.6, *Sustainable Features*, exterior lighting would include the following sustainable features: targeting high efficiency daylight factor and spatial daylight autonomy, lighting to utilize control schedules to reduce unnecessary lighting, and reducing outdoor lighting power to less than 90% of what is allowed per Title 24, and protection of biological resources by providing fully-shielded light fixtures to prevent light spill-over/light pollution into adjacent open space/MHPA areas.

B. Wall/Fences

Under existing conditions, there are existing retaining walls on site that surround the existing developed area in the eastern portion of the Project site and the undeveloped western portion of the Project site. Existing retaining walls with a height ranging from 0 to 12 feet and length ranging from 230 to 1,150 feet would remain and new retaining walls with a height ranging from 5 to 20 feet and length ranging from 50 to 480 feet would be installed, as needed for grading, brush management, or proposed development features (e.g., generator pad, loading docks, and parking garage entry) (refer to Figure 3-17). Additionally, the existing 4-foot-high retaining wall north of Building D would be modified to 9 feet as part of the proposed brush management plan. As discussed in Section 3.5.3, the 14.5-foot-high retaining wall south of the Building A loading dock, and the 20-foot-high (19-feet exposed) retaining wall east of Building B associated with a loading dock, exceed the City's 12-foot exposed wall height requirement, and would require a deviation. The area requiring a deviation south of the Building A loading dock is 30 feet long, while the area requiring a deviation east of Building B is in two segments, totaling 45 feet long. Both the retaining wall south of the Building A loading dock and retaining wall east of Building E face open space and adjacent properties and would not be visible from the public right-of-way.

3.2.5 Utility Infrastructure

Municipal and private utility facilities that would be necessary to serve the Project are currently available within or adjacent to the Project site and have indicated their ability to serve the Project. The Project would involve the installation of on-site utility infrastructure (potable water, recycled water, sewer, electric, natural gas and telecommunications) as necessary to serve the Project. As described below, the on-site infrastructure would connect to existing facilities along Towne Centre Drive and there is sufficient capacity in the existing facilities to serve the Project. Existing on-site private utility infrastructure, and public utility infrastructure in the portion of Towne Centre Drive that would be incorporated into the Project would be removed and/or modified, as necessary. The required utility infrastructure that would be installed as part of the Project is within the physical impact area for the Project evaluated in this Draft EIR. The final sizing and design of on-site facilities would occur during final design. Following is a description of existing and proposed infrastructure.

A. Potable and Recycled Water

Water service to the Project site is provided by the City of San Diego Water Department. The Project would be served by existing potable water and recycled water lines shown on Figure 3-14, Conceptual Water and Sewer Utility Plan. In conformance with the City's design and operations standards, there would be two separate private on-site (potable) water systems to meet domestic water and fire flow requirements. A looped private fire protection system would be constructed as part of the on-site water system and connected to the existing City public water system in Towne Centre Drive, which consists of dual 12-inch lines. Each building would have its own domestic water meter and building supply piping. Fire hydrants would also be installed throughout the Project site and the buildings would include fire sprinklers. Recycled water lines would also be installed on site for landscape irrigation and would connect to an existing 8-inch public recycled water line in Towne Centre Drive.

B. Sewer

Sewer service to the Project site is also provided by the City of San Diego Water Department. As shown on Figure 3-14, there are two10-inch public sewer mains in Towne Centre Drive. One of the existing public sewer systems flows from east to west down Towne Centre Drive to the intersection with Westerra Court and the other existing, public sewer system flows west to east from the cul-de-sac at the end of Towne Centre Drive toward Westerra Court. The Project would involve installation of new private sewer systems on site. The proposed sewer lines for Buildings A, B, and C would be connected and discharge to the existing 10-inch public sewer main in Towne Centre Drive, west of Westerra Court. The private sewer system for Building D would connect to the existing 10-inch public sewer line near the intersection of Towne Centre Drive and Westerra Court and the private sewer system for Building E would connect to the existing 10-inch public sewer line in Towne Centre Drive at the southeast corner of the Project site.

C. Storm Water and Water Quality

As shown on Figure 3-15, *Conceptual Drainage and Water Quality Management Plan*, storm water runoff from impervious areas on site would be collected in the proposed on-site storm drain system and conveyed to underground storage vaults, subsequent modular wetland systems or biofiltration basins, or landscape areas for dispersion. Under existing conditions, storm water discharges from the Project site at seven locations, including an existing storm drain located in Towne Centre Drive and six discharge points located around the perimeter of the site that discharge to the surrounding canyons. With implementation of the Project, the existing discharge points and associated level spreaders would be retained to ensure adequate energy and flow dispersion. The proposed underground storage vaults, modular wetland systems, and biofiltration basin best management practices (BMPs) would provide hydromodification management flow control and pollutant control treatment, and would reduce the 100-year storm event peak discharge.

D. Electric, Natural Gas and Telecommunication Facilities

1. Electric and Gas Utility – San Diego Gas & Electric:

San Diego Gas & Electric (SDG&E) would provide electric and gas service to the Project. There are existing underground 12 kilovolt (KV) electric facilities and a 3-inch gas main line running along the south side of Towne Centre Drive that would provide the electric and gas sources for the Project site. There are currently existing 12KV underground electric facilities and gas facilities that enter the existing development from the entrance on Towne Centre Drive just west of Westerra Court. These facilities route throughout the site and serve the existing buildings. As part of the Project, new underground electric and gas facilities would be extended into the development from the existing electric and natural gas facilities on Towne Centre Drive (refer to Figure 3-16, *Conceptual Dry Utility Plan*). Furthermore, as noted under Section 3.2.6, *Sustainable Features,* the Project would include a minimum of 12,500 sf of photovoltaic (PV) panels be installed on the parking garage to produce solar energy and solar-ready roofs on the proposed buildings. New electric transformers, switches and handholes would be installed as required by the building electric loads. New gas lines and gas meters would be installed based on building gas loads and required service pressures.

Extension of SDG&E electric and gas distribution and service facilities would be provided in accordance with rules and regulations on file with and approved by the California Public Utilities Commission (CPUC) and the State of California. The underground electric and gas distribution and service facilities would be designed in accordance with SDG&E's Construction and Design Standards.

2. Communication Utilities – AT&T & Spectrum:

AT&T and Spectrum (Charter Communications) have franchise rights to operate communication systems in the Project area would compete with one another to provide communication systems to the new building tenants. AT&T and Spectrum have existing underground facilities along Towne Centre Drive that would serve the Project. Both companies would install communications facilities within the Project site in a joint trench with SDG&E in order to provide service to the proposed buildings on site.

3.2.6 Sustainable Features

The Project would include sustainable features that exceed state and local requirements (e.g., the California Title 24 Energy Efficiency Standards for Residential and Nonresidential Buildings, the CALGreen Code, and the City of San Diego Climate Action Plan [CAP]). These sustainable features include, but are not limited to the following design features or operational characteristics, some of which have been previously discussed in this section:

- Transportation Demand Management Measures
  - An employee shuttle service that would increase the Project site's connectivity to transit (Figure 5.2-5, *North University City Transit Infrastructure*, depicts the transit system that would be connected to the Project site using the Permittee sponsored shuttle)
  - Short-term bicycle parking spaces that are available, at least 10% beyond minimum requirements
  - On-site bicycle repair station
  - Bicycle Riders Guide / Promotion Programs
  - On-site showers/lockers at least 10% beyond the minimum requirement
  - Pedestrian resting area/recreation node on site, adjacent to the public pedestrian walkway (with signage designating the space is available), to be maintained by the property owner
  - Pedestrian-scale lighting adjacent to public pedestrian walkways along the entire development frontage
  - On-site car-share vehicle spaces with designated parking shown on a site plan
  - On-site parking area designated for micro-mobility travel (e.g. bicycles, e-bikes, electric scooters, shared bicycles, and electric pedal-assisted bicycles)
  - At least 10% of total parking would be designated for a combination of low-emitting, fuel efficient, and carpool/van pool vehicles
  - Electric Vehicle (EV) charging infrastructure
  - Passenger loading zones
  - Transit Encouragement Programs through use of kiosks, flyers, posters, emails and providing new employees/tenants with information on their travel options and program incentives.
  - Access to services that reduce the need to drive, such as cafes, commercial stores, banks, post offices, restaurants, gyms, either onsite or within 1,320 feet (1/4-mile) of the structure/use
- Energy Efficient and Sustainable Building Design Features
  - Achieve a minimum LEED Silver rating

  - Installation of a minimum of 12,500 sf of PV panels on the above grade parking garage in the eastern portion of the Project site to generate solar energy
  - Solar-ready roofs for proposed buildings
  - Roof materials with a 3-year aged solar reflection index (SRI) of 75 or more; this minimum SRI would most likely be achieved through the use of a membrane roof embedded with high-reflective white granules
  - Passive shading provided with facade design, utilizing louvers and perforated materials to reduce solar heat gain
  - Targeting high efficiency daylight factor and spatial daylight autonomy
  - Lighting to utilize control schedules to reduce unnecessary lighting
  - Reducing outdoor lighting power to less than 90% of what is allowed per Title 24
  - Energy budget less than 85% allowable per Title 24
  - Elevator lighting and fan shut off when not in use
  - Targeting reduced lighting power density within shell and core scope
  - Increased window to wall ratio to maximize daylighting and reduce lighting power loads
  - Energy efficient building envelope
  - Highly reflective roof system
  - Energy efficient HVAC components
  - Use of reduced carbon building materials
- Biological Resources Protection
  - Application of "bird friendly" finishes to minimize bird-strike including specialized frit on glazing at areas prone to bird strikes
  - Plant palette with native species recommended by Native West Nursery, which includes plant species compatible with the surrounding canyon
  - Fully-shielded light fixtures to prevent light spill-over/light pollution into adjacent open space/MHPA areas
- Water Conservation Measures
  - Use of reclaimed water for landscape irrigation
  - Planting of native/adaptive plants to reduce water consumption
  - Use of synthetic turf for recreation fields
  - Installation of low-flush fixtures

3.2.7 Operational Characteristics

At the time this Draft EIR was prepared, the specific tenants of the proposed buildings were unknown; however, as previously discussed, it is anticipated the buildings would be occupied by scientific R&D, laboratory, technology, and corporate office tenants. Consistent with similar land uses, it is anticipated that operations would primarily be conducted within the enclosed buildings, except for air handler units associated with the building heating and cooling systems, short-term generator operation during normal maintenance activities, traffic movements and surface parking lot activities, and use of outdoor amenities. Due to the types of tenants that are anticipated to occupy the proposed buildings, potential future facilities include wet and dry laboratories that use a variety of chemicals, compounds, and other materials that are considered hazardous. Hazardous material types that may be used as part of the Project include, but are not limited to, oxidizers, oxidizing gas, flammable solid, flammable gas, insert gas, unstable reactive, water reactive, toxic/highly toxic, pyrophoric, organic peroxide, combustible liquid, cryogenics, chemicals, and corrosives, as well as commercial cleaning products and landscape maintenance chemicals. The type, form, and concentrations of potentially hazardous materials proposed for use during operation and maintenance is not known at this time; however, on-site operations would be required to be conducted in accordance with applicable local and state regulations, including the installation of appropriate laboratory hoods and ventilation equipment.

This analysis assumes the Project would be operational daily 7:00 a.m. to 10:00 p.m. Building maintenance activities would occur during the nighttime periods 10:00 p.m. to 7:00 a.m. The number of employees generated by the Project would be dependent on the future tenants that occupy the proposed buildings. For purposes of analysis in this Draft EIR, it is estimated that the Project would generate employment opportunities for approximately 3,000 individuals, which would represent a net increase of 2,400 employment opportunities when compared to employment associated with the existing on-site buildings (estimated to be 600 employees) (refer to additional information about employment generation provided in Section 5.13, *Population and Housing*, of this Draft EIR).

3.3 PHASING, DEMOLITION, AND CONSTRUCTION

Construction of the Project would include demolition of the existing buildings and on-site improvements, grading, utility construction, building construction, paving/landscaping improvements, and architectural coatings. While demolition activities and construction of the buildings and parking structures would be phased, these activities would overlap with continuous on-site construction activities. The actual construction phasing for the Project would be based on market and tenant demand; however, for purposes of analysis in this Draft EIR it is anticipated that the construction phases would generally occur as follows:

- Phase 1 – Construction of Building A and podium parking structure
- Phase 2 – Construction of Building B

- Phase 3 – Demolition of existing buildings at 9865/9875/9885 Towne Centre Drive and construction of Building C and podium expansion
- Phase 4 – Demolition of existing building at 9855 Towne Centre Drive, and construction of Buildings D and E and the parking garage

The physical impact area associated with construction activities would largely be limited to existing developed and disturbed areas that are within the limits of existing retaining walls and previously disturbed areas; the areas outside the previously disturbed areas would remain as open space and would be subject to limited disturbance (primarily associated with brush management activities).

It is estimated that demolition of the existing structures and associated facilities, including surface parking areas, would generate approximately 20,000 cubic yards (cy) of demolition waste. As required by the City and the CALGreen Code, the majority of the demolition materials that are to be hauled off-site would be recycled.

The Project's grading plan and associated site sections, which show the existing grade in relation to the Project are shown on Figure 3-17, *Conceptual Grading Plan* and Figure 3-18, *Grading Plan Site Sections*. It is estimated that when considering the various phases of earthwork, construction of the Project would require the export of approximately 297,040 cubic yards (cy) of soil and the import of 7,900 cy of fill material.[5] The depth of excavation and fill would vary for the Project components; however, the maximum depth of cut/excavation is anticipated to be up to 50 feet and the maximum fill depth is estimated to be 25 feet.

For purposes of analysis in this Draft EIR, and as further described in Section 5.3, *Air Quality*, it is estimated that construction of the Project would last approximately 68 months. The exact calendar dates of each construction activity are subject to change; however, the estimated construction schedule represents a "worst-case" analysis scenario because if construction occurs any time after the respective dates, emission factors for construction will decrease as time passes and the analysis year increases due to emission regulations becoming more stringent.[6] Construction activities are expected to generally utilize the typical heavy equipment also discussed in Section 5.3, Air Quality. The duration of construction activity and associated equipment represents a reasonable approximation of the expected construction fleet as required per CEQA Guidelines.

Construction workers would travel to the site by passenger vehicle, and construction equipment and building materials deliveries would arrive by medium- and heavy-duty trucks. Trucks would use designated truck routes. Construction trailers, laydown yards, parking, etc. would be located on site.

[5] This estimate is more conservative than the total grading quantities identified on the conceptual grading plan, which indicate approximately 285,000 cy of cut and approximately 158,500 cy of fill, resulting in an estimated export of 126,500 cy of soil.

[6] As shown in the CalEEMod User's Guide Version2020.40.0, Section 4.3 "OFFROAD Equipment", as the analysis year increases, emission factors for the same equipment pieces decrease due to the natural turnover of older equipment being replaced by newer less polluting equipment and new regulatory requirements.

3.4 FRONTAGE IMPROVEMENTS

As previously discussed, the existing terminus of Towne Centre Drive west of Westerra Court would be vacated as part of the Project. The public right-of-way for Towne Centre Drive would terminate at Westerra Court. The Project would involve improvements along Towne Centre Drive fronting the Project site (north side of the street), including construction of Project driveways, replacement of the sidewalk, streetscape, and utility connections (described previously). Additionally, the intersection of Towne Centre Drive and Westerra Court would provide a turnaround as needed to accommodate Project and emergency vehicle access. These frontage improvements would occur within the physical impact limits evaluated in this this Draft EIR.

Additionally, to address Project-generated intersection and roadway deficiencies, the Project proposes off-site improvements at these deficient study area intersections and roadway segments, as detailed in the Project's Local Mobility Analysis, included as Appendix B2 to this EIR.

3.5 DISCRETIONARY ACTIONS

The City of San Diego has primary approval responsibility for the Project. As such, the City serves as the Lead Agency for this Draft EIR pursuant to CEQA Guidelines Section 15050. This EIR is intended to provide documentation pursuant to CEQA to cover all local, regional, and state permits and/or approvals which may be needed to implement the Project. A complete list of the anticipated discretionary approvals required to implement the Project is identified in Table 3-2, *Discretionary Actions Required*, and the discretionary approvals are summarized below.

Table 3-2 Discretionary Actions Required

Discretionary Permit / Approval	Approving Agency	Purpose
Community Plan Amendment	City of San Diego	Amend Community Plan Table 3 to increase intensity from 18,000 sf/ac to 1,000,000 sf.
Planned Development Permit	City of San Diego	Amendment to PID 96-7756 for Eastgate Acres (Biomed Property) and required deviations to the San Diego Municipal Code.
Coastal Development Permit	City of San Diego	Amendment to CDP 117798 as the eastern portion of the property is located in the non-appealable area of the City's Coastal Overlay Zone. No vertical development will be completed

		in this area, but a CDP will still be required due to location.
Site Development Permit	City of San Diego	Rescind SDP 2758 for previously approved Towne Centre Corporate Plaza in the western portion of the Project site. A new SDP is required for the following reasons: • There are ESLs on site and surrounding the Project site consisting of sensitive biological resources (MHPA areas and Tier I, Tier II, and Tier IIIB habitats), and steep hillsides (refer to SDMC Section 143.0110). • The Project involves development within the Airport Land Use Compatibility Overlay for MCAS Miramar, which would be required to comply with the safety compatibility rules (refer to SDMC Section 126.0502(c)(8)). • The Project is within the ALUC Overlay Zone and involves a Community Plan Amendment (refer to SDMC Section 126.0502(e)(8)). • The Project is within the CPIOZ Type "A" identified in the University Community Plan. The CPIOZ Type "A" is required to implement the planned land use intensities and required for review for consistency with the goals and proposals outlined in the Community Plan.
Neighborhood Development Permit	City of San Diego	Needed for Alternative Method of calculation for ALUC Overlay Zone per SDMC Section 132.1515(d).
Vesting Tentative Map	City of San Diego	Needed to subdivide and configure the property appropriately for the proposed development, to provide necessary easements, and to subdivide the areas in the Coastal Overlay Zone

		from the area outside the Coastal Overlay Zone.
Street Vacation	City of San Diego	The existing western terminus of Towne Centre Drive west of Westerra Court would be vacated and included as part of the Project site.
ALUCP Consistency Determination	San Diego County Regional Airport Authority	Required due to a Community Plan Amendment in the APZ2 and TZ for MCAS Miramar. The consistency determination has been obtained.
FAA Part 77 – No Hazard to Flight	Federal Aviation Administration	The Project site is within the MCAS Miramar FAA notification area, and the FAA must be notified regarding proposed construction; a determination of no hazard for the proposed buildings as well as construction cranes is required and has been obtained.
State Water Resources Control Board National Pollutant Discharge Elimination System (NPDES) Compliance	State Water Resources Control Board	Required under the statewide general National Pollutant Discharge Elimination System (NPDES) for storm water discharges from construction sites.
San Diego Air Pollution Control District – Stationary Source or Equipment Permits	San Diego Air Pollution Control District	Permits are required to construct and operate new stationary sources or equipment that emit air contaminants.

3.5.1 Community Plan Amendment

As previously discussed in Chapter 2.0, Environmental Setting, the Project site has an "Industrial Employment" land use designation in the San Diego General Plan, and is designated "Scientific Research" and "Open Space" within Subarea 11 of the University Community Plan. The portion of the site designated as "Open Space" is the northern approximately 7.0-acre open space parcel that would remain undeveloped. The Project site is zoned IP-1-1, (Industrial Park - research and development uses are allowed with some limited manufacturing), and RS-1-7 (Residential Single Unit). The portion of the site that is zoned RS-1-7 is the northern 7.0-acre open space parcel that would remain undeveloped. Because the proposed uses are allowed in areas designated Scientific Research in the University Community Plan, and research and development uses are allowed in the IP-1-1 Zone, a Community Plan Amendment and zone change are not required relative to the land use designation.

A CPA is required to increase the proposed intensity of the Project in Table 2, Land Use and Development Intensity, of the University Community Plan, for Subarea 11. Additionally, the Project site is located within the CPIOZ) identified in Figure 27 of the Community Plan, which is intended to limit uses and development intensity to the levels specified in the Land Use and Development Intensity Table. To implement the planned land use intensities, a CPIOZ Type "A" has been applied to the northern portion of the community, including Subarea 11, which includes the Project site. Development projects within the CPIOZ "A" are subject to ministerial permit review for consistency with the goals and proposals outlined in the Community Plan. However, when a project is does not comply with the development standards in an area with a CPIOZ A, a SDP is required. In addition to the amendment to the Community Plan, an SDP is required for the CPIOZ A. The proposed amendment is shown in Table 3-3, *Proposed Community Plan Amendment – Table 2: Land Use and Development Intensity Table*. Footnote 4 would be deleted as it is no longer applicable; a PDP is being processed for the Project and preparation of a master plan is not required.

Table 3-3 Proposed Community Plan Amendment – Table 2: Land Use and Development Intensity Table

Subarea/Name	Gross Acres	Land Use and Development Intensity
Existing		
~~11. Private Ownership~~ ~~City Ownership~~	~~55.93~~ ~~47.48~~	~~18,000 SF/AC Scientific Research[4]~~ ~~(Development intensity transferred from Subarea 38 for all of Subarea 11~~
Proposed		
11. Towne Centre View	33.55	1,000,000 SF – Scientific Research 7.0 acres of Open Space

~~[4] This Plan encourages the development of this subarea through a master plan~~

While not apparent in Table 2 of the current University Community Plan Land use and Development Intensity Table, existing development and existing entitlements for the Project site collectively total 382,365 sf of building area within the Project site (190,000 sf entitled on the Cushman property and 192,365 entitled/developed on the Project Applicant's property) and will be amended. The proposed CPA is to allow up to 1,000,000 sf of Scientific Research uses. which is the approximate build out of the Planning Area with implementation of the Project. This represents an increase of 617,635 sf compared to existing entitlements.

3.5.2 Planned Development Permit (PDP)

The Project would include a PDP to reflect the proposed development on the Project site. As part of this action, Planned Industrial Permit (PID) 96-7756, which addresses the eastern portion of the Project site currently owned by the Project Applicant, would be amended. Consistent with the City's PDP procedures discussed above and in Section 5.1, *Land Use*, the Project also involves deviations to the San Diego Municipal Code to accommodate the proposed development, as follows, and summarized in Table 3-4, *Proposed Deviations*:

1) **Rear Setbacks:** The IP-1-1 zone requires a 50-foot rear setback from residentially zoned land. MHPA open space property in the northern portion of the Project site and surrounding the Project is zoned RS-1-7, a single-family residential zone that was used as a "holding zone" in the area until additional planning was completed. The property zoned RS-1-7 cannot be developed into single family homes due to steep slopes, open space easements, and the MHPA open space designation of the property. The Project would only develop the previously disturbed and developed area of the Project site. This deviation is for Building D, where a standard rear building setback of 25 feet would be applied. This is appropriate given that there are no single-family homes present in the MHPA open space and none may be developed in the future.

2) **Loading Spaces:** The IP-1-1 zone requires 0.2 loading spaces per 10,000 sf of industrial use gross floor area. The Project is designed and intended as a speculative scientific research and development facility. Such a facility does not require the industrial capacity loading areas that are required by the zone and are more typical of a manufacturing or logistics facility. There are five buildings that share the overall loading capacity of the Project, which is designed for a market use that is more in-line with office than industrial uses. The minimum required off-street loading spaces for an office use is 0.1 spaces per 10,000 square feet of GFA, or 10 spaces if this project were considered more in-line with an office use. Therefore, 12 instead of 20 loading spaces would be provided, which are expected to provide adequate loading capacity for the R&D facility.

3) **Driveway Width:** The Project proposes a 30-foot driveway width at the main entrance to the facility, deviating from the maximum 25-foot width permitted per SDMC Section 142.0560(j)(1) and Table 142-05M for a project within a parking impact area. The entrance would serve a 5-building campus and ingress and egress to a motor court between buildings as well as the entrance to the underground parking garage. Although this Project area is within the Campus Parking Impact Overlay Zone, on-street parking would be prohibited within the proposed cul-de-sac at the intersection of Westerra Court and Towne Centre Drive and therefore on-street parking would not be impacted by the driveway.

4) **Retaining Wall Heights:** The floor-to-floor height of the underground parking garage near Building B is 20 feet. The parking garage grade is one foot below the adjacent private drive aisle elevation, creating a maximum exposed retaining wall height of 19 feet with a total length of 45 feet requiring a deviation east of the Building B for the loading dock. There is also a 14.5-foot-high retaining wall with a length of 30 feet requiring a deviation south of the Building A loading dock for grading. These walls exceed the 12-foot limit established in the San Diego Municipal Code.

Table 3-4 Proposed Deviations

Project Element	Requirement and Code Reference	Proposed Deviation	Purpose
Rear Setback	50-foot setback abutting residential zone (RS-1-7); *Table 131-06C*	25-foot rear setback	The IP-1-1 zone requires a 50-foot rear setback from residentially zoned land. As shown on Figure 2-8, MHPA open space property in the northern portion of the Project site and surrounding the Project is zoned RS-1-7, a single-family residential zone that was used as a "holding zone" in the area until additional planning was completed. The property zoned RS-1-7 cannot be developed into single family homes due to steep slopes, open space easements, and the MHPA open space designation of the property. The Project would only develop the previously disturbed and developed area of the Project site. This deviation is for Building D, where a standard rear building setback of 25 feet would be applied. This is appropriate given that there are no single-family homes present in the MHPA open space and none may be developed in the future.
Loading Space Quantity	Industrial Requirements 0.2 spaces per 10,000 sf of gross floor area; *Table 142-10B* (999,386 sf / 10,000) sf x 0.2 = 20 loading spaces)	10 loading spaces/0.1 spaces per 10,000 sf of gross floor area	The Project is designed and intended as speculative research and development. The intended market does not require the industrial capacity of loading areas. Provided quantity of areas exceeds the office use requirement and inline with the desired market use by providing 3 per building, totaling 12 spaces or, 0.12 spaces per 10,000 s.f. gross area.
Driveway Width at Curb Cut at the Main Site Entrance (Towne Centre View/Westerra Court Intersection)	Maximum of 25 feet within parking impact area *Table 142-05M*	30-foot commercial standard curb cut	The curb cut would be at the intersection of Towne Centre Drive and Westerra Court. Parking is not permitted within intersections; therefore, the curb cut would not impact street parking within the overlay. This is the main entrance to the Project site and a larger curb cut is more suitable for the scale of the proposed development.
Retaining Wall Height	Retaining walls located outside of the required yards shall not exceed 12 feet in height (SDMC Section 142.0340(e)). The height of a	Maximum exposed retaining wall height of 19 feet at the east loading entry of Building B	The floor-to-floor height of the underground parking garage is 20 feet. The parking garage and loading grade is one foot below the adjacent private drive aisle elevation, creating a maximum wall height of 19 feet (using SDMC exception in Section 142.0340(f)(2) to measure wall height) at the face of building and loading entry.

	retaining wall and associated fencing that border an access to underground parking shall be measured from the street grade (SDMC Section 142.0340(f)(2)).	Maximum exposed retaining wall height of 14.5 feet to the south of the Building A Loading Entry	In order to provide sufficient area for trucks to access the Building A loading dock, a retaining wall with a maximum exposed height of 14.5 feet is required along the south edge of the loading dock drive aisle.

3.5.3 Site Development Permit (SDP)

The existing SDP #2758 for the previously approved Towne Centre Corporate Plaza in the western portion of the Project site would be rescinded. Pursuant to the SDMC, the Project requires a new SDP for the following reasons:

- There are ESLs on site and surrounding the Project site consisting of sensitive biological resources (MHPA areas and Tier I, Tier II, and Tier IIIB habitats), and steep hillsides (refer to SDMC Section 143.0110).
- The Project involves development within the Airport Land Use Compatibility Overlay for MCAS Miramar, which would be required to comply with the safety compatibility rules (refer to SDMC Section 126.0502(c)(8)).
- The Project is within the Airport Land Use Compatibility Overlay Zone and involves a Community Plan Amendment (refer to SDMC Section 126.0502(e)(8)).
- The Project is within the CPIOZ Type "A" identified in the University Community Plan.

3.5.4 Neighborhood Development Permit (NDP)

Pursuant to the SDMC, the Project requires a NDP for the Alternative Method of calculation to demonstrate compliance with maximum intensity (people per acre) in the Airport Land Use Compatibility Zone (refer to SDMC Section 132.1515(d). Refer to Section 5.1, *Land Use*, of this EIR for additional discussion related to the Alternative Method of calculation for compliance with the Airport Land Use Compatibility Zone.

3.5.5 Coastal Development Permit (CDP)

Pursuant to the San Diego Municipal Code the Project requires an amendment to CDP #117798 for the following reasons:

- The northern portion of the Project area is located in the non-appealable area Coastal Overlay Zone.
- The Project would subdivide the portion of the Project site in the Coastal Overlay Zone from the area where vertical development would be constructed. Landscaping, a fire access road, walking paths, and recreational facilities (such as a field and basketball court) would be provided within the Coastal Overlay Zone.

3.5.6 Tentative Map and Public Street Vacation

A Tentative Map would be processed to reconfigure the existing parcels to accommodate the proposed development, subdivide the areas in the Coastal Overlay Zone from the area outside the Coastal Overlay Zone, and for vacation of the western terminus of Towne Centre Drive west of

Westerra Court, which would become part of new Parcel 2 (refer to Figure 3-19, *Proposed Tentative Map*). The northern open space parcel would not be changed.

3.6 OTHER AGENCY APPROVALS

The Final EIR informs State, regional, and local government approvals needed for construction and/or operation of the Project, whether or not such actions are known or are explicitly listed. The following discretionary and/or administrative actions may be necessary from other government agencies to fully implement the Project.

3.6.1 Federal Aviation Administration No Hazard Determination

The FAA is the responsible agency to make a determination on whether the Project presents an aviation hazard. The FAA has made a "No Hazard Determination" for the proposed buildings and the required construction equipment. Refer to Section 5.8, *Health and Safety*, of this EIR for additional discussion related to the FAA "No Hazard Determination."

3.6.2 State Water Resources Control Board NPDES Compliance

The Project requires coverage under the statewide general National Pollutant Discharge Elimination System (NPDES) for storm water discharges from construction sites, which is under the jurisdiction of the State Water Resources Control Board. Refer to Section 5.18, *Water Quality*, of this EIR for additional discussion related to NPDES compliance.

3.6.3 Airport Land Use Compatibility Plan for MCAS Miramar Consistency Determination from San Diego County Regional Airport Authority

A determination of consistency with the Marine Corps Air Station (MCAS) Miramar Airport Land Use Compatibility Plan is under the jurisdiction of the San Diego County Regional Airport Authority, which serves as the region's Airport Land Use Commission. The ALUC has determined that the Project is consistency with the MCAS Miramar ALUCP. Refer to Section 5.1, *Land Use*, and Section 5.8, *Health and Safety*, of this EIR for additional discussion related to the ALUC and consistency with the MCAS Miramar ALUCP.

3.6.4 Permits from San Diego Air Pollution Control District

Permits to construct and to operate new stationary sources or equipment that emit air contaminants are under the jurisdiction of the San Diego Air Pollution Control District. Refer to Section 5.3, *Air Quality and Odors*, of this EIR for additional discussion related to the San Diego Air Pollution Control District.

Towne Centre View

Site Development Permit

PROPERTY INFORMATION

PROJECT ADDRESS:
PROJECT SITE INCLUDES THE FOLLOWING ADDRESSES:
- 9655 TOWNE CENTRE DRIVE / APN 343-121-37-00
- 9665 TOWNE CENTRE DRIVE / APN 343-121-37-00
- 9675 TOWNE CENTRE DRIVE / APN 343-121-35-00 & 343-121-36-00
- 9685 TOWNE CENTRE DRIVE / APN 343-121-35-00 & 343-121-36-00
- APN 343-121-42-00
- APN 343-121-43-00

LEGAL DESCRIPTION:
BMR-9665 TOWNE CENTRE LP / APN 343-121-37-00
PARCEL 3 OF PARCEL MAP 18288, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JUNE 21, 1999.

BMR-9685 TOWNE CENTRE LP / APN 343-121-35-00 AND 343-121-36-00
PARCELS 1 AND 2 OF PARCEL MAP NO. 18288, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JUNE 21, 1999.

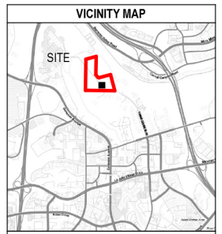
TOWNE CENTRE SCIENCE PARK, LP / APN 343-121-42-00 AND 343-121-43-00
PARCELS 1 AND 2 OF PARCEL MAP NO. 20710, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, SEPTEMBER 21, 2009 AS INSTRUMENT NO. 2009-0524505 OF OFFICIAL RECORDS.

OWNER:
FOR APN 343-121-35-00 AND 343-121-36-00:
BMR-9685 TOWNE CENTRE LP
17190 BERNARDO CENTER DRIVE
SAN DIEGO, CA 92128
ATTENTION: JON BERGSCHNEIDER
TELEPHONE: (415) 385-3568
EMAIL: JON.BERGSCHNEIDER@BIOMEDREALTY.COM

FOR APN 343-121-37-00:
BMR-9665 TOWNE CENTRE LP
17190 BERNARDO CENTER DRIVE
SAN DIEGO, CA 92128
ATTENTION: JON BERGSCHNEIDER
TELEPHONE: (415) 385-3568
EMAIL: JON.BERGSCHNEIDER@BIOMEDREALTY.COM

FOR APN 343-121-42-00 AND 343-121-43-00:
TOWNE CENTRE SCIENCE PARK, LP
10620 TREENA STREET, SUITE 110
SAN DIEGO, CA 92131
ATTN: STEPHEN P. CUSHMAN
TELEPHONE: (858) 549-2874
EMAIL: SCUSHMAN@CUSHNET.NET

VICINITY MAP



SITE MAP

DEVELOPMENT SUMMARY

SCOPE OF WORK:
THE PROJECT INVOLVES REDEVELOPMENT OF THE PROJECT WITH A FIVE-BUILDING CAMPUS (BUILDINGS A THROUGH E), WHICH WOULD INCLUDE SCIENTIFIC R&D, LABORATORIES, TECHNOLOGY, AND OFFICE USES, WITH SUPPORTING PARKING STRUCTURES AND SURFACE PARKING AREAS, RECREATIONAL FACILITIES, AMENITIES, AND LANDSCAPING. OFFSITE IMPROVEMENTS CONSIST OF THREE DRIVEWAY ENTRANCES AND A NON-CONTIGUOUS SIDEWALK ALONG THE PROJECT FRONTAGE AT TOWNE CENTRE DRIVE.

DEVELOPMENT INCLUDES DEMOLITION OF EXISTING COMMERCIAL OFFICE BUILDINGS WITH THE FOLLOWING AREAS (REFERENCE PLANNED DEVELOPMENT PERMIT NO. 2152115):

EXISTING AREA: 199,735 SF
TRIP-GENERATING AREA: 192,365 SF
NON-TRIP GENERATING AREA: 7,370 SF *COVERED COURTYARD AREA*

CONSTRUCTION TYPE:
TYPE 1A CONSTRUCTION PER 2019 CALIFORNIA BUILDING CODE

OCCUPANCY:
B - OFFICE AT ABOVE-GRADE FLOORS
S2 - GARAGE AT BELOW-GRADE PARKING AND DETACHED GARAGE

EXISTING AND PROPOSED USES:
EXISTING: COMMERCIAL / NON-RESIDENTIAL; VACANT LAND
PROPOSED: INDUSTRIAL/ RESEARCH AND DEVELOPMENT

ZONING (SEE SITE MAP BELOW):
IP-1-1 (INDUSTRIAL PARK).
RS-1-7 (RESIDENTIAL SINGLE - UNIT)

OVERLAY ZONES:
FOR APN 343-121-36-00 AND 343-121-37-00:
AIRPORT LAND USE COMPATIBILITY OVERLAY ZONE:
- MCAS MIRAMAR

COMMUNITY PLAN IMPLEMENTATION OVERLAY ZONE:
- CPIOZ-A

PARKING IMPACT OVERLAY ZONE:
- PIOZ- CAMPUS-IMPACT

FOR APN 343-121-35-00 AND 343-121-42-00:
AIRPORT LAND USE COMPATIBILITY OVERLAY ZONE:
- MCAS MIRAMAR

COASTAL OVERLAY ZONE:
- N-APP-1

COMMUNITY PLAN IMPLEMENTATION OVERLAY ZONE:
- CPIOZ-A

PARKING IMPACT OVERLAY ZONE:
- PIOZ- COASTAL-IMPACT
- PIOZ- CAMPUS-IMPACT

GEOLOGIC HAZARD CATEGORIES:
APN 343-121-35-00, 343-121-36-00 AND 343-121-37-00:
HAZARD CATEGORIES 25, 51, 52, 53

APN 343-121-42-00:
HAZARD CATEGORIES 25, 51, 53

GROSS FLOOR AREAS:
GROSS FLOOR AREAS MEASURED PER THE FOLLOWING STANDARDS IN CITY OF SAN DIEGO MUNICIPAL CODE CHAPTER 11, ARTICLE 3, DIVISION 1
A. PERIMETER BOUNDARY LINE DRAWN AT EXTERIOR FACE OF EXTERIOR ASSEMBLIES
B. IN ADDITION TO OCCUPIED INTERIOR SPACES, NON-EXEMPT AREAS INCLUDE:
   a. INTERIOR SHAFTS (STAIRS, ELEVATORS, MECHANICAL SHAFTS)
   b. COVERED MECHANICAL PENTHOUSES

GROSS FLOOR AREA (GFA)

Level	Space Type	Area
BUILDING A (TRANSITION ZONE)		
LEVEL 01	SHELL	38,760 SF
LEVEL 02	SHELL	42,722 SF
LEVEL 03	SHELL	42,714 SF
LEVEL 04	SHELL	42,696 SF
LEVEL 05	SHELL	8,731 SF
LEVEL 06	MECHANICAL	8,731 SF
LEVEL 06	SHELL	14,588 SF
		274,018 SF
BUILDING B (APZ II ZONE)		
LEVEL 01	SHELL	43,488 SF
LEVEL 02	SHELL	50,726 SF
LEVEL 03	SHELL	50,722 SF
LEVEL 04	SHELL	50,722 SF
LEVEL 05	SHELL	50,722 SF
LEVEL 06	MECHANICAL	5,289 SF
LEVEL 06	SHELL	26,168 SF
		280,066 SF
BUILDING C (TRANSITION ZONE)		
LEVEL 01	SHELL	40,051 SF
LEVEL 02	SHELL	51,347 SF
LEVEL 03	SHELL	51,346 SF
LEVEL 04	SHELL	51,346 SF
LEVEL 05	SHELL	51,346 SF
LEVEL 06	MECHANICAL	7,777 SF
LEVEL 06	SHELL	16,909 SF
		270,922 SF
BUILDING D (TRANSITION ZONE)		
LEVEL 01	SHELL	35,726 SF
LEVEL 02	SHELL	42,167 SF
LEVEL 03	SHELL	49,171 SF
LEVEL 04	SHELL	49,172 SF
LEVEL 05	MECHANICAL	5,736 SF
LEVEL 05	SHELL	11,180 SF
		189,198 SF
BUILDING E (APZ II ZONE)		
LEVEL 01	SHELL	3,250 SF
LEVEL 02	SHELL	2,674 SF
		5,924 SF
TOTAL AREA		969,386 SF

EXCLUDED AREAS:
AREA EXCLUDED FROM GROSS FLOOR AREA AND FAR CALCULATIONS PER CITY OF SAN DIEGO MUNICIPAL CODE CHAPTER 11, ARTICLE 3, DIVISION 1
A. BELOW-GRADE PARKING AND TENANT SPACE
B. ABOVE-GRADE OPEN PARKING STRUCTURES
C. BALCONIES AND ROOF DECKS

AREA EXEMPT FROM GFA

Level	Space Type	Area
BUILDING A		
LEVEL 02	BALCONY	2,484 SF
LEVEL 03	BALCONY	2,469 SF
LEVEL 04	BALCONY	2,469 SF
LEVEL 05	BALCONY	2,469 SF
LEVEL 06	ROOF DECK	3,004 SF
		12,895 SF
BUILDING B		
LEVEL 02	BALCONY	3,128 SF
LEVEL 03	BALCONY	3,128 SF
LEVEL 04	BALCONY	3,128 SF
LEVEL 05	BALCONY	3,128 SF
LEVEL 06	ROOF DECK	1,483 SF
		14,030 SF
BUILDING C		
LEVEL 02	BALCONY	2,823 SF
LEVEL 03	BALCONY	2,824 SF
LEVEL 04	BALCONY	2,742 SF
LEVEL 05	BALCONY	2,824 SF
LEVEL 06	ROOF DECK	3,151 SF
		13,193 SF
BUILDING D		
LEVEL 02	BALCONY	1,295 SF
LEVEL 03	BALCONY	739 SF
LEVEL 04	BALCONY	1,391 SF
LEVEL 05	BALCONY	2,993 SF
	ROOF DECK	6,268 SF
PODIUM		
LEVEL P4	BLDG SUPP	2,896 SF
LEVEL P3	BLDG SUPP	2,896 SF
LEVEL P2	BLDG SUPP	2,896 SF
LEVEL P1	ACCESSORY HIGH-BAY	24,038 SF
LEVEL P1	BIKES	4,258 SF
LEVEL P1	BLDG SUPP	8,243 SF
LEVEL P1	LOADING	42,980 SF
LEVEL P1	MEP	19,097 SF
LEVEL P1	STORAGE	10,823 SF
		117,346 SF
PODIUM - PARKING		
LEVEL P4	PARKING	161,391 SF
LEVEL P3	PARKING	165,988 SF
LEVEL P2	PARKING	165,988 SF
LEVEL P1	PARKING	114,887 SF
		608,367 SF
TOTAL AREA		872,048 SF

SITE AREA AND MAXIMUM DENSITY:

Development Summary: IP-1-1 Zoning	Minimum	Standard	Maximum	Proposed
Lot Area	40,000 SF	-	-	1,441,438 SF
Gross Floor Area	-	-	-	999,386 SF
Setback Requirements				
Front		20'	25'	see A01-000
Side		15'	-	see A01-000
Street Side		20'	25'	see A01-000
Side Abutting Resi		30'	-	N/A
Rear		25'	25'	see A01-000
Rear Abutting Resi		50'	-	see A01-000

SITE AREA within TZ and APZ II				Area within the	Area within the
#	APN #	Location	Zoning	Acres	APZ II Zone	Transition Zone
1 of 18286	343-121-35-00	9885 Towne Centre Dr.	IP-1-1	2.68 ac	2.46 ac	0.452 ac
2 of 18286	343-121-36-00	9835 Towne Centre Dr.	IP-1-1	2.14 ac	- ac	2.14 ac
3 of 18286	343-121-37-00	9855 Towne Centre Dr.	IP-1-1	5.77 ac	3.01 ac	2.76 ac
1 of 20710	343-121-42-00	Towne Centre Dr.	IP-1-1	15.21 ac	7.70 ac	7.51 ac
2 of 20710	343-121-43-00	Towne Centre Dr.	RS-1-7	7.01 ac	7.01 ac	- ac
	ROW	ROW Towne Centre Dr.	IP-1-1	0.54 ac	- ac	0.54 ac
Total				33.55 ac	**20.18 ac**	**13.37 ac**

MAXIMUM DENSITY @ APZ II

Limits / Existing Areas				Proposed Development	
APZ II	R&D Use	Site Area within	Max Bldg Area	Proposed Area @	FAR @ APZ II
Max FAR / APZII Max People/Acre	SF/Person	APZ II Zone	within APZ II Zone	APZ II (Bldg. B + E)	(Bldg. B + E)
0.34 / 50	200	20.18 ac	302,719 sf	**289,990 sf**	**0.33**

MAXIMUM DENSITY @ TZ

Limits / Existing Areas				Proposed
	R&D Use	Site Area within	Max Bldg Area	Proposed Area @
TZ Max People/Acre	SF/Person	TZ	within TZ	TZ (Bldg A+C+D)
300	200	13.37 ac	1,003,210 sf	**713,396 sf**

MAX DENSITY @ IP-1-1 Site

Limits / Existing Areas				Proposed
Max FAR	Total IP-1-1 Site Area	Total Site Area	Total Gross Floor	
Per 131-0.04C	(Acres)	(SF)	Area (Bldgs A-E)	FAR
2.0 / 36-54		1,164,039 sf	999,386 sf	**0.86**

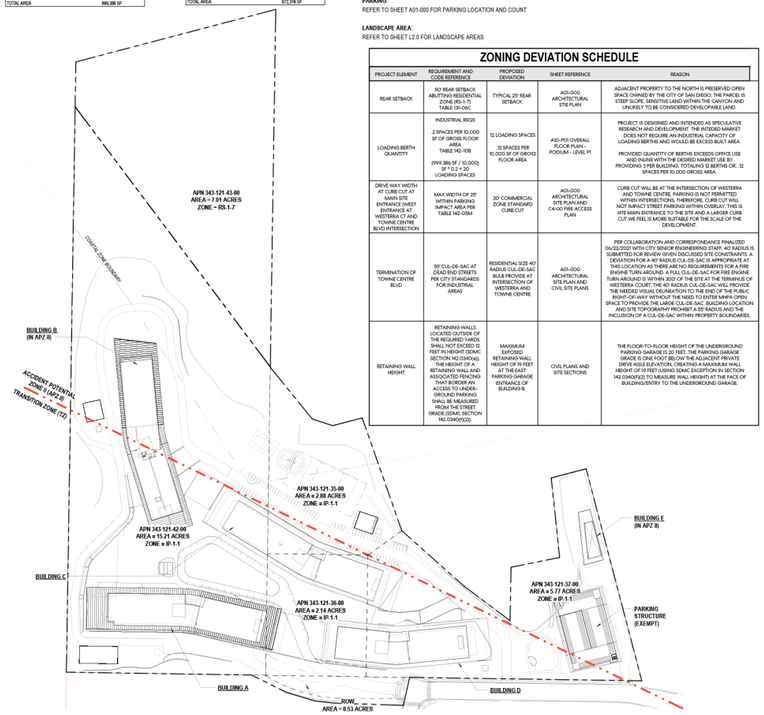
*PARCEL AREAS ABOVE BASED ON EXISTING INTERNAL LOT LINES. SEE C3-00 FOR PROPOSED INTERNAL LOT LINES (TOTAL SITE AREA DOES NOT CHANGE).

PARKING:
REFER TO SHEET A01-000 FOR PARKING LOCATION AND COUNT

LANDSCAPE AREA:
REFER TO SHEET L2.0 FOR LANDSCAPE AREAS

ZONING DEVIATION SCHEDULE

PROJECT ELEMENT	REQUIREMENT AND CODE REFERENCE	PROPOSED DEVIATION	SHEET REFERENCE	REASON
REAR SETBACK	50' REAR SETBACK ABUTTING RESIDENTIAL ZONE (RS-1-7) TABLE 131-04C	TYPICAL 25' REAR SETBACK	A01-000 ARCHITECTURAL SITE PLAN	ADJACENT PROPERTY TO THE NORTH IS PRESERVED OPEN SPACE OWNED BY THE CITY OF SAN DIEGO; THE PARCEL IS STEEP SLOPE, SENSITIVE LAND WITHIN THE CANYON AND UNLIKELY TO BE CONSIDERED DEVELOPABLE LAND.
LOADING BERTH QUANTITY	INDUSTRIAL RSGS 2 SPACES PER 10,000 SF OF GROSS FLOOR AREA TABLE 142-10B (999,386 SF / 10,000) SF * 0.2 = 20 LOADING SPACES	12 LOADING SPACES 32 SPACES PER 10,000 SF OF GROSS FLOOR AREA	A00-P01 OVERALL FLOOR PLAN - PODIUM - LEVEL P1	PROJECT IS DESIGNED AND INTENDED AS SPECULATIVE RESEARCH AND DEVELOPMENT. THE INTENDED MARKET DOES NOT REQUIRE AN INDUSTRIAL CAPACITY OF LOADING BERTHS AND WOULD BE EXCESS BUILT AREA. PROVIDED QUANTITY OF BERTHS EXCEEDS OFFICE USE AND INLINE WITH THE DESIRED MARKET USE BY PROVIDING 3 PER BUILDING, TOTALING 12 BERTHS OR, 32 SPACES PER 10,000 GROSS AREA.
DRIVE WAY WIDTH AT CURB CUT AT MAIN SITE ENTRANCE (WEST ENTRANCE AT WESTERRA CT AND TOWNE CENTRE BLVD INTERSECTION	MAX WIDTH OF 25' WITHIN PARKING IMPACT AREA PER TABLE 142-03M	30' COMMERCIAL ZONE STANDARD CURB CUT	A01-000 ARCHITECTURAL SITE PLAN AND C4-00 FIRE ACCESS PLAN	CURB CUT WILL BE AT THE INTERSECTION OF WESTERRA AND TOWNE CENTRE. PARKING IS NOT PERMITTED WITHIN INTERSECTIONS, THEREFORE, CURB CUT WILL NOT IMPACT STREET PARKING AVAILABILITY. OVERALL SITE MAINTAINS ENHANCED TO THE SITE AND A LARGER CURB CUT WE FEEL IS MORE SUITABLE FOR THE SCALE OF THE DEVELOPMENT.
TERMINATION OF TOWNE CENTRE BLVD	55' CUL-DE-SAC AT DEAD END STREETS PER CITY STANDARDS FOR INDUSTRIAL AREAS	RESIDENTIAL SIZE 40' RADIUS CUL-DE-SAC BULB PROVIDE AT INTERSECTION OF WESTERRA AND TOWNE CENTRE	A01-000 ARCHITECTURAL SITE PLAN AND CIVIL SITE PLANS	PER COLLABORATION AND CORRESPONDANCE FINALIZED 04/22/2022 WITH CITY SENIOR ENGINEERING STAFF. 40' RADIUS IS SUBMITTED FOR REVIEW GIVEN DISCUSSED SITE CONSTRAINTS. A DEVIATION FOR A 40' RADIUS CUL-DE-SAC IS APPROPRIATE AT THIS LOCATION AS THERE ARE NO REQUIREMENTS FOR A FIRE ENGINE TURN AROUND. A FULL CUL-DE-SAC FOR FIRE ENGINE TURN AROUND IS WITHIN 300' OF THE SITE AT THE TERMINUS OF WESTERRA COURT. THE 40' RADIUS CUL-DE-SAC WILL PROVIDE THE NEEDED VISUAL DELINEATION TO THE END OF THE PUBLIC ROW AND PROVIDE ADEQUATE SPACE FOR A TURN AROUND SPACE TO PROVIDE THE LARGE CUL-DE-SAC BUILDING LOCATION AND SITE TOPOGRAPHY PROHIBIT A 55' RADIUS AND THE INCLUSION OF A CUL-DE-SAC WITHIN PROPERTY BOUNDARIES.
RETAINING WALL HEIGHT	RETAINING WALLS LOCATED OUTSIDE OF THE BUILDING AREA SHALL NOT EXCEED 12 FEET IN HEIGHT (SDMC SECTION 142.0340(A)). THE HEIGHT OF A RETAINING WALL AND ASSOCIATED FENCING THAT BORDER AN ACCESS TO UNDER-GROUND PARKING SHALL BE MEASURED FROM THE STREET GRADE (SDMC SECTION 142.0340(F)(2)).	MAXIMUM EXPOSED RETAINING WALL HEIGHT OF 19 FEET AT THE EAST PARKING GARAGE ENTRANCE OF BUILDING B.	CIVIL PLANS AND SITE SECTIONS	THE FLOOR-TO-FLOOR HEIGHT OF THE UNDERGROUND PARKING GARAGE IS 20 FEET. THE PARKING GARAGE GRADE IS ONE FOOT BELOW THE ADJACENT PRIVATE DRIVE AISLE ELEVATION, CREATING A MAXIMUM WALL HEIGHT OF 19 FEET USING SDMC EXCEPTION IN SECTION 142.0340(F)(2) TO MEASURE WALL HEIGHT AT THE FACE OF BUILDING ENTRY TO THE UNDERGROUND GARAGE.



PROJECT TEAM

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T 206.381.6000

CIVIL
Pasco Laret Suiter & Associates
525 N HIGHWAY 101, SUITE A
SOLANA BEACH, CA 92075
T 858.259.8212

LANDSCAPE
Office of James Burnett
550 LOMAS SANTA FE DR
SOLANA BEACH, CA 92075
T 858.793.6970

STRUCTURAL
Coffman Engineers, Inc.
1455 FRAZEE RD, SUITE 600
SAN DIEGO, CA 92108
T 619.232.4673

MEP
EXP
5670 OBERLIN DR
SAN DIEGO, CA 92121
T 858.597.1555

ENVIRONMENTAL
T&B Planning, Inc.
4909 MURPHY CANYON RD, SUITE 405
SAN DIEGO, CA 92123
T 619.501.6041

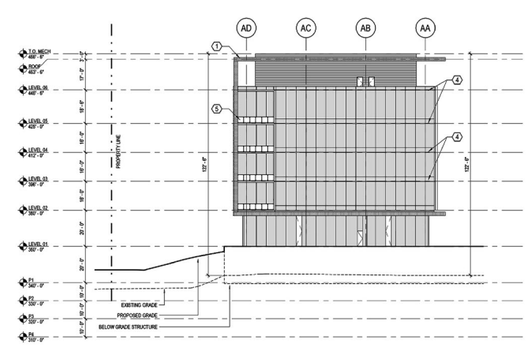
TRAFFIC
Urban Systems Associates, Inc
8451 MIRALANI DR
SAN DIEGO, CA 92126
T 858.560.4911

Source(s): Perkins&Will (July 2022)

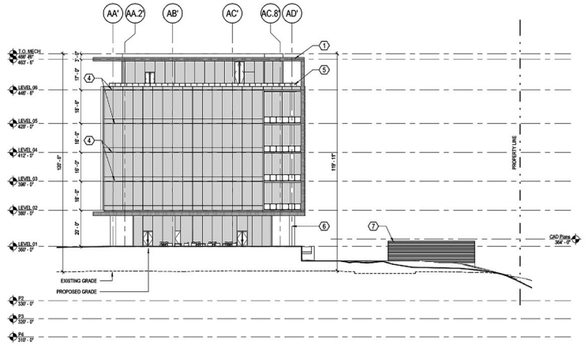
Figure 3-1

Not to Scale

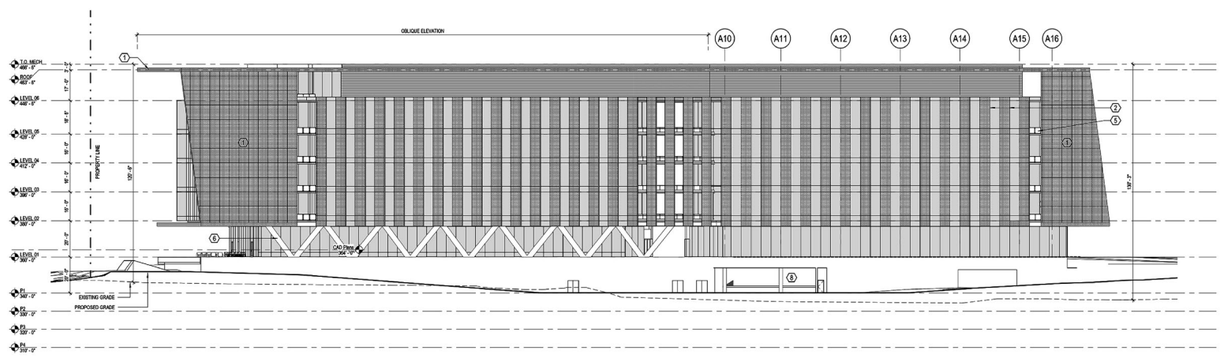
Conceptual Site Plan



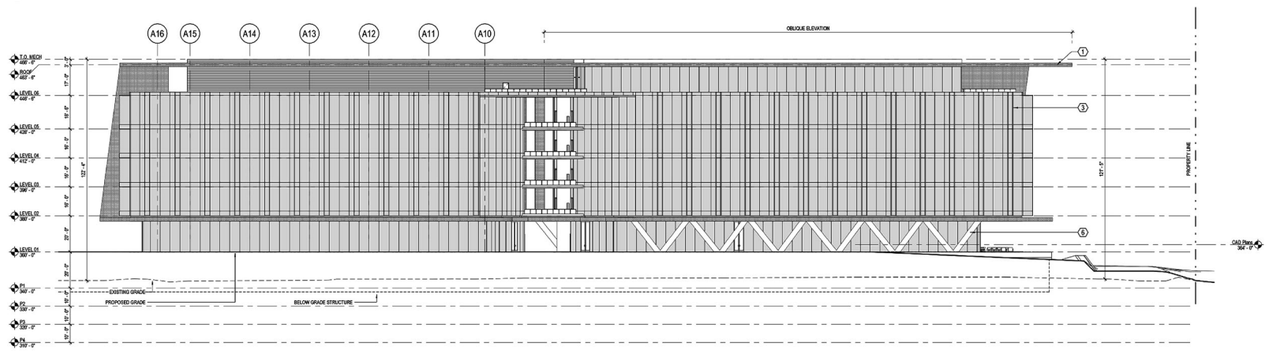
03 EAST ELEVATION
3/64" = 1'-0"



04 EXTERIOR ELEVATION - BUILDING A WEST
3/64" = 1'-0"



02 SOUTH ELEVATION
3/64" = 1'-0"



01 NORTH ELEVATION
3/64" = 1'-0"

MATERIAL

1. PERFORATED METAL SCRIM AND SHADING STRUCTURE
2. PAINTED ALUMINUM VERTICAL FIN
3. PAINTED ALUMINUM MULLION CAP
4. PAINTED ALUMINUM HORIZONTAL SUNSHADE
5. GLASS GUARDRAIL AT EXTERIOR BALCONY
6. EXPOSED ARCHITECTURAL CONCRETE COLUMN
7. GENERATOR ENCLOSURE
8. LOADING DOCK ENTRY

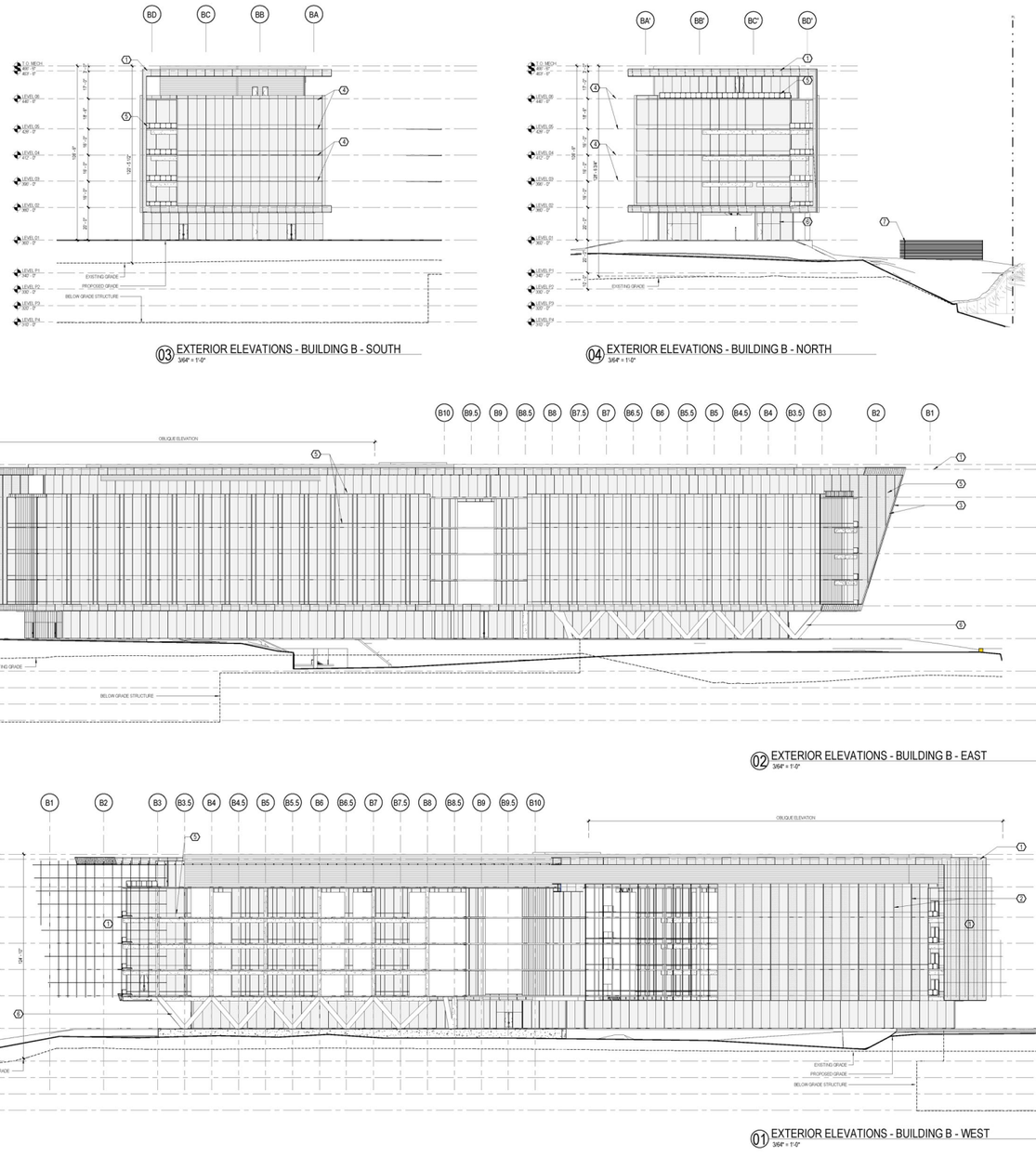
- SSG CURTAINWALL WITH 60% VISION GLAZING AND 40% GLAZED SHADOWBOX PANELS
- PERFORATED METAL PANEL (GLAZED-IN AT SSG CURTAINWALL; ON SUB-FRAME AT SCREEN CONDITIONS)
- METAL PANEL MECHANICAL SCREENWALL
- ARCHITECTURAL CONCRETE WALL

Source(s): Perkins&Will (July 2021)

Figure 3-2

Not to Scale

Conceptual Elevations - Building A



MATERIAL

1. PERFORATED METAL SCRIM AND SHADING STRUCTURE
2. PAINTED ALUMINUM VERTICAL FIN
3. PAINTED ALUMINUM MULLION CAP
4. PAINTED ALUMINUM HORIZONTAL SUNSHADE
5. GLASS GUARDRAIL AT EXTERIOR BALCONY
6. EXPOSED ARCHITECTURAL CONCRETE COLUMN
7. GENERATOR ENCLOSURE
8. LOADING DOCK ENTRY

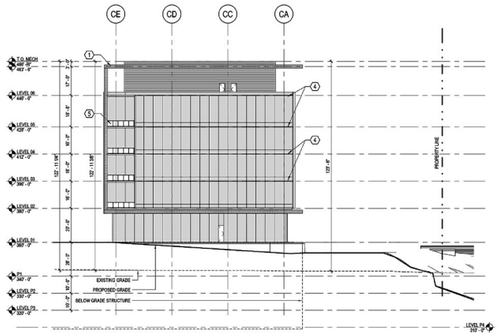
- SSG CURTAINWALL WITH 60% VISION GLAZING AND 40% GLAZED SHADOWBOX PANELS
- PERFORATED METAL PANEL (GLAZED-IN AT SSG CURTAINWALL; ON SUB-FRAME AT SCREEN CONDITIONS)
- METAL PANEL MECHANICAL SCREENWALL
- ARCHITECTURAL CONCRETE WALL

Source(s): Perkins&Will (December 2021)

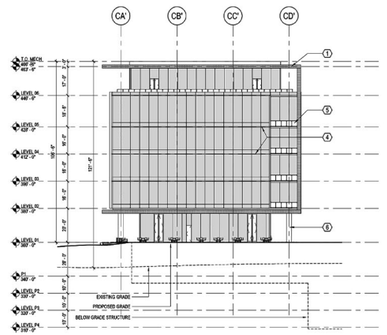
Figure 3-3

Not to Scale

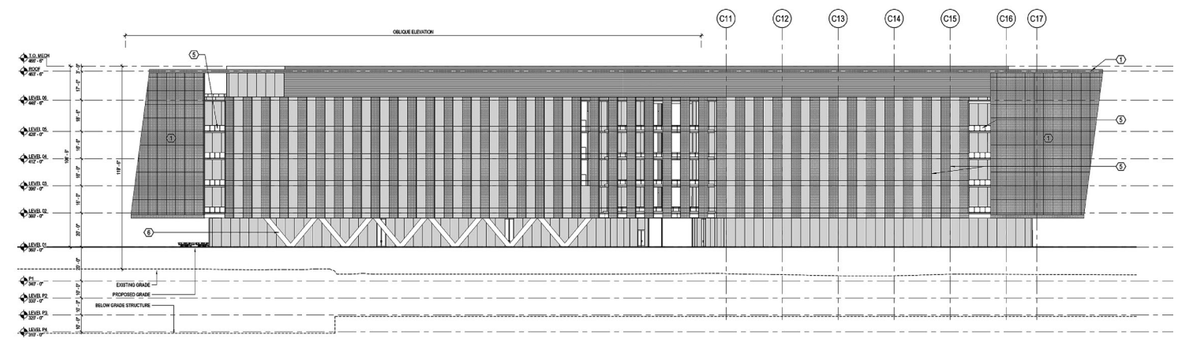
Conceptual Elevations - Building B



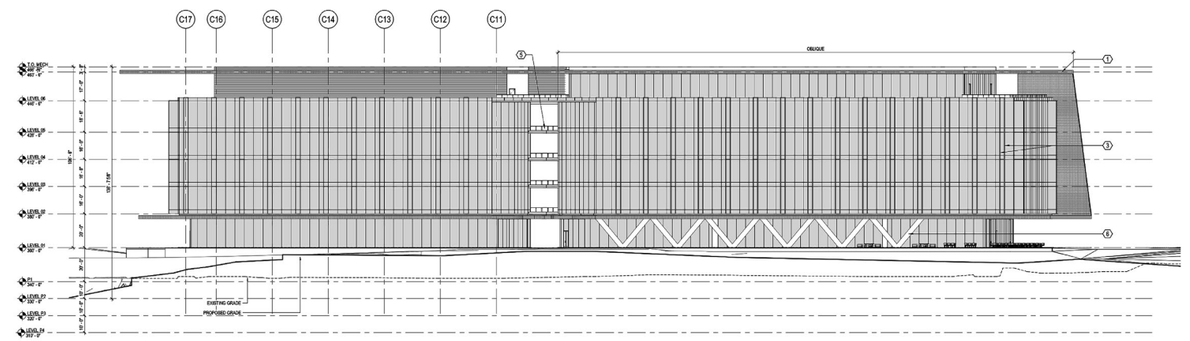
03 EXTERIOR ELEVATIONS - BUILDING C - EAST
3/64" = 1'-0"



04 EXTERIOR ELEVATIONS - BUILDING C - WEST
3/64" = 1'-0"



02 EXTERIOR ELEVATIONS - BUILDING C - SOUTH
3/64" = 1'-0"



01 EXTERIOR ELEVATIONS - BUILDING C - NORTH
3/64" = 1'-0"

MATERIAL

1. PERFORATED METAL SCRIM AND SHADING STRUCTURE
2. PAINTED ALUMINUM VERTICAL FIN
3. PAINTED ALUMINUM MULLION CAP
4. PAINTED ALUMINUM HORIZONTAL SUNSHADE
5. GLASS GUARDRAIL AT EXTERIOR BALCONY
6. EXPOSED ARCHITECTURAL CONCRETE COLUMN
7. GENERATOR ENCLOSURE
8. LOADING DOCK ENTRY

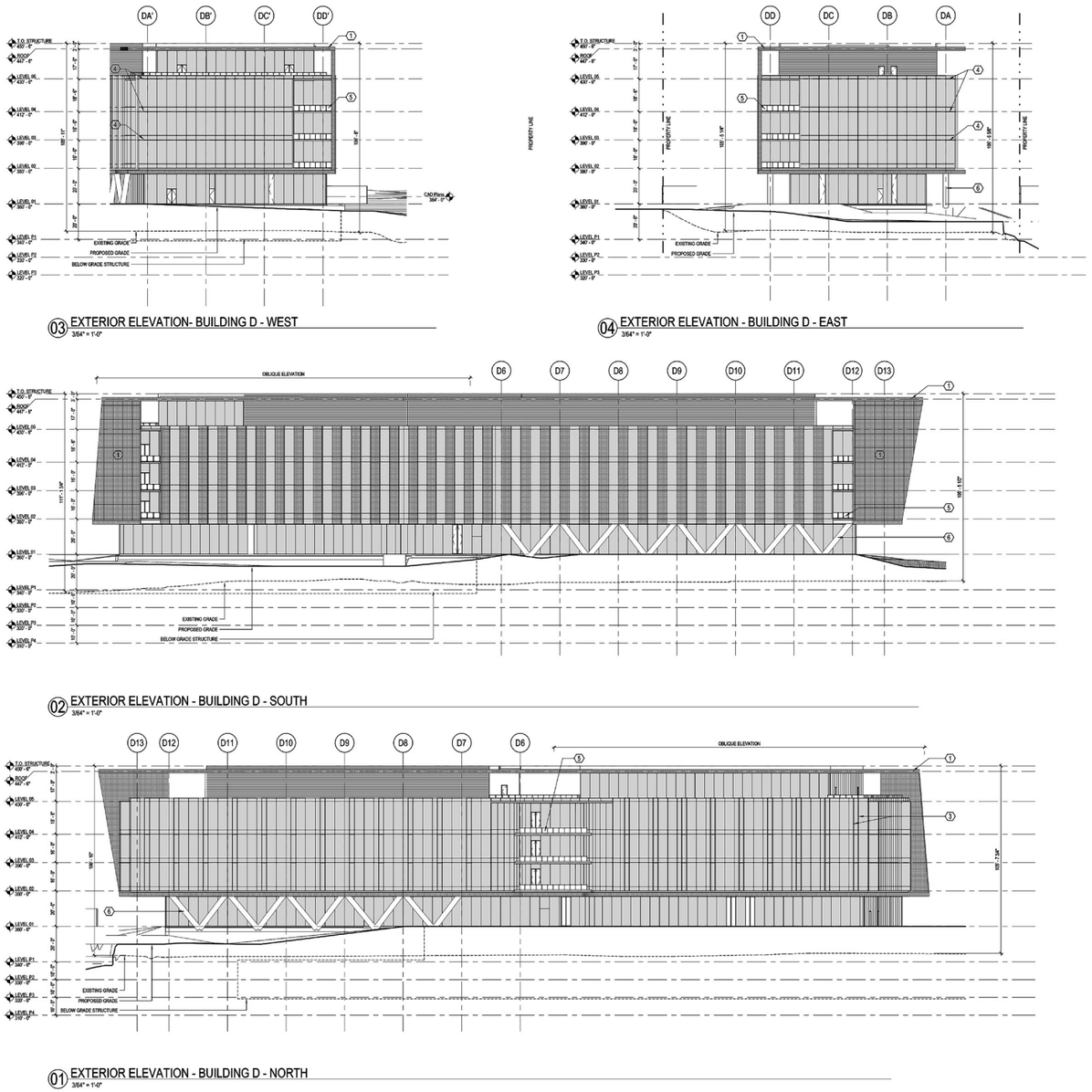
- SSG CURTAINWALL WITH 60% VISION GLAZING AND 40% GLAZED SHADOWBOX PANELS
- PERFORATED METAL PANEL (GLAZED-IN AT SSG CURTAINWALL; ON SUB-FRAME AT SCREEN CONDITIONS)
- METAL PANEL MECHANICAL SCREENWALL
- ARCHITECTURAL CONCRETE WALL

Source(s): Perkins&Will (July 2021)

Figure 3-4

Not to Scale

Conceptual Elevations - Building C



03 EXTERIOR ELEVATION- BUILDING D - WEST
3/64" = 1'-0"

04 EXTERIOR ELEVATION - BUILDING D - EAST
3/64" = 1'-0"

02 EXTERIOR ELEVATION - BUILDING D - SOUTH
3/64" = 1'-0"

01 EXTERIOR ELEVATION - BUILDING D - NORTH
3/64" = 1'-0"

MATERIAL

1. PERFORATED METAL SCRIM AND SHADING STRUCTURE
2. PAINTED ALUMINUM VERTICAL FIN
3. PAINTED ALUMINUM MULLION CAP
4. PAINTED ALUMINUM HORIZONTAL SUNSHADE
5. GLASS GUARDRAIL AT EXTERIOR BALCONY
6. EXPOSED ARCHITECTURAL CONCRETE COLUMN
7. GENERATOR ENCLOSURE
8. LOADING DOCK ENTRY

SSG CURTAINWALL WITH 60% VISION GLAZING AND 40% GLAZED SHADOWBOX PANELS

PERFORATED METAL PANEL (GLAZED-IN AT SSG CURTAINWALL; ON SUB-FRAME AT SCREEN CONDITIONS)

METAL PANEL MECHANICAL SCREENWALL

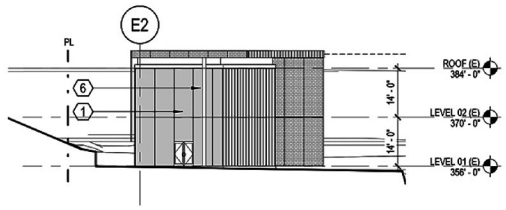
ARCHITECTURAL CONCRETE WALL

Source(s): Perkins&Will (July 2021)

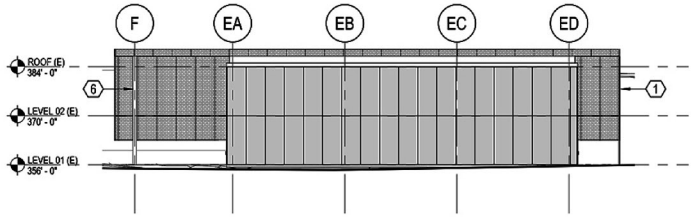
Figure 3-5

Not to Scale

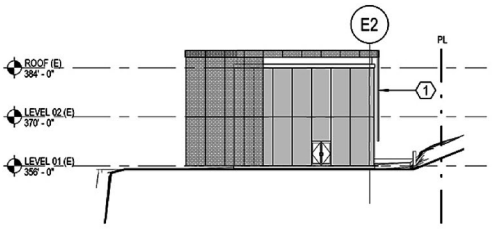
Conceptual Elevations - Building D



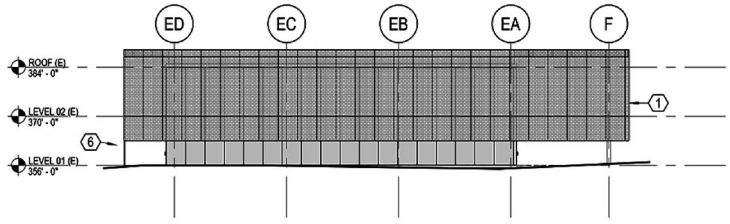
01 EXTERIOR ELEVATION - BUILDING E - NORTH ELEVATION
3/64" = 1'-0"



02 EXTERIOR ELEVATION - BUILDING E - WEST ELEVATION
3/64" = 1'-0"



03 EXTERIOR ELEVATION - BUILDING E - SOUTH ELEVATION
3/64" = 1'-0"



04 EXTERIOR ELEVATION - BUILDING E - EAST ELEVATION
3/64" = 1'-0"

MATERIAL

1. PERFORATED METAL SCRIM AND SHADING STRUCTURE
2. PAINTED ALUMINUM VERTICAL FIN
3. PAINTED ALUMINUM MULLION CAP
4. PAINTED ALUMINUM HORIZONTAL SUNSHADE
5. GLASS GUARDRAIL AT EXTERIOR BALCONY
6. EXPOSED ARCHITECTURAL CONCRETE COLUMN
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8. LOADING DOCK ENTRY

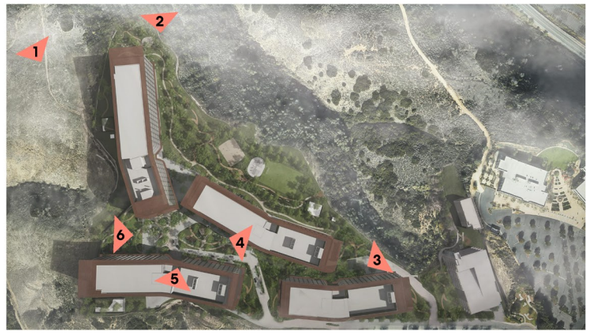
- SSG CURTAINWALL WITH 60% VISION GLAZING AND 40% GLAZED SHADOWBOX PANELS
- PERFORATED METAL PANEL (GLAZED-IN AT SSG CURTAINWALL; ON SUB-FRAME AT SCREEN CONDITIONS)
- METAL PANEL MECHANICAL SCREENWALL
- ARCHITECTURAL CONCRETE WALL

Source(s): Perkins&Will (July 2021)

Figure 3-6

Not to Scale

Conceptual Elevations - Building E



TOP AERIAL VIEW

1: VIEW FROM NORTH WEST

2: VIEW FROM NORTH

3: ENTRY DRIVE VIEW

4: ENTRY DRIVE VIEW 2

5: PIAZZA VIEW FROM BREEZEWAY

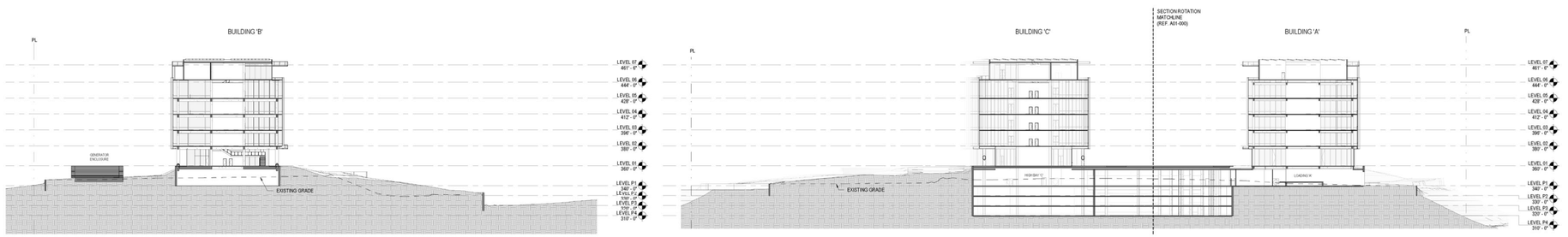
6: VIEW ACROSS WEST EDGE TOWARD PIAZZA

Source(s): Perkins & Will (12-15-2021)

Figure 3-7

Not to Scale

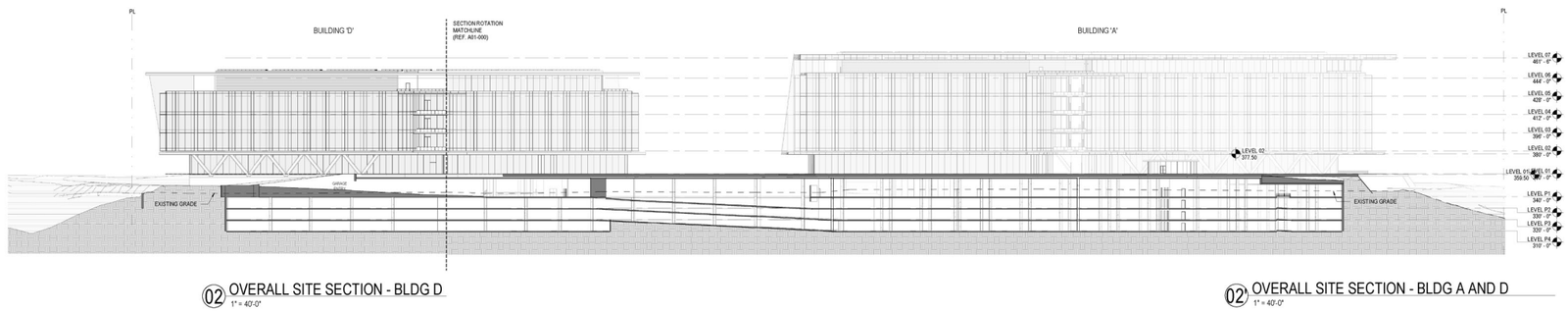
Conceptual Renderings



03 OVERALL SITE SECTION - BLDG B
1" = 40'-0"

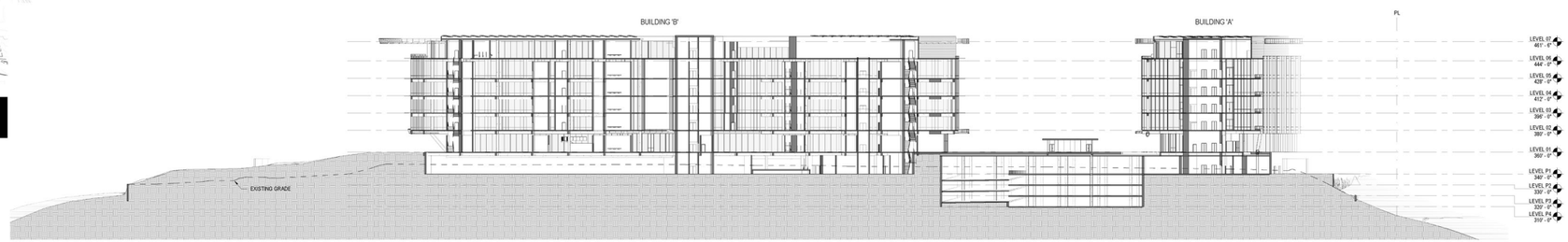
04 OVERALL SITE SECTION - BLDG C
1" = 40'-0"

04' OVERALL SITE SECTION - BLDG A
1" = 40'-0"

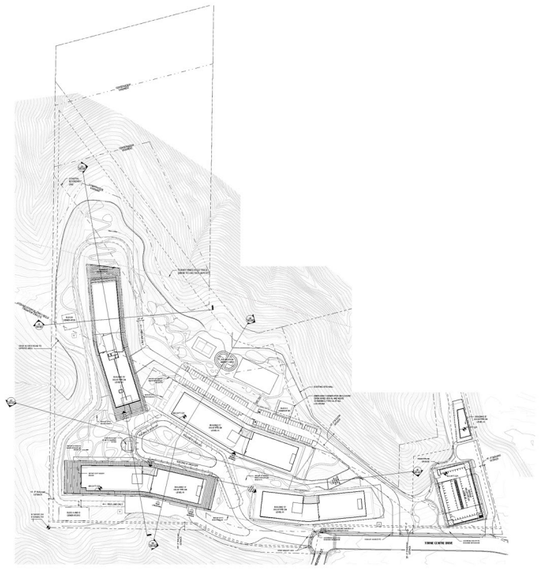


02 OVERALL SITE SECTION - BLDG D
1" = 40'-0"

02' OVERALL SITE SECTION - BLDG A AND D
1" = 40'-0"



01 OVERALL SITE SECTION - BLDG B AND A
1" = 40'-0"



Source(s): Perkins&Will (December 2021)

Figure 3-8

Not to Scale

Site Sections

PARKING GENERAL NOTES

1. ELECTRIC VEHICLE SERVICE EQUIPMENT MUST COMPLY WITH CALIFORNIA GREEN BUILDING CODE, CALIFORNIA BUILDING CODE, AND CALIFORNIA ELECTRICAL CODE REQUIREMENTS; REFER TO ELECTRICAL PLANS
2. STALLS DESIGNATED AS CLEAN AIR/ CARPOOL/ VANPOOL/ EV SHALL BE MARKED ACCORDING TO CALIFORNIA GREEN BUILDING CODE AND VISIBLE BENEATH PARKED VEHICLES
3. RIDE SHARE BULLETIN BOARD SHALL BE PROVIDED AT P1 LEVEL ELEVATOR LOBBY AREAS

PARKING LEGEND

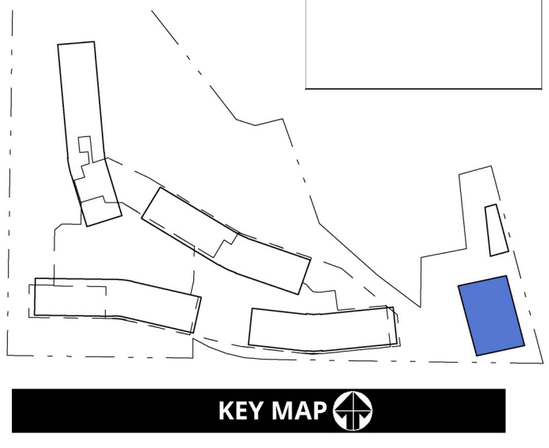
WHEEL STOP
STALL TYPE DESIGNATION (BLANK WHEN STANDARD STALL)
STALL SIZE DESIGNATION (SEE BELOW)
STALL NUMBER
LEVEL PREFIX
S = SURFACE
# = PODIUM LEVEL
G= ABOVE GRADE GARAGE
M = MOTORCYCLE (PREFIX NOT LEVEL RELATED)

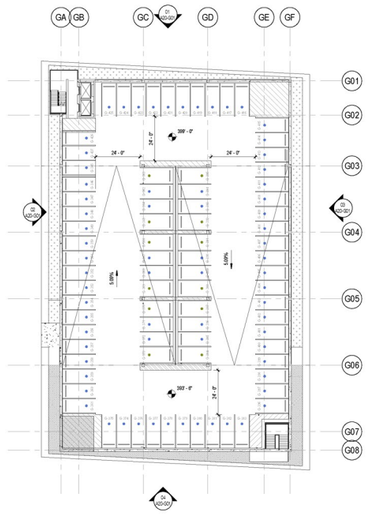
	REGULAR STALL - 8'-0" x 18'-0"
	SINGLE ABUTMENT STALL - 9'-0" x 18'-0"
	SURFACE STALL - 8'-6" x 15'-0" (+3' LANDSCAPE OVERHANG)
	MOTORCYCLE STALL - 3'-0" x 8'-0"
	PARALLEL STALL - 8'-0" x 21'-0"
VAN	VAN STALL - 12'-0" x 18'-0" WITH 5' AISLE ADJACENT
EVCS	STALL DESIGNATED FOR ELECTRIC VEHICLE CHARGING STATION
F-EV	DESIGNATED FUTURE USE ELECTRIC VEHICLE CHARGING STATION
CZEV	DESIGNATED CLEAN-AIR/ZERO EMISSIONS STALL

FLOOR PLAN GENERAL NOTES

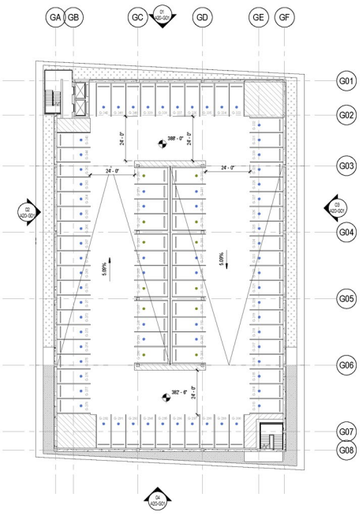
FLOOR PLAN

BUILDING EXPANSION JOINT
NEW PARTITION
EXTERIOR ELEVATION TAG
WALL SECTION TAG
BUILDING SECTION TAG

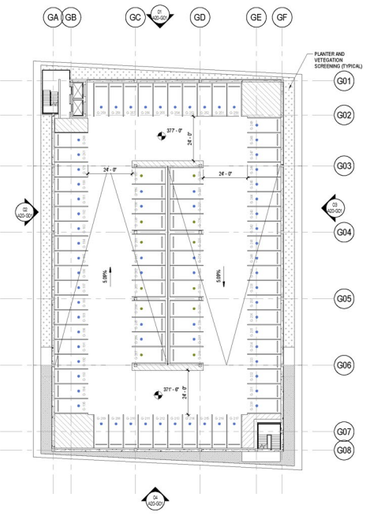




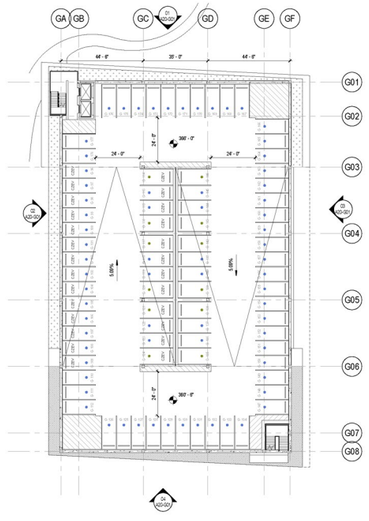
06 LEVEL 05 (G)
3/64" = 1'-0"



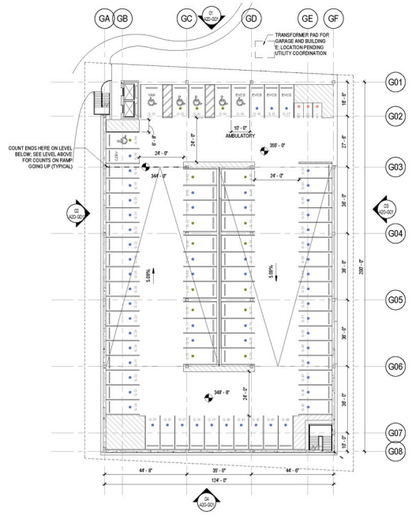
05 LEVEL 04 (G)
3/64" = 1'-0"



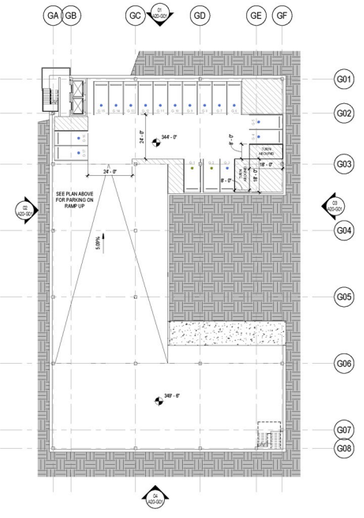
04 LEVEL 03 (G)
3/64" = 1'-0"



03 LEVEL 02 (G)
3/64" = 1'-0"



02 LEVEL 01 (G)
3/64" = 1'-0"



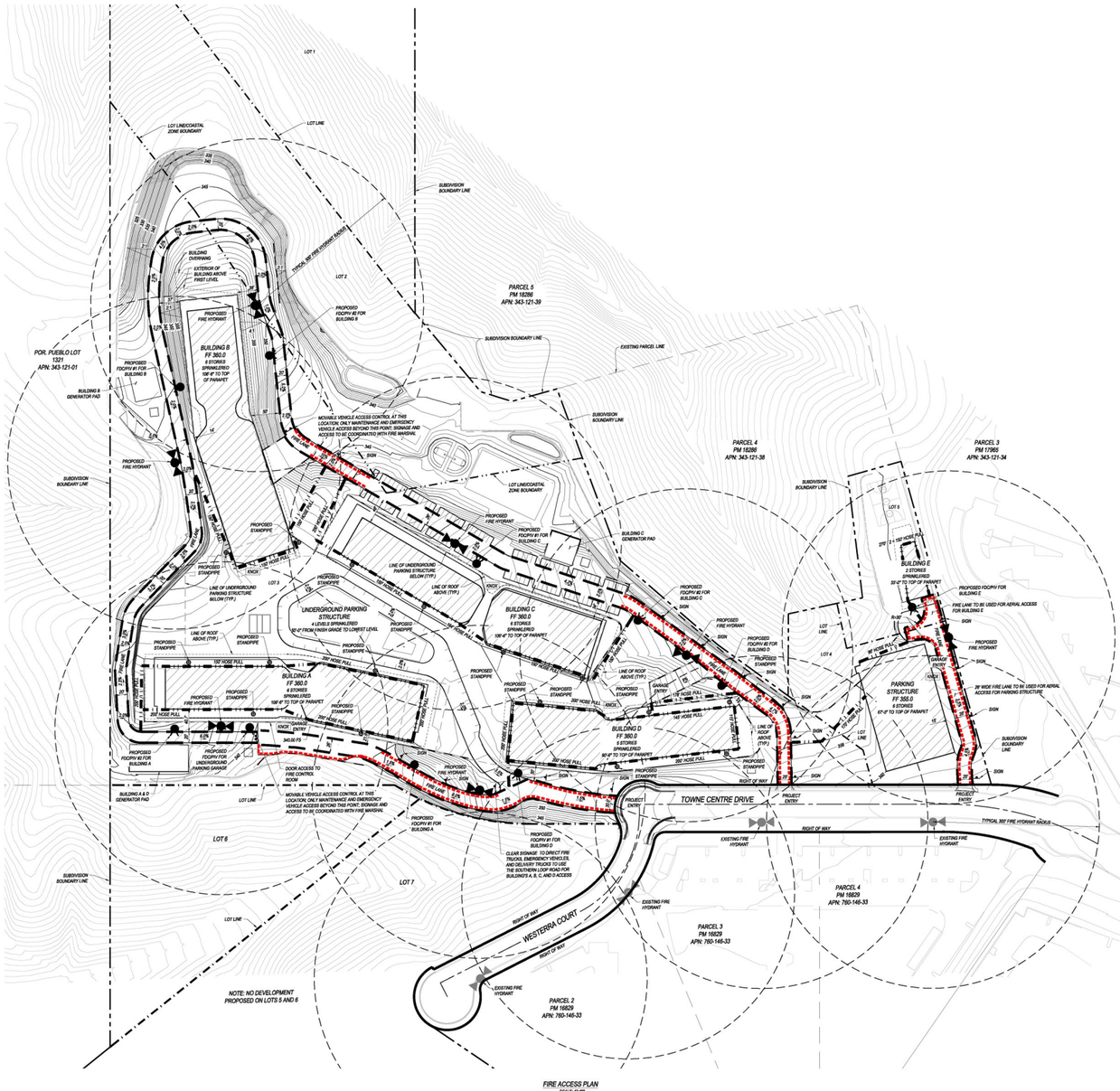
01 LEVEL B1 (G)
3/64" = 1'-0"

Source(s): Perkins&Will (July 2021)

Figure 3-9

Not to Scale

Overall Floor Plan – Podium Level P1



LEGEND

- SUBDIVISION BOUNDARY LINE
- PROPOSED LOT LINE
- COASTAL ZONE BOUNDARY / PROPOSED LOT LINE
- ADJACENT PARCEL LINE
- RIGHT-OF-WAY
- BUILDING FOOTPRINT
- HOSE EXTENSION AT BUILDING, FULLY SPRINKLERED
- RED PAINTED CURB
- LIMIT OF UNDERGROUND PARKING GARAGE
- PROPOSED FIRE HYDRANT WITH 300 FT RADIUS INDICATED
- EXISTING FIRE HYDRANT WITH 300 FT RADIUS INDICATED
- FIRE ACCESS LANE
- KNOX BOX LOCATED BETWEEN 5 FT - 7 FT ABOVE FINISHED GRADE MEASURED FROM THE TOP OF THE BOX, AND WITHIN 10 FEET OF MAIN BUILDING ENTRANCE
- PROPOSED FDC/PIV
- "NO PARKING FIRE LANE" SIGN

FIRE ACCESS ROAD NOTE

ALL INSIDE RADII OF FIRE ACCESS ROADS ARE 20 FT MINIMUM AND OUTSIDE RADII ARE 40 FT MINIMUM TO MEET CITY OF SAN DIEGO FIRE TRUCK TURNING REQUIREMENTS

AERIAL FIRE ACCESS NOTE

AERIAL ACCESS IS PROVIDED BY THE 28 FOOT WIDE FIRE ACCESS ROAD ADJACENT TO BUILDING E AND THE ABOVE GROUND PARKING STRUCTURE. BUILDINGS A-D ARE HIGH RISE BUILDINGS, AND DO NOT REQUIRE AERIAL ACCESS.

Source(s): Perkins&Will (December 2021)

Figure 3-10

Not to Scale

Fire Access Plan

HARDSCAPE SCHEDULE

SYMBOL	DESCRIPTION	QTY	REMARKS
CP-03.3	VEHICULAR ASPHALT PAVING (INSIDE STREETYARD)	12,694 sf	
CP-03.8	VEHICULAR ASPHALT PAVING (OUTSIDE STREETYARD)	99,585 sf	
CP-02	PEDESTRIAN CONCRETE PAVING (TYPE 2)	201,669 sf	
CP-03	PEDESTRIAN CONCRETE PAVING (TYPE 3)	14,542 sf	
	EVACUATION LANE		
LP-01	FIRE LANE (GRASSPAVE)	49,394 sf	

PLANT SCHEDULE

TREES	CODE	BOTANICAL / COMMON NAME	CONTAINER	SPREAD	HEIGHT	FORM	FUNCTION	QTY
	T01	ALNUS RHOMBIFOLIA / WHITE ALDER CERCIS OCCIDENTALIS / WESTERN REDBUD OR APPROVED EQUAL	24" BOX	15' -20'	15' -20'	STANDARD	SHADE	5
	T02	PLATANUS RACEMOSA /CALIFORNIA SYCAMORE ALNUS RHOMBIFOLIA / WHITE ALDER CERCIS OCCIDENTALIS / WESTERN REDBUD OR APPROVED EQUAL	24" BOX	15' -20'	18' -20'	STANDARD	ACCENT	66
	T03	PROSOPIS PUBESCENS / MESQUITE TREE ARBUTUS MARINA / STRAWBERRY TREE QUERCUS AGRIFOLIA / COAST LIVE OAK GEIJERA PARVIFLORA / AUSTRALIAN WILLOW OR APPROVED EQUAL	24" BOX	15' -20'	18' -20'	STANDARD	ACCENT	137
	T04	LOPHOSTEMON CONFERTUS / BRISBANE BOX QUERCUS AGRIFOLIA / COAST LIVE OAK OLEA EUROPAEA / OLIVE TREE OR APPROVED EQUAL	36" BOX	15' -20'	18' -20'	STANDARD	SCREEN	146
	T04	LOPHOSTEMON CONFERTUS / BRISBANE BOX QUERCUS AGRIFOLIA / COAST LIVE OAK OLEA EUROPAEA / OLIVE TREE OR APPROVED EQUAL	36" BOX	15' -20'	18' -20'	STANDARD	STREET TREE	10
SHRUB AREAS	CODE	BOTANICAL / COMMON NAME	CONTAINER	SPACING		FORM	FUNCTION	REMARKS
PA-01 LOW WATER ORNAMENTAL SHRUBS WUCOLS: LOW/MEDIUM	PA-01	**CACTUS / SUCCULENTS** AGAVE SHAWII / SHAWS AGAVE BERGERocactus EMORYI / GOLDEN SPINE CEREUS EUPHORBIA MAURITANICA / PENCIL MILK BUSH EUPHORBIA MYRSINITES / CREEPING SPURGE EUPHORBIA MISERA / CLIFF SPURGE DUDLEYA BRITTONII / GIANT CHALK DUDLEYA DUDLEYA EDULIS / RINGERTIPS DUDLEYA LANCEOLATA / LANCELEAF LIVEFOREVER FEROCACTUS VIRIDESCENS / SAN DIEGO BARREL CACTUS OPUNTIA LITTORALIS / COAST PRICKLY PEAR AGAVE DESMETTIANA / SMOOTH AGAVE AGAVE PARRYII / PARRY'S AGAVE BULBINE FRUTESCENS / ORANGE BULBINE YUCCA SCHIDIGERA / MOJAVE YUCCA **PERENNIALS / GROUNDCOVERS** EPILOBIUM 'CALISTOGA' / CALIFORNIA FUSCHSIA ARCTOSTAPHYLOS PACIFIC MIST MANZANITA SALVIA SPATHACEA / HUMMINGBIRD SAGE SOLIDAGO CALIFORNICA / CALIFORNIA GOLDENROD MONARDELLA 'RUSSIAN RIVER' / COYOTE MINT ERIGERON GLAUCUS / SEASIDE DAISY **SHRUBS** ARCTOSTAPHYLOS 'SUNSET' / SUNSET MANZANITA BAHOPSIS LACINIATA / SAN DIEGO VIGUIERA CEANOTHUS SPP. / CALIFORNIA LILAC RHAMNUS CALIFORNICA 'EVE CASE' / COFFEE BERRY RIBES VIBURNIFOLIUM / EVERGREEN CURRANT SALVIA MUNZII / MUNZ SAGE CALLIANDRA CALIFORNIA / FAIRY DUSTER **GRASSES** ARISTIDA PURPUREA / PURPLE THREE AWN BOUTELOUA 'BLONDE AMBITION' / BLUE GRAMA SPOROBOLUS AIRIOIDES / ALKLI SACATON LEYMUS TRITICOIDES / CREEPING WILD RYE	1 GAL.	24" O.C.			ORNAMENTAL	
PA-02	PA-02	**BIO-RETENTION PLANTS** ACHILLEA MILLEFOLIUM / WHITE YARROW CAREX PANSA / CALIFORNIA MEADOW SEDGE CAREX SPISSA / SAN DIEGO SEDGE JUNCUS PATENS/ CALIFORNIA GRAY RUSH MYRICA CALIFORNICA / PACIFIC WAX MYRTLE ROMNEYA COULTERI / MATILIJA POPPY	1 GAL.	24" O.C.			BIORETENTIO N	
PA-03	PA-03	**SLOPE STABILIZING PLANTS - PERMANENT IRRIGATION** BACCHARIS PILULARIS / COYOTEBRUSH ARTEMISIA CALIFORNICA / CANYON GREY CEANOTHUS VERRUCOSUS / WHITE COAST CEANOTHUS ERIOGONUM FASCICULATUM / CALIFORNIA BUCKWHEAT HETEROMELES ARBUTIFOLIA / TOYON (SCREENING) SALVIA CLEVELANDII / CLEVELAND SAGE PRUNUS ILICIFOLIA / HOLLYLEAF CHERRY CERCOCARPUS MINUTIFLORUS / SAN DIEGO MAHOGANY SALVIA MELLIFERA / MELLIFERA	1 GAL.	24' O.C.			SLOPE STABILIZING	
PA-03A		**SLOPE STABILIZING PLANTS - TEMPORARY IRRIGATION** BACCHARIS PILULARIS / COYOTEBRUSH ARTEMISIA CALIFORNICA / CANYON GREY CEANOTHUS VERRUCOSUS / WHITE COAST CEANOTHUS ERIOGONUM FASCICULATUM / CALIFORNIA BUCKWHEAT SALVIA CLEVELANDII / CLEVELAND SAGE	1 GAL.	24' O.C.			SLOPE STABILIZING	
PA-04	PA-04	EXISTING VEGETATION TO REMAIN	-	-	-	-	-	-
UP-01	UP-01	TURF ON TURF BLOCK	SOD	-	-	-	-	-

THE LANDSCAPE DESIGN CONCEPT

SITUATED ALONG TOWNE CENTRE DRIVE IN SAN DIEGO, CA, THIS INDUSTRIAL DEVELOPMENT IS COMPLETE WITH CLASS A OFFICE SPACE AND LABORATORY SPACE.

THE PROPOSED DEVELOPMENT WILL INCORPORATE A NATIVE AND ADAPTIVE PLANT PALETTE OF DROUGHT TOLERANT GRASSES, SUCCULENTS AND SHRUBS TO REDUCE WATER USE AND PROMOTE THE POSITIVE AESTHETICS OF A DROUGHT TOLERANT LANDSCAPE. PLANTINGS WILL BE ESTABLISHED IN ALL DISTURBED AREAS OUTSIDE OF THE BUILDING LINES TO GIVE A SEAMLESS APPEARANCE THROUGHOUT THE SITE.

ALL PLANTING AREAS SHALL BE MAINTAINED FREE OF DEBRIS AND LITTER. ALL PLANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY GROWING CONDITION, PER THE REQUIREMENTS STATED IN THE SAN DIEGO MUNICIPAL CODE: LAND DEVELOPMENT CODE LANDSCAPE STANDARDS' AND IN ACCORDANCE WITH PROFESSIONAL STANDARDS TO ENSURE THE SAFETY OF THE PUBLIC.

GENERAL NOTES:

1. MINIMUM 36" BOX SIZE STREET TREES SHALL BE INSTALLED WITHIN TEN FEET OF THE PROPERTY LINE AND IN OPENINGS HAVING A MINIMUM 40 SQ. FT. OF AIR AND WATER PERMEABLE AREA AT A RATE OF ONE PER 30 LINEAR FEET OF STREET FRONTAGE. IMPROVEMENTS SUCH AS DRIVEWAYS, UTILITIES, DRAINS, AND WATER AND SEWAGE LATERALS, SHALL BE DESIGNED SO AS NOT TO PROHIBIT THE PLACEMENT OF STREET TREES.
2. STREET TREE REQUIREMENT: NON-BIODEGRADABLE ROOT BARRIERS SHALL BE INSTALLED AROUND ALL NEW STREET TREES.
3. WOOD MULCH SHALL BE UNIFORMLY SPREAD TO 3" IN ALL PLANTING AREAS WITH SLOPE LESS THAN 3:1.
4. REVEGETATION AND EROSION CONTROL TIMING- ALL REQUIRED REVEGETATION AND EROSION CONTROL SHALL BE COMPLETED WITHIN 30 CALENDAR DAYS OF THE COMPLETION OF GRADING OR DISTURBANCE.
5. ALL GRADED, DISTURBED OR ERODED AREAS THAT WILL NOT BE PERMANENTLY PAVED OR COVERED BY STRUCTURES SHALL BE PERMANENTLY REVEGETATED AND IRRIGATED AS SHOWN IN TABLE 142-04F AND IN ACCORDANCE WITH THE STANDARDS IN THE LAND DEVELOPMENT MANUAL.
6. GRADED PAD AREAS WILL BE HYDRO-SEEDED TO PREVENT EROSION, IN THE EVENT THAT CONSTRUCTION OF BUILDING(S) DOES NOT OCCUR WITHIN 30 DAYS OF GRADING. HYDRO-SEED SHALL BE IRRIGATED OR REAPPLIED AS NECESSARY TO ESTABLISH GROWTH.
7. ALL LANDSCAPE AND IRRIGATION SHALL CONFORM TO THE STANDARDS OF THE CITY-WIDE LANDSCAPE REGULATIONS AND THE CITY OF SAN DIEGO LANDSCAPE DEVELOPMENT MANUAL. LANDSCAPE STANDARDS AND ALL OTHER LANDSCAPE RELATED CITY AND REGIONAL STANDARDS.
8. 6" CONCRETE CURBS OR CURB STOPS SHALL BE PROVIDED AT LANDSCAPED AREAS ADJACENT TO VEHICULAR USE AREAS.
9. NO OBSTRUCTION INCLUDING SOLID WALLS IN THE VISIBILITY AREA SHALL EXCEED 3 FEET IN HEIGHT. PLANT MATERIAL, OTHER THAN TREES, WITHIN THE PUBLIC RIGHT-OF-WAY THAT IS LOCATED WITHIN VISIBILITY AREAS SHALL NOT EXCEED 24 INCHES IN HEIGHT, MEASURED FROM THE TOP OF THE ADJACENT CURB.
10. OWNER SHALL NOT CONSTRUCT OR PERMIT THE CONSTRUCTION OF ANY IMPROVEMENTS ON SAID OPEN EASEMENT. (MAP 10930).

RECYCLED WATER IRRIGATION SYSTEM

ALL PLANTING AREAS (UNLESS OTHERWISE NOTED) WILL BE IRRIGATED ACCORDING TO PLANT TYPE AND ENVIRONMENT EXPOSURE AND WILL RECEIVE COMPLETE WATER COVERAGE BY MEANS OF A MODERN, AUTOMATICALLY CONTROLLED, ELECTRICALLY OPERATED, UNDERGROUND PIPED SPRINKLER SYSTEM DESIGNED PER THE 'RULES AND REGULATIONS FOR RECYCLED WATER USE AND DISTRIBUTION WITHIN THE CITY OF SAN DIEGO'. IRRIGATION MAINLINE PIPING SHALL BE PVC PLASTIC (TYPE 1220) SCHEDULE 40 OR CLASS 315 FOR RECYCLED WATER AND NON-PRESSURE IRRIGATION LATERAL PIPE SHALL BE SCHEDULE 40 PVC FOR RECYCLED WATER. THE IRRIGATION SYSTEM WILL NOT CREATE RUNOFF INTO THE STREET OR OTHER AREAS.

MINIMUM TREE SEPARATION DISTANCE

IMPROVEMENT / MINIMUM DISTANCE TO STREET:	
TRAFFIC SIGNALS (STOP SIGN)	20 FEET
UNDERGROUND UTILITY LINES	5 FEET
SEWER LINES	10 FEET
ABOVE GROUND UTILITY STRUCTURES	10 FEET
DRIVEWAY (ENTRIES)	10 FEET
INTERSECTIONS (INTERSECTING CURB LINES OF TWO STREETS)	25 FEET

MAINTENANCE

ALL LANDSCAPING AND IRRIGATION SHALL BE MAINTAINED BY OWNER. ALL DEAD AND UNDER-PERFORMING PLANT MATERIALS SHALL BE REPLACED AND MONITORED.

MISCELLANEOUS

SYMBOL — DESCRIPTION

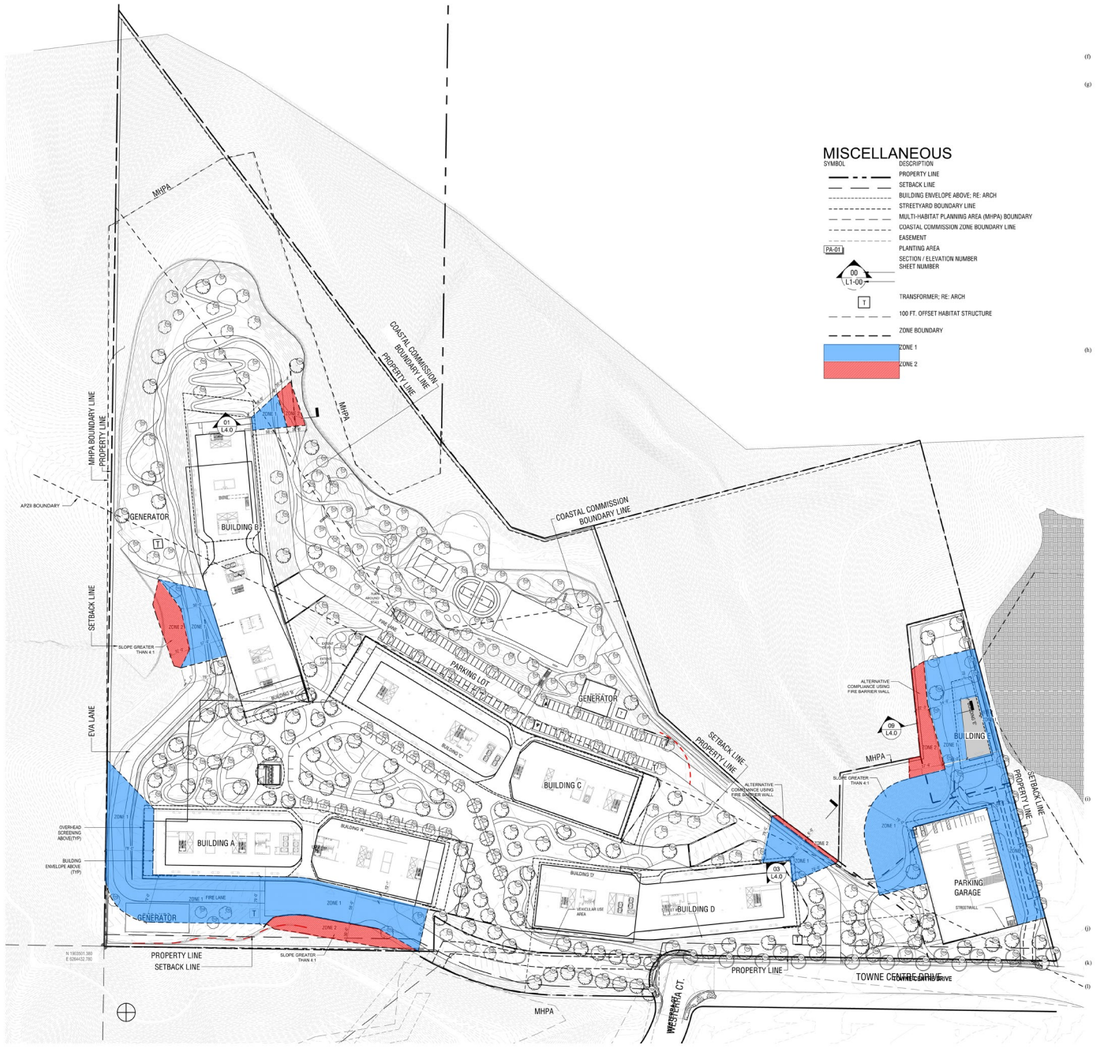
- PROPERTY LINE
- SETBACK LINE
- BUILDING ENVELOPE ABOVE; RE: ARCH
- STREETYARD BOUNDARY LINE
- MULTI-HABITAT PLANNING AREA (MHPA) BOUNDARY L
- COASTAL COMMISSION ZONE BOUNDARY LINE
- EASEMENT
- PA-01 — PLANTING AREA
- 00 / (1-00) — SECTION / ELEVATION NUMBER, SHEET NUMBER
- T — TRANSFORMER; RE: ARCH
- 100 FT. OFFSET HABITAT STRUCTURE

Source(s): Perkins&Will (01-20-2023)

Figure 3-11

Not to Scale

Conceptual Landscape Plan



MISCELLANEOUS

SYMBOL	DESCRIPTION
	PROPERTY LINE
	SETBACK LINE
	BUILDING ENVELOPE ABOVE: RE: ARCH
	STREETYARD BOUNDARY LINE
	MULTI-HABITAT PLANNING AREA (MHPA) BOUNDARY
	COASTAL COMMISSION ZONE BOUNDARY LINE
	EASEMENT
PA-01	PLANTING AREA
02 L1-05	SECTION / ELEVATION NUMBER SHEET NUMBER
T	TRANSFORMER; RE: ARCH
	100 FT. OFFSET HABITAT STRUCTURE
	ZONE BOUNDARY
	ZONE 1
	ZONE 2

BRUSH MANAGEMENT NOTES

1. **TABLE 142-04H: BRUSH MANAGEMENT ZONE WIDTH REQUIREMENTS** (MODIFIED TO SHOW ACTUAL WIDTHS) (SAN DIEGO MUNICIPAL CODE 142.0412)

CRITERIA		
	ZONE WIDTHS TYP.	ZONE WIDTHS ACTUAL
ZONE ONE WIDTH	35 FT	30 FT - 79 FT
ZONE TWO WIDTH	65 FT	0 FT - 70 FT

2. **SAN DIEGO MUNICIPAL CODE SECTIONS 142.0412(f) THROUGH 142.0412(l)**

(f) The Zone Two width may be decreased by 1 ½ feet for each 1 foot of increase in Zone One width, however, within the Coastal Overlay Zone, a maximum reduction of 30 feet of Zone Two width is permitted.

(g) Zone One Requirements

(1) The required Zone One width shall be provided between native or naturalized vegetation and any *structure* and shall be measured from the exterior of the *structure* to the vegetation.

(2) Zone One shall contain no habitable *structures*, *structures* that are directly attached to habitable *structures*, or other combustible construction that provides a means for transmitting fire to the habitable *structure*. *Structures* such as *fences*, walls, pulapas, play structures, and non-habitable gazebos that are located within brush management Zone One shall be of noncombustible, one hour fire-rated Type IV or heavy timber construction as defined in the California Building Code.

(3) Plants within Zone One shall be primarily low-growing and less than 4 feet in height with the exception of trees. Plants shall be low-fuel and fire-resistive.

(4) Trees within Zone One shall be located away from *structures* to a minimum distance of 10 feet as measured from the *structures* to the drip line of the tree at maturity in accordance with the Landscape Standards of the Land Development Manual.

(5) Permanent irrigation is required for all planting areas within Zone One except as follows:

(A) When planting areas contain only species that do not grow taller than 24 inches in height, or

(B) When planting areas contain only *native or* naturalized species that are not summer-dormant and have a maximum height at plant maturity of less than 24 inches.

(6) Zone One irrigation overspray and runoff shall not be allowed into adjacent areas of native or naturalized vegetation.

(7) Zone One shall be maintained on a regular basis by pruning and thinning plants, controlling weeds, and maintaining irrigation systems.

(h) Zone Two Requirements

(1) The required Zone Two width shall be provided between Zone One and the undisturbed, native or naturalized vegetation, and shall be measured from the edge of Zone One that is farthest from the habitable *structure*, to the edge of undisturbed vegetation.

(2) No *structures* shall be constructed in Zone Two.

(3) Within Zone Two, 50 percent of the plants over 24 inches in height shall be cut and cleared to a height of 6 inches.

(4) Within Zone Two, all plants remaining after 50 percent are reduced in height, shall be pruned to reduce fuel loading in accordance with the Landscape Standards in the Land Development Manual. Non-native plants shall be pruned before native plants are pruned.

(5) The following standards shall be used where Zone Two is in an area *previously graded* as part of legal *development* activity and is proposed to be planted with new plant material instead of *clearing* existing native or naturalized vegetation:

(A) All new plant material for Zone Two shall be native, low-fuel, and fire-resistive. No non-native plant material may be planted in Zone Two either inside the MHPA or in the Coastal Overlay Zone, adjacent to areas containing *sensitive biological resources*.

(B) New plants shall be low-growing with a maximum height at maturity of 24 inches. Single specimens of fire resistive native trees and tree form shrubs may exceed this limitation if they are located to reduce the chance of transmitting fire from native or naturalized vegetation to habitable *structures* and if the vertical distance between the lowest branches of the trees and the top of adjacent plants are three times the height of the adjacent plants to reduce the spread of fire through ladder fueling.

(C) All new Zone Two plantings shall irrigated temporarily until established to the satisfaction of the City Manager. Only low-flow, low-gallonage spray heads may be used in Zone Two. Overspray and runoff from the irrigation shall not drift or flow into adjacent areas of native or naturalized vegetation. Temporary irrigation systems shall be removed upon approved establishment of the plantings. Permanent irrigation is not allowed in Zone Two.

(D) Where Zone Two is being revegetated as a requirement of Section 142.0411(a), revegetation shall comply with the spacing standards in the Land Development Manual. Fifty percent of the planting area shall be planted with material that does not grow taller than 24 inches. The remaining planting area may be planted with taller material, but this material shall be maintained in accordance with the requirements for existing plant material in Zone Two.

(6) Zone Two shall be maintained on a regular basis by pruning and thinning plants, removing invasive species, and controlling weeds.

(7) Except as provided in Section 142.0412(i), where the required Zone One width shown in Table 142-04H cannot be provided on *premises* with existing *structures*, the required Zone Two width shall be increased by one foot for each foot of required Zone One width that cannot be provided.

(i) An *applicant* may request approval of alternative compliance for brush management in accordance with Process One if all of the following conditions exist:

(1) The proposed alternative compliance provides sufficient defensible space between all *structures* on the *premises* and contiguous areas of native or naturalized vegetation as demonstrated to the satisfaction of the Fire Chief based on documentation that addresses the topography of the site, existing and potential fuel load, and other characteristics related to fire protection and the context of the proposed *development*.

(2) The proposed alternative compliance minimizes impacts to undisturbed native or naturalized vegetation where possible while still meeting the purpose and intent of Section 142.0412 to reduce fire hazards around *structures* and provide an effective fire break.

(3) The proposed alternative compliance is not detrimental to the public health, safety, and welfare of persons residing or working in the area.

(j) If the Fire Chief approves alternative compliance in accordance with this section, the modifications shall be recorded with the approved permit conditions if approved as part of a *development permit*, or noted in the permit file if approved as part of a *construction permit*.

(k) For existing *structures*, the Fire Chief may require brush management in compliance with this section for any area, independent of size, location, or condition if it is determined that an imminent fire hazard exists.

(l) Brush management for existing *structures* shall be performed by the owner of the property that contains the native and naturalized vegetation. This requirement is independent of whether the *structures* being protected by brush management is owned by the property owner subject to these requirements or is on neighboring property.

San Diego Landscape Standards
Section III - Brush Management

3-1 BRUSH MANAGEMENT – DESCRIPTION

Fire safety in the landscape is achieved by reducing the readily flammable fuel adjacent to structures. This can be accomplished by pruning and thinning of native and naturalized vegetation, revegetation with low fuel volume plantings or a combination of the two. Implementing brush management in an environmentally appropriate manner requires a reduction in the amount and continuity of highly flammable fuel while maintaining plant coverage for soil protection. Such a transition will minimize the visual, biological and erosion impacts while reducing the risks of wildland fires.

3-2 BRUSH MANAGEMENT- REQUIREMENTS

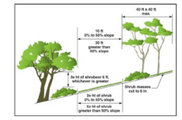
3.2-1 Basic requirements – All Zones

3.2-1.01 For zone two, plants shall not be cut below six inches.

3.2-1.02 Debris and trimmings produced by thinning and pruning shall be removed from the site or if left, shall be converted into mulch by a chipping machine and evenly dispersed, non-irrigated, to a maximum depth of 6 inches.

3.2-1.03 Trees and large tree form shrubs (e.g., Oaks, Sumac, Toyon) which are being retained shall be pruned to provide clearance of three times the height of the under story plant material or six feet whichever is higher (**Figure 3-1**). Dead and excessively twiggy growth shall also be removed.

Figure 3-1
Pruning Trees to Provide Clearance for Brush Management



3.2-1.04 All plants or plant groupings except cacti, succulents, trees and tree-form shrubs shall be separated by a distance three times the height of the tallest adjacent plants (**Figure 3-1**).

3.2-1.05 Maximum coverage and area limitations as stated herein shall not apply to indigenous native tree species (i.e., Pinus, Quercus, Platanus, Salix and Populus).

3.2-2 Zone 1 Requirements - All Structures

3.2-2.01 Do not use, and remove if necessary, highly flammable plant materials (see **Appendix "B"**).

3.2-2.02 Trees should not be located any closer to a structure than a distance equal to the tree's mature spread.

3.2-2.03 Maintain all plantings in a succulent condition.

3.2-2.04 Non-irrigated plant groupings over six inches in height may be retained provided they do not exceed 100 square feet in area and their combined coverage does not exceed 10 percent of the total Zone 1 area.

3.2-3 Zone 2 Requirements – All Structures

3.2-3.01 Individual non-irrigated plant groupings over 24 inches in height may be retained provided they do not exceed 400 square feet in area and their combined coverage does not exceed 30 percent of the total Zone 2 area.

Brush Management Maintenance Notes

1. General Maintenance – Regular inspections and landscape maintenance are necessary to minimize the potential damage or loss of property from brush fires and other natural hazards such as erosion and slope failures. Because each property is unique establishing a precise maintenance schedule is not feasible. For effective fire and watershed management, however, property owners should expect to provide maintenance according to each brush management zone: Zone 1: Year-round maintenance, Zone 2: Seasonal maintenance. Brush management activities are prohibited within coastal sage scrub, maritime succulent scrub, and coastal sage-chaparral habitats from March 1 through August 15, except where documented to the satisfaction of the City Manager that the thinning would be consistent with conditions of species coverage described in the City of San Diego's MSCP Subarea Plan.

2. Brush Management Zone 1 – This is the most critical area for fire and watershed safety. All ornamental plantings should be kept well watered and any irrigation run-off should drain toward the street. Rain gutters and drainage pipes should be cleaned regularly and all leaves removed from the roof before the fire season begins. All planting, particularly non-irrigated natives and large trees should be regularly pruned to eliminate dead fuels, to reduce excessive fuel and to provide adequate space between plants and structures.

3. Brush Management Zone 2 – Seasonal maintenance in this zone should include removal of dead woody plants, eradication of weedy species and periodic pruning and thinning of trees and shrubs. Removal of weeds should not be done with hand tools such as hoes, as this disturbs valuable soil. The use of weed trimmers or other tools which retain short stubble that protects the soil is recommended. Native shrubs should be pruned in the summer after the major plant growth occurs. Well pruned healthy shrubs should typically require several years to build up excessive live and dead fuel. On slopes all drainage devices must be kept clear. Re-inspect after each major storm since minor soil slips can block drains. Various groundcovers should be periodically sheared and thatch removed. Diseased and dead wood should be pruned from trees. Fertilizing trees and shrubs is not typically recommended as this may stimulate excessive growth.

4. Long-term Maintenance Responsibility – All Landscaping / Brush Management within the Brush Management Zone(s) as shown on these plans shall be the responsibility of **OWNER** [please Specify, e.g. Owner, H.O.A.]. The Brush Management Zone areas shall be maintained free of debris and litter and all plant material shall be maintained in a healthy growing condition.

5. BRUSH MANAGEMENT ACTIVITIES ARE PROHIBITED WITHIN COASTAL SAGE SCRUB, MARITIME SUCCULENT SHRUB, AND CHAPARRAL HABITATS DURING THE BREEDING SEASON OF FEDERALLY PROTECTED SPECIES, FROM MARCH 1 TO AUGUST 15, EXCEPT WHERE DOCUMENTED TO THE SATISFACTION OF THE CITY OF SAN DIEGO THAT THE THINNING WOULD BE CONSISTENT WITH THE CONDITIONS OF SPECIES COVERAGE DESCRIBED IN THE CITY OF SAN DIEGO'S MSCP SUBAREA PLAN. (SAN DIEGO MUNICIPAL CODE, 142.0412(D))

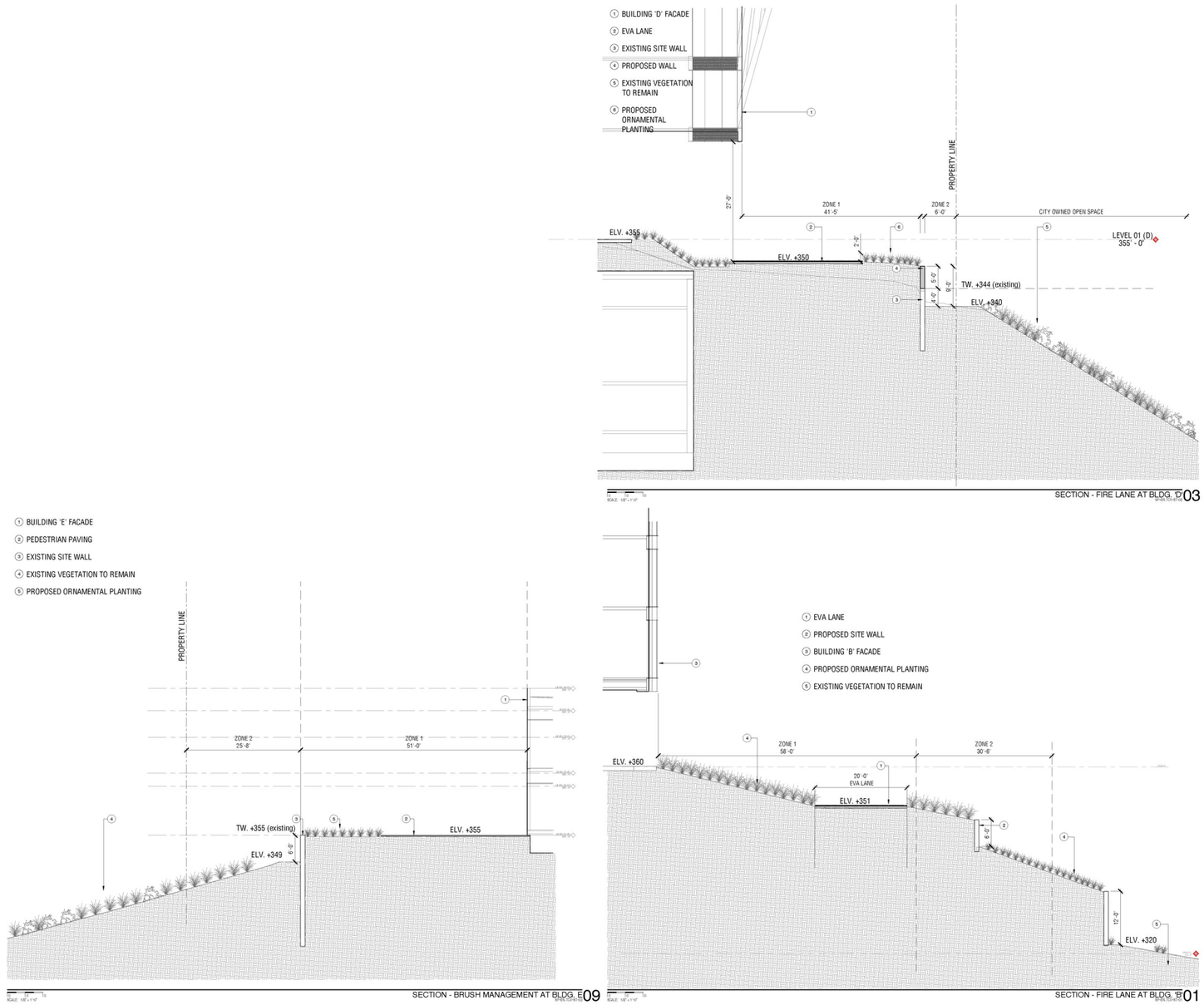
6. DUE TO ADJACENCY TO DIEGAN COASTAL SAGE SCRUB, EXPANSES OF NATIVE/NATURALIZED GRASSES SHOULD GENERALLY BE CUT TO WITHIN 2 INCHES IN HEIGHT PRIOR TO MARCH 1 AND AGAIN AS NECESSARY AFTER AUGUST 15 SHOULD RE-GROWTH EXCEED 24 INCHES IN HEIGHT. (FBP POLICY B-08-1)

Source(s): Perkins&Will (December 2021)

Figure 3-12

Not to Scale

Brush Management Plan

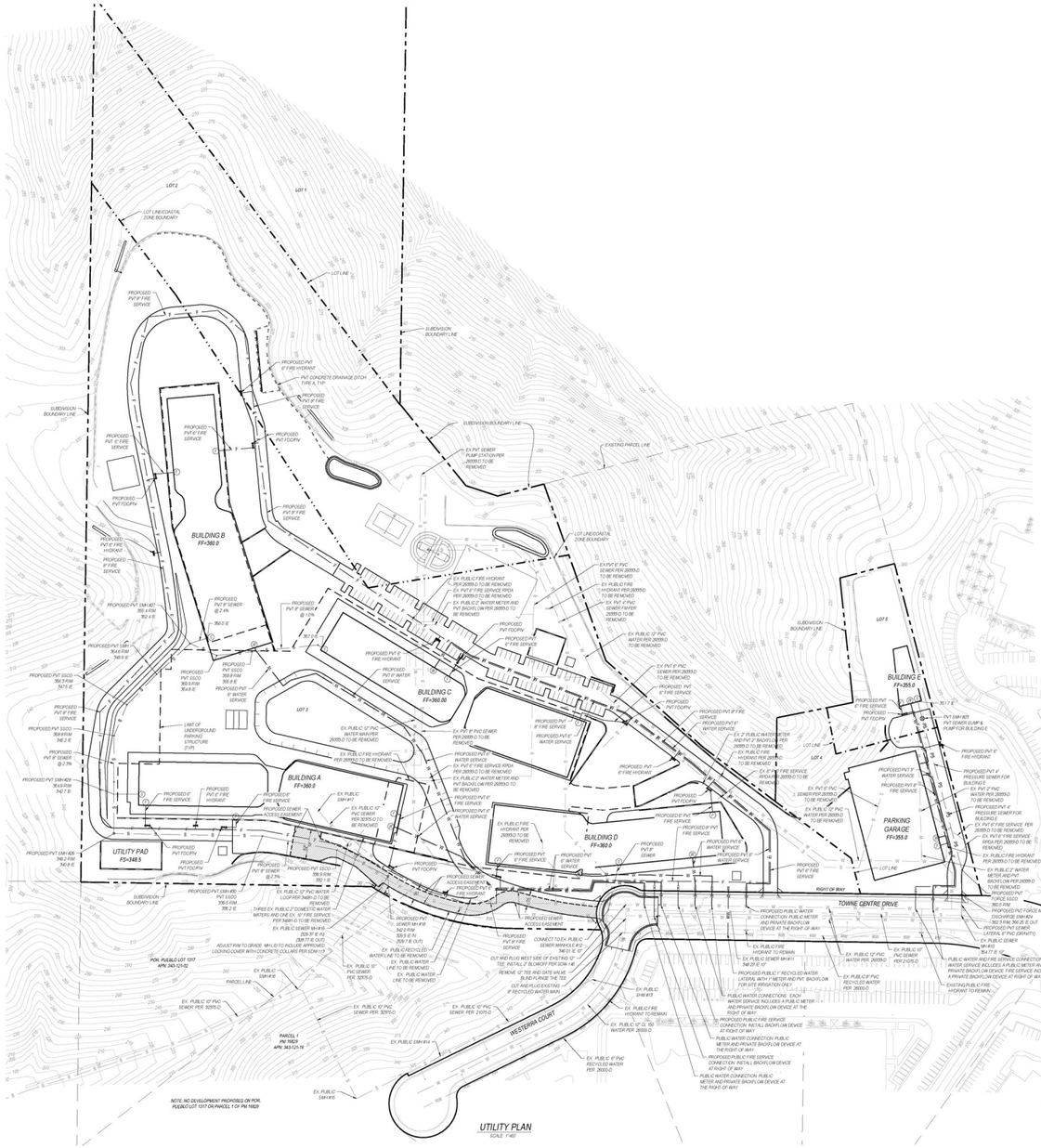


Source(s): Perkins&Will (December 2021)

Figure 3-13

Not to Scale

Brush Management Sections


LOT 2
LOT 1
LOT LINE/COASTAL ZONE BOUNDARY
LOT LINE
SUBDIVISION BOUNDARY LINE
PROPOSED PVT 8" FIRE SERVICE
PROPOSED PVT 6" FIRE SERVICE
PROPOSED PVT 4" FIRE SERVICE
PROPOSED PVT FDCPV
PROPOSED PVT 8" SEWER @ 2.0%
PROPOSED PVT 6" WATER SERVICE
PROPOSED PVT 4" WATER SERVICE
PROPOSED PVT 6" FIRE HYDRANT
PROPOSED PVT 8" FIRE HYDRANT
PROPOSED PVT CONCRETE DRAINAGE DITCH TYPE A, TYP.
PROPOSED 6" WATER ACCESS EASEMENT
EX PVT SEWER PUMP STATION PER 2855S TO BE REMOVED
EXISTING PARCEL LINE
EX PVT 8" PVC SEWER PER 2855S-D TO BE REMOVED
EX PVT 6" PVC SEWER PER 2855S-D TO BE REMOVED
EX PVT 4" PVC SEWER PER 2855S-D TO BE REMOVED
EX PVT 2" PVC SEWER PER 2855S-D TO BE REMOVED
EX PUBLIC FIRE HYDRANT PER 2855S-D TO BE REMOVED
EX PVT 8" FIRE SERVICE PER 2855S-D TO BE REMOVED
EX PVT 6" FIRE SERVICE PER 2855S-D TO BE REMOVED
EX PVT 4" FIRE SERVICE PER 2855S-D TO BE REMOVED
EX PVT 2" FIRE SERVICE PER 2855S-D TO BE REMOVED
EX PUBLIC 12" PVC WATER MAIN PER 2855S-D TO BE REMOVED
EX PUBLIC FIRE HYDRANT PER 2855S-D TO BE REMOVED
EX PUBLIC 12" PVC SEWER PER 2855S-D TO BE REMOVED
EX PUBLIC 8" PVC SEWER PER 2855S-D TO BE REMOVED
EX PUBLIC 6" PVC SEWER PER 2855S-D TO BE REMOVED
EX PUBLIC 4" PVC SEWER PER 2855S-D TO BE REMOVED
EX PUBLIC 2" PVC SEWER PER 2855S-D TO BE REMOVED
EX PUBLIC 12" PVC WATER PER 2855S-D TO BE REMOVED
EX PUBLIC 8" PVC WATER PER 2855S-D TO BE REMOVED
EX PUBLIC 6" PVC WATER PER 2855S-D TO BE REMOVED
EX PUBLIC 4" PVC WATER PER 2855S-D TO BE REMOVED
EX PUBLIC 2" PVC WATER PER 2855S-D TO BE REMOVED
EX PUBLIC 12" PVC RECYCLED WATER PER 2855S-D TO BE REMOVED
EX PUBLIC 8" PVC RECYCLED WATER PER 2855S-D TO BE REMOVED
EX PUBLIC 6" PVC RECYCLED WATER PER 2855S-D TO BE REMOVED
EX PUBLIC 4" PVC RECYCLED WATER PER 2855S-D TO BE REMOVED
EX PUBLIC 2" PVC RECYCLED WATER PER 2855S-D TO BE REMOVED
EX PUBLIC 12" PVC SEWER PER 2855S-D
EX PUBLIC 8" PVC SEWER PER 2855S-D
EX PUBLIC 6" PVC SEWER PER 2855S-D
EX PUBLIC 4" PVC SEWER PER 2855S-D
EX PUBLIC 2" PVC SEWER PER 2855S-D
EX PUBLIC 12" PVC WATER PER 2855S-D
EX PUBLIC 8" PVC WATER PER 2855S-D
EX PUBLIC 6" PVC WATER PER 2855S-D
EX PUBLIC 4" PVC WATER PER 2855S-D
EX PUBLIC 2" PVC WATER PER 2855S-D
EX PUBLIC SMH #13
EX PUBLIC SMH #14
EX PUBLIC SMH #15
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BUILDING E FF=355.0
PARKING GARAGE FF=355.0
UTILITY PAD FF=348.5
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WESTERN COURT
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SUBDIVISION BOUNDARY LINE
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LOT 4
LOT 5
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PROPOSED PVT 8" SEWER @ 2.0%
PROPOSED PVT 6" SEWER @ 2.0%
PROPOSED PVT 4" SEWER @ 2.0%
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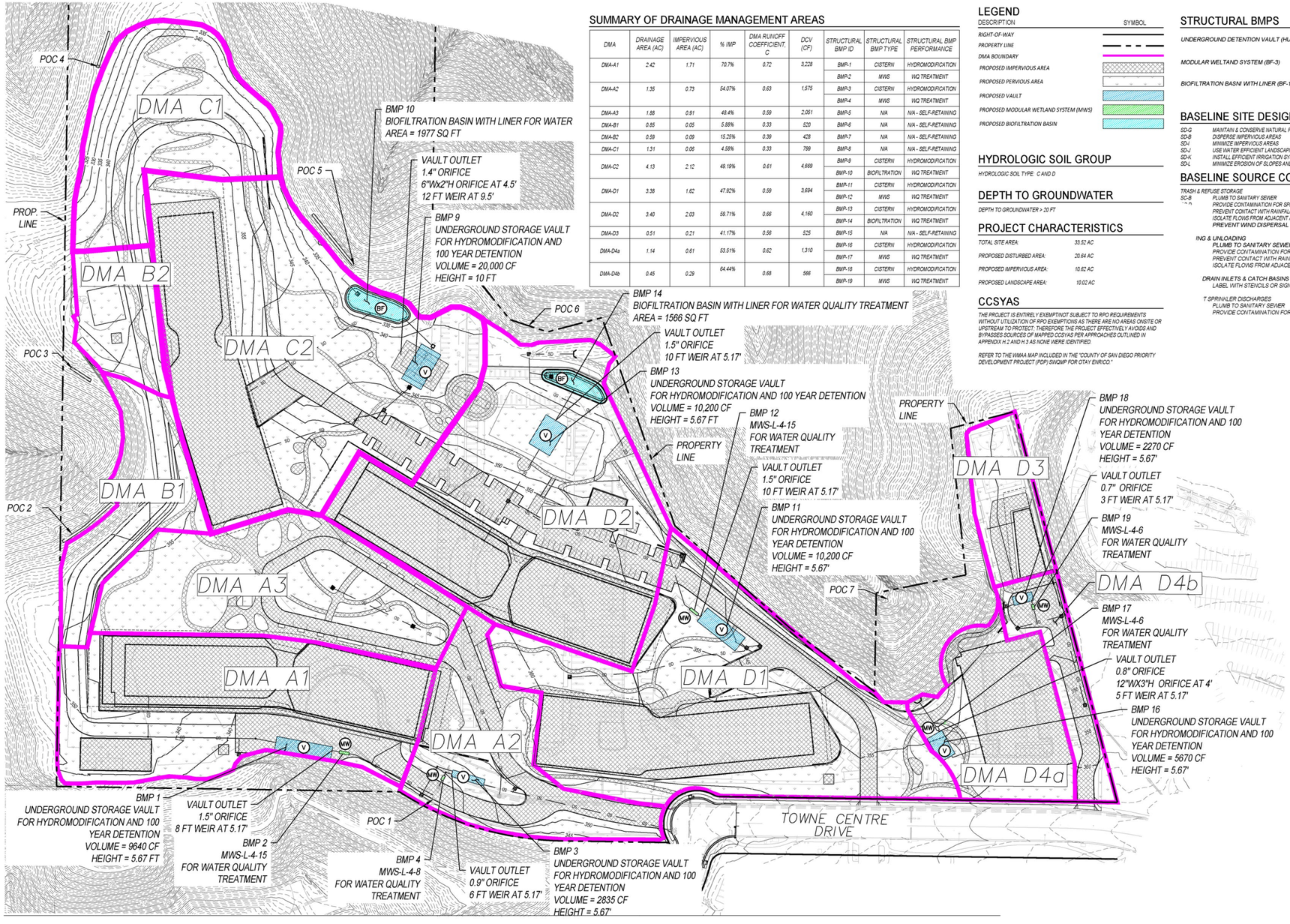


SUMMARY OF DRAINAGE MANAGEMENT AREAS

DMA	DRAINAGE AREA (AC)	IMPERVIOUS AREA (AC)	% IMP	DMA RUNOFF COEFFICIENT, C	DCV (CF)	STRUCTURAL BMP ID	STRUCTURAL BMP TYPE	STRUCTURAL BMP PERFORMANCE
DMA-A1	2.42	1.71	70.7%	0.72	3,228	BMP-1	CISTERN	HYDROMODIFICATION
						BMP-2	MWS	WQ TREATMENT
DMA-A2	1.35	0.73	54.07%	0.63	1,575	BMP-3	CISTERN	HYDROMODIFICATION
						BMP-4	MWS	WQ TREATMENT
DMA-A3	1.88	0.91	48.4%	0.59	2,051	BMP-5	N/A	N/A - SELF-RETAINING
DMA-B1	0.85	0.05	5.88%	0.33	520	BMP-6	N/A	N/A - SELF-RETAINING
DMA-B2	0.59	0.09	15.25%	0.39	428	BMP-7	N/A	N/A - SELF-RETAINING
DMA-C1	1.31	0.06	4.58%	0.33	799	BMP-8	N/A	N/A - SELF-RETAINING
DMA-C2	4.13	2.12	49.19%	0.61	4,669	BMP-9	CISTERN	HYDROMODIFICATION
						BMP-10	BIOFILTRATION	WQ TREATMENT
DMA-D1	3.38	1.62	47.92%	0.59	3,694	BMP-11	CISTERN	HYDROMODIFICATION
						BMP-12	MWS	WQ TREATMENT
DMA-D2	3.40	2.03	59.71%	0.66	4,160	BMP-13	CISTERN	HYDROMODIFICATION
						BMP-14	BIOFILTRATION	WQ TREATMENT
DMA-D3	0.51	0.21	41.17%	0.56	525	BMP-15	N/A	N/A - SELF-RETAINING
DMA-D4a	1.14	0.61	53.51%	0.62	1,310	BMP-16	CISTERN	HYDROMODIFICATION
						BMP-17	MWS	WQ TREATMENT
DMA-D4b	0.45	0.29	64.44%	0.68	566	BMP-18	CISTERN	HYDROMODIFICATION
						BMP-19	MWS	WQ TREATMENT

LEGEND

DESCRIPTION	SYMBOL
RIGHT-OF-WAY	
PROPERTY LINE	
DMA BOUNDARY	
PROPOSED IMPERVIOUS AREA	
PROPOSED PERVIOUS AREA	
PROPOSED VAULT	
PROPOSED MODULAR WETLAND SYSTEM (MWS)	
PROPOSED BIOFILTRATION BASIN	

HYDROLOGIC SOIL GROUP

HYDROLOGIC SOIL TYPE: C AND D

DEPTH TO GROUNDWATER

DEPTH TO GROUNDWATER > 20 FT

PROJECT CHARACTERISTICS

TOTAL SITE AREA:	33.52 AC
PROPOSED DISTURBED AREA:	20.64 AC
PROPOSED IMPERVIOUS AREA:	10.62 AC
PROPOSED LANDSCAPE AREA:	10.02 AC

CCSYAS

THE PROJECT IS ENTIRELY EXEMPT/NOT SUBJECT TO RPO REQUIREMENTS WITHOUT UTILIZATION OF RPO EXEMPTIONS AS THERE ARE NO AREAS ONSITE OR UPSTREAM TO PROTECT; THEREFORE THE PROJECT EFFECTIVELY AVOIDS AND BYPASSES SOURCES OF MAPPED CCSYAS PER APPROACHES OUTLINED IN APPENDIX H.2 AND H.3 AS NONE WERE IDENTIFIED.

REFER TO THE WMAA MAP INCLUDED IN THE "COUNTY OF SAN DIEGO PRIORITY DEVELOPMENT PROJECT (PDP) SWQMP FOR OTAY ENRICO."

STRUCTURAL BMPS

UNDERGROUND DETENTION VAULT (HU-1)	V
MODULAR WELTAND SYSTEM (BF-3)	MW
BIOFILTRATION BASNI WITH LINER (BF-1)	BF

BASELINE SITE DESIGN BMPS

SD-G	MAINTAIN & CONSERVE NATURAL FEATURES
SD-B	DISPERSE IMPERVIOUS AREAS
SD-I	MINIMIZE IMPERVIOUS AREAS
SD-J	USE WATER EFFICIENT LANDSCAPING
SD-K	INSTALL EFFICIENT IRRIGATION SYSTEMS
SD-L	MINIMIZE EROSION OF SLOPES AND SURFACES

BASELINE SOURCE CONTROL BMPS

TRASH & REFUSE STORAGE
SC-B PLUMB TO SANITARY SEWER
PROVIDE CONTAMINATION FOR SPILLS AND DISCHARGES
PREVENT CONTACT WITH RAINFALL
ISOLATE FLOWS FROM ADJACENT AREAS
PREVENT WIND DISPERSAL

ING & UNLOADING
PLUMB TO SANITARY SEWER
PROVIDE CONTAMINATION FOR SPILLS AND DISCHARGES
PREVENT CONTACT WITH RAINFALL
ISOLATE FLOWS FROM ADJACENT AREAS

DRAIN INLETS & CATCH BASINS
LABEL WITH STENCILS OR SIGNAGE

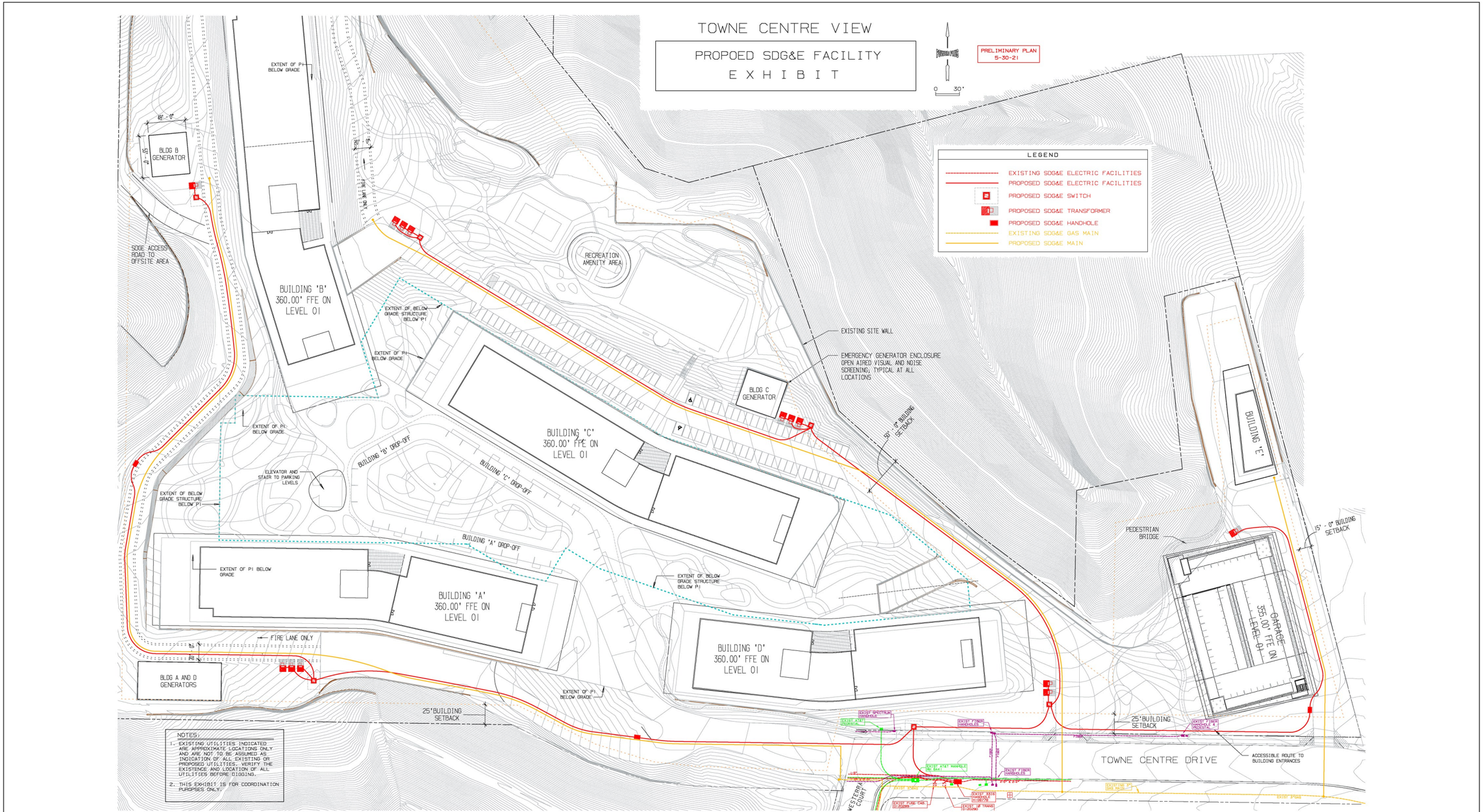
T SPRINKLER DISCHARGES
PLUMB TO SANITARY SEWER
PROVIDE CONTAMINATION FOR SPILLS AND DISCHARGES

Source(s): Perkins&Will (December 2021)

Figure 3-15

Not to Scale

Conceptual Drainage and Water Quality Management Plan

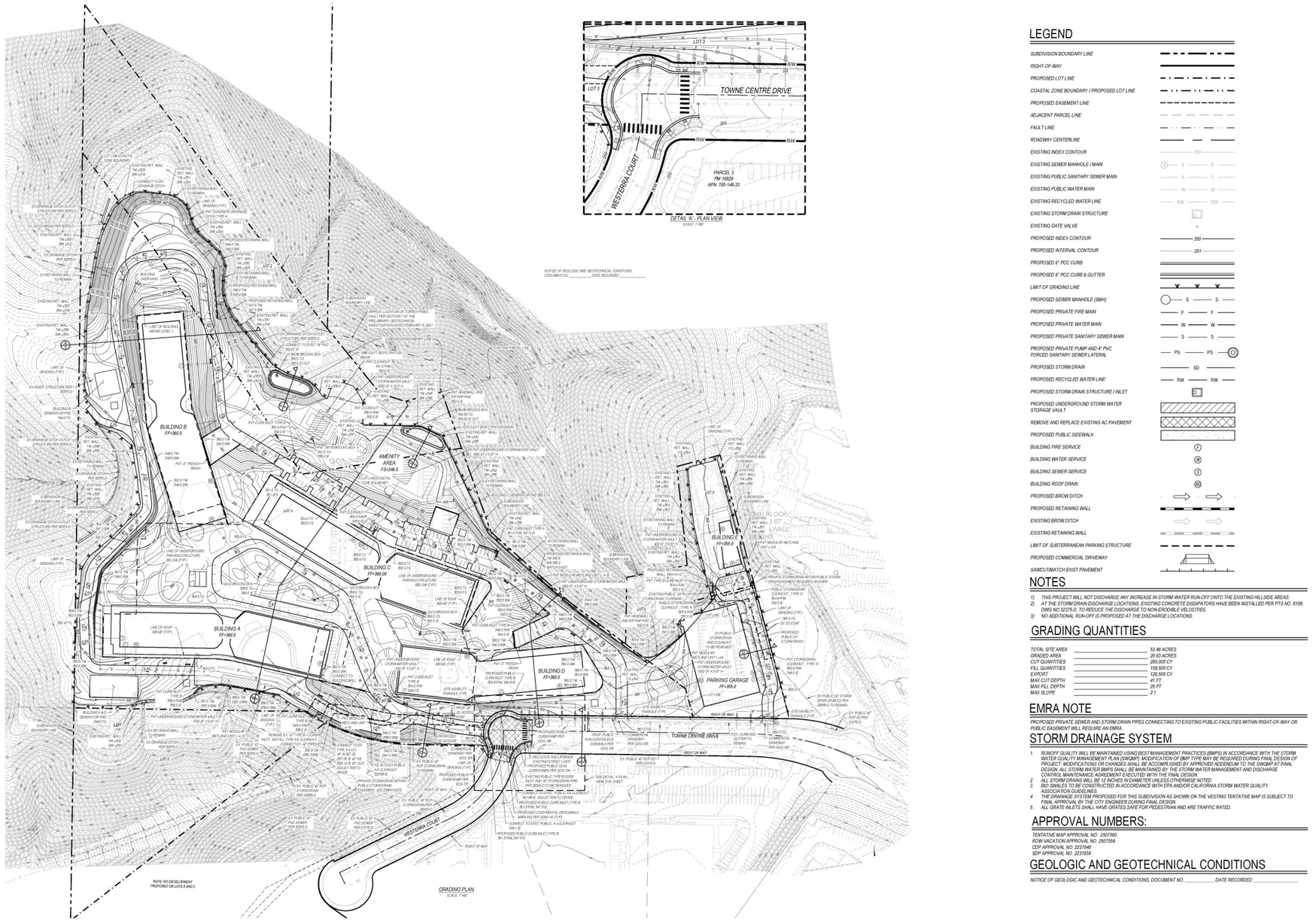


Source(s): PowerPlus (05-30-2021)

Figure 3-16

Not to Scale

Conceptual Dry Utility Plan



LEGEND

- SUBDIVISION BOUNDARY LINE
- RIGHT-OF-WAY
- PROPOSED LOT LINE
- COASTAL ZONE BOUNDARY / PROPOSED LOT LINE
- PROPOSED EASEMENT LINE
- ADJACENT PARCEL LINE
- FAULT LINE
- ROADWAY CENTERLINE
- EXISTING INDEX CONTOUR
- EXISTING SEWER MANHOLE / MAIN
- EXISTING PUBLIC SANITARY SEWER MAIN
- EXISTING PUBLIC WATER MAIN
- EXISTING RECYCLED WATER LINE
- EXISTING STORM DRAIN STRUCTURE
- EXISTING GATE VALVE
- PROPOSED INDEX CONTOUR
- PROPOSED INTERVAL CONTOUR
- PROPOSED 6" PCC CURB
- PROPOSED 6" PCC CURB & GUTTER
- LIMIT OF GRADING LINE
- PROPOSED SEWER MANHOLE (SMH)
- PROPOSED PRIVATE FIRE MAIN
- PROPOSED PRIVATE WATER MAIN
- PROPOSED PRIVATE SANITARY SEWER MAIN
- PROPOSED PRIVATE PUMP AND 4" PVC FORCED SANITARY SEWER LATERAL
- PROPOSED STORM DRAIN
- PROPOSED RECYCLED WATER LINE
- PROPOSED STORM DRAIN STRUCTURE / INLET
- PROPOSED UNDERGROUND STORM WATER STORAGE VAULT
- REMOVE AND REPLACE EXISTING AC PAVEMENT
- PROPOSED PUBLIC SIDEWALK
- BUILDING FIRE SERVICE
- BUILDING WATER SERVICE
- BUILDING SEWER SERVICE
- BUILDING ROOF DRAIN
- PROPOSED BROW DITCH
- PROPOSED RETAINING WALL
- EXISTING BROW DITCH
- EXISTING RETAINING WALL
- LIMIT OF SUBTERRANEAN PARKING STRUCTURE
- PROPOSED COMMERCIAL DRIVEWAY
- SAWCUT/MATCH EXIST PAVEMENT

NOTES

1) THIS PROJECT WILL NOT DISCHARGE ANY INCREASE IN STORM WATER RUN-OFF ONTO THE EXISTING HILLSIDE AREAS.
2) AT THE STORM DRAIN DISCHARGE LOCATIONS, EXISTING CONCRETE DISSIPATORS HAVE BEEN INSTALLED PER PTS NO. 6109. DWG NO 32375-D, TO REDUCE THE DISCHARGE TO NON-ERODIBLE VELOCITIES.
3) NO ADDITIONAL RUN-OFF IS PROPOSED AT THE DISCHARGE LOCATIONS.

GRADING QUANTITIES

TOTAL SITE AREA	53.46 ACRES
GRADED AREA	20.63 ACRES
CUT QUANTITIES	285,000 CY
FILL QUANTITIES	158,500 CY
EXPORT	126,500 CY
MAX CUT DEPTH	41 FT
MAX FILL DEPTH	25 FT
MAX SLOPE	2:1

EMRA NOTE

PROPOSED PRIVATE SEWER AND STORM DRAIN PIPES CONNECTING TO EXISTING PUBLIC FACILITIES WITHIN RIGHT-OF-WAY OR PUBLIC EASEMENT WILL REQUIRE AN EMRA.

STORM DRAINAGE SYSTEM

1. RUNOFF QUALITY WILL BE MAINTAINED USING BEST MANAGEMENT PRACTICES (BMPS) IN ACCORDANCE WITH THE STORM WATER QUALITY MANAGEMENT PLAN (SWQMP). MODIFICATION OF BMP TYPE MAY BE REQUIRED DURING FINAL DESIGN OF PROJECT. MODIFICATIONS OR CHANGES SHALL BE ACCOMPLISHED BY APPROVED ADDENDUM TO THE SWQMP AT FINAL DESIGN. ALL STORM WATER BMPS SHALL BE MAINTAINED BY THE STORM WATER MANAGEMENT AND DISCHARGE CONTROL MAINTENANCE AGREEMENT EXECUTED WITH THE FINAL DESIGN.
2. ALL STORM DRAINS WILL BE 12 INCHES IN DIAMETER UNLESS OTHERWISE NOTED.
3. BIO SWALES TO BE CONSTRUCTED IN ACCORDANCE WITH EPA AND/OR CALIFORNIA STORM WATER QUALITY ASSOCIATION GUIDELINES.
4. THE DRAINAGE SYSTEM PROPOSED FOR THIS SUBDIVISION AS SHOWN ON THE VESTING TENTATIVE MAP IS SUBJECT TO FINAL APPROVAL BY THE CITY ENGINEER DURING FINAL DESIGN.
5. ALL GRATE INLETS SHALL HAVE GRATES SAFE FOR PEDESTRIAN AND ARE TRAFFIC RATED.

APPROVAL NUMBERS:

TENTATIVE MAP APPROVAL NO. 2507560
ROW VACATION APPROVAL NO. 2507558
CDP APPROVAL NO. 2237940
SDP APPROVAL NO. 2237939

GEOLOGIC AND GEOTECHNICAL CONDITIONS

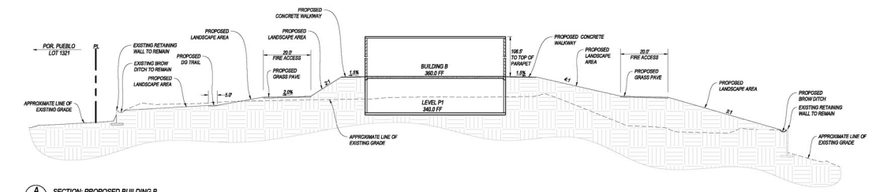
NOTICE OF GEOLOGIC AND GEOTECHNICAL CONDITIONS, DOCUMENT NO. _____, DATE RECORDED: _____

Source(s): Perkins&Will (December 2021)

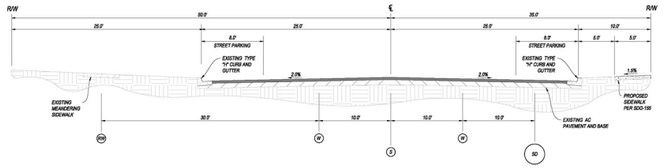
Figure 3-17

Not to Scale

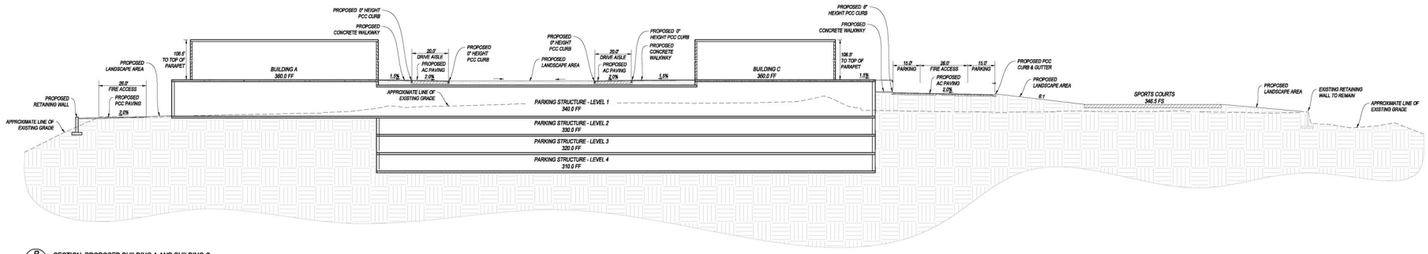
Conceptual Grading Plan



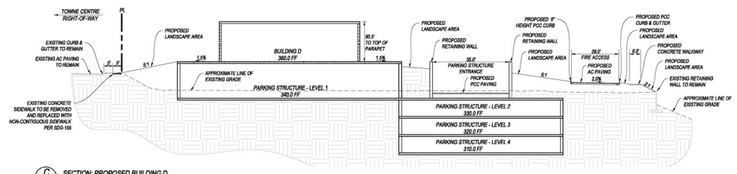
A/5 SECTION: PROPOSED BUILDING B (SEE SHEET C6-90) NOT TO SCALE



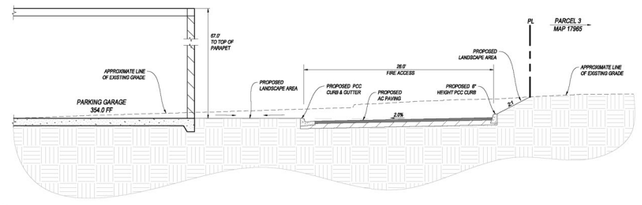
E/5 SECTION: TOWNE CENTRE DRIVE EAST OF WESTERRA COURT (SEE SHEET C6-90) NOT TO SCALE



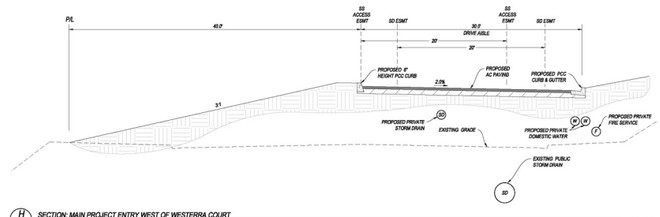
B/5 SECTION: PROPOSED BUILDING A AND BUILDING C (SEE SHEET C6-90) NOT TO SCALE



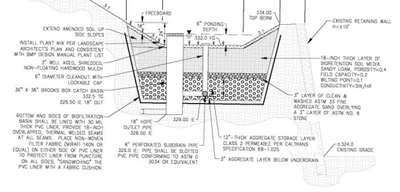
C/5 SECTION: PROPOSED BUILDING D (SEE SHEET C6-90) NOT TO SCALE



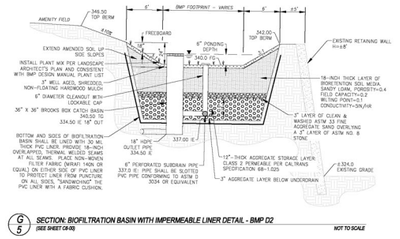
D/5 SECTION: PROPOSED PARKING GARAGE (SEE SHEET C6-90) NOT TO SCALE



H/5 SECTION: MAIN PROJECT ENTRY WEST OF WESTERRA COURT (SEE SHEET C6-90) NOT TO SCALE



F/5 SECTION: BIOFILTRATION BASIN WITH IMPERMEABLE LINER DETAIL - BMP C2 (SEE SHEET C6-90) NOT TO SCALE



G/5 SECTION: BIOFILTRATION BASIN WITH IMPERMEABLE LINER DETAIL - BMP D2 (SEE SHEET C6-90) NOT TO SCALE

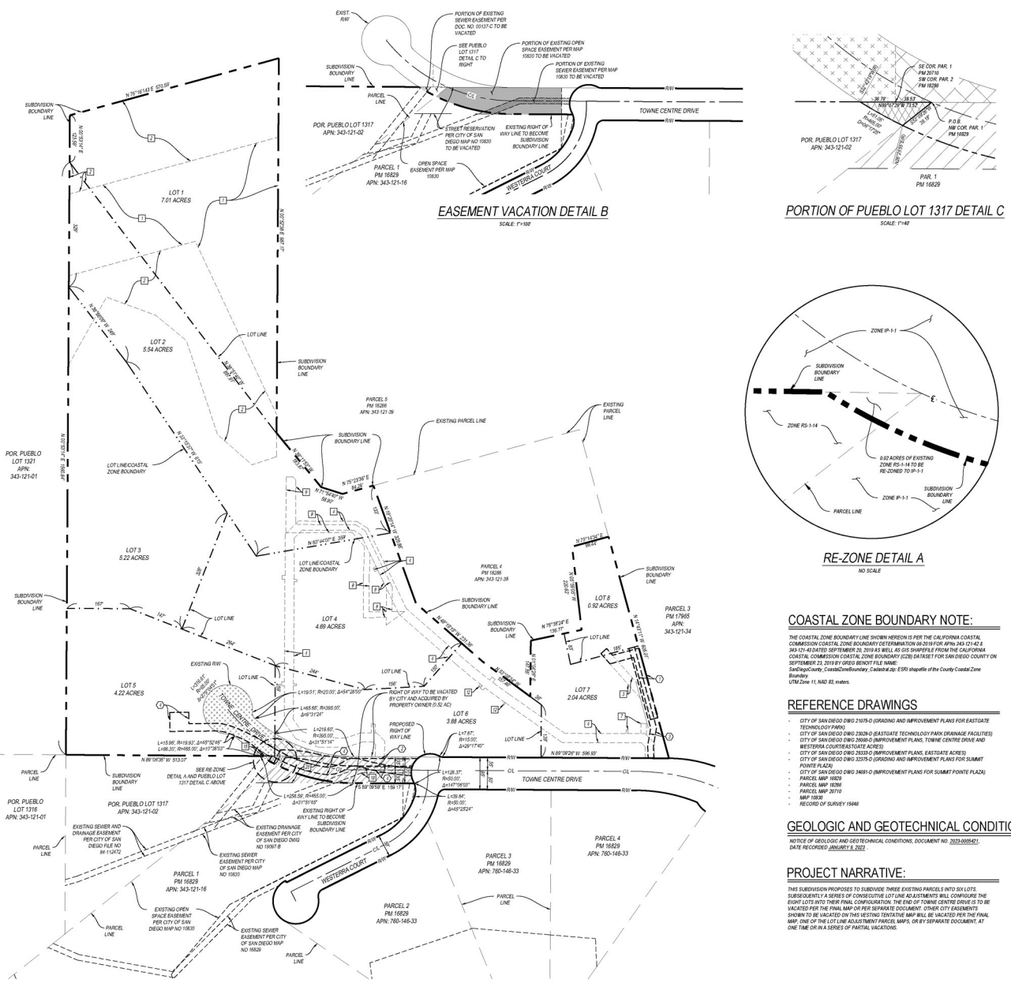
Source(s): Perkins&Will (December 2021)

Figure 3-18

Not to Scale

Grading Plan Site Sections

VESTING TENTATIVE MAP NO. 2507560/RIGHT-OF-WAY VACATION NO. 2507558/COASTAL DEVELOPMENT PERMIT NO. 2237940/SITE DEVELOPMENT PERMIT NO. 2237939/EASEMENT VACATION NO. 2508994/NEIGHBORHOOD DEVELOPMENT PERMIT NO. 2582527
TOWNE CENTRE VIEW
CITY OF SAN DIEGO



Source(s): Perkins&Will (March 2023)

Figure 3-19

Not to Scale

Proposed Vesting Tentative Map

4.0 HISTORY OF PROJECT CHANGES

This section chronicles the physical changes that have been made to the Project in response to revisions requested by City staff, members of the University community, as well as through the Project review and refinement process. These changes are described below:

- In response to comments from members of the University Community Planning Group a peer review of the landscape plan was conducted by Native West Landscaping. Native West Landscaping made changes to the landscape plan and confirmed the correctness of native plant selections in the Project plant palette. The plant palette was revised to incorporate native plants from the adjacent canyons, as well as the region in support of the area's diverse ecosystem.

- Adjustments were made to reduce the driveway widths as required by the Municipal Code and provide a turnaround and the proposed public street terminus as required by the Street Design Manual, thereby providing adequate access to the Project site.

- A plaza amenity feature was added west of the parking structure area in the eastern portion of the Project site.

- In response to City comments, the Project's landscape decks in the northern portion of the site were modified to no longer overhang over the Project's development footprint.

- Side yard trees were added to the Project's eastern boundary in response to comments from City staff.

- Based on City requirements, a shading structure was added to the top of the parking garage in the eastern portion of the Project site.

- Loading access was added below Building B in order to provide additional access to the building.