

5.1 LAND USE

This section evaluates potential land use impacts associated with the project in relation to land uses, zoning, other regulations, and policies that are applicable to the Project. It references planning and environmental information contained in other sections of this EIR, as applicable.

5.1.1 Existing Conditions

A. On-Site Land Uses

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 of this EIR). 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 redevelopment area is limited to the four privately-owned parcels in the southern portion of the Project site and a proposed vacation of a portion of the Towne Center Drive right-of-way; collectively these areas encompass approximately 26.5-acres. The northern undeveloped 7.0-acre 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 of this EIR, 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 7,370 sf of 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.

The Project site is located on a graded mesa and much of the proposed redevelopment area is covered by fill material. Elevation 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 that serves the existing uses.

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.

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 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).²

Small areas around the existing developed/graded area support revegetated habitat, landscaping, and native and naturalized vegetation. There are areas within the Multi-Habitat Planning Area (MHPA) on site and surrounding the Project site, as shown on Figure 2-5 of this EIR, and further discussed below. The proposed redevelopment area consists primarily of ornamental landscaping, disturbed land and developed area (approximately 20.4 acres on-site). The remaining portion of the proposed redevelopment area includes 5.05 acre on-site of 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, 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 height from 0 to 12 feet, and were installed when the site was initially graded during the period between 2008 to 2011.

B. Surrounding Land Uses

As shown on the aerial photograph provided on Figure 2-3 of this EIR, 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 well as newer 5 and 6 level buildings further south on Towne Centre Drive. 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.

² 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 1.5 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.

5.1.2 Regulatory Framework

The planning context presented in Chapter 2.0, *Environmental Setting*, of this Environmental Impact Report (EIR), describes the land use plans and development regulations that apply to the development of the Project. The following provides a summary of the pertinent goals, objectives, and recommendations of the planning documents that affect development of the Project including the City of San Diego General Plan, the University Community Plan, the City of San Diego Land Development Code and associated zoning and Environmentally Sensitive Lands (ESL) regulations, and the City of San Diego Multiple Species Conservation (MSCP) Subarea Plan. The Project also is subject to compliance with all other applicable local, state, and federal plans and regulations, including San Diego Forward: The Regional Plan, the Marine Corps Air Station (MCAS) Miramar Airport Land Use Compatibility Plan (ALUCP), and the MCAS Miramar Air Installations Compatible Use Zones (AICUZ). A discussion of the project's compatibility with these plans is provided in Section 5.1.3, Impact Analysis.

There are other planning programs or regulations relevant to the Project, such as the City of San Diego Climate Action Plan (CAP), the Water Quality Control Plan for the San Diego Basin (Basin Plan) and Regional Air Quality Strategy (RAQS), that are discussed in the technical sections of this EIR that are directly related to the respective plan/program (e.g., greenhouse gas emissions, hydrology, water quality, and air quality).

A. City of San Diego General Plan

California law requires each City to adopt a comprehensive, long-range plan for its physical development. A comprehensive update to the City of San Diego's General Plan (General Plan) was adopted by the City Council on March 10, 2008 and has been subsequently updated. The City Council also certified the General Plan Program Environmental Impact Report.

This General Plan provides policy guidance to balance the needs of a growing city while enhancing quality of life for current and future San Diegans. It provides a strategy, the City of Villages, for how the City can enhance its many communities and neighborhoods as growth occurs over time. It presents Elements that overall provide a comprehensive blueprint for the City of San Diego's growth over the next twenty plus years. In addition to a Strategic Framework, 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 contain goals and policies and are designed to provide a comprehensive blueprint for the City of San Diego's growth for the next 20 plus years. A brief description of each General Plan Element is provided below; specific information relevant to the Project site is noted. The goals and policies within each Element relevant to the Project are identified in Table 5.1-1, *City of San Diego General Plan Consistency Analysis*, at the end of this section, along with an analysis of the Project's consistency with these goals and policies.

1. *Strategic Framework*

The Strategic Framework 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 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 City of Villages growth strategy identifies redevelopment, infill, and new growth to be targeted into compact, mixed-use, and walkable villages that are connected to a regional transit system. It is intended that precise village boundaries, the specific mix of uses, architectural form, needed public facilities, and the type of public space within proposed village areas will be determined through community plan updates or amendments.

The hierarchy of village types and development areas includes: Downtown, Subregional Employment Areas, Urban Village Centers, Community and Neighborhood Village Centers, and Transit Corridors. Subregional Employment Areas are major employment and/or commercial areas within the region containing corporate or multiple-use office, industrial, and retail uses with some adjacent multi-family residential uses. Existing Subregional Employment Areas include the Mission Valley/Morena/Grantville and University/Sorrento Mesa areas. The Project site is within the Subregional Employment Area village type, and specifically within the University/Sorrento Mesa Subregional Employment Area.

2. *Land Use and Community Planning Element*

The purpose of the Land Use and Community Planning Element, which was last updated in June 2015, is “[t]o guide future growth and development into a sustainable citywide development pattern, while maintaining or enhancing quality of life in the communities.” This Element provides policies that guide growth within the City of San Diego and that implement the City of Villages strategy within the context of San Diego’s community planning program. The community planning program is used as a method to enhance citywide policies, designate land uses, and make additional site-specific recommendations. The Land Use Element includes policy direction to oversee the preparation of community plans. The Element also provides policy direction in areas including zoning and policy consistency, the plan amendment process, coastal planning, airport land use planning, annexation policies, balanced communities, equitable development, and environmental justice.

The City of Villages strategy is to focus growth into mixed-use activity centers that are pedestrian friendly; are centers of community; and are linked to the regional transit system. A “village” is defined as the mixed-use heart of a community where residential, commercial, employment, and civic uses are all present and integrated. As shown on Figure LU-1, *Village Propensity Map*, of the Land Use and Community Planning Element, the Project site has a low village propensity, but is within approximately 0.25 mile of areas with higher village propensity. Notably, areas along Eastgate Mall have a high village propensity. As described in this Element and previously discussed under the

Strategic Framework, there are various types of villages. The Project site and surrounding areas are within the village categories referred to as “Subregional Employment Area”. Actual village locations are to be designated in community plans, which will also contain site-specific guidelines to ensure the successful implementation of each site.

The Land Use and Community Planning Element identifies seven General Plan land use categories which provide an overall, citywide view of land use distribution. These land use categories are shown on Figure 2-6, *City of San Diego General Plan Land Use and Street System*, of this EIR. As shown, the northern portion of the Project site is designated “Park, Open Space, and Recreation” and the southern portion of the Project site (the proposed redevelopment area) is designated “Industrial Employment”.

It is acknowledged in the Land Use and Community Planning Element that the land use categories depicted are not precise enough to guide project-level development. The community plans refine the goals and policies of the General Plan into site-specific recommendations that will guide the development of each community. The General Plan land use categories are further divided into 26 community plan designations that are to be applied as community plans are updated or amended. Table LU-4, *General Plan and Community Plan Land Use Categories*, of the Land Use and Community Planning Element establishes the linkage between General Plan land use categories and the menu of standardized community plan designations that are to be applied through the community plan process. As identified on Figure LU-3, *Planning Areas and Prospective Annexation Areas*, of the Land Use and Community Planning Element, the Project site is located within the University Community Plan Area. The University Community Plan is further discussed below.

3. Mobility Element

The purpose of the Mobility Element, last updated in June 2015, is “[t]o improve mobility through development of a balanced, multi-modal transportation network.” A balanced network is one in which each type of transportation (e.g., vehicular, pedestrian, transit) is able to contribute to an efficient network of services. In addition to addressing pedestrian facilities, streets and freeways, and transit, the Element addresses intelligent transportation systems, transportation demand management, bicycling, parking management, airports, goods movement/freight, and regional coordination/financing. Together the policies for these issues advance a strategy for congestion relief and increased transportation choices in a manner that strengthens the City of Villages land use vision and helps achieve a clean and sustainable environment.

In addition to surrounding streets, alternative transportation options in the vicinity of the Project site include bus, bikeway, and rail services. As identified on Figure ME-1, *Transit and Land Use Connections*, of the Mobility Element, there is planned high frequency transit service (including bus rapid transit, rail and rapid bus) in the vicinity of the Project site. As shown on Figure ME-4, *Intermodal Freight Facilities*, there is a rail line north of the Project site; this rail line is used for freight and passenger service. Additional information regarding existing and planned transit facilities within the University Community Plan Area, including the Mid-Coast Trolley currently under construction, is provided in Section 5.2, Transportation, of this EIR.

Development, maintenance, and support of the bicycle network are guided by the City's Bicycle Master Plan (BMP). There are no existing bikeways planned on Towne Centre Drive adjacent to the Project site. Additional information regarding existing and planned bicycle facilities within the University Community Plan Area is provided in Section 5.2, *Transportation*, of this EIR.

The closest airport to the Project site is MCAS Miramar as identified on Figure ME-3, *Airport Locations*, of the General Plan. The MCAS Miramar is approximately 3.0 miles southeast of the Project site and serves as a critical location for Marine Corps fixed-wing and helicopter aircraft activities. The MCAS Miramar AICUZ reflects restrictions on land uses near military airports and regulates land uses relative to noise and safety zones similar to the MCAS Miramar ALUCP. The AICUZ and ALUCP are further discussed below.

4. Urban Design Element

The purpose of the Urban Design Element is “[t]o guide physical development toward a desired scale and character that is consistent with the social, economic and aesthetic values of the City.” Urban design describes the physical features that define the character or image of a street, neighborhood, community, or the City as a whole. The Urban Design Element influences the implementation of all elements of the General Plan and community plans as it establishes goals and policies for the pattern and scale of development and the character of the built environment. It is intended that the urban design policies be further supplemented with site-specific community plan recommendations.

Relevant to the Project, the General Plan's Urban Design Element includes goals and policies related to (1) enhanced visual quality of office and industrial development, (2) development adjacent to natural and open space areas, and (3) increased pedestrian and transit orientation within office and industrial developments.

5. Economic Prosperity Element

The purpose of the Economic Prosperity Element, updated in June 15, is “[t]o increase wealth and the standard of living of all San Diegans with policies that support a diverse, innovative, competitive, entrepreneurial, and sustainable local economy.” The structure of the City of San Diego's economy influences the City's physical development and determines the City's capacity to fund essential services. The policies in this Element are intended to improve economic prosperity by ensuring that the economy grows in ways that (1) strengthen San Diego's industries; (2) retain and create good jobs with self-sufficient wages; (3) increase the average income; and (4) stimulate economic investment in our communities. A strong economy creates the wealth that allows San Diego to support its public facilities, services, and quality of life.

Prime industrial land includes areas that support export-oriented base sector activities such as warehouse distribution, heavy or light manufacturing, research and development uses. Figure EP-1, *Industrial and Prime Industrial Land Identification*, of the Economic Prosperity Element, depicts areas that support export-oriented base sector activities and prime industrial land policies. The Project site is within an area designated as Prime Industrial Land (refer to Figure 5.1-1, *Industrial Land and Prime Industrial Land*).

Subregional Employment Areas play an important role in the City's economic prosperity strategies. These areas are intended to provide the designated land and infrastructure needed to adequately support business development and a variety of employment opportunities. In the past, employment growth was focused on the creation of an employment land component in each developing community. As the City approaches full buildout, the establishment of Subregional Employment Areas is intended to target new growth of regional and other employment uses in fewer locations to facilitate connections via an improved transportation and transit system. The Project site is identified within the University/Sorrento Mesa Subregional Employment area as shown on Figure EP-2, *Regional Center and Subregional Employment Areas*, of the General Plan.

6. Public Facilities, Services & Safety Element

The purpose of the Public Facilities, Services and Safety Element, updated in June 2018, is “[t]o provide the public facilities and services needed to serve the existing population and new growth.” This Element addresses facilities and services that are publicly managed, and have a direct influence on the location of land uses. The policies within the Public Facilities Element also apply to transportation improvements and park and recreation facilities and services with additional guidance from the policies in the Mobility Element and Recreation Element.

The Project is located within the University Community Plan Area, which contains one existing and three proposed fire stations operated by the City of San Diego (refer to Figure PF-3, *Fire and Lifeguard Facilities*, of the Public Facilities, Services and Safety Element). An existing police station is also located within the University Community Plan Area as identified in Figure PF-4, *Police Facilities*. Additional information relevant to the Project regarding existing and proposed public facilities and the City's ability to maintain response time goals is provided in Section 5.14, *Public Services and Facilities*, of this EIR.

Relevant to the Project, this Element addresses the following utilities: wastewater, storm water infrastructure, water infrastructure, waste management, information infrastructure, natural gas, and electricity. Additional information relevant to the Project regarding existing and proposed utilities and potential Project impacts is provided in Section 5.15, *Public Utilities*, of this EIR.

As identified on Figure PF-9, *Geo-technical and Relative Risk Areas*, of the Public Facilities, Services and Safety Element, the Project site is located between the Rose Canyon fault and the Elsinore fault, and is located within “nominal to low” and “low to moderate” risk areas. As further discussed in Section 5.6, *Geologic Conditions*, of this EIR, there is an inactive fault identified in the northern portion of the Project area. The potential impacts to the proposed redevelopment generated by geologic site conditions are discussed in more detail in Section 5.6.

A goal of this Element is “implementation of financing strategies to address existing and future public facility needs citywide.” Policies are included to ensure that the City maximizes the potential benefit of Development Impact Fees (DIF) and Facilities Benefit Assessments (FBA) to improve communities and to secure private developer funding for a proportional share of public facility costs. As shown in Figure PF-1, *Planning Areas by Financing Type*, of the Public Facilities, Services and

Safety Element, the University Community Plan Area, including the Project site, would be subject to an FBA to contribute its proportional fair share of existing and future facilities. Under certain circumstances, Projects are required to provide physical improvements as a condition of Project approval.

7. Recreation Element

The purpose of the Recreation Element, updated in June 2015, is “[t]o preserve, protect, acquire, develop, operate, maintain, and enhance public recreation opportunities and facilities throughout the City for all users.” The City’s parks, open space, trails, and recreational facilities annually serve millions of residents and visitors and play an important role in the physical, mental, social, and environmental health of the City and its residents. Parks and open space can benefit the environment by providing habitat for plants and animals, and space for urban runoff to percolate into the soil, while also serving to decrease the effects of urban heat islands. In addition, the City park system supports San Diego’s tourism industry and enhances the City’s ability to attract and retain businesses. Figure RE-1, *Community Plan Designated Open Space and Parks Map*, of the General Plan identifies neighborhood, community- and resource-based parks, and open space areas within the City. As shown, there are open space areas within and in the vicinity of the Project site.

8. Conservation Element

The purpose of the Conservation Element is “[t]o become an international model of sustainable development and conservation. To provide for the long-term conservation and sustainable management of the rich natural resources that help define the City’s identity, contribute to its economy, and improve its quality of life.” The City’s resources include, but are not limited to: water, land, air, biodiversity, minerals, natural materials, recyclables, topography, views, and energy. Issues addressed in the Conservation Element that are relevant to the Project include climate change and sustainable development, open space and landform preservation, water resources management, urban runoff management, air quality, biological diversity, sustainable energy, and urban forestry.

The proposed redevelopment area is located on a graded mesa and much of the area is covered by fill material. As shown on Figure CE-1, *Steep Slopes and 200 Ft Contours*, of the Conservation Element, the Project site is located in an area containing steep slopes (25% or steeper). This issue and compliance with ESL Regulations are further discussed below. Geologic site conditions are discussed further in Section 5.6 of this EIR.

The northern approximately 7.0-acre parcel of the Project site and areas surrounding the Project site are within the City’s MHPA and would remain undeveloped (refer to Figure CE-2, *Multi-Habitat Planning Area*, of the Conservation Element). An open space easement has already been placed over the property as a condition of previous entitlement. Additional discussion of the MSCP is provided below and in Section 5.4, *Biological Resources*. Biological resources within the Project site are also discussed in Section 5.4.

The northern section of the Project site is located within the coastal zone boundary. Additionally, the Project site is not location within the 100-year Floodplain (refer to Figure CE-5, *Flood Hazard Areas*, of

the Conservation Element). The Project site is located within the Penasquitos Watershed as shown in Figure CE-4, *San Diego Watersheds*, of the Conservation Element. Existing hydrologic conditions and potential impacts related to hydrology and water quality are discussed further in Section 5.10 and 5.18, respectively.

Figure CE-6, *Generalized Mineral Land Classification*, of the General Plan identifies mineral resource areas. High quality mineral resource areas are designated Mineral Resource Zone (MRZ) 2 and there are no MRZ 2 areas within or surrounding the Project site.

9. Noise Element

The purpose of the Noise Element, updated in June 2015, is “[t]o protect people living and working in the City of San Diego from excessive noise.” The Noise Element provides goals and policies to guide compatible land uses and incorporates noise-attenuation measures for new uses to protect people living and working in the City from an excessive noise environment. Generally, the most prevalent noise sources in San Diego are from motor vehicle traffic on interstate freeways, state highways, and local major roads and are generally due to higher traffic volumes and speeds. Rail traffic and industrial and commercial activities contribute to the noise environment. Aircraft noise is also present in many areas of the City, including the Project site, which is subject to aircraft noise from MCAS Miramar. The ALUCP and AICUZ for MCAS Miramar, which address noise compatibility issues related to surrounding uses, are discussed further below.

Table NE-3 of the Noise Element provides noise compatibility guidelines for evaluating land use noise compatibility when reviewing proposed land use development projects. Existing sources of noise, compatibility of the Project with these noise sources, and potential noise impacts resulting from the Project are discussed further in Section 5.11, *Noise*, of this EIR.

10. Historic Preservation Element

The purpose of the Historic Preservation Element is “[t]o guide the preservation, protection, restoration, and rehabilitation of historical and cultural resources and maintain a sense of the City.” Additionally, this Element is intended to improve the quality of the built environment; to encourage appreciation for the City’s history and culture; to maintain the character and identity of communities; and to contribute to the City’s economic vitality through historic preservation. As discussed in Section 5.9, *Historical Resources*, of this EIR, there are no historic resources located at the Project site.

11. Housing Element

The City of San Diego Housing Element 2021-2029 was adopted by the City Council on June 16, 2020, and provides a “coordinated strategy for producing needed housing and meets a variety of State and local transportation, energy, and community development requirements.” The Housing Elements is required to identify enough potentially developable land zoned for residential use to meet the City’s new RHNA housing capacity/production target and must provide goals, objectives, policies, and programs to meet the housing needs of San Diego’s citizens. A relevant goal within the

Housing Element pertains to the availability of adequate sites for the development of a variety of housing affordable for all income levels, consistent with a land use pattern that promotes infill development and socioeconomic equity and creates more transit-oriented, compact, and walkable communities. Appendix D of the Housing Element includes inventory of sites within the City of San Diego that have potential for development of new housing units during the 2021-2029 Housing Element period; there are no potential housing sites located within or adjacent to the Project site. Although the northern portion of the Project site is zoned Residential Single Unit (RS-1-7), this area is within the MHPA (not subject to future development).

B. University Community Plan

The General Plan establishes a framework for the development of more specific community plans by identifying and locating those facilities that possess citywide or inter-community importance. The Project is located within the University Community Plan Area. The University Community Plan was adopted by the City Council on July 7, 1987 and has been subsequently amended; last amended in 2020 as part of the Costa Verde Revitalization Project.

The University Community Plan provides policies on growth and development within the approximately 8,500-acre plan area distributed across four primary subareas: Torrey Pines, Central, Miramar and South University, and serves as the portion of the North City Local Coastal Program for areas of University City in the Coastal Zone. The Project site is within the Central Subarea. The Community Plan includes twelve Plan Policy Elements. The recommendations, objectives, goals and proposals, as applicable, within each Element relevant to the Towne Center View Project are identified in Table 5.1-2, along with an analysis of the Project's consistency with these items.

As shown on Figure 2-7, *Existing University Community Plan Land Use Designations*, in Chapter 2.0, *Environmental Setting*, of this EIR, the Project site is currently designated Scientific Research and Open Space. The Scientific Research designation provides for activities limited to scientific research, product development and testing, engineering, and any other basic research functions leading to new product development with limited light manufacturing. Office uses, except corporate headquarters, are not permitted, except as accessory to the primary use or as direct support for scientific research uses. The Open Space-designated areas generally surround the development site and represent areas within the MHPA. Open Space provides for the preservation of land that has distinctive scenic, natural or cultural features; that contributes to community character and form; or that contains environmentally sensitive resources.

Figure 26, *Land Use and Development Intensity Subarea Map*, in the Development Intensity Element 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 net 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.

The Community Plan Implementation Overlay Zone (CPIOZ) identified in Figure 27 of the Community Plan 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. Development projects within the CPIOZ "A" are subject to ministerial permit review for consistency with the goals and proposals outlined in the Community Plan.

Consistent with the General Plan, the Community Plan Safety Element (Figure 40, *Geologic Hazards*) identifies a fault line extending through the northern portion of the Project site, and the Community Plan Noise Element identifies MCAS Miramar as a source of noise in the Community Plan Area.

It should also be noted that the City is in the process of updating the University Community Plan. The updated Community Plan will consider current conditions, Citywide goals in the Climate Action Plan and the General Plan, and community specific goals to provide direction for the long-term development of the community. It is anticipated that the Community Plan update will be completed in 2023. Therefore, this EIR addresses the Project's consistency with the current Community Plan, which will remain in effect until the updated Community Plan.

C. Land Development Code Regulations

Chapters 11 through 15 of the San Diego Municipal Code (SDMC) are referred to as the Land Development Code. These chapters contain the City's planning, zoning, subdivision, and building regulations. Following is a discussion of sections of the Land Development Code particularly relevant to the Project.

1. Zoning

As shown on Figure 2-8, *Zoning Map*, in Chapter 2.0, *Environmental Setting*, of this EIR, 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 7.0-acre open space parcel is zoned Residential Single Unit (RS-1-7). The purpose of the RS zones is to provide appropriate regulations for the development of single dwelling units that accommodate a variety of lot sizes and residential dwelling types and which promote neighborhood quality, character, and livability. It is intended that these zones provide for flexibility in development regulations that allow reasonable use of property while minimizing adverse impacts to adjacent properties. The RS Zones are differentiated based on the minimum lot size and whether properties are located in a Planned Urbanized Community or Proposition A Land. The RS-1-7 zone requires minimum 5,000 sf lots. However, the portion of the Project site zoned RS-1-7 is within the MHPA and is not intended to be developed.

2. *Environmentally Sensitive Land Regulations*

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 (SDMC Section 142.0101). 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 (refer to Figure 5.1-2, *Environmentally Sensitive Lands*).

The ESL Regulations identify the appropriate development regulations, the required decision process, and the permitted uses applicable to various types of development proposals that would encroach into ESLs. Any development that encroaches into ESLs is required to obtain either a Neighborhood Development or Site Development Permit (SDP), in accordance with the indicated decision process. An SDP is being processed as part of the Project (refer to the description provided in Section 3.5.3, *Site Development Permit*, of this EIR).

To aid in the implementation and interpretation of the ESL Regulations, the City's Land Development Code includes "Biology Guidelines" and "Steep Hillside Guidelines". These guidelines provide standards related to biological resources and steep hillsides for processing Neighborhood Development Permits, Site Development Permits, and Coastal Development Permits issues pursuant to the ESL Regulations.

As defined in the Biology Guidelines, sensitive biological resources are those lands included within the MHPA as identified in the City of San Diego's MSCP Subarea Plan, and other lands outside the MHPA that contain riparian; 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 habitats are discussed further in Section 5.4, *Biological Resources*, of this EIR.

As identified in the Steep Hillside Guidelines, the steep hillside regulations of the ESL Regulations are applicable when development is proposed on a site containing a natural gradient of at least 25% (25 feet of vertical distance for every 100 feet of horizontal distance) and a vertical elevation of at least 50 feet on any portion. The steep hillside regulations are also applicable if a portion of the site contains a natural gradient of at least 200% (200 feet of vertical distance for every 100 feet of horizontal distance) and a vertical elevation of at least 10 feet. The vertical elevation must occur generally in the area with the steep hillsides and may include some pockets of area with less than a 25% gradient. Approximately 30% of the Project site has natural slopes greater than 25%; therefore, the ESL Regulations for steep hillsides apply to the Project.

3. *Airport Land Use Compatibility Overlay Zone*

The purpose of the Airport Land Use Compatibility Overlay Zone is to implement adopted ALUCPs, in accordance with state law, as applicable to property within the City. The intent of these supplemental regulations is to ensure that new development or expansion of existing development located within an Airport Influence Area (AIA) is compatible with respect to airport-related noise, public safety, airspace protection, and aircraft overflight areas. This overlay zone applies to properties such as the Project site that are located within an AIA as identified in an adopted ALUCP

for a public use or military airport. As discussed below, the Project site is within the AIA for the MCAS Miramar; therefore, an SDP is required.

4. Community Plan Implementation Overlay Zone

The purpose of the CPIOZ is to provide supplemental development regulations that are tailored to specific sites within community plan areas of the City. The intent of these regulations is to ensure that development proposals are reviewed for consistency with the use and development criteria that have been adopted for specific sites as part of the community plan update process. The CPIOZ applies to properties such as the Project site that are identified in a community plan as areas requiring supplemental development regulations or processing of a development permit and that have been incorporated by ordinance into this overlay zone.

5. Site Development Permit

The purpose of the SDP procedures is to establish a review process for proposed development that may have significant impacts on resources or on the surrounding area. An SDP may be required even if development is in conformance with all regulations. As stated in SDMC Section 126.0501, “[t]he intent of these procedures is to apply site-specific conditions as necessary to assure that the development does not adversely affect the applicable land use plan and to help ensure that all regulations are met.” As discussed in Section 3.0, *Project Description*, the existing SDP #2758 for the previously approved Towne Centre Corporate Plaza in the western portion of the Project site would be rescinded. A new SDP is required for the Project because the Project has the potential to impact ESLs including sensitive biological resources and steep hillsides, is located within the CPIOZ Type “A” identified in the University Community Plan, and proposes development requiring a land use approval within the Airport Land Use Compatibility Overlay Zone. An SDP may be approved only if specific findings can be made.

6. Planned Development Permit

Development that does not comply with all base zone regulations or all development regulations, or proposes to exceed limited deviations allowed by the development regulations contained in SDMC Chapter 14, may apply for a Planned Development Permit (PDP). The purpose of PDP procedures is to allow an applicant to request greater flexibility from the strict application of zoning regulations than would be allowed through a deviation process (see SDMC Section 143.0401). As stated in SDMC Section 126.0601, “[t]he intent is to encourage imaginative and innovative planning and to assure that the development achieves the purpose and intent of the applicable land use plan and that it would be preferable to what would be achieved by strict conformance with the regulations.” If a project complies with either the SDMC or a Specific Plan, then PDP deviations are not necessary. A PDP is required for the Project due to proposed deviations to development regulations associated with rear setbacks from a residential zone, the minimum required number of loading areas, the maximum permitted driveway width at the main site entrance, and the maximum retaining wall height. These deviations are described in Section 3.5.5 of this EIR. A PDP may be approved only if specific findings can be made. In addition, the Project site is currently regulated by Planned Industrial Development (“PID”) Permit #96-7756 for the Eastgate Acres development (Biomed Site) which will be amended with the Project PDP.

Development that does not comply with all the base zone regulations or all development regulations, or proposes to exceed limited deviations allowed by the development regulation contained in SDMC Chapter 14, may apply for a PDP. The following design criteria are used to evaluate proposed developments in conjunction with the required findings (refer to SDMC Section 143.0410[j]).

- (1) The overall development design should be comprehensive and should demonstrate the relationships of the proposed development on site with existing development offsite.
- (2) The scale of the project should be consistent with the neighborhood scale, as represented by the dominant development pattern in the surrounding area or as otherwise specified in the applicable land use plan.
- (3) Buildings should avoid an overwhelming or dominating appearance as compared to adjacent structures and development patterns. Abrupt differences in scale between large commercial buildings and adjacent residential areas should be avoided. Instead, gradual transitions in building scale should be incorporated.
- (4) Larger structures should be designed to reduce actual or apparent bulk. This can be achieved by using pitched roof designs, separating large surface masses through changes in exterior treatment, or other architectural techniques.
- (5) Buildings, structures, and facilities on the premises should be well integrated into, oriented towards, and related to, the topographic and natural features of the site.
- (6) Proposed developments should avoid repetitious development patterns that are inconsistent with the goals of the applicable land use plan.
- (7) To the greatest extent possible, landscaping should be used to soften the appearance of blank walls and building edges and enhance the pedestrian scale of the development.
- (8) Elements such as trees, curbside landscaping, varied setbacks, and enhanced paving should be used to enhance the visual appearance of the development.
- (9) Roof forms should be consistent in material, design, and appearance with existing structures in the surrounding neighborhood.
- (10) Plant materials and other design features should be used to define and enhance the appearance of roof spaces, especially flat roofs that are visible from higher elevations.
- (10) Building material and color palettes should be consistent with applicable guidelines in the applicable land use plan, if provided.

D. Coastal Development Permit

The purpose of the Coastal Development Permit procedures is to establish a City review process for coastal development that is consistent with the Local Coastal Program, the California Coastal Act of 1976 (Public Resources Code Section 30000, et seq.) and the California Code of Regulations, Title 14, Division 5.5., Chapter 8, Subchapter 2, Article 17. 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.”

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 of landscaping, fire access and recreational facilities in the development area of the Project site which 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.

E. City of San Diego Multiple Species Conservation Program Subarea Plan/Multi Habitat Planning Area

San Diego’s *Final 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*, of this EIR, there are MHPA conservation areas on site (primarily the northern parcel that would remain undeveloped) and surrounding the Project site. The Project would be implemented in accordance with MSCP and MHPA requirements.

F. 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) required by Senate Bill (SB) 375, 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.

The SCS aims to create sustainable, mixed-use communities conducive to public transit, walking, and biking by focusing future growth in the previously developed, western portion of the region along the major existing transit and transportation corridors. The 2021 Regional Plan has a horizon year of 2050. SANDAG has developed a new vision for transportation in the San Diego region. New investments in the regional transportation network will provide people with more travel choices while protecting the environment, creating healthy communities, and stimulating economic growth. The 2021 Regional Plan includes the region's SCS, which is required by SB 375 to include a pattern for forecasted growth and development that when combined with the transportation network, the SCS will achieve the regional GHG emission-reduction targets, accommodate the Regional Housing Needs Assessment (RHNA) Determination, and utilize the most recent planning assumptions. According to the 2021 Regional Plan, "the SCS uses areas in the region called Mobility Hubs to concentrate future development. Mobility Hubs are communities with a high concentration of people, destinations, and travel choices...". In the SCS land use pattern, forecasted growth for housing and jobs are within these areas of the region. Additionally, this SCS land use pattern identifies areas within the region that are sufficient to house the 6th Cycle RHNA Plan allocations." Figure 2-4 and Figure 2-6 of the 2021 Regional Plan designates North University City, including the Project site, as within a Regional Mobility Hub area and Major Employment Center, respectively, and notes that "Transit and other mobility options within Mobility Hubs will support surrounding communities where future housing and jobs are envisioned. As these places grow, more people will be able to get to work, school, shopping, and other destinations without having to travel a long distance. Focusing growth in these areas will also help preserve the region's natural habitat areas and its natural resources. This growth pattern will be an important part of making the region more resilient to the impacts of climate change, including wildfire and extreme heat. As shown on Figure 2-5 of the 2021 Regional Plan, the region's major employment centers and urban core mobility hubs would take on the most housing and job growth in the region over the next 30 years." Therefore, the University City area is forecast to grow significantly in jobs and housing over the next 30-years, and the Project is well within the policies directing job growth in this area.

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.

G. Marine Corps Air Station Miramar Airport Land Use Compatibility Plan

As shown on Figure 2-1, *Regional Location Map*, MCAS Miramar is located approximately 3.0 miles southeast of the Project site. The MCAS Miramar 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. 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 AIA at MCAS Miramar. 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 consistency with the ALUCP is addressed under Issue 5 and Issue 6 in Section 5.1.3, *Impact Analysis*. Relevant to the Project:

- **Airport Influence Area.** Map MIR-5, *Compatibility Policy Map: Airport Influence Area*, of the MCAS Miramar ALUCP identifies the Project site within the MCAS Miramar AIA. Specifically, the Project site is located within Review Area 1 of the MCAS Miramar 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.
- **Safety.** As shown on Figure 2-9, *MCAS Miramar ALUCP Compatibility Policy Map: Safety*, of this EIR, the Project site is located in the Accident Potential Zone II (APZ II), and Transition Zone (TZ) of the ALUCP. These zones are further described in Section 5.8, *Health and Safety*, of this EIR. Relevant to the Project, to minimize risks to people and property on the ground and to people on board aircraft, the safety compatibility criteria in the ALUCP set limits on the intensity of non-residential development measures in terms of the number of people located in areas most susceptible to aircraft accidents (including APZ II and TZ). The maximum intensity limits of proposed non-residential uses within the APZ II and TZ safety zones are 50 people and 300 people per acre, respectively. Additionally, research and development uses within the APZ II are limited to 300 sf per person and a floor area ratio (FAR) of 0.34.
- **Noise.** Map MIR-1, *Compatibility Policy Map: Noise*, of the MCAS Miramar ALUCP, identifies the noise contours associated with MCAS Miramar. These noise contours are consistent with the noise contours included in the 2020 AICUZ, which are shown on Figure 2-10, *MCAS Miramar AICUZ 2020 CNEL Noise Contours*, of this EIR. The Project site is outside the 60 dB CNEL contour for the ALUCP.

- **Airspace Protection.** As shown on Map MIR-3, *Compatibility Policy Map: Airspace Protection*, of the MCAS Miramar ALUCP, the Project site is within the MCAS Miramar Airspace Protection Compatibility Area and specifically within the FAA notification area. Therefore, the FAA must be notified regarding proposed construction (refer to discussion of Federal Air Regulations Part 77 in Section 5.8, *Health and Safety*, of this EIR).
- **Overflight.** As shown on Map MIR-4, *Compatibility Policy Map: Overflight*, of the MCAS Miramar ALUCP, the Project site is within the MCAS Miramar Overflight Notification Area. An “overflight notification” is a buyer awareness tool that ensures prospective buyers of residential land use development near an airport are informed about the airport’s potential impact on the property. Although State law does not require overflight notifications for non-residential uses, the ALUC recommends AIA notification for all property transactions in the Miramar area.

H. Air Installation Compatible Use Zone – MCAS Miramar

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 2-10, *MCAS Miramar AICUZ 2020 CNEL Noise Contours*, of this EIR, although the Project site is outside the 60 dB CNEL contour for the 2020 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.

Regarding Accident Potential Zones, 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 2-9, and further discussed above and in Section 5.8, *Health and Safety*, of this EIR, the northern portion of the Project site is within the APZ II Zone.

5.1.3 Impact Analysis

A. Issue 1 and Issue 2

Issue 1 *Would the project result in a conflict with the environmental goals, objectives, and recommendations of the community plan in which it is located?*

Issue 2 *Would the project require a deviation or variance, and the deviation or variance would in turn result in a physical impact on the environment?*

1. Impact Thresholds

According to the City’s CEQA Significance Determination Thresholds, an inconsistency with a plan is not by itself a significant environmental impact; the inconsistency would have to relate to an environmental issue (i.e., cause a direct or indirect physical change in the environment) to be considered significant under CEQA. Land use policy impacts may be significant if a project would be:

- *Inconsistent or conflict with an adopted land use designation or intensity and result in indirect or secondary environmental impacts;*
- *Inconsistency/conflict with the environmental goals, objectives, or guidelines of a community or general plan;*
- *Substantial incompatibility with an adopted plan.*

2. Analysis

Below is an analysis of the Project's consistency with the following planning programs: City of San Diego General Plan, the University Community Plan, the North City Local Coastal Program, the San Diego Land Development Code, and San Diego Forward: The Regional Plan (2021 Regional Plan). The Project's consistency with the MSCP is discussed under Issue 3. The Project consistency with the MCAS Miramar ALUCP and AICUZ and requirements associated with the Airport Land Uses are discussed under Issue 5. The Project consistency with noise standards established in the Noise Element of the General Plan are discussed under Issue 6 and in Section 5.11, *Noise*, of this EIR.

The following additional relevant land use plans/regulations of agencies with jurisdiction over the Project are discussed in the identified topical sections of this EIR: San Diego Air Pollution Control District Regional Air Quality Strategy (Section 5.3, *Air Quality*), and San Diego Regional Water Quality Control Board Water Quality Control Plan for the San Diego Basin (Section 5.18, *Water Quality*).

Consistency with the City of San Diego General Plan

Activities undertaken by a planning agency must be substantially consistent with the goals and policies of the agency's general plan. As identified previously, an update to the City of San Diego General Plan was adopted in 2008, and certain General Elements have been subsequently amended. Through the Strategic Framework Element, the General Plan provides a strategy (through the City of Villages) for how the City can enhance its many communities and neighborhoods as growth occurs over time. The City of Villages strategy outlines implementation strategies for the continued growth of the City beyond the year 2020. The overall focus of this strategy is to determine where and how new growth and redevelopment will occur to ensure the long-term environmental, social, and economic health of the City and its communities. The General Plan provides direction for Community Plans and amendments.

The State's general rule for a general plan consistency determination states that "an action, program, or project is consistent with the general plan if, considering all aspects, it will further the objectives and policies of the general plan and not obstruct their attainment" (OPR, 2017). In general, the Project, which is located on Prime Industrial Land in a designated Subregional Employment Area (University/Sorrento Mesa), would increase the intensity of development on the Project site, which would enhance the General Plan goal of encouraging further intensification of employment uses throughout designated Subregional Employment Areas.

As shown on Figure 2-6, *City of San Diego General Plan Land Use and Street System*, of this EIR, the northern portion of the Project site is designated "Park, Open Space & Recreation." This area is

within the MHPA and would remain undeveloped as part of the Project. The southern portion of the Project site, which includes the proposed redevelopment area, is designated “Industrial Employment.” The Project includes redevelopment of this portion of the Project site with a scientific research and development campus that can accommodate approximately 1,000,000 sf of gross floor area (GFA) building area. The proposed land use is consistent with the Industrial Employment land use designation. The increase in development intensity associated with the Project is addressed under the discussion of the University Community Plan below. The proposed development is also consistent with the General Plan designation of Prime Industrial, which would be maintained. Prime Industrial uses support export-oriented base sector activities, which include, but are not limited to research and development, and corporate headquarters. The Project would enhance the area as a Subregional Employment area, providing base sector and corporate headquarter uses.

Table 5.1-1, *City of San Diego General Plan Consistency Analysis*, at the end of this section addresses the consistency of the Project with relevant goals and policies outlined in the General Plan. It should be noted that the Project’s consistency with goals and policies related to transportation (i.e., the Mobility Element) and scenic quality/aesthetics are appropriately addressed in Section 5.2, *Transportation*, and Section 5.17, *Visual Effects and Neighborhood Character*, of this EIR. As identified through these analyses, the Project would be consistent with the goals and policies outlined in the General Plan.

Consistency with the University Community Plan

The General Plan establishes a framework for the development of more specific community plans by identifying and locating those facilities that possess citywide or inter-community importance. The Project is located within the University Community Plan Area. The University Community Plan was adopted by the City Council on July 7, 1987, and has been subsequently amended.

As shown on Figure 2-7, *Existing University Community Plan Land Use Designations*, of this EIR, the Project site is currently designated Scientific Research and Open Space. The proposed redevelopment of the Project site with five new buildings to create a scientific research and development campus, which could serve as a corporate headquarters, would be consistent with the Scientific Research Community Plan land use designation. The Open Space-designated areas include the northern portion of the Project site and areas surrounding the Project site, which include areas within the MHPA. As further discussed under the analysis for Issue 3, below, the Project would primarily be developed within existing developed and disturbed areas, and impacts to sensitive biological resources resulting from the Project would be less than significant. Further, as discussed below under “Consistency with the Land Development Code,” ESLs would be placed in a Covenant of Easement allowing for long-term preservation of these areas. Therefore, the Project would be consistent with the adopted Community Plan land use designations for the Project site.

The Project site is entirely within a CPIOZ Type A, which is intended to limit uses and development intensity to the levels specified in the Land Use and Development Intensity Table of the Community Plan. A detailed discussion of the Project’s location within CPIOZ Type A is provided below under the “Overlay Zone” subheading.

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. The proposed scientific research and development uses, including office and parking uses, would be compatible with similar uses that currently occur on site and adjacent to the site (primarily east and south of the southeast portion of the Project site). Additionally, potential air quality and noise impacts to the nearest multi-family residential uses to the south have been addressed in Sections 5.3 and 5.11, respectively. The multi-family residential uses are more than 0.25 mile from the Project site and based on the analysis conducted for the Project, no indirect impacts to these residential uses would result from Project implementation.

Table 5.1-2, *University Community Plan Consistency Analysis*, at the end of this section, addresses the consistency of the Project with relevant goals and policies outlined in the University Community Plan. It should be noted that the Project's consistency with goals and policies related to transportation and scenic quality/aesthetics are appropriately addressed in Section 5.2, *Transportation*, and Section 5.17, *Visual Effects and Neighborhood Character*, of this EIR. As identified, the Project would be consistent with the goals and policies outlined in the University Community Plan.

North City Local 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." Therefore, consistency with the policies of the University Community Plan creates compatibility with the Local Coastal Program. The Project proposes no development intensity within the Project's IP-1-1 area of the Coastal Overlay Zone and would be consistent with the goals of the Community Plan and therefore consistent with the policies of the Local Coastal Program. 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." No development is proposed on the 7.0-acre open space parcel in the northern area of the Project site. The Project proposes the subdivision of property within the Coastal Overlay Zone as well as the construction of landscaping, fire access and recreational facilities in the development area of the Project site which is considered coastal development under the Land Development Code. Therefore, a Coastal Development Permit is required.

Consistency with the Land Development Code

Zoning

As identified in Figure 2-8, *Zoning Map*, the southern portion of the Project site is zoned for Industrial Park (IP-1-1). The IP-1-1 zone allows for a mix of light industrial and office uses and would result in development that is compatible with existing uses in the vicinity of the Project site. Therefore, the Project, which includes redevelopment of the southern portion of the Project site with a scientific research and development campus, would be consistent with the IP-1-1 zoning. In addition, the floor area ratio allowed in the IP-1-1 zone is 2.0. Based upon the 26.5-acre development area zoned IP-1-1, the base zone alone would allow up to a total of 2,308,680 gross sf of development. The Project proposes approximately 999,386 sf of GFA building area and 1,027,650 sf of areas considered exempt from the Project's gross floor area under the City of San Diego Municipal Code Chapter 11, Article 3, Division 2. As such, construction of the building area and exempt features would involve a total of 2,027,036 sf of construction and has a floor area ratio of 0.86. Therefore, the Project intensity is consistent with the IP-1-1 zoning.

Additionally, the northern portion of the Project site (approximately 7.0-acre parcel) is zoned Residential Single Unit (RS-1-7). However, this parcel and the surrounding area is located within the City's Multi-Habitat Planning Area (MHPA) and is not intended to be developed. The parcel would remain undeveloped with the Project and there would be no conflict with the existing zoning.

Environmentally Sensitive Lands and Site Development Permit

The Project site includes ESL consisting of steep hillsides and sensitive biological resources as shown on Figure 5.1-2 at the end of this section.

As further discussed in Section 5.4, *Biological Resources*, sensitive biological resources considered ESLs consisting of Tier 1 (scrub oak chaparral), Tier II (Diegan coastal sage scrub and Diegan coastal sage scrub-disturbed), Tier IIA non-native grassland, and Tier IIIB (non-native grassland) habitats occur on site (refer to Figure 5.1-2, *Environmentally Sensitive Lands*). The Project would involve redevelopment within the approximate 26.5-acre southern portion of the Project site, resulting in the removal of sensitive biological resources that qualify as ESLs. The project would impact 0.05 acre of Tier II Diegan coastal sage scrub and Diegan coastal sage scrub-disturbed from grading and Brush Management Zone 1 outside the MHPA. The Project would not impact the Tier IIIA non-native grassland (Alden, 2022).

Encroachment into the ESLs would not conflict with the ESL Regulations because there is no limit on encroachment into sensitive biological resources outside of an MHPA provided that the impacts are mitigated and compensated in accordance with the provisions of the City of San Diego Biology Guidelines. According to the City's Biology Guidelines, total impacts to Tiers I-IIIB that are less than 0.10 acre are not significant and do not require mitigation (Alden, 2022). Therefore, although the Project would impact 0.05-acre of sensitive biological resources that qualify as ESLs, this impact would be less than significant and no mitigation is required. Further, the Project would not directly impact sensitive plant or animal species, and potential indirect impacts to sensitive species,

including the coastal California gnatcatcher would be less than significant through adherence to the MHPA Land Use Adjacency Guidelines, and implementation of City-required measures to protect the coastal California gnatcatcher from construction noise during its breeding season. The Project would also comply with City's ESL regulations for biological resources through the conveyance of non-impacted ESL resources to the MHPA, as applicable. Figure 5.1-3, *Open Space Easements*, depicts the open space areas that would be placed into a covenant of easement (COE). Additionally, as shown on Figure 5.1-3, two existing open space easements in the northern portion of the site would remain.

The ESL Regulations allow the City to approve the proposed project despite conflicts with the steep slope and sensitive biological resource encroachment requirements provided certain findings can be made. In general, these findings must conclude that there are special circumstances that prevent development from conforming to the encroachment limitations, and there are no feasible measures available to further minimize encroachment.

While approximately 30% the Project site includes natural slopes greater than 25%, these steep hillsides, which qualify as ESLs, would not be impacted by the Project (refer to Figure 5.1-1). As discussed in Section 5.17, *Visual Effects and Neighborhood Character*, impacts related to landform changes would be less than significant as the proposed redevelopment would be limited to previously developed and disturbed areas that do not occur in steep hillside areas on site. Additionally, consistent with the ESLs on site associated with sensitive biological resources, steep hillsides on site that would be preserved would be placed in a COE (if not already in a COE).

Any development that encroaches into ESLs is required to obtain either a Neighborhood Development or SDP, in accordance with the indicated decision process, an SDP is being processed as part of the Project (refer to the description provided in Section 3.5.3 of this EIR), and required findings (including supplemental findings required because of potential impacts to ESLs) would be made prior to Project approval.

Development Regulation Deviations and Planned Development Permit

As identified in Section 3.5.5 of this EIR, the Project requires deviations from regulations outlined in the SDMC. Specifically, the Project would deviate from regulations associated with rear setbacks from a residential zone, minimum loading area quantity, maximum permitted driveway width within a parking impact area, and retaining wall height. The proposed deviations and purpose for the deviation is outlined in Table 5.1-3, *Proposed Deviations*.

As previously identified, zoning deviations require a Planned Development Permit. As required, a Planned Development Permit is being processed as part of the Project (refer to the description provided in Section 3.5.2 of this EIR), and required findings would be made prior to Project approval. A PDP also requires that ten different criteria be included in the Project design to ensure innovative planning and achievement of the purpose and intent of the University Community Plan and General Plan. The Project would be consistent with the identified criteria as demonstrated through the consistency analysis presented in Section 5.17, *Visual Effects and Neighborhood Character*, of this EIR. The Project's consistency with the University Community Plan and General Plan are addressed in Tables 5.1-1 and 5.1-2 at the end of this section.

Table 5.1-3 Proposed Deviations

Project Element	Requirement and Code Reference	Proposed Deviation	Purpose
Rear Setback	50-foot setback abutting residential zone (RS-1-7); <i>Table 131-06C</i>	Standard 25-foot rear setback for Building D due to non-residential uses at the adjacent property line	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 develop only 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	0.2 spaces per 10,000 sf of gross floor area; <i>Table 142-10B</i> (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 in-line with the desired market use by providing 12 spaces or, 0.12 spaces per 10,000 sf of 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 <i>Table 142-05M</i>	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	Maximum exposed retaining wall height of 19 feet at the east	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

Project Element	Requirement and Code Reference	Proposed Deviation	Purpose
	height (SDMC Section 142.0340(e)). The height of a 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)).	loading entry of Building B	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.
		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.

Overlay Zones

Coastal Overlay Zone

The northern portion of the Project site is within the Coastal Overlay Zone, primarily including the 7.0-acre northern open space parcel. No development is proposed in the open space area and therefore no adverse effect to environmentally sensitive lands will occur. Development in the Coastal Overlay Zone that is located within the IP-1-1 zoned Project area, will be limited to landscaping, fire access, and recreational facilities, and is not located near the coast and will therefore not encroach upon any existing physical coastal access way that is legally used by the public. The Project is consistent with the policies of the University Community Plan as presented in Table 5.1.2, and therefore consistent with the LCP. Therefore, the Project is consistent with the findings in LDC Section 126.0708.

Airport Land Use Compatibility Overlay Zone

The Project site is within a City-designated Airport Land Use Compatibility Overlay Zone, which requires review for consistency with the MCAS Miramar ALUCP. The Project's consistency with compatibility requirements outlined in the MCAS Miramar ALUCP is discussed under Issue 5, below. Further, as discussed in Section 3.5.3 of this EIR, an SDP is being processed for the Project, which is also required for Projects within an AIA. The Project would not conflict with the requirements associated with its location within an Airport Land Use Compatibility Zone.

CPIOZ A

The Project site is within a City-designated CPIOZ A area, which require review for consistency with the University Community Plan. Table 2, *Land Use and Development Intensity Table*, of the University Community Plan, identifies the currently allowed development intensity. The Project site is within the approximately 103.40 - acre Subarea 11, which is allocated 18,000 sf per acre for areas designated Scientific Research. Table 2 does not specifically identify the total development intensity allowed. 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 (190,000 sf entitled on the Cushman property and 192,365 entitled/developed on the Project Applicant's property). As described in Chapter 3.0, *Project Description*, a Community Plan Amendment is required to add the proposed intensity of the Project to Table 2 of the University Community Plan, for Subarea 11. The proposed amendment is shown in Table 3-3, *Proposed Community Plan Amendment – Table 2: Land Use and Development Intensity Table*, of this EIR. Therefore, the proposed Community Plan Amendment to allow up to 1,000,000 sf of Scientific Research uses within Subarea 11 would increase the allowed development intensity in Subarea 11 by 617,635 sf. The Project would require an SDP because the Project does not comply with the development standards in the CPIOZ A area and requires an amendment to a table within the CPIOZ area.

Consistency with San Diego Forward: The Regional Plan

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 Project would increase the intensity of uses in a previously developed area identified in the 2021 Regional Plan as a major employment center near Smart Growth Areas (urban center and special use). As further described in Chapter 3.0, Project Description, and Section 5.2, *Transportation*, of this EIR, the Project includes various features to reduce dependency on the automobile by encouraging use of alternative modes of transportation (including transit, and bicycle and pedestrian travel), and to reduce GHG emissions. These Project features include implementation of vehicle miles traveled (VMT) reduction measures, including those outlined in the *Complete Communities: Mobility Choice program*, as required by SDMC Section 143.1103 for Projects within Mobility Zone 2; and measures outlined in the 2015 CAP and 2022 CAP update to reduce GHG emissions. Compliance with the 2015 and 2022 CAP update are discussed separately below. The Project is also required to incorporate mitigation measures outlined in 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) to reduce potential VMT impacts, which focus on implementation of a Transportation Demand Management program and price workplace parking.

The Project would not conflict with the 2021 Regional Plan, which designates North University City, including the Project site, as a Regional Mobility Hub and Major Employment Center. These areas are planned for increased development intensity and employment opportunities by 2050. As envisioned by this plan, the Project would expand employment opportunities at the Project site, which is in a designated Regional Mobility Hub area and adjacent to a Smart Growth Opportunity area and Urban Node, which would reduce the need for people to travel a long distance, and would help preserve the region's natural habitat areas and its natural resources. This growth pattern will be an important part of making the region more resilient to the impacts of climate change, including wildfire and extreme heat.

Consistency with the 2015 Climate Action Plan and 2022 Climate Action Plan Update

It should be noted that the Project's consistency with the 2015 CAP and 2022 CAP update are appropriately addressed in Section 5.7, *Greenhouse Gas Emissions*, of this EIR. The 2015 CAP and 2021 CAP update It should be noted a CAP update was approved by the City of San Diego in September 2022. The Project was in process and deemed complete in October 2020, prior to the adoption of the 2022 CAP update. Therefore, this EIR demonstrates the Project's compliance with both the 2015 CAP and the 2022 CAP update. As identified through this analysis, the Project would be consistent with the 2015 CAP and the 2022 CAP update.

3. *Significance of Impacts*

Less than Significant Impact. The Project would include a CPA to increase the intensity of development on site. The proposed use would be consistent with the intention of The Regional Plan and the General Plan to focus employment growth in sub regional employment centers linked to the regional transit system. The Project would not conflict with the environmental goals, objectives, or guidelines of the City of San Diego General Plan, the University Community Plan, the San Diego Land Development Code, and the 2021 Regional Plan. The deviations requested with the PDP would not result in an inconsistency or conflict with the environmental goals, objectives, or guidelines.

4. *Mitigation Measures*

No mitigation measures are required.

B. *Issue 3*

Issue 3 *Would the project result in a conflict with the provisions of the City's Multiple Species Conservation Program (MSCP) Subarea Plan or other approved local, regional, or state habitat conservation plan?*

1. *Impact Threshold*

According to the City's Significance Determination Thresholds, a project could have a significant land use impact if it would result in:

- *Inconsistency/conflict with adopted environmental plans for an area.*

2. *Analysis*

According to the City's MSCP Subarea Plan, land uses planned or existing adjacent to the MHPA include single- and multiple-family residential, active recreation, commercial, industrial, agricultural, landfills, and extractive uses. The land uses adjacent to the MHPA are analyzed to ensure minimal impacts to the MHPA.

As described in Chapter 3.0, *Project Description*, the Project involves redevelopment of the southern portion of the Project site with a five-building campus, which would include scientific research and development, laboratory, technology, and office uses, with supporting parking structures and surface parking areas, recreational facilities, amenities, and landscaping. The northern portion of the Project site, including areas within the MHPA, would remain as open space in an open space easement. The Project's impact footprint would not encroach into the MHPA. Although the Project's impact footprint does not occur within the MHPA, development would occur adjacent to the MHPA. As discussed in Section 5.4, *Biological Resources*, the Project would adhere to the requirements outlined in Section 1.4.3 of the City's Subarea Plan (i.e., requirements related to drainage and toxics, lighting, noise, barriers, invasives, brush management, and grading/land development), including requirements outlined in the Land Use Adjacency Guidelines (LUAG) and Area Specific Management

Directive for the California gnatcatcher through conditions of approval and impacts to the MHPA would therefore be less than significant.

3. ***Significance of Impacts***

Less than Significant Impact. The Project would not result in a conflict with the provisions of the City's MSCP Subarea Plan or other approved local, regional, or state habitat conservation plan. The Project would not introduce land uses adjacent to the MHPA that would result in significant edge effect nor would the Project introduce invasive species of plants into natural open space. Impacts would be less than significant.

4. ***Mitigation Measures***

Mitigation measures are not required.

C. **Issue 4**

Issue 4 *Would the project physically divide an established community?*

1. ***Impact Threshold***

According to the City's CEQA Significance Determination Thresholds, a project could have a significant land use impact if it would result in:

- *The project would physically divide an established community.*

2. ***Analysis***

The physical division of an established community typically refers to the construction of a linear feature, such as an interstate highway or railroad tracks, or removal of a means of access, such as a local road or bridge that would impact mobility within an existing community or between a community and outlying area. As previously stated, the eastern portion of the Project site is currently developed with three scientific research buildings and associated facilities and site improvements (surface parking, landscaping, utility infrastructure, recreational amenities, etc.). The western portion of the Project site was recently used as a staging area for the Mid-Coast Trolley construction. There are existing non-residential uses to east and south of the southeast portion of the Project site, and open space adjacent to the remainder of the site.

The Project involves redevelopment of the Project site with a new 5-building scientific research and development campus. The proposed redevelopment area would occur on previously developed and disturbed areas on site at the terminus of Towne Centre Drive. The Project would not divide the existing community as no new roadways, roadway extensions, or other features that would introduce a physical barrier within the community are proposed. Therefore, the project would not physically divide an established community and no impacts would occur.

3. *Significance of Impacts*

No Impact. The Project involves redevelopment of a site that is currently developed and was recently being used as a construction staging area and would not physically divide an established community. No impact would occur.

4. *Mitigation Measures*

No mitigation measures are required.

D. Issue 5

Issue 5 *Would the project result in land uses which are not compatible with an adopted Airport Land Use Compatibility Plan (ALUCP) including aircraft noise levels as defined by the plan?*

1. *Impact Threshold*

According to the City's CEQA Significance Determination Thresholds, a project could have a significant land use compatibility impact if the project results in:

- *Incompatible uses as defined in an airport land use plan or inconsistency with an airport's Comprehensive Land Use Plan (CLUP) as adopted by the Airport Land Use Commission (ALUC) to the extent that the inconsistency is based on valid data.*

2. *Analysis*

MCAS Miramar is located approximately 3.0 miles southeast of the Project site, within the AIA. The MCAS Miramar ALUCP was adopted in October 2008 and was subsequently amended in December 2010 and November 2011, by the Airport Authority, which serves as the ALUC. The MCAS Miramar ALUCP is the adopted plan for evaluating compatibility of proposed projects. The ALUC determined that Project would be consistent with the provisions outlined for development within the AIA for MCAS Miramar and would be consistent with the ALUCP (ALUC, 2022). The ALUC consistency determination is included in Appendix H2 of this EIR.

Because the Project site is within and APZ II and TZ for MCAS Miramar (refer to Figure 2-10, *MCAS Miramar ALUCP Compatibility Policy Map: Safety*), the Project is subject to limitations on the number of people located at the Project site. The maximum intensity limits of proposed non-residential uses within the APZ II and TZ safety zones are 50 people and 300 people per acre, respectively. Additionally, research and development uses within the APZ II are limited to 300 sf per person and a floor area ratio (FAR) of 0.34. Table 5.1-4, *MCAS Miramar Maximum Intensity Limits*, demonstrates that the Project does not exceed the established limits for population intensity within the APZ II and TZ. Therefore, the Project is consistent with ALUCP compatibility requirements related to safety.

The Project site is outside the 60 dB CNEL contour identified in the MCAS Miramar ALUCP and within the 60–65 dB CNEL noise contour shown in the AICUZ 2020 Update. The land use compatibility Table

MIR-1 from the MCAS Miramar ALUCP shows that research and development uses, and offices, are a compatible land use within the 60–65 CNEL. Therefore, the Project is consistent with ALUCP compatibility requirements related to noise.

Because the Project site is within the MCAS Miramar FAA notification area, the FAA must be notified of proposed construction and obtain a Federal Aviation Regulation Part 77 Determination of No Hazard. Based on an aeronautical study conducted by the FAA and included in H2 of this EIR, the FAA determined that proposed Buildings A through D (all four corners) would not exceed obstruction standards and would not be a hazard to air navigation. Marking and lighting are not necessary for aviation safety. The FAA would also need to make a “No Hazard Determination” for any construction equipment that exceeds the allowed height of the building, prior to initiation of these construction activities. Pursuant to FAA standard requirements, the FAA would be notified (via form 7460-2, Notice of Actual Construction or Alteration) after construction reaches its greatest height (FAA, 2021) Building E is shielded by the existing buildings to the east and the terrain and is exempt by 14 CFR Part 77.9(e)(1).

Table 5.1-4 MCAS Miramar Maximum Intensity Limits

Limits / Existing Areas					Proposed Development	
Accident Potential Zone (APZ) II^a						
Site Area within APZ II	Maximum People/Acre Allowed	R&D Use SF/Person	Maximum FAR	Maximum Building Area within APZ II	Proposed Building Area in APZ II (Buildings B+E)	FAR @ APZ II (Buildings B+E)
20.18 acres	50 people/acre = 1,009 people ^b	300	0.34	302,715 sf ^c	285,990 sf ^d	0.33
Transition Zone (TZ)^e						
Site Area within TZ	Maximum People/Acre Allowed				Proposed Building Area and Estimated Employees in TZ (Bldg A+C+D)	
13.37 acres	300 = 4,011 people ^f				713,396 sf/2,140 employees ^g	

R&D = Research & Development; sf=square feet; FAR=floor area ratio

a. Maximum people per acre: 50 people, and maximum sf per person: 300 (per SDMC Section 132-15F)

b. 20.18 acres x 50 people per acre = maximum of 1,009 people allowed

c. Maximum building area in APZ II: 1,009 people*300 sf per person = 302,715 sf

d. Proposed area in APZ II including all of Building B and Building E, based on a portion of Building B being located in the more restrictive safety zone of 50 people/acre: 285,990 sf

e. Maximum people per acre: 300 people

f. 13.37 acres x 300 people per acre = maximum of 4,011 people allowed

g. 713,396 sf*3 employees per 1,000 sf=2,140 employees

Although State law does not require overflight notifications for non-residential uses, the ALUC recommends AIA notification for all property transactions in the Miramar area. The sample overflight notification language presented in the MCAS Miramar ALUCP is as follows:

NOTICE OF AIRPORT IN VICINITY: This property is located in the vicinity of an airport and within the airport influence area. The property may be subject to some of the annoyances or inconveniences associated with proximity to an airport and aircraft operations (for example: noise, vibration, overflights or odors). Individual sensitivities to those annoyances can vary from person to person. You should consider what airport annoyances, if any, affect the Property before you complete your purchase and whether they are acceptable to you.

The Project would be conditioned by the City to provide such notification. This disclosure informs future property owners and occupants that the property is in the vicinity of an airport, but does not represent a safety hazard.

The MCAS Miramar AICUZ 2020 Update was adopted in December 2020 and regulates land uses relative to noise and safety zones similar to the ALUCP. As shown on Figure 2-10, *MCAS Miramar AICUZ 2020 CNEL Noise Contours*, of this EIR, the Project site is within the 60-65 dB CNEL contour for MCAS Miramar. There are no land use controls in the AICUZ for areas with noise levels below 65 dB CNEL. Based on review 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 2-9, and further discussed above and in Section 5.8, *Health and Safety*, of this EIR, the northern portion of the Project site is with the APZ II for MCAS Miramar and within an area where the proposed use would be considered conditionally acceptable. As discussed above, the Project meets the criteria established in the MCAS Miramar ALUCP relative to compatibility for safety, including the maximum intensity of people on site.

Therefore, the Project would not result in land uses which are not compatible with the MCAS Miramar ALUCP or AICUZ.

3. *Significance of Impacts*

Less than Significant Impact. The Project would be compatible with and would not conflict with the MCAS Miramar ALUCP or AICUZ. Additionally, the FAA has made a “No Hazard Determination” for the proposed buildings.

4. *Mitigation Measures*

No mitigation measures are required.

E. Issue 6

Issue 6 *Would the project result in the exposure of sensitive receptors to current or future noise levels, which exceed standards established in the Noise Element of the General Plan?*

1. *Impact Threshold*

A project could have a significant land use impact if it would expose new development to noise levels at exterior use areas or interior area in excess of the noise compatibility guidelines established in the City General Plan Noise Element (refer to Table 5.11-3, *Land Use – Noise Compatibility Guidelines*, in Section 5.11, *Noise*, of this EIR). Based on Table 5.11-3, the Project, which includes research and development and office uses, would be compatible with noise levels up to 65 dBA CNEL, conditionally compatible with noise levels up to 75 dBA CNEL, and incompatible with noise levels over 75 dBA CNEL. Under the conditionally compatible criteria, the structure must be capable of reducing interior noise levels 50 dBA CNEL or less.

2. *Analysis*

As discussed in Section 5.11, *Noise*, of this EIR, due to the Project location at the terminus of Towne Centre Drive, the Project site has limited exposure to local roadways and associated traffic noise. Freeways are located over 1,000 feet away from the Project site well beyond the traffic noise modeling distance recommended by FHWA and thus have limited exposure to noise from either I-5 and I-805. Based on the noise measurements in the surrounding area as shown in Table 5.11-1, *Noise Measurement Results*, the expected maximum future exterior noise levels were estimated to be 65 dBA CNEL or less. Therefore, exterior noise levels at the Project site would be compatible with the City of San Diego exterior and interior noise standards for research and development and office uses.

3. *Significance of Impacts*

Less than Significant Impact. Exterior noise levels at the Project site would be 65 dBA CNEL or less and would be compatible with the City of San Diego exterior and interior noise standards for research and development and office uses.

4. *Mitigation Measures*

No mitigation measures are required.

Table 5.1-1 City of San Diego General Plan Consistency Analysis

Goals and Policies	Consistency Analysis
Land Use and Community Planning Element	
Goal: Mixed-use villages located throughout the City and connected by high-quality transit.	
<p>Policy LU-A.1: Designate a hierarchy of village sites for citywide implementation.</p> <p>b. Encourage further intensification of employment uses throughout Subregional Employment Districts. Where appropriate, consider collocating medium- to high- density residential uses with employment uses (see also Economic Prosperity Element).</p>	<p>Consistent. The Project is located in the University/Sorrento Mesa Subregional Employment Area. The intensification of development on the Project site and addition of employment uses is consistent with this policy of the General Plan.</p>
Goal: Zoning concurrent with community plan updates and amendments to ensure consistency with community plan land use designations.	
<p>Policy LU-F.2: Review public and private projects to ensure that they do not adversely affect the General Plan and community plans. Evaluate whether proposed projects implement specified land use, density/intensity, design guidelines, and other General Plan and community plan policies including open space preservation, community identity, mobility, and the timing, phasing, and provision of public facilities (see Public Facilities Element, Section C).</p>	<p>Consistent. As discussed under Section 5.1.2.C, the southern portion of the Project site that is subject to the proposed redevelopment is zoned IP-1-1 and is consistent with the existing land use designations in the General Plan and Community Plan (Industrial Employment and Scientific Research, respectively). Consistent with relevant General Plan policies the Project would locate employment uses in a designated Subregional Employment Area. The southern portion of the Project site is zoned RS-1-7; however, this area is within the MHPA, consistent with the Community Plan Open Space land use designation and this area would be retained as open space. The consistency of the Project with applicable goals and policies outlined in the General Plan and Community Plan are addressed in this table (Table 5.1-1) and Table 5.1-2, respectively. As demonstrated through the consistency analysis, the Project would not conflict with applicable policies.</p> <p>Although the Project includes an amendment to increase the development intensity in Subarea 11 of the University Community Plan by 617,635 sf, as demonstrated through the analysis presented for each topical issue in Section 5 of this EIR, the increase in development intensity would not result in significant indirect impacts or secondary environmental impacts. Further, The Project has been designed consistent with the Urban Design Element of the University Community Plan, and the proposed redevelopment area is within previously developed and disturbed areas to ensure impacts to the adjacent open space areas within the MHPA are less than significant. Additionally,</p>

Table 5.1-1 City of San Diego General Plan Consistency Analysis

Goals and Policies	Consistency Analysis
	<p>as further discussed in Section 5.2, <i>Transportation</i>, the Project would include various transportation features and measures to encourage alternative modes of transportation (bicycle, pedestrian, and transit) and reduce dependency on the automobile. Lastly, the Project would not impact the provision of public facilities within the Community Plan Area and would pay Facilities Benefit Assessment (FBA) fees in effect at the time buildings permits are issued, which ensure that public facilities are phased according to the level of development in the community.</p>
<p>Goals:</p> <ul style="list-style-type: none"> • Protection of the health, safety, and welfare of persons within an airport influence area by minimizing the public’s exposure to high levels of noise and risk of aircraft accidents. • Protection of public use airports and military air installations from the encroachment of incompatible land uses within an airport influence area that could unduly constrain airport operations. 	
<p>Policy LU-G.2: Submit all amendments and updates to the General Plan, community plans, specific plans, airport plans, development regulations and zoning ordinances affected by an airport influence area to the ALUC to ensure that they are consistent with the Airport Land Use Compatibility Plan or have the City Council take steps to overrule the ALUC.</p>	<p>Consistent. As previously discussed under Issue 5 in this section, the MCAS Miramar ALUCP is the adopted plan for evaluating compatibility of Projects with MCAS Miramar. As discussed under the analysis of Issue 5, the Project is consistent with the MCAS Miramar ALUCP, and the proposed uses would be compatible with airport operations.</p>

Table 5.1-1 City of San Diego General Plan Consistency Analysis

Goals and Policies	Consistency Analysis
<p>Policy LU-G.5: Implement the height standards used by the FAA as defined by Code of Federal Regulations Title 14, Part 77 through development regulation and zoning ordinances.</p> <p>Policy LU-G.6: Require that all proposed development projects (ministerial and discretionary actions) notify the FAA in areas where the proposed development meets the notification criteria as defined by Code of Federal Regulation Title 14, Part 77.</p> <p>a. Require that all proposed development projects that are subject to FAA notification requirement provide documentation that FAA has determined that the project is not a Hazard to Air Navigation prior to project approval.</p> <p>b. Require that the Planning Commission and City Council approve any proposed development that the FAA has determined to be a Hazard to Air Navigation once state and ALUC requirements are satisfied.</p>	<p>Consistent. As discussed under the analysis of Issue 5 in this section, the FAA has reviewed the Project under the provision of Title 14 of the CFR, Part 77 and determined that the proposed structures do not exceed obstruction standards and would not be a hazard to air navigation provided a Notice of Actual Construction or Alteration be completed after construction reaches its greatest height.</p>
<p>Policy LU-G.9: Coordinate with the Navy and Marine Corps to ensure that future land use and General Plan community plan, specific plan, development regulations and zoning ordinances amendments are consistent with the Air Installation Compatible Use Zone study for military air installations.</p>	<p>Consistent. As previously discussed under Issue 5 in this section, the Project site is within APZ II for MCAS Miramar as identified in the AICUZ, and the proposed uses are compatible with land use compatibility requirements related to safety and noise as identified in the AICUZ.</p>
<p>Goals:</p> <ul style="list-style-type: none"> • Ensure a just and equitable society by increasing public outreach and participation in the planning process. • Promote and ensure environmental protection that will emphasize the importance of safe and healthy communities. 	

Table 5.1-1 City of San Diego General Plan Consistency Analysis

Goals and Policies	Consistency Analysis
<p>Policy LU-I.1: Ensure environmental justice in the planning process through meaningful public involvement.</p> <ul style="list-style-type: none"> a. Assure potentially affected community residents that they have opportunities to participate in decisions that affect their environment and health, and that the concerns of all participants involved will be considered in the decision-making process. b. Increase public outreach to all segments of the community so that it is informative and detailed in terms of process and options available to the community. c. Consult with California Native American tribes to provide them with an opportunity to participate in local land use decisions at an early planning stage, for the purpose of protecting, or mitigating impacts to cultural places. 	<p>Consistent. Ongoing coordination with the University Community Planning Group (UCPG) and the community has occurred through presentations, workshops, and public meetings. As part of the public outreach and environmental process for the Project, the City prepared a Notice of Preparation, dated April 5, 2021, and distributed it to the public including all responsible and trustee agencies, members of the general public, community groups, and governmental agencies. In compliance with restrictions in effect at the time due to COVID 19, in lieu of a public scoping meeting held in person, a prerecorded presentation was made accessible to the public and available for viewing from April 5, 2021 through May 5, 2021. Copies of the NOP and comments received during the scoping process are contained in Appendix A of this EIR. Additional opportunities for community input will be provided during the environmental review process and associated Planning Commission and City Council hearings. The City also provided the required notice to Native American tribes in accordance with the requirements of Assembly Bill 52.</p>
<p>LU-I.14. As part of community plan updates or amendments that involve land use or intensity changes, evaluate public health risks associated with identified sources of hazardous substances and toxic air emissions (see also Conservation Element, Section F). Create adequate distance separation, based on documents such as those recommended by the California Air Resources Board and site-specific analysis, between sensitive receptor land use designations and potential identified sources of hazardous substances such as freeways, industrial operations or areas such as</p>	<p>Consistent. The Project involves a Community Plan Amendment that would increase the allowed development intensity in Subarea 11 by 617,635 sf. The nearest existing residents to the Project site are approximately 0.2-mile to the south and the nearest school (Preuss School UCSD) is located approximately 0.27-mile to the southwest. Potential impacts to sensitive receptors have been evaluated in Section 5.3, <i>Air Quality</i>, and Section 5.8, <i>Health and Safety</i>, of this EIR. The Project does not propose any uses that would create a hazard to nearby sensitive receptors.</p>

Table 5.1-1 City of San Diego General Plan Consistency Analysis

Goals and Policies	Consistency Analysis
warehouses, train depots, port facilities, etc. (See also Appendix C, EP-2)	
Urban Design Element	
<p>General Goals:</p> <ul style="list-style-type: none"> • A built environment that respects San Diego’s natural environmental and climate. • Utilization of landscape as an important aesthetic and unifying element throughout the City. 	
<p>Policy UD-A.1: Preserve and protect natural landforms and features.</p> <ol style="list-style-type: none"> Protect the integrity of community plan designated open spaces (see also Conservation Element, Policy CE-B.1). Continue to implement the Multiple Species Conservation Program (MSCP) to conserve San Diego’s natural environment and create a linked open space system. Preserve and enhance remaining naturally occurring features such as wetlands, riparian zones, canyons, and ridge lines. 	<p>Consistent. The Project site includes an approximately 7.0 acre-parcel in the northern portion of the Project site that is designated opens pace and that is located within the City’s MHPA. This parcel would remain undeveloped as the proposed development would occur in previously developed and disturbed areas. As discussed in Section 5.4, <i>Biological Resources</i>, the Project would also have a less than significant impact on site-adjacent open space areas within the MHPA. While approximately 30% the Project site includes natural slopes greater than 25%, these steep hillsides, which qualify as ESLs, would not be impacted by the Project. There are no wetlands or riparian zones within the proposed development area. Therefore, the Project would preserve and protect natural landforms and features.</p>

<p>UD-A.3. Design development adjacent to natural features in a sensitive manner to highlight and complement the natural environment in areas designated for development.</p> <ul style="list-style-type: none"> a. Integrate development on hillside parcels with the natural environment to preserve and enhance views, and protect areas of unique topography. b. Minimize grading to maintain the natural topography, while contouring any landform alterations to blend into the natural terrain. c. Utilize variable lot sizes, clustered housing, stepped-back facades, split-level units or other alternatives to slab foundations to minimize the amount of grading. e. Utilize a clustered development pattern, single-story structures or single-story roof elements, or roofs sloped toward the open space system or natural features, to ensure that the visibility of new developments from natural features and open space areas are minimized. f. Provide increased setbacks from canyon rims or open space areas to ensure that the visibility of new development is minimized. g. Screen development adjacent to natural features as appropriate so that development does not appear visually intrusive, or interfere with the experience within the open space system. The provision of enhanced landscaping 	<p>Consistent. As shown on Figure 2-3, <i>Aerial Photograph</i>, the Project site is surrounded by open space areas. This includes areas within the MHPA and ESLs. The physical impact area for the Project is limited to areas within the existing development footprint or areas that have been previously disturbed by existing development and previous grading activities. Additionally, the 7.0-acre on-site open space parcel would be preserved.</p> <p>As shown on Figure 3-1, <i>Conceptual Site Plan</i>, the proposed buildings would be setback from the open space areas and landscaping in excess of that required by the City would be installed to throughout the proposed development area. The proposed landscape palette incorporates native species compatible with the surrounding open space areas and region. As shown in the conceptual building elevations presented in Figure 3-1 through Figure 3-5, and conceptual renderings presented in Figure 3-6, the proposed buildings 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.</p> <p>As discussed in Section 5.17, <i>Visual Effects and Neighborhood Character</i>, the Project would not substantially obstruct a designated public view or result in substantial view blockage from a designated public viewing area to a public resource identified as significant in the University Community Plan.</p>
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<p>adjacent to natural features could be used to soften the appearance of or buffer development from the natural features.</p> <ul style="list-style-type: none"> h. Use building and landscape materials that blend with and do not create visual or other conflicts with the natural environment in instances where new buildings abut natural areas. This guideline must be balanced with a need to clear natural vegetation for fire protection to ensure public safety in some areas. i. Ensure that the visibility of new development from natural features and open space areas is minimized to preserve the landforms and ridgelines that provide a natural backdrop to the open space systems. For example, development should not be visible from canyon trails at the point the trail is located nearest to proposed development. Lines-of-sight from trails or the open space system could be used to determine compliance with this policy. j. Design and site buildings to permit visual and physical access to the natural features from the public right-of-way. k. Encourage location of entrances and windows in development adjacent to open space to overlook the natural features. l. Protect views from public roadways and parklands to natural canyons, resource areas, and scenic vistas. 	<p>The Project’s buildings would be designed for compliance with the California Building Code Section 701A regulations on materials and construction methods for exterior wildfire exposure. All materials, for example concrete, high performance glazing systems, roof coverings, and finishes, would be required to comply with extended testing requirements and labelling where required for ignition-resistant construction as defined by Chapter 7A. Exterior building elements would be designed to comply with protection requirements listed in Sections 705A through 710A to protect against ignition and intrusion of embers.</p> <p>Therefore, the Project, which is in an area designated for development, has been designed to be sensitive to adjacent natural features and would highlight and complement the surrounding natural environment.</p>
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Table 5.1-1 City of San Diego General Plan Consistency Analysis

Goals and Policies	Consistency Analysis
<p>n. Provide public pedestrian, bicycle, and equestrian access paths to scenic view points, parklands, and where consistent with resource protection, in natural resource open space areas.</p> <p>p. Design structures to be ignition and fire-resistant in fire prone areas or at-risk areas as appropriate. Incorporate fire-resistant exterior building materials and architectural design features to minimize the risk of structure damage or loss due to wildfires.</p>	
<p>Policy UD-A.4: Use sustainable building methods in accordance with the sustainable development policies in the Conservation Element.</p>	<p>Consistent. As described in Section 3.2.6, <i>Sustainable Features</i>, the Project would incorporate various design features and operational characteristics to improve energy efficiency. As previously discussed, the Project includes the implementation of pedestrian facilities and includes transportation demand management (TDM) measures to reduce vehicle miles traveled. Also refer to the consistency analysis provided for the Conservation Element policies below.</p>
<p>Policy UD-A.5: Design buildings that contribute to a positive neighborhood character and relate to neighborhood and community context.</p> <p>a. Relate architecture to San Diego's unique climate and topography.</p> <p>b. Encourage designs that are sensitive to the scale, form, rhythm, proportions, and materials in proximity to commercial areas and residential neighborhoods that have a well established, distinctive character.</p> <p>c. Provide architectural features that establish and define a building's appeal and enhance the neighborhood character.</p>	<p>Consistent. As described in Section 5.17, <i>Visual Effects and Neighborhood Character</i>, the neighborhood character of the Project and surrounding areas can be described as an urban multi-use area with high-rise, mid-rise and low-rise buildings, including office and scientific research uses, residential, commercial uses, and open space. The Project and surrounding areas do not have a single or common architectural theme but rather represent a combination of characteristics shaped by the individual building types. The proposed scientific research and other site improvements have been designed not only to complement the existing development, but also to provide visual, vehicular and pedestrian relationships to adjacent land uses that readily facilitate connections to the immediate vicinity. The building orientation also allows for maximum exposure to natural light.</p>

Table 5.1-1 City of San Diego General Plan Consistency Analysis

Goals and Policies	Consistency Analysis
<ul style="list-style-type: none"> d. Encourage the use of materials and finishes that reinforce a sense of quality and permanence. e. Provide architectural interest to discourage the appearance of blank walls for development. This would include not only building walls, but fencing bordering the pedestrian network, where some form of architectural variation should be provided to add interest to the streetscape and enhance the pedestrian experience. For example, walls could protrude, recess, or change in color, height or texture to provide visual interest. f. Design building wall planes to have shadow relief, where pop-outs, offsetting planes, overhangs and recessed doorways are used to provide visual interest at the pedestrian level. g. Design rear elevations of buildings to be as well-detailed and visually interesting as the front elevation, if they will be visible from a public right-of-way or accessible public place or street. h. Acknowledge the positive aspects of nearby existing buildings by incorporating compatible features in new developments. i. Maximize natural ventilation, sunlight, and views. j. Provide convenient, safe, well-marked, and attractive pedestrian connections from the public street to building entrances. 	<p>The Project’s buildings provide its own architectural identity while complementing surrounding existing development. Refer to the consistency analysis for Policy UD-A.3, which addresses the proposed building architecture.</p> <p>As discussed in Section 3.2.2, <i>Transportation/Circulation and Parking</i>, the Project includes various pedestrian improvements. 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. The landscaping proposed along the adjacent street provides a pedestrian friendly environment. Exterior lighting (described in Section 3.2.4) would be included for the proposed structures and pedestrian pathways.</p>

Table 5.1-1 City of San Diego General Plan Consistency Analysis

Goals and Policies	Consistency Analysis
<p>Policy UD-A.6: Create street frontages with architectural and landscape interest to provide visual appeal to the streetscape and enhance the pedestrian experience.</p> <ul style="list-style-type: none"> a. Locate buildings on the site so that they reinforce street frontages. b. Relate buildings to existing and planned adjacent uses. c. Ensure that building entries are prominent, visible, and well-located. d. Maintain existing setback patterns, except where community plans call for a change to the existing pattern. e. Minimize the visual impact of garages, parking and parking portals to the pedestrian and street façades. 	<p>Consistent. The only roadway adjacent to the Project site is Towne Centre Drive, which terminates at the Project site and would provide the only access to the proposed uses. The Project access points along Towne Centre Drive provide a clear sense of identity for the Project, and provide visual, vehicular and pedestrian relationships to proposed on-site and adjacent land uses. A loop road central to Buildings A - D would accommodate building pick-ups/drop-offs and building entries would be prominent and visible from this internal roadway. As described in Section 3.0, <i>Project Description</i>, the building setbacks meet the requirements of the IP-1-1 zone (with the exception of the rear setback, which is established for residential rather than open space uses) of the Land Development Code (LDC).</p> <p>Refer to the consistency analysis for the Urban Design Element Policy UD-A.5, which addresses how the parking structure has been designed to minimize visual intrusion from the street. Additionally, street trees would be utilized to screen the parking garage.</p>
<p>Policy UD-A.8: Landscape materials and design should enhance structures, create and define public and private spaces, and provide shade, aesthetic appeal, and environmental benefits.</p> <ul style="list-style-type: none"> a. Maximize the planting of new trees, street trees and other plants for their shading, air quality, and livability benefits (see also Conservation Element, Policies CE-A.11, CE-A.12, and Section J). b. Use water conservation through the use of drought-tolerant landscape, porous materials, and reclaimed water where available. c. Use landscape to support storm water management goals for filtration, percolation and erosion control. 	<p>Consistent. Section 3.3.2, <i>Landscape/Brush Management and Amenities</i>, describes the proposed landscape concept for the Project. The landscape concept is depicted on Figure 3-10, <i>Conceptual Landscape Plan</i>. Landscaping would be established in disturbed areas outside of the building lines to give a seamless appearance throughout the Project. Trees would be planted along Towne Centre Drive and within the proposed development area, including along pedestrian pathways, to provide shade, accents, and screening. 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 incorporates native species recommended by Native West Nursery and would include native plants compatible with the surrounding canyon and region. Reclaimed water would be used for landscape irrigations.</p>

Table 5.1-1 City of San Diego General Plan Consistency Analysis

Goals and Policies	Consistency Analysis
<ul style="list-style-type: none"> d. Use landscape to provide unique identities within neighborhoods, villages and other developed areas. e. Landscape materials and design should complement and build upon the existing character of the neighborhood. f. Design landscape bordering the pedestrian network with new elements, such as a new plant form or material, at a scale and intervals appropriate to the site. This is not intended to discourage a uniform street tree or landscape theme, but to add interest to the streetscape and enhance the pedestrian experience. g. Establish or maintain tree-lined residential and commercial streets. Neighborhoods and commercial corridors in the City that contain tree-lined streets present a streetscape that creates a distinctive character. <ul style="list-style-type: none"> 1. Identify and plant trees that complement and expand on the surrounding street tree fabric. 3. Locate street trees in a manner that does not obstruct ground illumination from streetlights. h. Shade paved areas, especially parking lots. j. Use landscaped walkways to direct people to proper entrances and away from private areas. k. Reduce barriers to views or light by selecting appropriate tree types, pruning 	

Table 5.1-1 City of San Diego General Plan Consistency Analysis

Goals and Policies	Consistency Analysis
<p>thick hedges, and large overhanging tree canopies.</p>	
<p>Policy UD-A.10: Design or retrofit streets to improve walkability, bicycling, and transit integration; to strengthen connectivity; and to enhance community identity. Streets are an important aspect of Urban Design as referenced in the Mobility Element.</p>	<p>Consistent. The Project does not involve construction of any new public streets. The Project site is located at the terminus of Towne Centre Drive, which currently has a sidewalk on the north side of Towne Centre Drive adjacent to the Project site and contiguous to the roadway. This existing sidewalk would be replaced. The sidewalk would be designed consistent with the proposed street section for Towne Centre Drive (north end near the Project site south to 9540 Towne Centre Drive) being considered in the University Community Plan update, where the sidewalk would not be contiguous to the roadway and would be separated by a landscaped parkway to enhance the pedestrian environment. On-site pedestrian paths would connect to the new public sidewalk along Towne Centre Drive, which provides connectivity to existing sidewalks along Towne Centre Drive that ultimately provide access to the nearest signalized intersection of Towne Centre Drive and Eastgate Mall, which has crosswalks at each leg of the intersection.</p> <p>There are no existing bikeways along Towne Centre Drive adjacent to the Project site; however, as discussed in Section 5.2, <i>Transportation</i>, there are existing and currently proposed bikeways along other segments of Towne Centre Drive. The Project would not preclude implementation of these public bikeway facilities, which would serve Project employees and visitors.</p>
<p>Policy UD-A.11: Encourage the use of underground or above-ground parking structures, rather than surface parking lots, to reduce land area devoted to parking (see also Mobility Element, Section G).</p> <ul style="list-style-type: none"> a. Design safe, functional, and aesthetically pleasing parking structures. b. Design structures to be of a height and mass that are compatible with the surrounding area. c. Use building materials, detailing, and landscape that complement the surrounding neighborhood. 	<p>Consistent. To reduce land devoted to parking, and as shown on the conceptual site plan provided on Figure 3-1, the Project would involve the development of a 4-level podium parking structure, a 7-level parking garage, and limited surface parking. Appropriate screening would be used to screen views of vehicles from pedestrian areas and headlights from adjacent buildings. The parking garage is designed to be of a height and mass compatible with the surrounding area and includes appropriate screening, materials, detailing, and landscaping the complement the design of the Project site. Additionally, the parking structure is located in the eastern portion of the Project site setback from the street. All of the Project’s parking area include dedicated pedestrian entrances.</p>

Table 5.1-1 City of San Diego General Plan Consistency Analysis

Goals and Policies	Consistency Analysis
<ul style="list-style-type: none"> d. Provide well-defined, dedicated pedestrian entrances. e. Use appropriate screening mechanisms to screen views of parked vehicles from pedestrian areas, and headlights from adjacent buildings. f. Pursue development of parking structures that are wrapped on their exterior with other uses to conceal the parking structure and create an active streetscape. Where ground floor commercial is proposed, provide a tall, largely transparent ground floor along pedestrian active streets. g. Encourage the use of attendants, gates, natural lighting, or surveillance equipment in parking structures to promote safety and security. 	
<p>Policy UD-A.12: Reduce the amount and visual impact of surface parking lots.</p>	<p>Consistent. The Project includes a four-level podium parking structure and a parking garage to accommodate parking and reduce the amount of surface parking lots needed on site. The Project site includes surface parking north of Building C. The visual impact of the surface parking lot would be minimized through the use of landscaping and because the views of the surface parking is limited to the area north of Building C. The surface parking lot would not be visible from the public roadway.</p>
<p>Policy UD-A.13: Provide lighting from a variety of sources at appropriate intensities and qualities for safety.</p> <ul style="list-style-type: none"> a. Provide pedestrian-scaled lighting for pedestrian circulation and visibility. 	<p>Consistent. Exterior lighting would be concentrated around the building, parking areas, and along internal roadways for safety, security, and wayfinding. Lighting would be used on signage to promote site identification. 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 on-site areas such that light would not trespass, beyond</p>

Table 5.1-1 City of San Diego General Plan Consistency Analysis

Goals and Policies	Consistency Analysis
<ul style="list-style-type: none"> b. Use effective lighting for vehicular traffic while not overwhelming the quality of pedestrian lighting. c. Use lighting to convey a sense of safety while minimizing glare and contrast. d. Use vandal-resistant light fixtures that complement the neighborhood and character. e. Focus lighting to eliminate spill-over so that lighting is directed, and only the intended use is illuminated. 	<p>allowable levels, onto adjacent properties, including areas within the MHPA, or into the nighttime sky. There are no residential uses adjacent to the Project site. Compliance with regulatory lighting requirements would avoid emission of substantial amounts of ambient light onto adjacent properties, and into the nighttime sky.</p>
<p>Policy UD-A.14: Design project signage to effectively utilize sign area and complement the character of the structure and setting.</p> <ul style="list-style-type: none"> a. Architecturally integrate signage into project design. b. Include pedestrian-oriented signs to acquaint users to various aspects of a development. Place signs to direct vehicular and pedestrian circulation. c. Post signs to provide directions and rules of conduct where appropriate behavior control is necessary. d. Design signs to minimize negative visual impacts. e. Address community-specific signage issues in community plans, where needed. 	<p>Consistent. The Project would provide an opportunity to unify the Project signage for all five buildings providing “wayfinding” to parking areas and proper circulation in and around the Project. Monument signage would be expected to identify building and major tenants.</p>
<p>Office and Business Park Development Goals:</p> <ul style="list-style-type: none"> • Promote the enhanced visual quality of office and industrial development. • Provide increased pedestrian-and transit-orientation within office and industrial developments. 	

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Goals and Policies	Consistency Analysis
<p>Policy UD-D.1: Provide expanded opportunities for local access and address the circulation needs of pedestrians within and among office and business park developments.</p> <ul style="list-style-type: none"> a. Design safe pedestrian routes between developments, preferably separated from vehicle traffic. b. Design pedestrian routes to provide interest to the walker and promote their use. Interest can be created by paving materials, landscaping, public art, and uses such as retail, restaurant, and plazas for public events such as concerts. c. Identify pedestrian crossings of streets or parking lots through the use of special paving. d. Provide project recreational and/or urban plazas that link visually and/or physically to the pedestrian network or network of public spaces. 	<p>Consistent. Refer to the consistency analysis for policies within the Urban Design Element and consistency analysis for policies within the Mobility Element in Section 5.2, <i>Transportation</i>, which address the proposed building design for the buildings; how the buildings relate to pedestrian facilities and landscaping.</p>
<p>Policy UD-D.2: Assure high quality design of buildings and structures. The design and orientation of buildings within projects affect the pedestrian- and transit-orientation.</p> <ul style="list-style-type: none"> a. Design buildings to have shadow-relief where pop-outs, offsetting planes, overhangs, and recessed doorways are used to provide visual interest, particularly at the street level. b. Design rooftops and the rear elevations of buildings to be as well detailed and visually interesting as the front elevation, if it will be visible from a public street. 	<p>Consistent. Refer to the consistency analysis for Policies UD-A.3 and ME-A.6, which address the design of the proposed buildings and the pedestrian circulation system, including connections to surrounding uses (refer to Figure 3-1). The related trash enclosure for the Project would be screened from view within the podium parking area.</p>

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Goals and Policies	Consistency Analysis
<p>c. Locate outdoor storage areas, refuse collection areas, and loading areas in interior rear or side yards and screen with a similar material and color as the primary building.</p>	
<p>Policy UD-D.3: Assure high-quality design in parking areas, which often provide the first impression and identification of a project to a client, employee, or resident.</p> <p>a. Utilize a combination of trees and shrubs at the edge of parking areas to screen parking lots and structures from the street.</p> <p>b. Distribute landscape areas between the periphery and interior landscaped islands.</p> <p>c. Design landscape to break-up large paved areas.</p>	<p>Consistent. Refer to the consistency analysis for the Urban Design Element Policy UD-A.5, which addresses the design of the parking structure to be compatible with the existing parking structures and minimize visual intrusion from the street. Building E and street trees along Towne Centre Drive would be utilized to screen the parking structure. Also refer to Policy UD-A.8 which discusses the conceptual landscape for the Project which is shown on Figure 3-10.</p>
<p>Economic Prosperity Element</p>	
<p>Goals:</p> <ul style="list-style-type: none"> • A diversified economy with a focus on providing quality employment opportunities and self-sufficient wages for all San Diegans. • A city with sufficient land capacity for base sector industries to sustain a strong economic base. • Efficient use of existing employment lands. 	
<p>Policy EP-A.1: Protect base sector uses that provide quality job opportunities including middle-income jobs; provide for secondary employment and supporting uses; and maintain areas where smaller emerging industrial uses can locate in a multi-tenant setting. When updating community plans or considering plan amendments, the industrial land use designations contained in the Land Use and Community Planning Element should be</p>	<p>Consistent. As previously discussed, the southern portion of the Project site subject to the proposed redevelopment has a General Plan land use designation of “Industrial Employment” and a Community Plan designation of Scientific Research. Further, the Project site is within an area designated in the General Plan as a Subregional Employment Area village type, and specifically within the University/Sorrento Mesa Subregional Employment Area. Consistent with these land use designations and these policies, the Project includes a proposed Community Plan Amendment to increase the development intensity in this area by 617,635 sf (specifically Subarea 11 of the University Community Plan Area) to allow for redevelopment of the Project site with a cohesive, state-of-the-industry scientific research and development campus that can accommodate approximately 1,000,000 sf of building area. The Project would not only protect but expand base</p>

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Goals and Policies	Consistency Analysis
<p>appropriately applied to protect viable sites for base sector and related employment uses.</p> <p>Policy EP-A.2: Encourage a broader geographic distribution of high technology businesses throughout the City.</p> <p>Policy EP-A.3: Encourage large regional employers to locate and expand in the Regional Center or Subregional Employment Areas.</p>	<p>sector activities, which include, but are not limited to research and development, and corporate headquarters.</p> <p>The increase in development intensity would lead to an associated increase in employment opportunities and would encourage the concentration of employment uses throughout this Subregional Employment Area. As further discussed in Section 5.13, <i>Population and Housing</i>, it is estimated that the Project with an estimated 3,000 employees would generate a net increase of 2,400 employment opportunities when compared to employment associated with the existing on-site buildings (estimated to be 600 employees). Therefore, the Project would increase employment opportunities for highly skilled workers with college degrees from institutions like the University of California at San Diego (UCSD).</p>
<p>EP-A.7. Increase the allowable intensity of employment uses in Subregional Employment Areas and Urban Village Centers where transportation and transit infrastructure exist. The role of transit and other alternative modes of transportation on development project review are further specified in the Mobility Element, Policies ME-C.8 through ME-C.10.</p> <p>EP-A.8. Concentrate more intense office development in Subregional Employment Areas and in Urban Villages with transit access.</p> <p>EP-A.9. Efficiently utilize employment lands through increased intensity in “urban villages” and Subregional Employment Areas.</p> <p>EP-A.10. Locate compatible employment uses on infill industrial sites and establish incentives to support job growth in existing urban areas.</p>	<p>Consistent. Policies EP-A.7 through EP-A.10 are specifically related to non-base sector employment use. Although the proposed uses would support base sector industry, these policies are still applicable. The increase in development intensity and associated increase in employment opportunities would encourage the concentration of employment uses in the University/Sorrento Mesa Subregional Employment Area where there is existing and proposed transportation and transit infrastructure. As further discussed in Section 5.2, Transportation, employees of the Project and visitors would be able to access other areas of the City and region easily through the Project shuttle, trolley services, and bus lines. The Project’s consistency with goals and policies included in the Mobility Element are also addressed in Section 5.2. As discussed, the Project would be consistent with the Mobility Element. Additionally, the southern portion of the Project, which includes the proposed redevelopment area, is designated for Industrial Employment uses, is adjacent to similar uses to the east and south, and is currently underutilized.</p>

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Goals and Policies	Consistency Analysis
<p>Policy EP-A.12: Protect Prime Industrial Land as shown on the Industrial and Prime Industrial Land Map, Figure EP-1. As community plans are updated, the applicability of the Prime Industrial Land Map will be revisited and changes considered.</p>	<p>Consistent. The Project site is in an area designated Prime Industrial Land and this designation would be retained. As previously discussed, Prime Industrial uses support export-oriented base sector activities, which include, but are not limited to research and development, and corporate headquarters. The Project would enhance the area as a Subregional Employment area, providing base sector and corporate headquarter uses.</p>
<p>Goal: A city where new employment growth is encouraged in the existing regional center and subregional employment areas connected by transit to minimize the economic, social, and environmental costs of growth.</p>	
<p>EP-C.1: Guide the development of the areas in the City identified on Figure EP-2 as regional and citywide employment nodes as described in Appendix C, EP-3, guidelines for the Regional Center and the Subregional Employment Areas.</p>	<p>Consistent. The Project site is located in an area designated on Figure EP-2 of the General Plan as a Subregional Employment Area, and therefore the growth of employment uses in this area is encouraged and the Project, which would increase employment opportunities, is consistent with this policy.</p>
<p>Goals:</p> <ul style="list-style-type: none"> • A broad distribution of economic opportunity throughout the City. • A higher standard of living through self-sufficient wages and an increase in citywide real median income per capita. • A city with an increase in the number of quality jobs for local residents, including middle-income employment opportunities and jobs with career ladders. 	
<p>EP-E.1. Encourage the retention and creation of middle-income employment by:</p> <ul style="list-style-type: none"> • Preserving employment land and capacity for base sector export industries that generate opportunities for middle-income wage earners as discussed in Section A. • Encouraging the development of measures that facilitate expansion of high technology business facilities that have the potential to create middle-income jobs likely to be filled by local residents. 	<p>Consistent. Refer to the consistency analysis presented above for the related goals of the Economic Prosperity Element.</p>
<p>Goal: A city which preserves the ability of military installations to achieve their mission and to remain in San Diego.</p>	

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Goals and Policies	Consistency Analysis
<p>Policy EP-H.1: Coordinate with military base representatives to ensure that community plan updates and amendments, rezones, and projects for areas adjacent to military facilities, or underlying designated military training routes and airspace, do not affect military readiness. Projects and plan preparation should consider the impact of future land uses on public safety and military readiness activities carried out on military bases, installations, and operating and training areas, based upon the information that the military and other sources provide.</p>	<p>Consistent. As identified in Section 5.1.2, <i>Regulatory Framework</i>, the northern portion of the Project site is within the APZ II Zone identified in the MCAS Miramar AICUZ, which reflects restrictions on land uses near MCAS Miramar. As discussed under the analysis of Issue 5 in this section, the Project has been found consistent with the AICUZ. The Project Applicant has coordinated with the Marine Corps regarding the Project.</p>
<p>Public Facilities, Services and Safety Element</p>	
<p>Goal: Implementation of financing strategies to address existing and future public facility needs citywide.</p>	
<p>Policy PF-A.3: Maintain an effective facilities financing program to ensure the impact of new development is mitigated through appropriate fees identified in PFFPs.</p> <p>a. Ensure new development pays its proportional fair-share of public facilities costs through applicable DIFs pursuant to the California Government Code.</p>	<p>Consistent. The Project would pay its fair share for regional infrastructure and public facilities as identified in the North University City Public Facilities Financing Plan, through the payment of Facilities Benefit Assessments (FBA).</p>
<p>Goals:</p> <ul style="list-style-type: none"> • Adequate public facilities available at the time of need. • Public facilities exactions that mitigate the facilities impacts that are attributable to new development. • Improvement of quality of life in communities through the evaluation of private development and the determination of appropriate exactions. 	
<p>Policy PF-C.1: Require development proposals to fully address impacts to public facilities and services.</p>	<p>Consistent. Section 3.2.5, <i>Utility Infrastructure</i>, describes the wet and dry utilities that would be installed by the Project Applicant as part of the Project (potable and recycled water, sewer, storm water, water quality treatment, electricity, natural gas, and telecommunications). As identified, the required utilities would occur within the Project area and would consist of new infrastructure to</p>

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Goals and Policies	Consistency Analysis
<p>a. Identify the demand for public facilities and services resulting from discretionary projects.</p> <p>b. Identify specific improvements and financing which would be provided by the project, including but not limited to sewer, water, storm drain, solid waste, fire, police, libraries, parks, open space, and transportation projects.</p> <p>c. Subject projects, as a condition of approval, to exactions that are reasonably related and in rough proportionality to the impacts resulting from the proposed development.</p> <p>d. Provide public facilities and services to assure that current levels of service are maintained or improved by new development within a reasonable time period.</p>	<p>connect the proposed buildings and associated uses to the existing utilities adjacent to the Project site, including in Towne Centre Drive. 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 Project’s impacts on public utilities are analyzed in Section 5.15. As identified, the existing utility infrastructure serving the Project site is sufficient to accommodate the Project and no upgrades would be needed off-site. The Project does not include any residential uses; therefore, the Project would not have an increased demand for libraries, parks or open space or substantial increase in demand for police or fire protection services (refer to Section 5.14, <i>Public Services and Facilities</i>. Additionally, the Project Applicant would pay FBA fees in effect at the time building permits are issued, which ensure that public facilities are phased according to the level of development in the community.)</p>
<p>Policy PF-C.3: Satisfy a portion of the requirements of PF-C.1 through physical improvements, when a nexus exists, that will benefit the affected community planning area when projects necessitate a community plan amendment due to increased densities.</p>	<p>Consistent. As identified in Section 5.15, <i>Public Utilities</i>, installation of new or upgraded utilities would not be necessary beyond that proposed as part of the Project. Additionally, the Project Applicant would pay FBA fees in effect at the time building permits are issued, which ensure that public facilities are phased according to the level of development in the community.</p>
<p>Goals:</p> <ul style="list-style-type: none"> • Protection of life, property and environment by delivering the highest level of emergency and fire-rescue services, hazard prevention, and safety education. • Minimize fire hazards resulting from structural or wildland fires. • Manage fuel loads in wildland areas. 	
<p>PF-D.12: Protect communities from unreasonable risk of wildfire within very high fire hazard severity zones.</p> <p>a. Assess site constraints when considering land use designations near wildlands to avoid or minimize wildfire hazards as part of a</p>	<p>Consistent. Section 5.19, <i>Wildfire</i>, addresses potential wildfire impacts due to the Project’s location within a Very High Fire Hazard Severity Zone (VHFHSZ). The physical impact area for the Project, including for the construction of roadway/access improvements and utility infrastructure installation, is primarily limited to previously developed and disturbed areas on site, and not the open space areas that surround the Project site. These improvements would not exacerbate fire</p>

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Goals and Policies	Consistency Analysis
<p>community plan update or amendment. (see also LU-C.2.a.4)</p> <p>b. Identify building and site design methods or other methods to minimize damage if new structures are located in very high fire hazard severity zones on undeveloped land and when rebuilding after a fire.</p> <p>c. Require ongoing brush management to minimize the risk of structural damage or loss due to wildfires.</p> <p>d. Provide and maintain water supply systems to supplies for structural fire suppression.</p> <p>e. Provide adequate fire protection. (see also PF-D.1 and PF-D.2)</p> <p>PF-D.13. Incorporate fire safe design into development within very high fire hazard severity zones to have fire-resistant building and site design, materials, and landscaping as part of the development review process.</p> <p>a. Locate, design and construct development to provide adequate defensibility and minimize the risk of structural loss from wildland fires.</p> <p>b. Design development on hillsides and canyons to reduce the increased risk of fires from topography features (i.e., steep slopes, ridge saddles).</p> <p>c. Minimize flammable vegetation and implement brush management best practices in accordance with the Land Development Code.</p> <p>d. Design and maintain public and private streets for adequate fire</p>	<p>risk. The proposed roadway and fire access improvements and other features of the fire access plan, including brush management, would improve safety against wildfires.</p> <p>The SDMC requires brush management in all base zones on publicly or privately owned premises that are within 100 feet of a structure and contain native or naturalized vegetation. As identified in Section 5.19, portions of proposed Buildings A, B, D and E 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 3-11 and 3-12 in Chapter 3.0, <i>Project Description</i>, of this EIR. The City’s Landscape and Fire Review staff have reviewed the proposed brush management plan to confirm compliance with the City’s requirements. Further, the Project has been reviewed by the City’s Fire and Rescue Department for compliance with local and State fire code requirements, including provision of fire hydrants, fire flow requirements, street/aerial access for emergency vehicles (refer to Figure 3-9, <i>Fire Access Plan</i>), and sprinkler systems within the proposed buildings. The fire access plan and brush management plan proposed as part of the Project are more stringent than what currently exists at the Project site, which is currently developed by three buildings occupied by existing employees.</p> <p>The Project does not require the implementation of fuel breaks or emergency water sources. As shown on Figure 3-9, fire access roads, which are designed in compliance with applicable Fire Code requirements, would extend along the perimeter of the proposed redevelopment area. The intersection of Towne Centre Drive and Westerra Court would be modified, as necessary to comply with the City requirements for roadway design and emergency access.</p>

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Goals and Policies	Consistency Analysis
<p>apparatus vehicles access (ingress and egress), and install visible street signs and necessary water supply and flow for structural fire suppression.</p> <p>e. Coordinate with the Fire-Rescue Department to provide and maintain adequate fire breaks where feasible or identify other methods to slow the movement of a wildfire in very high fire hazard severity zones.</p> <p>PF-D.14. Implement brush management along City maintained roads in very high fire hazard severity zones adjacent to open space and canyon areas.</p> <p>PF-D.15. Maintain access for fire apparatus vehicles along public streets in very high fire hazard severity zones for emergency equipment and evacuation.</p>	
<p>Goal: Police services that respond to community needs, respect individuals, develop partnerships, manage emergencies, and apprehend criminals with the highest quality of service.</p>	
<p>Policy PF-E.6: Monitor how development affects average police response time goals and facilities needs (see also PF-C.5).</p>	<p>Consistent. As discussed in Section 5.14, <i>Public Services and Facilities</i>, the Project Applicant would pay FBA fees in effect at the time building permits are issued, which ensure that public facilities, including police protection facilities, are phased according to the level of development in the community.</p>
<p>Goals:</p> <ul style="list-style-type: none"> • Environmentally sound collection, treatment, re-use, disposal, and monitoring of wastewater. • Increased use of reclaimed water to supplement the region’s limited water supply. 	
<p>Policy PF-F.2: Produce quality reclaimed water.</p>	<p>Consistent. As described in Section 3.2.5, <i>Utility Infrastructure</i>, the Project would install necessary recycled water lines to connect to existing facilities in Towne Centre Drive. The Project would use reclaimed water for irrigation.</p>
<p>Policy PF-F.6: Coordinate land use planning and wastewater infrastructure planning to provide for</p>	<p>Consistent. As described in Section 5.15, <i>Public Utilities</i>, there is sufficient capacity in the existing wastewater infrastructure to accommodate wastewater generated by the Project.</p>

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Goals and Policies	Consistency Analysis
future development and maintain adequate service levels.	
Goals: <ul style="list-style-type: none"> • Protection of beneficial water resources through pollution prevention and interception efforts. • A storm water conveyance system that effectively reduces pollutants in urban runoff and storm water to the maximum extent practicable. 	
<p>Policy PF-G.1: Ensure that all storm water conveyance systems, structures, and maintenance practices are consistent with federal Clean Water Act and California Regional Water Quality Control Board NPDES Permit standards.</p> <p>Policy PF-G.2: Install infrastructure that includes components to capture, minimize, and/or prevent pollutants in urban runoff from reaching receiving waters and potable water supplies.</p> <p>Policy PF-G.3. Meet and preferably exceed regulatory mandates to protect water quality in a cost-effective manner monitored through performance measures.</p> <p>Policy PF-G.5: Identify and implement BMPs for projects that repair, replace, extend or otherwise affect the storm water conveyance system. These projects should also include design considerations for maintenance, inspection, and, as applicable, water quality monitoring.</p>	<p>Consistent. Section 5.18, <i>Water Quality</i>, addresses the applicable regulatory requirements for the Project and identifies the site design, source control and treatment control best management practices (BMPs) that would be incorporated into the Project during construction and operation to comply with existing local, state and federal requirements. Storm water runoff from pervious areas would be directed to landscape areas for dispersion. Additionally, proposed underground storage vaults, modular wetland systems, and biofiltration basin BMPs would provide hydromodification management flow control and pollutant control treatment.</p> <p>As described in Section 3.2.5, <i>Utility Infrastructure</i>, 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.</p>
Goals: <ul style="list-style-type: none"> • A safe, reliable, and cost-effective water supply for San Diego. • Water supply infrastructure that provides for the efficient and sustainable distribution of water. 	
Policy PF-H.2: Provide and maintain essential water storage, treatment, supply facilities and	Consistent. As discussed in Section 5.15, <i>Public Utilities</i> , the Project would be consistent with water supply/demand projections and applicable

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Goals and Policies	Consistency Analysis
<p>infrastructure to serve existing and future development.</p>	<p>water supply regulations. The Project would include on-site water infrastructure that would connect to the existing City public water system in Towne Centre Drive, which consists of dual 12-inch lines. The public water lines in Towne Centre Drive have sufficient capacity to serve the Project.</p>
<p>Goal: Maximum diversion of materials from disposal through the reduction, reuse, and recycling of wastes to the highest and best use.</p>	
<p>Policy PF-I.2: Maximize waste reduction and diversion (see also Conservation Element, Policy CE.A.9).</p> <p>d. Maximize the separation of recyclable and compostable materials.</p> <p>f. Reduce and recycle Construction and Demolition (C&D) debris. Strive for recycling of 100% of inert C&D materials and a minimum of 50% by weight of all other material.</p>	<p>Consistent. As discussed in Section 5.15, <i>Public Utilities</i>, a Project-specific Waste Management Plan (WMP) has been developed and is included in Appendix M4 of this EIR. The WMP identifies the amount of solid waste that would be generated during construction/demolition and operation of the Project and identifies measures to reduce the waste stream. As identified in the WMP, 100% of the green waste (vegetation) would be processed and recycled at a suitable green waste recycling facility. The Project would include diversion of approximately 96% of waste materials generated during demolition and approximately 84% of waste materials generated during other construction activities, exceeding the City’s requirement of 75% diversion for construction and demolition debris. In addition to compliance with the City waste management ordinances (including use of recycling bins), during operation, the Project Applicant would require additional waste diversion measures such as recycling green waste.</p>
<p>Goals:</p> <ul style="list-style-type: none"> • Protection of public health and safety through abated structural hazards and mitigated risks posed by seismic conditions. • Development that avoids inappropriate land uses in identified seismic risk areas. 	
<p>Policy PF-Q.1: Protect public health and safety through the application of effective seismic, geologic and structural considerations.</p> <p>a. Ensure that current and future community planning and other specific land use planning studies continue to include consideration of seismic and other geologic hazards. This information should be disclosed, when applicable, in the California Environmental Quality Act (CEQA) document accompanying a discretionary action.</p>	<p>Consistent. The geologic conditions within the Project area, and potential geology hazards that may impact the proposed uses are discussed in Section 5.6, <i>Geologic Conditions</i>. The analysis is based on the Project-specific <i>Preliminary Geotechnical Investigation, Towne Centre View, Northern Terminus of Towne Centre Drive, San Diego, California</i>, included in Appendix F of this EIR. As identified, the Project would not expose people or structures to potential adverse geologic effects including the risk of loss of life, injury, or death due to hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards. Construction and building design would comply with City and state requirements related to seismic and geology hazards.</p>

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Goals and Policies	Consistency Analysis
<p>c. Require the submission of geologic and seismic reports, as well as soils engineering reports, in relation to applications for land development permits whenever seismic or geologic problems are suspected.</p> <p>g. Adhere to state laws pertaining to seismic and geologic hazards.</p>	
<p>Recreation Element</p>	
<p>Goals: Preserve, protect and enhance the integrity and quality of existing parks, open space, and recreation programs citywide.</p>	
<p>RE-C.1: Protect existing parklands and open space from unauthorized encroachment by adjacent development through appropriate enforcement measures.</p>	<p>Consistent. As discussed previously, the northern portion of the Project site has a General Plan land use designation of Park, Open Space & Recreation and a Community Plan land use designation of Open Space. Recreation Element Figure RE-1, <i>Community Plan Designated Open Space and Parks Map</i>, further identifies the open space within and surrounding the Project site as “Open Space (Public & Private).” As shown in Figure 2-5, the on-site open space area and areas surrounding the Project site are within the MHPA and would remain undeveloped. There are existing site walls that delineate the existing developed/disturbed areas on-site that would be redeveloped as part of the Project. These site walls would be retained and would continue to deter public access to the open space in the MHPA. The Project does not involve the construction of any new trails that would encourage unauthorized access to the open space areas. The Project’s compliance with the MHPA Land Use Adjacency Guidelines (LUAG) and protection of the MHPA resources is further addressed in Section 5.4, <i>Biological Resources</i>.</p>
<p>Conservation Element</p>	
<p>Goals:</p> <ul style="list-style-type: none"> To reduce the City's overall carbon dioxide footprint by improving energy efficiency, increasing use of alternative modes of transportation, employing sustainable planning and design techniques, and providing environmentally sound waste management. To become a city that is an international model of sustainable development and conservation. 	
<p>Policy CE-A.5: Employ sustainable or “green” building techniques for the construction and operation of buildings.</p> <p>a. Develop and implement sustainable building standards for new and significant remodels of</p>	<p>Consistent. As discussed in Section 3.2.6, <i>Sustainable Features</i>, 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:</p>

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Goals and Policies	Consistency Analysis
<p>residential and commercial buildings to maximize energy efficiency, and to achieve overall net zero energy consumption by 2020 for new residential buildings and 2030 for new commercial buildings. This can be accomplished through factors including, but not limited to:</p> <ul style="list-style-type: none"> • Designing mechanical and electrical systems that achieve greater energy efficiency with currently available technology; • Minimizing energy use through innovative site design and building orientation that addresses factors such as sun-shade patterns, prevailing winds, landscape, and sun-screens; • Employing self generation of energy using renewable technologies; • Combining energy efficient measures that have longer payback periods with measures that have shorter payback periods; • Reducing levels of non-essential lighting, heating and cooling; and • Using energy efficient appliances and lighting. 	<ul style="list-style-type: none"> • The Project's roof materials would have 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 façade 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
<p>Policy CE-A.7: Construct and operate buildings using materials, methods, and mechanical and electrical systems that ensure a healthful indoor air quality. Avoid contamination by carcinogens, volatile organic compounds, fungi, molds, bacteria, and other known toxins.</p> <p>a. Eliminate the use of chlorofluorocarbon-based refrigerants in newly constructed facilities and major building renovations and retrofits for all</p>	<p>Consistent. Chlorofluorocarbon-based refrigerants would not be used for the Project, hydrofluorocarbons which do not have chlorine would be used. Further, the Project would incorporate indoor air quality (IAQ) standards and best management practices to enhance indoor air quality, thus contributing to the health, well-being and productivity of occupants. “Green” cleaning policies would be implemented to reduce the exposure of building occupants to harsh chemical and particulate contaminants – supporting clean, high-performance buildings. The use of low-emitting adhesives, coatings, and other products would be part of the Green Building design.</p>

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Goals and Policies	Consistency Analysis
<p>heating, ventilation, air conditioning, and refrigerant-based building systems.</p> <p>b. Reduce the quantity of indoor air contaminants that are odorous or potentially irritating to protect installers and occupants’ health and comfort. Where feasible, select low-emitting adhesives, paints, coatings, carpet systems, composite wood, agri-fiber products, and others.</p>	
<p>Policy CE-A.8: Reduce construction and demolition waste in accordance with Public Facilities Element, Policy PF-I.2, or by renovating or adding on to existing buildings, rather than constructing new buildings.</p> <p>Policy CE-A.9: Reuse building materials, use materials that have recycled content, or use materials that are derived from sustainable or rapidly renewable sources to the extent possible, through factors including:</p> <ul style="list-style-type: none"> • Scheduling time for deconstruction and recycling activities to take place during project demolition and construction phases; • Using life cycle costing in decision-making for materials and construction techniques. Life cycle costing analyzes the costs and benefits over the life of a particular product, technology, or system; • Removing code obstacles to using recycled materials in buildings and for construction; and • Implementing effective economic incentives to recycle construction and demolition debris (see also Public Facilities Element, Policy PF-I.2). 	<p>Consistent. Refer to the consistency analysis for Policy PF-I.2, which addresses the WMP prepared for the Project to reduce solid waste impacts during construction and operation. The WMP is included in Appendix M4 of this EIR.</p>

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Goals and Policies	Consistency Analysis
<p>Policy CE-A.10: Include features in buildings to facilitate recycling of waste generated by building occupants and associated refuse storage areas.</p> <ul style="list-style-type: none"> a. Provide permanent, adequate, and convenient space for individual building occupants to collect refuse and recyclable material. b. Provide a recyclables collection area that serves the entire building or project. The space should allow for the separation, collection and storage of paper, glass, plastic, metals, yard waste and other materials as needed. 	<p>Consistent. As identified in the WMP included in Appendix M4 of this EIR, in compliance with the City’s Recycling Ordinance, the Project would provide dedicated areas adjacent to loading areas for the collection of refuse and recyclable materials and would ensure that a collection service would be provided for Project operation. Tenants of the Project shall participate in the recycling program by separating recyclable materials from other solid waste and depositing the recyclable materials in the recycling containers provided on site.</p>
<p>Policy CE-A.11: Implement sustainable landscape design and maintenance.</p> <ul style="list-style-type: none"> a. Use integrated pest management techniques, where feasible, to delay, reduce, or eliminate dependence on the use of pesticides, herbicides, and synthetic fertilizers. b. Encourage composting efforts through education, incentives and other activities. c. Decrease the amount of impervious surfaces in developments, especially where public places, plazas and amenities are proposed to serve as recreation opportunities (see also Recreation Element, Policy RE-A.6 and A.7). d. Strategically plant deciduous shade trees, evergreen trees, and drought tolerant native vegetation, as appropriate, to contribute to sustainable development goals. e. Reduce use of lawn types that require high levels of irrigation. f. Strive to incorporate existing mature trees and native vegetation into site designs. 	<p>Consistent. Figure 3-10 includes the conceptual landscape plan for the Project. As shown, the proposed landscaping takes into consideration the relationship of proposed buildings, pedestrian circulation, outdoor spaces, etc. 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. Landscaping would be established in disturbed areas outside of the building lines to give a seamless appearance throughout the Project.</p> <p>As discussed in Section 5.4, <i>Biological Resources</i>, because there are areas within the MHPA on site and surrounding the Project site, compliance with the MHPA LUAG is required. The LUAG include requirements to ensure that the Project, including proposed landscaping maintenance practices do not lead to impacts associated drainage or release of toxics.</p> <p>While there would be an overall increase in impervious area with the Project, due to the increase in building area, the extent of impervious area associated with surface parking is reduced. The proposed design incorporates vegetation, trees and ornamental planting in areas previous developed with surface parking.</p> <p>The landscaped areas (unless otherwise noted on the conceptual landscape plan) would be 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. Smart controllers would be installed to control the</p>

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Goals and Policies	Consistency Analysis
<p>g. Minimize the use of landscape equipment powered by fossil fuels.</p> <p>h. Implement water conservation measures in site/building design and landscaping.</p> <p>i. Encourage the use of high efficiency irrigation technology, and recycled site water to reduce the use of potable water for irrigation. Use recycled water to meet the needs of development projects to the maximum extent feasible. (see Policy CE-A.12).</p>	<p>amount of water used. An integrated pest management program would be developed for the Project. The use of native planting is naturally pest resistant and would reduce the dependence on the use of pesticides, herbicides and synthetic fertilizers.</p>
<p>Policy CE-A.12: Reduce the San Diego Urban Heat Island, through actions such as:</p> <ul style="list-style-type: none"> • Using cool roofing materials, such as reflective, low heat retention tiles, membranes and coatings, or vegetated eco-roofs to reduce heat build-up; • Planting trees and other vegetation, to provide shade and cool air temperatures. In particular, properly position trees to shade buildings, air conditioning units, and parking lots; and • Reducing heat build up in parking lots through increased shading or use of cool paving materials as feasible (see also Urban Design Element, Policy UD-A.12). 	<p>Consistent. The Project's roof materials would have a 3-year aged 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.</p> <p>As shown on Figure 3-10, trees and other vegetation would be planted throughout the Project site that would shade buildings, circulation routes (pedestrian and vehicular), and surface parking areas. The Project's parking would be accommodated primarily in podium parking and a parking garage. There would be limited surface parking, which would reduce the potential for heat build-up in parking lots.</p>
<p>Goal: Preservation and long-term management of the natural landforms and open spaces that help make San Diego unique.</p>	
<p>Policy CE-B.1: Protect and conserve the landforms, canyon lands, and open spaces that: define the City's urban form; provide public views/vistas; serve as core biological areas and wildlife linkages; are wetlands habitats; provide buffers within and between communities; or provide outdoor recreational opportunities.</p>	<p>Consistent. As previously discussed in this section, the northern portion of the Project site and areas surrounding the Project site are within the MHPA. Figure 5.1-1 depicts the ESLs on site. The proposed redevelopment area has been limited primarily to previously developed and disturbed areas within the existing site walls, would avoid areas within the MHPA including the existing canyons that surround the Project site. Accessible pedestrian pathways would extend throughout the Project site to facilitate access for employees and visitors, including access to vista viewing areas. Additionally, the landscape palette for the Project does not include invasive or potentially</p>

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Goals and Policies	Consistency Analysis
<p>b. Support the preservation of rural lands and open spaces throughout the region.</p> <p>c. Protect urban canyons and other important community open spaces including those that have been designated in community plans for the many benefits they offer locally, and regionally as part of a collective citywide open space system (see also Recreation Element, Sections C and F; Urban Design Element, Section A).</p> <p>e. Encourage the removal of invasive plant species and planting of native plant near open space preserves.</p> <p>f. Pursue formal dedication of existing and future open space areas throughout the City, especially in core biological resources areas of the City adopted MSCP Subarea Plan.</p> <p>Policy CE-B.2: Apply the appropriate zoning and Environmentally Sensitive Lands (ESL) regulations to limit development of floodplains, sensitive biological areas including wetlands, steep hillsides, canyons, and coastal lands.</p> <p>b. Limit grading and alteration of steep hillsides, cliffs and shoreline to prevent increased erosion and landform impacts.</p> <p>Policy CE-B.3: Use natural landforms and features as integrating elements in project design to complement and accentuate the City's form (see also Urban Design Element, Section A).</p>	<p>invasive species (including those identified in the California Invasive Plant Inventory prepared by the California Invasive Plant Council).</p> <p>The Project's consistency with ESL regulations is addressed under the analysis of Issue 1 and Issue 2 in this section. On-site ESLs include sensitive biological resources (Tier 1, Tier II and Tier IIIA habitat) and steep hillsides. Although the Project would impact 0.05-acre of sensitive biological resources that qualify as ESLs, this impact would be less than significant and no mitigation is required. Further, the Project would not directly impact sensitive plant or animal species, and potential indirect impacts to sensitive species, including the coastal California gnatcatcher would be less than significant through adherence to the MHPA Land Use Adjacency Guidelines, and implementation of City-required measures to protect the coastal California gnatcatcher from construction noise during its breeding season. The Project would also comply with City's ESL regulations for biological resources through the conveyance of non-impacted ESL resources to the MHPA, as applicable. While approximately 30% the Project site includes natural slopes greater than 25%, these steep hillsides, which qualify as ESLs, would not be impacted by the Project.</p>

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Goals and Policies	Consistency Analysis
Policy CE-B.4: Limit and control runoff, sedimentation, and erosion both during and after construction activity.	Consistent. Refer to the consistency analysis for Policy PF-G.1 regarding implementation of BMPs which also address runoff, sedimentation and erosion.
Policy CE-B.5: Maximize the incorporation of trails and greenways linking local and regional open space and recreation areas into the planning and development review processes.	Consistent. The Project would include on-site pathways that would allow employees and visitors to walk to on-site vistas. The Project involves redevelopment of existing developed and disturbed areas on site and would not encroach the open spaces areas on site and surrounding the Project site that are within the MHPA. Additionally, the Project would not preclude the City's implementation of trails within City-owned open space surrounding the Project site
Policy CE-B.6: Provide appropriate defensible space between open space and urban areas through the management of brush, the use of transitional landscaping, and the design of structures (see also Urban Design Element, Policy UD-A.3.o). Continue to implement a citywide brush management system.	Consistent. Refer to the consistency analysis for Policy PF-D.12 and Policy PF-D.13, which address brush management and fire protection.
Goal: A safe and adequate water supply that effectively meets the demand for existing and future population through water efficient and reclamation programs.	
Policy CE-D.5: Integrate water and land use planning into local decision-making, including using water supply and land use studies in the development review process.	Consistent. A Water Supply Assessment (WSA) has been prepared for the Project as part of the development review process to evaluate if there is sufficient water supply to serve existing demands, projected demands of the Project, and future water demands within the San Diego Public Utilities District's (PUD) service area in normal and dry year forecasts during a 20-year projection. The Project is expected to be consistent with water supply/demand projections and applicable water supply regulations. There is expected to be sufficient water supply over a 20-year planning horizon to meet the projected demands of the Project, as well as other existing and planned development projects.
Goal: Protection and restoration of water bodies, including reservoirs, coastal waters, creeks, bays, and wetlands.	
Policy CE-E.2: Apply water quality protection measures to land development projects early in the process-during project design, permitting, construction, and operations-in order to minimize	Consistent. Section 5.18, <i>Water Quality</i> , addresses the applicable regulatory requirements for the Project and identifies the site design, source control and treatment control best management practices (BMPs) that would be incorporated into the Project during construction and operation to comply with existing local, state and federal requirements. As described in Section 3.2.5, <i>Utility</i>

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Goals and Policies	Consistency Analysis
<p>the quantity of runoff generated on site, the disruption of natural water flows and the contamination of storm water runoff.</p> <ul style="list-style-type: none"> a. Increase on-site infiltration, and preserve, restore or incorporate natural drainage systems into site design. b. Direct concentrated drainage flows away from the MHPA and open space areas. If not possible, drainage should be directed into sedimentation basins, grassy swales or mechanical trapping devices prior to draining into the MHPA or open space areas. c. Reduce the amount of impervious surfaces through selection of materials, site planning, and street design where possible. d. Increase the use of vegetation in drainage design. e. Maintain landscape design standards that minimize the use of pesticides and herbicides. f. Avoid development of areas particularly susceptible to erosion and sediment loss (e.g., steep slopes) and, where impacts are unavoidable, enforce regulations that minimize their impacts. g. Apply land use, site development, and zoning regulations that limit impacts on, and protect the natural integrity of topography, drainage systems, and water bodies. h. Enforce maintenance requirements in development permit conditions. <p>Policy CE-E.3: Require contractors to comply with accepted storm water pollution prevention planning practices for all projects.</p>	<p><i>Infrastructure</i>, and shown on Figure 3-14, <i>Conceptual Drainage and Water Quality Manage Plan</i>, 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 and subsequent modular wetland systems or biofiltration basins. Runoff from impervious surfaces would be directed to landscape areas for dispersion.</p> <p>Refer to the consistency analysis for Policy CE-A.11 which addresses the proposed landscape concept including maintenance practices.</p> <p>Within the proposed redevelopment area there would be minimal exposed soils and no steep slopes. 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. Therefore, the potential for erosion during operation is remote.</p>

Table 5.1-1 City of San Diego General Plan Consistency Analysis

Goals and Policies	Consistency Analysis
<p>a. Minimize the amount of graded land surface exposed to erosion and enforce erosion control ordinances.</p> <p>b. Continue routine inspection practices to check for proper erosion control methods and housekeeping practices during construction.</p>	
<p>Goals:</p> <ul style="list-style-type: none"> • Regional air quality which meet state and federal standards. • Reduction in greenhouse gas emissions effecting climate change. 	
<p>Policy CE-F.4: Preserve and plant trees, and vegetation that are consistent with habitat and water conservation policies and that absorb carbon dioxide and pollutants.</p>	<p>Consistent. Refer to the consistency analysis for Policy CE-A.11 which addresses the proposed landscape concept which includes the preservation and planting of trees. Irrigation would use reclaimed water and automatic irrigation systems with water budgeting features that would be adjusted seasonally.</p>
<p>Policy CE-F.6: Encourage and provide incentives for the use of alternatives to single-occupancy vehicle use, including using public transit, carpooling, vanpooling, teleworking, bicycling, and walking. Continue to implement programs to provide City employees with incentives for the use of alternatives to single-occupancy vehicles.</p>	<p>Consistent. Refer to the consistency analysis in Section 5.2, <i>Transportation</i>, for goals and policies within the Mobility Element, which addresses VMT reduction strategies including alternative modes of transportation (pedestrian, bicycle, transit) and Project features to reduce reliance on vehicular travel and GHG emissions. Project components related to non-vehicular circulation are further described in Chapter 3.0, <i>Project Description</i>. In summary, the Project includes implementation of VMT reduction measures outlined in the Complete Communities: Mobility Choice program, and measures outlined in the Climate Action Plan to reduce GHG emissions. The Project is also required to incorporate mitigation measures outlined in CAPCOA 2021 to reduce potential VMT impacts, which focus on implementation of a Transportation Demand Management Program. The Project site is also within a TPA and employees and visitors can access existing and planned transit facilities in the University Community area.</p>
<p>Goal: Preservation of healthy, biologically diverse regional ecosystems and conservation of endangered, threatened, and key sensitive species and their habitats.</p>	

Table 5.1-1 City of San Diego General Plan Consistency Analysis

Goals and Policies	Consistency Analysis
<p>Policy CE-G.1: Preserve natural habitats pursuant to the MSCP, preserve rare plants and animals to the maximum extent practicable, and manage all City-owned native habitat to ensure their long-term biological viability.</p> <p>b. Remove, avoid, or discourage the planting of invasive plant species.</p> <p>Policy CE-G.3: Implement the conservation goals/policies of the City's MSCP Subarea Plan, such as providing connectivity between habitats and limiting recreational access and use to appropriate areas.</p>	<p>Consistent. Refer to the consistency analysis for Policy CE-B.1, which addresses the biological resources within the Project site, and the proposed landscape palette, which would not include invasive plant species. The Project's consistency with the MSCP Subarea Plan is further discussed in Section 5.4, <i>Biological Resources</i>, and summarized under the analysis of Issue 3 in this section. Additionally, the Project would have no direct impacts on sensitive plant species; would have no direct impacts on the coastal California gnatcatcher, which occurs in the open space areas surrounding the Project site; is not anticipated to have direct impacts on sensitive animal species with moderate potential to occur; and would not contribute considerably to cumulatively significant impacts on sensitive biological resources in the City. Potential indirect impacts would be addressed by the Project through consistency with the LUAGs, City-prescribed measures, and Project design. Notably, sensitive habitat on site, including for the Nuttall's scrub oak, would be preserved in open space. The Project would provide pedestrian paths on site to allow employees and visitors to walk to vista points with views of the adjacent open space/MHPA areas; however, public access to the sensitive MHPA areas would not be provided.</p>
<p>Goal: An increase in local energy independence through conservation, efficient community design, reduced consumption, and efficient production and development of energy supplies that are diverse, efficient, environmentally sound, sustainable, and reliable.</p>	
<p>Policy CE-I.4: Maintain and promote water conservation and waste diversion programs to conserve energy.</p>	<p>Consistent. Refer to the consistency analysis provided for Policy CE-A.11 which address sustainable building features included in the Project, including the use of reclaimed water for landscaping. Additionally, automatic irrigation systems with water budgeting features would be installed. As described in various policies above, and outlined in the WMP for the Project (included in Appendix M4), the Project would divert waste during construction and operation.</p>
<p>Policy CE-I.5: Support the installation of photovoltaic panels, and other forms of renewable energy production.</p> <p>b. Promote the use and installation of renewable energy alternatives in new and existing development.</p>	<p>Consistent. As described in Section 3.2.6, <i>Sustainable Features</i>, the Project would include the 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. The Project would also incorporate various design features to improve energy efficiency as identified under the consistency analysis for Policy CE-A.5 above.</p>

Table 5.1-1 City of San Diego General Plan Consistency Analysis

Goals and Policies	Consistency Analysis
Policy CE-I.10: Use renewable energy sources to generate energy to the extent feasible.	
Goal: Protection and expansion of a sustainable urban forest.	
<p>Policy CE-J.1: Develop, nurture, and protect a sustainable urban/ community forest.</p> <ul style="list-style-type: none"> a. Seek resources and take actions needed to plant, care for, and protect trees in the public right-of-way and parks and those of significant importance in our communities. b. Plant large canopy shade trees, where appropriate and with consideration of habitat and water conservation goals, in order to maximize environmental benefits. c. Seek to retain significant and mature trees. <p>Policy CE-J.4: Continue to require the planting of trees through the development permit process.</p> <ul style="list-style-type: none"> a. Consider tree planting as mitigation for air pollution emissions, storm water runoff, and other environmental impacts as appropriate. 	<p>Consistent. Refer to the consistency analysis for Policy CE-A.11 which addresses the proposed landscape concept which includes the planting of trees, including trees that would be used for shade in surface parking areas, along roadways and pedestrian pathways, and near buildings.</p>
Goal: Balance mineral production and conservation with habitat and topography protection.	
Policy CE-K.1: Promote the recycling and reclamation of construction materials to provide for the City's current and future growth and development needs (see also Public Facilities, Policy PF-I.1 and Conservation Element, Policy CE-A.8).	<p>Consistent. Refer to the consistency analysis for Policy PF-I.2, which addresses the WMP prepared for the Project to reduce solid waste impacts during construction and operation. The WMP is included in Appendix M4 of this EIR.</p>
Noise Element	
Goal: Consider existing and future noise levels when making land use planning decisions to minimize people's exposure to excessive noise.	
Policy NE-A.1: Separate excessive noise-generating uses from residential and other noise-sensitive land	<p>Consistent. As discussed in Section 5.11, <i>Noise</i>, an acoustical study has been prepared for the Project, as required, and is included in Appendix K of this EIR. The analysis addresses potential noise impacts from the Project associated with stationary and mobile sources during construction</p>

Table 5.1-1 City of San Diego General Plan Consistency Analysis

Goals and Policies	Consistency Analysis
<p>uses with a sufficient spatial buffer of less sensitive uses.</p> <p>Policy NE-A.2: Assure the appropriateness of proposed developments relative to existing and future noise levels by consulting the guidelines for noise-compatible land use (shown on Table NE-3) to minimize the effects on noise-sensitive land uses.</p> <p>Policy NE-A.4: Require an acoustical study consistent with Acoustical Study Guidelines (Table NE-4) for proposed developments in areas where the existing or future noise level exceeds or would exceed the “compatible” noise level thresholds as indicated on the Land Use - Noise Compatibility Guidelines (Table NE-3), so that noise mitigation measures can be included in the project design to meet the noise guidelines.</p>	<p>and operation. As identified, the Project would not generate noise levels that would impact sensitive uses, including residential uses to the south. Additionally, the Project site has limited exposure to local roadways and associated traffic noise and based on the Noise-Compatible Land Use guidelines presented in Table NE-3 of the General Plan, the Project would not be exposed to unacceptable traffic noise levels. As discussed in the analysis for Issue 5 in this section, the Project is consistent with MCAS Miramar ALUCP compatibility requirements related to noise.</p>
<p>Goal: Minimal excessive motor vehicle traffic noise on residential and other noise-sensitive land uses.</p>	
<p>Policy NE-B.2: Consider traffic calming design, traffic control measures, and low-noise pavement surfaces that minimize motor vehicle traffic noise (see also Mobility Element, Policy ME-C.5 regarding traffic calming).</p> <p>Policy NE-B.3: Require noise reducing site design, and/or traffic control measures for new development in areas of high noise to ensure that the mitigated levels meet acceptable decibel limits.</p>	<p>Consistent. As addressed in Section 5.11, <i>Noise</i>, the Project would not generate traffic volumes that would contribute to a significant increase in noise levels along roadways within the vicinity of the Project site, and would not be exposed to traffic noise levels that exceed established standard. Therefore, no mitigation or site design consideration for noise impacts is required.</p>

Table 5.1-1 City of San Diego General Plan Consistency Analysis

Goals and Policies	Consistency Analysis
<p>Policy NE-B.4: Require new development to provide facilities which support the use of alternative transportation modes such as walking, bicycling, carpooling and, where applicable, transit to reduce peak-hour traffic.</p>	<p>Consistent. Refer to the consistency analysis for Policy CE-F.6, which addresses the proposed non-vehicular circulation improvements that would be implemented with the Project.</p>
<p>Policy NE-B.7: Promote the use of berms, landscaping, setbacks, and architectural design where appropriate and effective, rather than conventional wall barriers to enhance aesthetics.</p>	<p>Consistent. As identified in Section 5.11, <i>Noise</i>, the Project would not result in significant operational noise impacts and no noise attenuation or mitigation measures are required.</p>
<p>Goal: Minimal excessive aircraft-related noise on residential and other noise-sensitive land uses.</p>	
<p>Policy NE-D.1: Encourage noise-compatible land use within airport influence areas in accordance with federal and state noise standards and guidelines.</p>	<p>Consistent. As discussed under the analysis of Issue 5 in this section, the Project site is outside the 60 dB CNEL contour identified in the MCAS Miramar ALUCP and within the 60–65 dB CNEL noise contour shown in the AICUZ 2020 Update. The land use compatibility Table MIR-1 from the MCAS Miramar ALUCP shows that research and development uses and offices are a compatible land use within the 60–65 CNEL. Therefore, the Project is consistent with ALUCP compatibility requirements related to noise.</p>
<p>Goal: Minimal exposure of residential and other noise-sensitive land uses to excessive industrial-related noise.</p>	
<p>Policy NE-F.1: Provide for sufficient spatial separation between industrial uses and residential and other noise-sensitive uses. This would include utilizing other feasible mitigation measures to reduce the noise source, such as noise attenuation methods, interrupting the noise path, or insulating the receptor to minimize the exposure of noise-sensitive uses to excessive industrial-related noise.</p> <p>Policy NE-F.2: Encourage the design and construction of industrial development to minimize excessive off-site noise impacts to residential and other noise-sensitive uses.</p>	<p>Consistent. The noise analysis presented in Section 5.11, <i>Noise</i>, includes an assessment of potential noise impacts from the proposed uses on residential uses that are located approximately 0.2-mile to the south. As determined through this analysis, no significant impacts would result and no mitigation would be required.</p>

Table 5.1-1 City of San Diego General Plan Consistency Analysis

Goals and Policies	Consistency Analysis
<p>Policy NE-F.3: Encourage industrial uses to utilize operation measures that minimize excessive noise where it affects abutting residential and other noise-sensitive uses.</p>	
<p>Policy NE-F.4: Encourage daytime truck deliveries to industrial uses abutting residential uses and other noise-sensitive land uses to minimize excessive nighttime noise unless there is no feasible alternative or there are overriding transportation benefits by scheduling deliveries at other hours.</p>	<p>Consistent. The Project involves redevelopment of the Project site with a scientific research and development campus that would operate during normal business hours. No regularly scheduled nighttime truck deliveries are anticipated to be needed. Additionally, the Project is located at the terminus of Towne Centre Drive and there are no residential uses in this area that would be subjected to noise from deliveries.</p>
<p>Historic Preservation Element</p>	
<p>Goal: Preservation of the City's important historical resources.</p>	
<p>Policy HP-A.2: Fully integrate the consideration of historical and cultural resources in the larger land use planning process.</p> <p>b. Encourage the consideration of historical and cultural resources early in the development review process by promoting the preliminary review process and early consultation with property owners, community and historic preservation groups, land developers, Native Americans, and the building industry.</p>	<p>Consistent. As part of the environmental review process for the Project, a Phase I Cultural Resources Survey was conducted for the Project; this report is included in Appendix I of this EIR and summarized in Section 5.9, <i>Historical Resources</i>, and Section 5.16, <i>Tribal Cultural Resources</i>. During preparation of the Cultural Resources Survey, a records search was conducted at the South Coastal Information Center (SCIC) at San Diego State University; a Sacred Lands File search at the Native American Heritage Commission (NAHC) was requested; the City of San Diego consulted with Native American Tribes in compliance with the requirements of SB 18 and Assembly Bill (AB) 52; and, a pedestrian field survey was conducted. As discussed in Section 5.9, there are no historical resources within the Project site. However, Site SDI-4609, also identified as the Village of Ystagua, is recorded within the valley below and not directly within the Project site. The Project would have no effects on known cultural resources, and it is unlikely that buried resources exist within the proposed redevelopment area, which has been previously developed or otherwise disturbed.</p>
<p>Policy HP-A.3: Foster government-to-government relationships with the Kumeyaay/Diegueño tribes of San Diego.</p> <p>b. Formally consult with identified California Native American tribes prior to the adoption or</p>	<p>Consistent. In accordance with AB 52, the City of San Diego provided formal consultation notification to the Native American tribes that are traditionally and culturally affiliated with the Project area in November 2020 and February 2021 and no response was received. Results of this consultation will remain confidential, as appropriate.</p>

Table 5.1-1 City of San Diego General Plan Consistency Analysis

Goals and Policies	Consistency Analysis
<p>amendment of the General Plan or specific plan or the designation of open space.</p> <p>c. Maintain confidentiality concerning locations of traditional cultural places that are identified through the consultation process and otherwise.</p>	
<p>Policy HP-A.4: Actively pursue a program to identify, document and evaluate the historical and cultural resources in the City of San Diego.</p> <p>a. Develop context statements specific to areas being surveyed.</p> <p>c. Require that archaeological investigations be guided by appropriate research designs and analytical approaches to allow recovery of important prehistoric and historic information.</p> <p>d. Require the permanent curation of archaeological artifact collections and associated research materials, including collections held by the City. Support the permanent archiving of primary historical records and documents now in public institutions.</p> <p>e. Include Native American monitors during all phases of the investigation of archaeological resources including survey, testing, evaluation, data recovery, and construction monitoring.</p> <p>f. Treat with respect and dignity any human remains discovered during implementation of public and private projects within the City and fully comply with the California Native American Graves Protection and Repatriation Act and other appropriate laws.</p>	<p>Consistent. As discussed in Section 5.9 and Section 5.16, there are no known archaeological or tribal cultural resources within the Project site. No cultural or tribal cultural resources are expected to be affected during construction activities due to the developed and disturbed nature of the proposed redevelopment area and impacts to archaeological and tribal cultural resources would be less than significant. Therefore, no mitigation is required. However, in the unlikely event human remains are discovered during construction, construction activities would be required to halt until a determination can be made regarding the provenance of the human remains via the County Coroner and Native American representative, as required.</p>

Table 5.1-2 University Community Plan Consistency Analysis

Goals and Policies	Consistency Analysis
OVERALL COMMUNITY GOALS	
1. Foster a sense of community identity by use of attractive entry monuments in private developments.	Consistent. The Project is located at the terminus of Towne Centre Drive and not in a location where entry monumentation is critical for establishing community identity. Notwithstanding, the Project would include an attractive signage program for building occupant identification and wayfinding. Entry design elements within the landscape would provide property identification and wayfinding for visitors and tenants.
2. Create a physical, social and economic environment complementary to UCSD and its environs and the entire San Diego metropolitan area.	Consistent. The proposed redevelopment of the Project site with an approximate 1,000,000 sf scientific research and development campus would accommodate technology and research companies that would employ the highly skilled labor force in the area, including graduates of UCSD and other higher education institutions. The Project site is within an area designated in the General Plan as Subregional Employment Area and would be consistent with General Plan policy LU.A.1.b to encourage further concentrating employment uses throughout Subregional Employment Areas.
3. Develop the University area as a self-sufficient community offering a balance of housing, employment, business, cultural, educational and recreational opportunities. 4. Create an urban node with two relatively high-density, mixed-use core areas located in the University Towne Center and La Jolla Village Square areas. 5. Develop an equitable allocation of development intensity among properties, based on the concept of the “urban node.”	Consistent. As discussed in Section 5.1.1, <i>Existing Conditions</i> , the eastern portion of the Project site is currently developed with scientific research buildings owned by the Project Applicant, and the western portion of the Project site is entitled for 190,000 sf of research and development uses. There are 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. There are mixed uses (residential and non-residential beyond the open space areas that surround the Project site). Consistent with the City’s economic development policies associated with increased employment in Subregional Employment Areas, the Project would involve an increase in the development intensity at the Project site (within Subarea 11 of the Community Plan Area), which would generate an associated increase in employment in an area within approximately 0.9-mile of the University Towne Center and approximately 1.4 miles from La Jolla Village Square.

Table 5.1-2 University Community Plan Consistency Analysis

Goals and Policies	Consistency Analysis
<p>6. Provide a workable circulation system which accommodates anticipated traffic without reducing the Level of Service below "D."</p>	<p>Consistent. As discussed in Section 5.2, <i>Transportation</i>, the level of service at intersections is no longer the basis for analyzing a projects' potential transportation impacts pursuant to CEQA. Notwithstanding, the City still requires an analysis of potential impacts to intersection operations resulting from development projects, and the results of that analysis is the basis for determining if the Project would result in or contribute to intersection deficiencies. The required analysis of intersection operations will be conducted for the Project. The Project Applicant would be required to pay applicable FBA fees in effect at the time building permits are issued, and may also be conditioned by the City to pay additional fair-share fees to address the Project's contribution to intersection deficiencies.</p>
<p>Housing Goals</p>	
<p>6. Encourage a mixture of residential, commercial and professional office uses.</p>	<p>Consistent. The Project involves the redevelopment of the Project site with a scientific research and development campus, consistent with existing land use designations in the General Plan and Community Plan, and would increase employment opportunities in a Subregional Employment Area. Although the Project does not involve the development of residential uses, it provides employment opportunities in proximity to existing commercial, office and residential uses in the University Community Plan Area.</p>
<p>Employment Goals</p>	
<p>1. Promote job opportunities within the University community.</p>	<p>Consistent. As discussed previously and further discussed in Section 5.13, <i>Population and Housing</i>, the Project would generate a net increase of approximately 2,400 job opportunities for the University community, and in a Subregional Employment Area.</p>
<p>2. Encourage the development of life sciences-research facilities which maximize the resources of the University.</p>	<p>Consistent. As previously discussed, the Project includes a proposed Community Plan Amendment to increase the development intensity in Subarea 11 of the University Community Plan Area by 617,635 sf to allow for redevelopment of the Project site with a cohesive, state-of-the-industry scientific research and development campus that can accommodate approximately 1,000,000 sf of building area. The Project would not only</p>

Table 5.1-2 University Community Plan Consistency Analysis

Goals and Policies	Consistency Analysis
	protect but expand base sector activities, which include, but are not limited to research and development, and corporate headquarters.
Commercial Goals	
<ol style="list-style-type: none"> 1. Provide a complete range of goods and services for the residents of the University community. 	<p>Consistent. The Project would concentrate additional employment opportunities at the Project site, provide jobs in the vicinity of residential development and provide additional consumer base for existing and future retail commercial uses. This would enhance long term vitality in the University Community Plan Area. Additionally, the Project includes the potential for small commercial uses consistent with the City’s ancillary use regulations, such as restaurants, recreation facilities, and gyms, which would serve the employees and visitors of the Project.</p>
<ol style="list-style-type: none"> 2. Concentrate community activities such as retail, professional, cultural, recreational and entertainment within the Towne Centre and La Jolla Village Square. 3. Accommodate professional offices and laboratory facilities and services to complement the University, the Towne Centre and the life sciences-research facilities. 	<p>Consistent. The Project site is within 1-mile of the Towne Centre area and would expand the availability of scientific research and development uses, including laboratory facilities, in the area. The proposed uses are consistent with the General Plan and University Community Plan land use designations for the Project site and other designations related to provision of employment opportunities (e.g., Subregional Employment Area, Prime Industrial Land, etc.). The employment opportunities would also complement UCSD.</p>
Open Space Goals	
<ol style="list-style-type: none"> 2. Preserve the natural environment including wildlife, vegetation and terrain. 3. Permit uses within canyons which are strictly compatible with the open space concept. 	<p>Consistent. Refer to the consistency analysis for Policy CE-B.1, which addresses the biological resources within the Project site, and the proposed landscape palette, which would not include invasive plant species. The Project’s consistency with the MSCP Subarea Plan is further discussed in Section 5.4, <i>Biological Resources</i>, and summarized under the analysis of Issue 3 in this section. The Project would have no direct impacts on sensitive plant species; would have no direct impacts on the coastal California gnatcatcher, which occurs in the open space areas surrounding the Project site; is not anticipated to have direct impacts on sensitive animal species with moderate potential to occur; and would not contribute considerably to cumulatively significant impacts on sensitive biological resources in the City. Potential</p>

Table 5.1-2 University Community Plan Consistency Analysis

Goals and Policies	Consistency Analysis
	<p>indirect impacts to biological resources would be addressed by the Project through consistency with the MHPA LUAGs, City-prescribed measures, and Project design. Notably, sensitive habitat on site, including for the Nuttall's scrub oak, would be preserved in open space.</p> <p>The proposed redevelopment area is limited to previously developed and disturbed areas that have been previously graded. The existing open space and canyon areas within and surrounding the Project site would remain undeveloped.</p>
<p>4. Ensure that all public improvements such as roads, drainage channels and utility services and all private lessee developments are compatible with the natural environment.</p>	<p>Consistent. The Project would involve roadway and access improvements to Towne Centre Drive adjacent to the Project and connections to existing utilities, including six storm water discharge points located around the perimeter of the site that discharge to the surrounding canyons. As further discussed in Section 5.10, <i>Hydrology</i>, with implementation of the Project, the existing discharge points and associated level spreaders would be retained to ensure adequate energy and flow dispersion.</p>
<p>Public Facilities and Services Goal</p>	
<p>Ensure that schools, parks, police and fire protection, sewer and water, library and other public facilities are available concurrently with the development which they are to serve.</p>	<p>Consistent. As previously discussed, the Project would involve installation on-site utilities, which would connect to existing infrastructure serving the Project site. Additionally, the Project Applicant would pay FBA fees in effect at the time building permits are issued, which ensure that public facilities are phased according to the level of development in the community.</p>
<p>Community Environment Goals</p>	
<p>1. Provide attractive community entryways.</p>	<p>Consistent. Refer to the consistency analysis for Overall Community Goal 1 above.</p>
<p>2. Minimize the impact of aircraft noise and the consequences of potential aircraft accidents.</p>	<p>Consistent. As discussed under the analysis of Issue 5 in this section, the Project site is outside the 60 dB CNEL contour identified in the MCAS Miramar ALUCP and within the 60–65 dB CNEL noise contour shown in the AICUZ 2020 Update. The land use compatibility Table MIR-1 from the MCAS Miramar</p>

Table 5.1-2 University Community Plan Consistency Analysis

Goals and Policies	Consistency Analysis
	ALUCP shows that research and development and office uses are compatible within the 60–65 CNEL. Therefore, the Project is consistent with ALUCP compatibility requirements related to noise. The Project site is within the APZ II and TZ for MCAS Miramar and would comply with established compatibility criteria related to maximum intensity limits in these zones.
3. Foster individuality and identity of area throughout the community.	Consistent. As discussed in Chapter 3.0, <i>Project Description</i> , the Project involves a five-building scientific research and development campus with consistent building architecture and landscape concept throughout the Project site. The Project has also been designed to provide physical connectivity between the on-site uses including buildings and amenities.
4. Ensure that the physical development of the community takes advantage of the site and terrain.	Consistent. Refer to the consistency analysis for Open Space goals 2 and 3, above. The proposed physical development is limited to previously graded areas and would preserve the adjacent open space and canyon areas, including steep hillside areas that are considered ESLs. The redeveloped campus would increase setbacks between developed and open space areas from between 40'-200', thereby improving the interface between the natural and developed areas of the site.

Table 5.1-2 University Community Plan Consistency Analysis

Goals and Policies	Consistency Analysis
<p>5. Encourage architectural styles and building forms suited to San Diego's landscape and climate.</p>	<p>Consistent. As described in Section 3.2.1, <i>Proposed Buildings</i>, and as shown in the conceptual building elevations presented in Figure 3-1 through Figure 3-5, and conceptual renderings presented in Figure 3-6, 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. Exterior terraces at each level would draw occupants outdoors. 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.</p> <p>The outdoor amenities and design take advantage of San Diego's climate and would be easily accessible from each of the office buildings with the network of on-site pedestrian facilities.</p>
<p>6. Limit traffic conditions which produce congestion and air pollution.</p>	<p>Consistent. Section 5.3 addresses the potential air quality impacts from the Project, including potential operation impacts associated with emissions from motor vehicles. As identified, maximum daily emissions would not exceed the applicable thresholds. Because the thresholds are established to avoid exceeding ambient air quality standards, Project emissions can be assumed not to violate any air quality standard or contribute substantially to an existing or projected air quality violation. The Project would not generate traffic volumes at congested intersections that would result in a potential for a carbon monoxide (CO) hotspot or exposure of persons to CO.</p> <p>Additionally, refer to the consistency analysis for Policy CE-F.6, which addresses the Project features that would serve to reduce dependency on</p>

Table 5.1-2 University Community Plan Consistency Analysis

Goals and Policies	Consistency Analysis
	automobile travel and assist with reducing air pollutant emissions associated with motor vehicles.
7. Provide street and median trees along streets within the community.	Consistent. As described in Section 3.2.3, <i>Landscape/Brush Management and Amenities</i> , and shown on the conceptual landscape plan provided in Figure 3-10, the Project would include street trees along Towne Centre Drive and on-site roadways.
Industrial Goal	
Emphasize the citywide importance of and encourage the location of scientific research uses in the North University City area because of its proximity to UCSD.	Consistent. The proposed redevelopment of the Project site with an approximate 1,000,000 sf scientific research and development campus would accommodate technology and research companies that would employ the highly skilled labor force in the area, including graduates of UCSD and other higher education institutions. Further, the Project site is within an area designated in the General Plan as Subregional Employment Area and would generate an increase in employment opportunities in the area.
OVERALL URBAN DESIGN GOALS	
Ensure that San Diego’s climate and the community’s unique topography and vegetation influence the planning and design of new projects.	Consistent. The exterior terraces, recreational amenity area, and seating areas and design take advantage of San Diego’s climate. Refer to the consistency analysis for Open Space Goal 2 which addresses the topography and vegetation within the Project site. The site also takes advantage of the climate by promoting an internal pedestrian network that would connect to the off-site pedestrian circulation network.
Ensure that every new development contributes to the public realm and street livability by providing visual amenities and a sense of place.	Consistent. The Project would provide pedestrian connection access to Towne Centre Drive. The physical development would complement existing structures. Additionally, the Project would include street trees along Towne Centre Drive.
RECOMMENDATIONS – CENTRAL SUBAREA	
Objective: Improve the central community’s urban form and cohesiveness as new construction activity continues.	

Table 5.1-2 University Community Plan Consistency Analysis

Goals and Policies	Consistency Analysis
<p>Accomplished by: Providing building setbacks appropriate to the variable height of structures. The street yards of new developments should average the street yards of adjoining and fronting developments. Overpowering the drastic street setback variations should be avoided.</p>	<p>Consistent. As further discussed in Section 5.17, <i>Visual Effects and Neighborhood Character</i>, the massing and architecture of the proposed buildings are congruous with the existing and proposed buildings surrounding the Project area and clearly define the street space along Towne Centre Drive.</p> <p>As described in Section 3.0, <i>Project Description</i>, the setbacks meet the requirements of the IP-1-1 zone (with the exception of the rear setback) of the LDC and are consistent with the existing and adjoining buildings. A deviation from rear setback requirement has been requested in the northern portion of the Project site 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 develop only 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.</p>
<p>Transitioning the scale and height of adjacent buildings. Projects which lie between dissimilar use types or are adjacent to the projects with differing intensities should be designed to ascend or descend in scale and height to create a harmonious, smooth transition.</p> <p>Exceptionally large bulky or tall buildings should not be located immediately adjacent to low-rise buildings. The contrast not only creates problems such as excessive shadows, undesirable wind tunnels, lack of privacy and view blockages, but is also aesthetically disturbing to the neighborhood. A gradual transition should be created between adjacent projects of different forms and heights by the use of terracing or sculpturing techniques.</p>	<p>Consistent. As further discussed in Section 5.17, <i>Visual Effects and Neighborhood Character</i>, the height and scale of the proposed scientific research buildings are generally consistent with the adjacent buildings along Towne Centre Drive. Buildings associated with the Project would not block views or create excessive shadows. Refer to the consistency analysis for Policies UD-A.3 and ME-A.6, which address the design of the proposed buildings, which includes architectural features to reduce the massing of the buildings. The Project provides a varied street scene that, when combined with spatial separation, helps avoid excessive shadows, undesirable wind tunnels, lack of privacy and view blockages.</p>
<p>Placing lower rise buildings near the street and higher rise buildings away from the street in large scale projects. Maximize the potential</p>	<p>Consistent. The perimeter edge of the Project varies horizontally and vertically to provide the desired sense of variation. The configuration of the</p>

Table 5.1-2 University Community Plan Consistency Analysis

Goals and Policies	Consistency Analysis
inherent in natural terrain elevation differences to create varying building heights and interesting roofline compositions.	Project buildings provides varying building heights and interesting roofline compositions.
Siting and designing buildings to maximize solar access and view corridors. Prevent dark, windy spaces between adjacent high-rise buildings by the use of terracing. This technique also aids in the preservation of views. Plazas and courtyards should be located on the south side of high-rise structures to maximize sun access.	Consistent. The Project’s buildings were sited and designed to maximize view corridors and solar access and views from the Project area have been preserved. The Project’s outdoor recreational amenity area is in the northern portion of the Project site and does not have any structures beyond the amenities area, which helps to maximize sun access. The building and parking garage orientation allows for maximum exposure to natural light.
Articulating the building mass with offsets, changes of plane, stepped terraces and irregular architectural edges. The base of buildings should relate to the needs of pedestrians and motorists, thus, this is the place for texture, color, special amenities, architectural detailing and other visual interest. External materials that are sympathetic in color and texture to the existing patterns should be used.	Consistent. The Project’s massing and architectural features reflect classical principals and proportions and uses contemporary detailing (refer to the building description provided in Section 3.2.1). Facades would be articulated with consideration given to both energy efficiency and interior/exterior occupant experience. 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 buildings would be articulated differently to provide a pedestrian scale and a balanced feel throughout the height of the building.
Utilizing building elements, color and materials that are not disturbing to the eye. The eye is usually disturbed by lack of unity, asymmetrical balance, and bad proportion.	Consistent. Refer to the consistency analysis for Policies UD-A.3 and ME-A.6, which address the design of the proposed buildings. The buildings have been designed to provide variation in the building plane at the vehicular/pedestrian levels as well as architectural unity on the Project site. The building elements, color, and materials would be unified across the Project site and would have color/materials that would not have an adverse visual effect (disturbing to the eye).
Concealing rooftop equipment, vents and shafts from view from adjacent high-rise buildings. Similarly, trash storage, mechanical equipment, utility appurtenances and service areas should be screened with walls, doors or landscaping.	Consistent. All equipment, vents, and shafts would be concealed from public views, and from adjacent mid-rise buildings. There are no adjacent high-rise buildings. The service area would be covered. The trash enclosures would be located within the podium parking area and thus would be covered/screened from the adjacent buildings.

Table 5.1-2 University Community Plan Consistency Analysis

Goals and Policies	Consistency Analysis
<p>Requiring that all structure above 50 feet in height submit solar access and shadow studies as part of the permit application process.</p>	<p>Consistent. As required, a solar access and shadow study would be prepared at the time building permits are processed for the Project site. However, existing buildings are sufficient distance from the Project site that they would not be subjected to shadows from the proposed structures.</p>
<p>Provide areas for employees that include seating, sunny plazas and recreational facilities.</p>	<p>Consistent. As shown on Figure 3-1, the Project provides a recreation amenity area. Additionally, the Project would include outdoor seating areas and outdoor terraces.</p>
<p>Avoiding the location of parking and parking entrances adjacent to the pedestrian network streets. All parking should be in unobtrusive locations, in garages, below grade, tucked under buildings, carports or trellised canopies. If surface parking lots must be provided, they should be dispersed throughout the site in multiple increments located at different levels. Large, single expanses of surface areas parking should be avoided. Surface parking landscaping must conform to the City's Landscaping Ordinance at a minimum.</p>	<p>Consistent. The Project includes construction of a new parking structure which would be screened behind Building E and street trees along Towne Centre Drive. Additionally, the Project includes below grade podium parking. All parking and headlights would be screened from view and would not be adjacent to pedestrian network streets.</p>
<p>Integrating signage into the site and building design. Corporate symbols or logos should be used rather than corporate names. Signs should be low-scale and located for safety so as not to block motorists' views of oncoming traffic. Freestanding single pole signs are not permitted. Building façade signage should be limited to the first 40 feet in height above the street level. Directional signage within a project should be located within eye level of pedestrians and motorists. Ensure that the address of each building within a development is clearly marked and visible from the public street. Building and site orientation maps located at major entrances to a project would be helpful in large developments.</p>	<p>Consistent. Site signage for the Project would be unified to provide continuity. Additional way-finding signage would be provided to promote pedestrian connections and direction to the adjacent street.</p>
<p>Goals: A. Create an urban node with two relatively high-density, mixed-use core areas located in the University Towne Center and La Jolla Village Square areas.</p>	<p>Consistent. These goals are the same as Overall Community Goals 4, 5 and 6 discussed previously; refer to the consistency analysis provided previously.</p>

Table 5.1-2 University Community Plan Consistency Analysis

Goals and Policies	Consistency Analysis
<p>B. Develop an equitable allocation of development intensity among properties, based on the concept of the “urban node.”</p> <p>C. Provide a workable circulation system which accommodates anticipated traffic without reducing the Level of Service below “D.”</p>	
COMMERCIAL ELEMENT	
<p>Goal: To develop an integrated system of commercial facilities that effectively meets the needs of community residents and visitors as well as assuring that each new development does not impede the economic vitality of other existing commercial uses.</p>	<p>Consistent. The Project site has an industrial land use designation of Scientific Research and would not include commercial uses; however, small commercial uses, such as a deli, could be provided to serve the employees of the Project.</p>
INDUSTRIAL ELEMENT	
<p>Goals:</p> <p>A. Ensure that industrial land needs as required for a balanced economy and balanced land use are met consistent with environmental considerations.</p>	<p>Consistent. The Project would maintain the existing Prime Industrial Land designation and, as previously discussed, would provide employment opportunities in a General Plan designated Subregional Employment Area. Potential environmental impacts associated with the proposed redevelopment have been addressed throughout this EIR and would be less than significant.</p>
<p>B. Protect a reserve of manufacturing land from encroachment by non-manufacturing uses.</p>	<p>Consistent. Manufacturing land has been preserved in the University Community Plan (refer to Figure 34), as restricted industrial land. The Project does not encroach into these restricted industrial lands.</p>
<p>D. Encourage the development of industrial land uses that are compatible with adjacent non-industrial uses and match the skills of the local labor force.</p> <p>E. Emphasize the citywide importance of and encourage the location of scientific research uses in the North University area because of its proximity to UCSD.</p>	<p>Consistent. Refer to the consistency analysis for Community Environment/Industrial Goal above.</p>

Table 5.1-2 University Community Plan Consistency Analysis

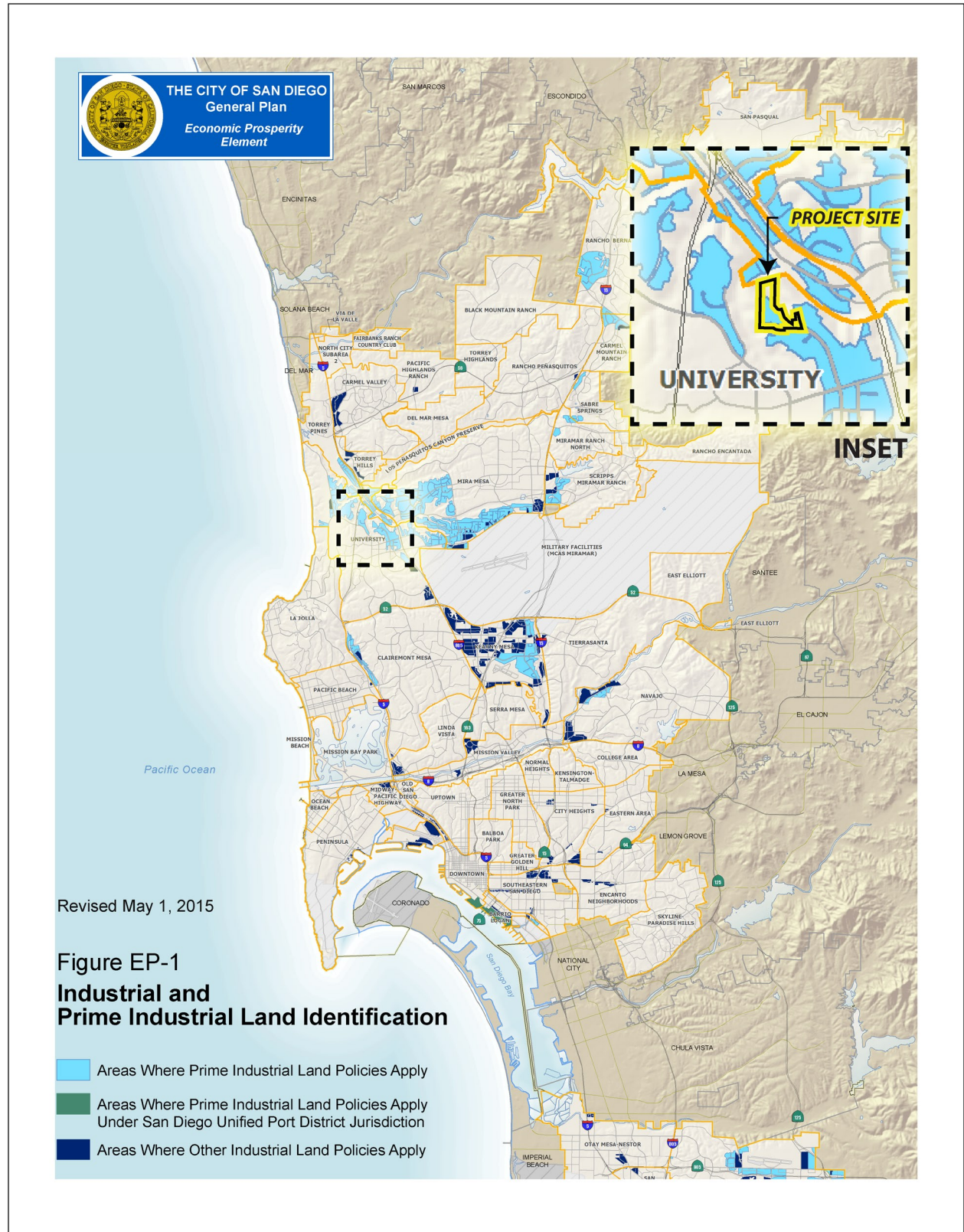
Goals and Policies	Consistency Analysis
PUBLIC FACILITIES ELEMENT	
<p>Goal: B. Provide a high level of service in police and fire protection.</p>	<p>Consistent. As previously discussed, the Project Applicant would be required to pay applicable FBA fees in effect at the time building permits are issued, which would be used for public facilities as needed to serve the community.</p>
NOISE ELEMENT	
<p>Goal: A. Minimize and avoid adverse noise impacts by planning for the appropriate placement and intensity of land uses relative to noise sources.</p>	<p>Consistent. Section 5.11, <i>Noise</i>, of this EIR addresses potential noise impacts related to stationary and mobile sources during construction and operation. As identified, the Project would not result in significant noise impacts, and would not be exposed to unacceptable noise levels, including from operations at MCAS Miramar.</p>
OPEN SPACE AND RECREATION ELEMENT	
<p>Goals: A. Preserve the natural resources of the community through the appropriate designation and use of open space. Major topographic features and biological resources should be preserved as undeveloped open space. C. Establish an open space system that will utilize the terrain and natural drainage system to guide the form of urban development, enhance neighborhood identity and separate incompatible land uses.</p>	<p>Consistent. Refer to the consistency analysis for Open Space goals 2 and 3, above, which addresses the Project’s relationship to existing open space areas, which include sensitive biological resources and steep hillsides. As discussed, the proposed redevelopment area is located on previously disturbed and developed areas that have been graded, and existing open space areas and associated resources would be protected.</p>
SAFETY ELEMENT	
<p>Goals A. Protect the public health and safety by guiding future development so that land use is compatible with identified geologic risks, including seismic and landslide hazards. B. Ensure that the proposed development does not create or increase geologic hazards either on- or off-site.</p>	<p>Consistent. The geologic conditions within the Project site, and potential geology hazards that may impact the proposed uses are discussed in Section 5.6, <i>Geologic Conditions</i>. As identified, the Project would not expose people or structures to potential adverse geologic effects including the risk of loss of life, injury, or death due to hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards.</p>

Table 5.1-2 University Community Plan Consistency Analysis

Goals and Policies	Consistency Analysis
<p>C. Promote public safety by taking into account aircraft accident potential in the placement of structures and activities.</p> <p>D. Provide for the safe operation of MCAS Miramar through the preservation of appropriate departure corridors.</p>	<p>Consistent. As previously identified, the Project site is within the AIA for MCAS Miramar and specifically with the APZ II and TZ, and would comply with established compatibility criteria related to maximum intensity limits in these zones.</p>
RESOURCE MANAGEMENT ELEMENT	
<p>Goals</p> <p>A. Preserve the community's natural topography, particularly in the coastal zone and in major canyon systems.</p> <p>C. Protect biological resources through the wise management and use of community's natural open space and parks.</p>	<p>Consistent. Refer to the consistency analysis for Open Space goals 2 and 3, above, which addresses the Project's relationship to existing open space areas, which include sensitive biological resources and steep hillsides. As discussed, the proposed redevelopment area is located on previously disturbed and developed areas that have been graded, and existing open space areas and associated resources would be protected.</p>
<p>D. Contribute to the maintenance or improvement of regional water quality by controlling siltation and urban pollutants in runoff.</p>	<p>Consistent. Refer to the consistency analysis provided previously for the General Plan Public Services, Facilities, and Safety Element Policies PF-G.1, PF-G.2 and PF-G.5, which address water quality BMPs that would be implemented as part of the Project. With implementation of the proposed water quality treatment features and BMPs, the Project's impacts related to water quality would be less than significant.</p>
<p>E. Encourage the conservation of water in the design and construction of buildings and in landscaping.</p>	<p>Consistent. As previously discussed, to reduce the potable water demand resulting from the Project, the Project's irrigation system would use reclaimed water. The use of reclaimed water would reduce the demand for potable water supplies.</p>
<p>F. Reduce energy consumption by requiring energy efficiency in building design and landscaping and by planning for a self-contained community and energy-efficient transportation.</p>	<p>Consistent. As described in Section 3.2.6, <i>Sustainable Features</i>, and under the policy consistency analysis for Policy CE-A.5, the Project would incorporate various design features to improve energy efficiency. Additionally, refer to the consistency analysis for Policy CE-F.6, which addresses the Project features that would serve to reduce transportation-related energy demand.</p>
<p>G. Provide for the identification and recovery of significant paleontological resources.</p>	<p>Consistent. As discussed in Section 5.12, <i>Paleontological Resources</i>, there are geologic formations within the Project site with moderate and high</p>

Table 5.1-2 University Community Plan Consistency Analysis

Goals and Policies	Consistency Analysis
	paleontological sensitivity (Lindavista Formation, Scripps Formations, and Ardath Shale). City-required mitigation measures for monitoring of construction activities would be implemented to reduce potential impacts to paleontological resources to less than significant levels.
H. Ensure the effective preservation and management of significant archaeological and historic resources.	Consistent. As discussed in Section 5.9, <i>Historical Resources</i> , and 5.16, <i>Tribal Cultural Resources</i> , there are no known archaeological, historical, or tribal cultural resources within the Project site. Archaeological and historical resources are not expected to be affected during construction activities due to the developed and disturbed nature of the proposed redevelopment area, and impacts would be less than significant. Therefore, no mitigation is required.



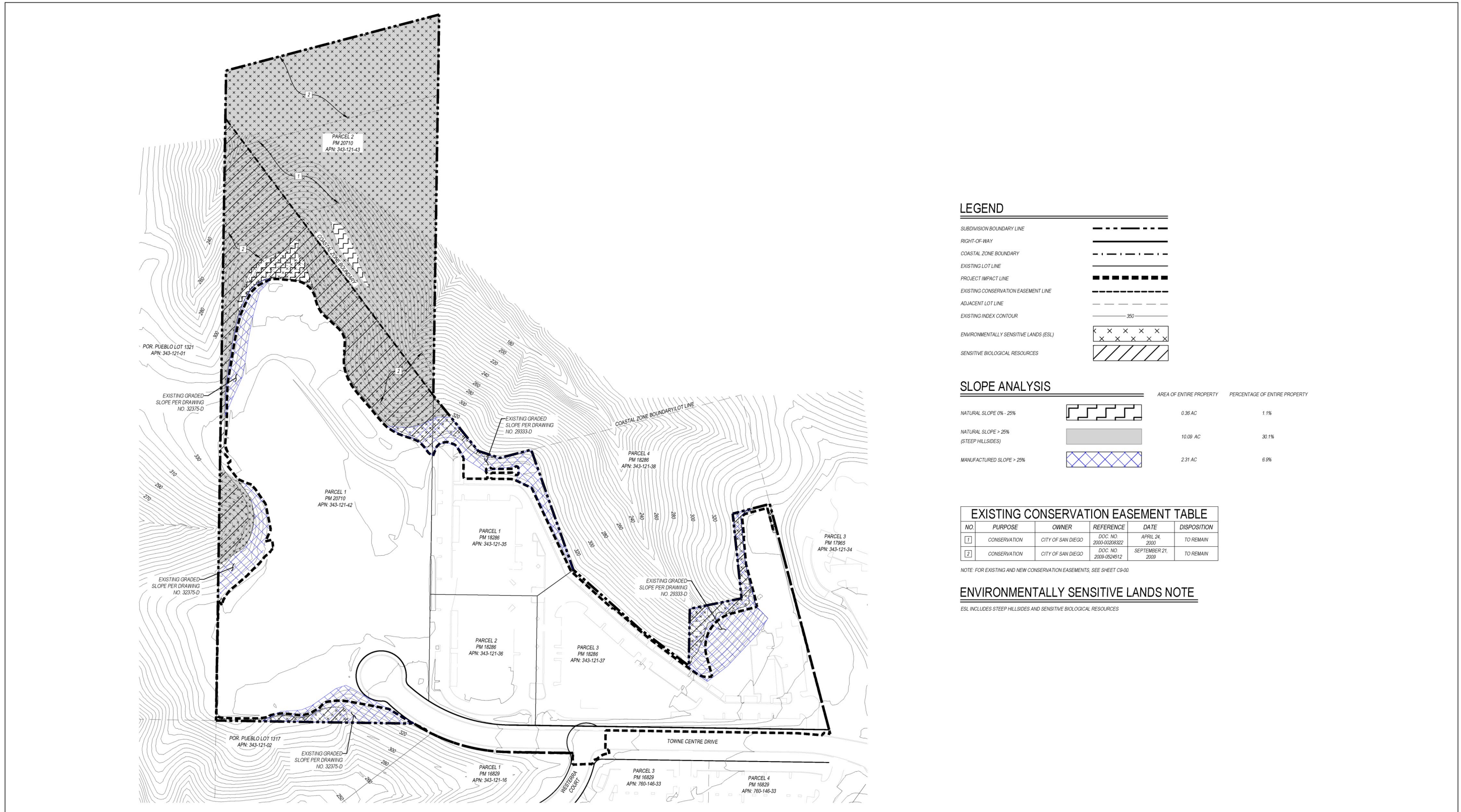
Source(s): City of San Diego (May 2015)

Figure 5.1-1



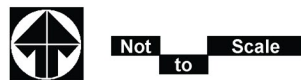
Not to Scale

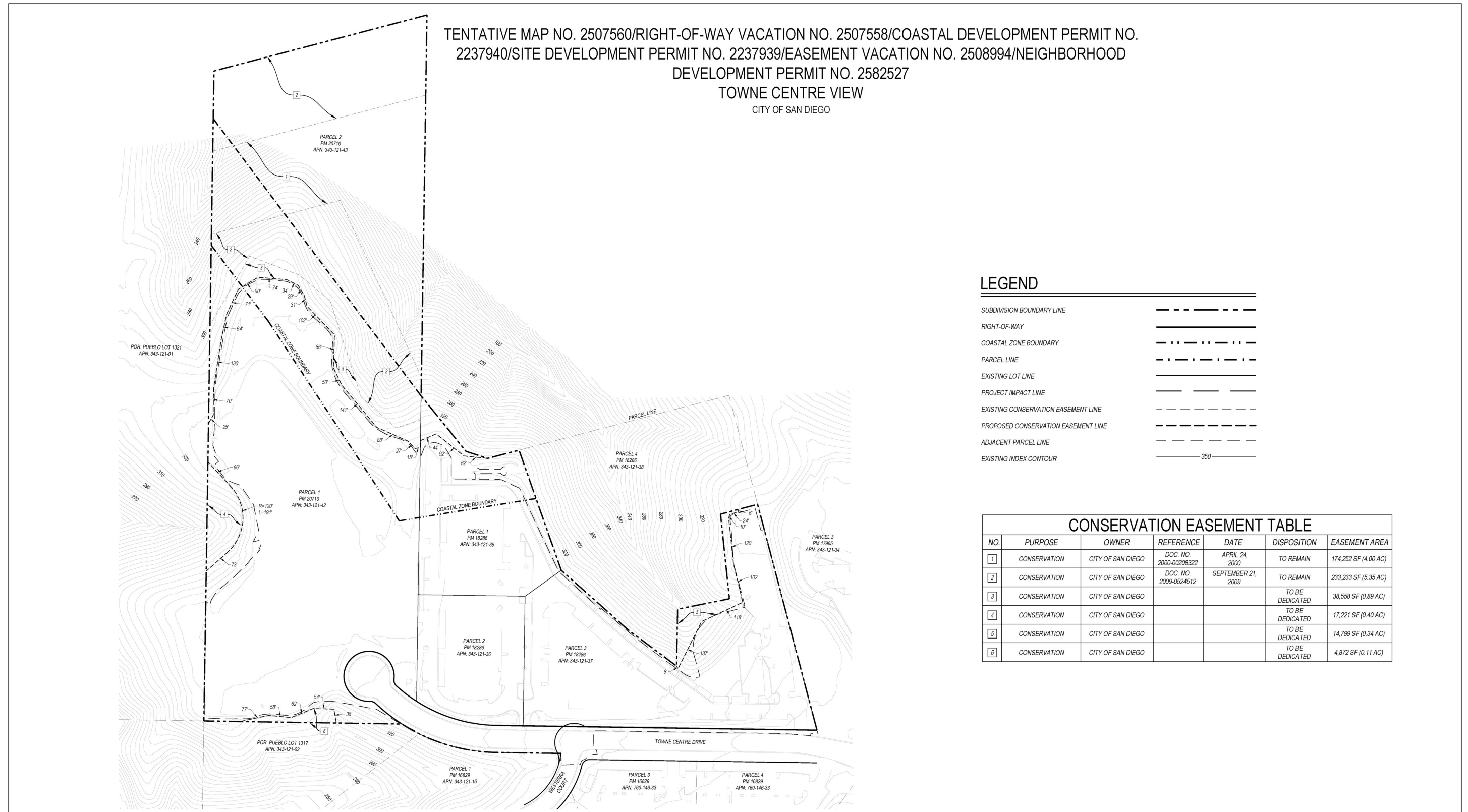
Industrial Land and Prime Industrial Land



Source(s): Perkins & Will (07-12-2021)

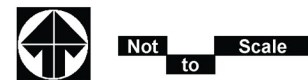
Figure 5.1-2





Source(s): Perkins & Will (07-12-2022)

Figure 5.1-3



5.2 TRANSPORTATION

This section evaluates potential transportation impacts associated with the Project and is based on the *Towne Centre View Transportation Impact Analysis* (TIA), prepared by Urban Systems Associates, Inc. (USAI), dated March 31, 2022 (USAI, 2022a), and the *Towne Centre View Local Mobility Analysis* (LMA), also prepared by USAI, dated November, 2022 (USAI, 2022b). The TIA and LMA are included in Appendices B1 and B2, respectively, of this environmental impact report (EIR).

5.2.1 Existing Conditions

A. Project Site

The Project site is located at the terminus of Towne Centre Drive, in the University Community Plan area of the City of San Diego. The Project site is bound by open space to the north, west, and south, and existing office uses to the east. Access to the Project site is provided only from Towne Centre Drive, which extends along the southern boundary of the Project site. The eastern portion of the Project site is owned by the Project Applicant with approximately 192,365 square feet (sf) of existing scientific research and development use, a 7,370-sf covered courtyard, and associated facilities and site improvements, including surface parking. The western portion of the Project site was recently used as a staging area for the Mid-Coast Trolley construction. This area is undeveloped but 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). The approximately 7.0-acre northern parcel of the Project site is within the City's Multi-Habitat Planning Area (MHPA), and no development is proposed for this area.

B. Existing Roadway Network

Regional access to the Project site is provided by several locations that include the junction of Interstate (I)-5 with Genesee Avenue (2.0 miles northwest of the Project site), the junction of I-805 with La Jolla Village Drive (1.3 miles southeast of the Project site), the junction of I-805 with Nobel Drive (1.9 miles southeast of the Project site), and the junction of I-5 with La Jolla Village Drive (2.2 miles southwest of the Project site). Local access to the Project site is provided through the intersection of Towne Centre Drive and Eastgate Mall (0.6 miles southeast of the Project site). Figure 5.2-1, *Project Location*, depicts the location of the Project site within the local and regional circulation system. The principal roadways in the Project area are described below. Ultimate classifications for roadways are based on designations in the University Community Plan.

- **Towne Centre Drive** is predominantly a north-south between Eastgate Mall and Towne Centre Court where it transitions to east-west to terminus at a cul-de-sac located 0.1 mile west of the intersection of Towne Centre Drive at Westerra Court. The roadway segments under study have a curb-to-curb width that ranges between 50 feet and 72 feet. The roadway segments under study are partially divided by a raised median and a two-way left-turn lane between 9665 Towne Centre Drive and Eastgate Mini Park and undivided between Eastgate Mini Park and the northern terminus. Within the study area, the roadway functions

as a local street between the northern terminus and Eastgate Mini Park, a 2-lane collector with a two-way left-turn lane between Eastgate Mini Park and 9540 Towne Centre Drive, and a 4-lane major arterial between 9620 Towne Centre Drive and Eastgate Mall. The roadway segment between 9620 Towne Centre Drive and Eastgate Mall is built to the current University Community Plan's ultimate classification of a 4-lane major arterial. The roadway segment between the northern terminus and Eastgate Mini Park is not identified in the current Community Plan. Parking is permitted on both sides between the northern terminus of Towne Centre Drive and Eastgate Mall and prohibited between Eastgate Mall and La Jolla Village Drive. Existing bicycle facilities supported along this roadway consist of a Class II bike lane for both directions of travel between La Jolla Village Drive and Executive Drive. The posted speed limit is 40 mph for the roadway segments under study. All of the roadway segments under study include a mixture of contiguous and noncontiguous sidewalks.

- **Judicial Drive** is a north-south roadway that spans approximately 1.3 miles and extends through Eastgate Mall, Executive Drive, and La Jolla Village Drive. This roadway has a northern terminus at a private access road for 4760/4810/4820/4850 Eastgate Mall and a southern terminus at Nobel Drive. The roadway segments have a curb-to-curb width that ranges between 78 feet and 86 feet. The functional classification of Judicial Drive is a 4-lane major arterial, consistent with the identified ultimate classification within the current University Community Plan for this roadway. Parking is permitted between Eastgate Mall and Executive Drive and prohibited between Executive Drive and Nobel Drive. Existing bicycle facilities supported along Judicial Drive consist of a Class II bike lane for both directions of travel between Executive Drive and Nobel Drive. There are no posted speed limit signs along the roadway. All of the roadway segments include non-contiguous sidewalks with an approximate width of 6 feet.
- **Eastgate Mall** is an east-west roadway from Regents Road to Olson Drive where it transitions to north-south to its eastern terminus at Miramar Road. The roadway segments under study have a curb-to-curb width that ranges between 40 feet and 76 feet. The roadway segments under study are divided with a two-way left-turn lane (consisting of the segment between Regents Road and approximately 450 feet east of Easter Way and between Operation Boulevard and Miramar Road), divided by a raised median (consisting of the segment between 450 feet east of Easter Way and I-805 overpass), and undivided (along the I-805 overpass to Operation Boulevard). Within the study area, the existing functional classification of Eastgate Mall is a 2-lane collector with a two-way left-turn lane (consisting of the segment between Regents Road and Genesee Avenue and between Operation Boulevard and Miramar Road), a 4-lane collector with a two-way left-turn lane (consisting of the segment between Genesee Avenue and Easter Way), a 4-lane major arterial (consisting of the segments between Easter Way and I-805 overpass), and a 2-lane collector without fronting property (along the I-805 overpass and Operation Boulevard). The roadway segments between Towne Centre Drive and I-805 Overpass are built to their ultimate classification identified in the current University Community Plan of a 4-lane collector. Parking is permitted between Regents Road and Genesee Avenue through angled and parallel parking spaces and prohibited parking for the remainder roadway segments.

Existing bicycle facilities supported along Eastgate Mall for the roadway segments under study consist of a Class II bike lane for both directions of travel between Genesee Avenue and Olson Drive. Posted speed limits vary throughout Eastgate Mall with a 25-mile per hour (mph) speed limit (between Regents Road and Genesee Avenue), a 40-mph speed limit (between Genesee Avenue and Towne Centre Drive eastbound), a 35-mph speed limit (between Genesee Avenue and Towne Centre Drive westbound), and a 45-mph speed limit (between Towne Centre Drive and Miramar Road). A mixture of contiguous and non-contiguous sidewalks with an approximate width of 6 feet exist across Eastgate Mall on both sides of the roadway between Genesee Avenue and the I-805 overpass. Several roadway segments do not provide sidewalks on both sides of the roadway, including the Interstate 805 overpass segment (a contiguous sidewalk is only available on the south side of the roadway) and the roadway segments between Operation Boulevard and Miramar Road (contiguous sidewalks are available on the northern/eastern side of the roadway).

- **Miramar Road** is an east-west roadway that spans approximately 5.2 miles and extends through Interstate 805, Eastgate Mall, Nobel Drive, Camino Santa Fe, Camino Ruiz, and Kearny Villa Road. This roadway has a western terminus at Interstate 805 SB Ramps and an eastern terminus at Interstate 15 SB Ramps. The roadway segments under study have a curb-to-curb width between 100 feet and 142 feet. The roadway segments under study are divided by a raised or painted median (consisting of the segment between the I-805 SB Ramps and Eastgate Mall, between 600 feet east of Miramar Mall and Miramar Place, and between 1,200 feet west of Camino Santa Fe and Production Avenue) and divided by a two-way left-turn lane (consisting of the segments between Eastgate Mall and 600 feet east of Miramar Mall, between Miramar Place and 1,200 feet west of Camino Santa Fe, and the segments between Production Avenue and Carroll Road). The existing functional classification of Miramar Road is a 6-lane major arterial between I-805 southbound ramps and I-805 northbound ramps and between Eastgate Mall and Carroll Road. Within the study area, the existing functional classification of Miramar Road is a 6-lane major arterial (between I-805 SB Ramps and I-805 NB Ramps and between Eastgate Mall and Carroll Road). The roadway segments are not built to their ultimate classification identified in the current Mira Mesa Community Plan of a 6-lane prime arterial. Parking is prohibited along Miramar Road throughout the roadway segments under study. Existing bicycle facilities supported along Miramar Road for the roadway segments under study consist of a Class II bike lane for both directions of travel between Eastgate Mall and Carroll Road, with a mixture of buffered and non-buffered conditions. The posted speed limit is 50 miles per hour for the roadway segments under study. All of the roadway segments under study include contiguous sidewalks on the north side with an approximate width of 6 feet. Most of the roadway segments include an asphalt path on the south side except for portions of the roadway segment between I-805 SB Ramps and I-805 NB ramps, Nobel Drive to Eastgate Mall, Miramar Mall to Miramar Place with a contiguous sidewalk on the south side, and I-805 NB Ramps to Nobel Drive where the south side of the roadway does not include a sidewalk.
- **Genesee Avenue** is predominantly a north-south roadway that spans approximately 9.4 miles and extends through State Route 163, Interstate 805, and Interstate 5. This roadway

has a northern terminus at North Torrey Pines Road and an southern terminus at Health Center Drive. The roadway segments under study have a curb-to-curb width that ranges between 86 feet and 140 feet. The roadway segments under study are divided with a raised median except for the Interstate 5 overpass segment, which is undivided. The roadway segments function as a 6-lane prime arterial (consisting of the segments between I-5 SB Ramps and Regents Road) and as a 6-lane major arterial (consisting of the segments between Regents Road and La Jolla Village Drive). These functional classifications are consistent with the ultimate classification identified for these roadway segments in the current University Community Plan. Parking is intermittently permitted along the roadway segments under study. Existing bicycle facilities supported along Genesee Avenue for the roadway segments under study consist of a Class II bike lane (for both directions of travel between I-5 SB Ramps and Nobel Drive). The posted speed limit for most of Genesee Avenue is 45-mph except for 35-mph between I-5 SB Ramps and Campus Point Drive in the northbound direction. All study roadway segments include contiguous sidewalks with an approximate width of 6 feet along the entire study area.

- **La Jolla Village Drive** is an east-west roadway that spans approximately 2.5 miles and extends through Gilman Drive, Interstate 5, Regents Road, Genesee Avenue, and Towne Centre Drive. This roadway has a western terminus at Torrey Pines Road and an eastern terminus at Interstate 805 SB Ramps. The roadway segment under study has a curb-to-curb width that ranges between 100 feet and 124 feet. The roadway segment under study is divided with a raised median or concrete barrier. The existing functional classification of La Jolla Village Drive is a 6-lane major arterial (between the I-5 northbound ramps and Towne Centre Drive). Within the study area, the existing functional classification of La Jolla Village Drive is a 7-lane major arterial (consisting of the segment between Towne Centre Drive and I-805 SB Ramps), which is not built to its ultimate classification per the University Community Plan. Parking is prohibited between Towne Centre Drive and I-805 SB Ramps. Bicycle facilities are not currently supported along La Jolla Village Drive for the roadway segment under study. The posted speed limit for the roadway segment under study is 45 mph. The roadway segment under study provides contiguous sidewalks with an approximate width of 6 feet on both sides.

C. Pedestrian Conditions

In the vicinity of the Project site, there is an existing 5-foot-wide contiguous sidewalk that extends along the north side of Towne Centre Drive from Westerra Court to the western terminus of the roadway. There are existing 5-foot-wide contiguous and non-contiguous sidewalks that extend on both sides of Towne Centre Drive from the Westerra Court to La Jolla Village Drive. There is a contiguous sidewalk on the east side of Westerra Court between Towne Centre Drive and its southern terminus, and no sidewalk on the west side of the roadway. There are also contiguous sidewalks on both sides of Towne Centre Court, which extends south from its intersection with Towne Centre Drive. Connectivity to the University Community is provided via existing contiguous sidewalks along Towne Centre Drive, Eastgate Mall, Genesee Avenue, and other local roadways, as further described in the LMA.

At the intersection level, the unsignalized intersections of Towne Centre Drive with Westerra Court and Towne Centre Court do not provide marked crosswalks for any intersection leg. The signalized intersection of Towne Centre Drive at Eastgate Mall currently has marked crosswalks at all four intersection legs, including a continental crosswalk on the north leg. Additionally, all four intersection quadrants provide curb ramps with truncated domes. Pedestrian countdown signals are not present at this location.

Figure 5.2-2, *Walkshed Analysis* provides a walkshed analysis that was prepared to evaluate the connectivity of the existing pedestrian facilities relative to the Project site location. A Project frontage location at the easternmost side of the Project frontage along Towne Centre Drive was selected as the reference point for this analysis. This reference point was used to measure a ½-mile walking distance in all directions. The shaded regions within the walkshed represent the areas where pedestrian facilities exist for pedestrian travel. The walkshed analysis results show that within a ½-mile path of travel, pedestrians can travel to and from virtually any destination along Towne Centre Drive north of Eastgate Mall.

D. Bicycle Conditions

The current City of San Diego Bicycle Master Plan (December 2013) identifies Towne Centre Drive between Towne Centre Court and Executive Drive with a proposed Class III Bike Route (signs and sharrows for shared use with motor vehicle traffic within the same travel lane), and between Executive Drive and Nobel Drive with a proposed Class II Bike Lane (exclusive on-street lane striped with signage). As anticipated in the 2013 Bicycle Master Plan, existing bicycle facilities along these segments of Towne Centre Drive consist of a Class II Bike Lane for both directions of travel between La Jolla Village Drive and Executive Drive.

Figure 5.2-3, *Bikeshed Analysis*, shows a bikeshed analysis that was prepared to evaluate the connectivity of the existing roadway facilities relative to the Project site. A Project frontage location at the easternmost side of the Project frontage along Towne Centre Drive was selected as the reference point for this analysis. This reference point was used to measure a ½-mile distance in all directions. The shaded regions within the bikeshed represent the areas where roadway facilities exist for bicycle travel. The bikeshed analysis results show that within a ½-mile path of travel, bicyclists can travel to and from any destination along Towne Centre Drive north of Eastgate Mall.

Consistent with the University Community Plan Update Existing Conditions Report (City of San Diego, 2018), the following roadway segments within the shaded area shown in Figure 5.2-3 do not provide a separate bicycle facility:

- Towne Centre Dr. (Westerra Ct – Towne Centre Ct.)
- Towne Centre Dr. (Towne Centre Ct. – Eastgate Mall)
- Westerra Ct. (south of Towne Centre Dr.)
- Towne Centre Ct. (south of Towne Centre Dr.)

E. Transit Conditions

As shown in Figure 5.2-4, *Transit Priority Areas Near the Project Site*, the Project site is located within a 2035 Transit Priority Area (TPA)¹, and is located within 0.64 mile walking distance of the closest transit stop at Towne Centre Drive and Eastgate Mall. Figure 5.2-5, *North University City Transit Infrastructure*, depicts the relationship of the Project site to the local and regional transit infrastructure. The San Diego Metropolitan Transit System (MTS) provides bus and trolley transit services within the Project area. Figure 5.2-5 also shows existing transit stops that are notable in relation to the Project site, the walking distance from the Project site to the transit stops, and the transit route(s) that service(s) each of these transit stops, including two recently completed trolley stations that are part of the Mid-Coast Trolley project, which started service in November 2021. Table 5.2-1, *Transit Routes, Amenities, and Location of Transit Stops*, provides a summary of the routes, location, and the geographic and walking distance of the transit stops from the Project site.

Table 5.2-1 Transit Routes, Amenities, and Location of Transit Stops

Transit Stop	Location	Route	Amenities	Walking Distance from Project Site (mile)
1	Southwest corner of Towne Centre Drive/Eastgate Mall	MTS 979	Sign with Pole & Red Curbs	0.64
2	Northwest corner of Eastgate Mall/Judicial Drive	MTS 204	Sign with Poles	0.69
3	Northwest corner of Towne Centre Drive/Executive Drive	MTS 979	Sign with Pole, Red Curbs, and Seating	0.77
4	Southwest corner of Eastgate Mall/Easter Way	MTS 979	Sign with Pole	0.85
5	UCSD Health La Jolla Station	Blue Line (trolley)	Built-in Sign, Expanded Sidewalk, System Map, Route Map, Real-Time Digital Display, Trash/Recycling Receptacle, Accessible, Passenger Shelter, and Seating	1.61
6	Executive Drive Station	Blue Line (trolley)	Built-in Sign, Expanded Sidewalk, System Map, Route Map, Real-Time Digital Display, Trash/Recycling Receptacle, Accessible, Passenger Shelter, and Seating	1.20

Source: (USAI, 2022b)

¹ A Transit Priority Area is an area within a half mile of a "major transit stop." A major transit stop, as defined in Public Resources Code 21064.3, is a site that contains any of the following: (1) an existing rail or bus rapid transit station; (2) a ferry terminal served by either a bus or rail transit service, and (3) the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.

The destinations of the routes that service the MTS transit stops are provided below:

- **MTS 979:** University City – Sorrento Valley COASTER Station
- **MTS 204:** Colony Plaza – Costa Verde Center – La Jolla Village Square – Nobel Athletic Area and Library – Scripps Memorial Hospital – UCSD Medical Center – Westfield University Town Center (UTC)
- **Blue Line Trolley:** America Plaza – Santa Fe Depot – Little Italy – Middletown – Washington Street – Old Town Transit Center – Tecolote Road – Clairemont Drive – Balboa Avenue – Nobel Drive – VA Medical Center – UCSD Central Campus – UCSD Health La Jolla – Executive Drive – UTC Transit Center

Planned transit improvements included in SANDAG's San Diego Forward: The 2021 Regional Plan that would result in transit network changes within the Project area include:

- **MTS Route 870:** planned to provide Bus Rapid Transit (BRT) service between El Cajon and UTC/Campus Point during peak hours and would extend the existing Route 870, serving the University community. The expected year for completion of this improvement is Year 2035.
- **MTS Route 41:** planned conversion of the existing MTS Route 41 to a rapid bus route that would connect Fashion Valley to UTC/UC San Diego via Linda Vista and Clairemont. The expected year for the completion of this improvement is Year 2035.
- **MTS Route 30:** planned addition of a Rapid Bus service to the existing route, providing 10-minute headways and connections between Old Town and Sorrento Mesa including the UTC area. The expected year for completion of this improvement is Year 2035.
- **MTS Route 473:** planned Rapid Bus service providing connections between Oceanside and UTC. The expected year for completion of this improvement is Year 2035.
- **MTS Route 582:** planned commuter rail route with the following connections- Sorrento Mesa to National City via UTC, Kearny Mesa, and University Heights- The expected year for completion of this improvement is Year 2035.

5.2.2 Regulatory Framework

A. State

1. **Senate Bill (SB) 743/CEQA Guidelines**

On September 27, 2013, Governor Jerry Brown signed SB 743 into law changing the way transportation impact analysis is conducted under CEQA. Within the CEQA Guidelines, these changes include elimination of auto delay, Level of Service (LOS), and similar measurements of vehicular roadway capacity and traffic congestion as the basis for determining significant impacts. In December 2018, new CEQA Guidelines implementing SB 743 (Section 15064.3), along with the Office of Planning and Research (OPR) Technical Advisory on Evaluating Transportation Impacts for CEQA, were finalized and made effective. Guidelines Section 15064.3, and the associated OPR Technical

Advisory, provide that use of automobile vehicle miles traveled (VMT) is the preferred CEQA transportation metric, and correspondingly eliminate auto delay/LOS as the metric for assessing significant impacts under CEQA statewide. Under Section 15064.3, statewide application of the new VMT metric has been required beginning since July 1, 2020.

The City of San Diego prepared the Transportation Study Manual (TSM) (September 2022) for VMT analysis guidance in compliance with SB 743 and *Office of Planning and Research's Technical Advisory on Evaluating Transportation Impacts in CEQA*.

B. Regional

1. SANDAG San Diego Forward: The 2021 Regional Plan

The San Diego Association of Governments (SANDAG) *San Diego Forward: The 2021 Regional Plan* (2021 Regional Plan) was adopted by the SANDAG Board of Directors on December 10, 2021, and includes the region's Regional Transportation Plan (RTP); Sustainable Community Strategy (SCS), as required by SB 375; and Regional Comprehensive Plan. The 2021 Regional Plan provides a long-term blueprint for the San Diego region that seeks to meet regulatory requirements, address traffic congestion, and create equal access to jobs, education, healthcare, and other community resources. The SCS describes coordinated transportation and land use planning that exceeds the state's target for reducing per capita greenhouse gas (GHG) emissions set by the California Air Resources Board (CARB).

One of the core strategies to achieve the 2021 Regional Plan goals is to implement innovative demand and system management. This involves reducing solo driving and congestion through increased remote work, carsharing, vanpooling, pricing strategies, and parking management programs that leverage partnerships and technology. The transportation system envisioned in the 2021 Regional Plan SCS includes "5 Big Moves": Complete Corridors, Transit Leap, Mobility Hubs, Flexible Fleets, and Next Operating System. The SCS uses "Mobility Hubs" to concentrate future development. Mobility Hubs are communities with high concentrations of people, destinations, and travel choices. They offer on-demand travel options and support infrastructure that enhances connections to high-quality Transit Leap² services, while also helping people make short trips to local destinations around the community using Flexible Fleets³. As shown on Figure 5.2-6, *Regional Mobility Hub Areas and Flexible Fleet Coverage*, the Project site is within an identified Regional Mobility Hub area and within Flexible Fleet Connections to Transit Leap. The SCS also identifies that the Project site is more specifically within a Major Employment Center Mobility Hub and within a 2035 TPA.

² Transit Leap will offer people a network of high-capacity, high-speed, and high-frequency transit services that will incorporate new modes of transit while also providing existing services.

³ Flexible Fleets will offer people a variety of on-demand, shared vehicles, including microtransit, bikeshare, scooters, and other modes of transportation that will connect them to transit and make travel easy within Mobility Hubs.

C. Local**1. General Plan**

The General Plan's Mobility Element identifies the proposed transportation network and strategies needed to support the anticipated General Plan land uses. The Mobility Element's policies promote a balanced, multimodal transportation network that gets people where they want to go while minimizing environmental and neighborhood impacts. The Mobility Element contains policies that address walking, streets, transit, regional collaboration, bicycling, parking, the movement of goods, and other components of a transportation system. Together, these policies advance a strategy for relieving congestion and increasing transportation choices. The goals and policies from the Mobility Element relevant to the Project are identified in Table 5.2-2, *City of San Diego Mobility Element and Bicycle Master Plan Consistency Analysis*, along with an analysis of the Project's consistency with these goals and policies.

2. Complete Communities: Mobility Choices

The City's Complete Communities program focuses on housing, mobility, parks and infrastructure, and includes planning strategies that work together to create incentives to build homes near transit, provide more mobility choices and enhance opportunities for places to walk, bike, relax and play. The Mobility Choices portion aims to provide more mobility options for San Diegans to commute and recreate by streamlining development in areas of the City that are most aligned with the City's climate goals and by investing in active transportation infrastructure, such as pedestrian and bicycle facilities. Regulations for the Mobility Choices portion of the Complete Communities program are provided in the San Diego Municipal Code (SDMC) Chapter 14, Article 3, Division 11.

SDMC Ordinance No. O-21274 (adopted on December 9, 2020). As defined in SDMC section 143.1103, a site where any of the premises is located either partially or entirely in a TPA is defined to be a Mobility Zone 2 area. Because the Project is located within a TPA as described above, the Project is within Mobility Zone 2. SDMC section 143.1103(b) contains the requirement for the application of VMT Reduction Measures for all development located within a Mobility Zone 2 area per the Land Development Manual Appendix T. The Land Development Manual Appendix T provides a list of VMT Reduction Measures that are split into a series of categories, which include Pedestrian Measures, Bicycle Supportive Measures, Transit Supportive Measures, and Other Measures. Each of the individual measures is given an assigned 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. Alternatively, SDMC section 143.1103(b)(5) provides the option for the applicant to pay the Active Transportation In Lieu Fee referenced in SDMC section 143.1103(c).

3. City of San Diego Bicycle Master Plan

The 2013 City of San Diego Bicycle Master Plan presents a bicycle network, projects, policies, and programs for improving bicycling through 2030 and beyond, consistent with the City's 2008 General

Plan mobility, sustainability, health, economic, and social goals. The goals of the Bicycle Master Plan are to create: a city where bicycling is a viable travel choice, particularly for trips of less than five miles; a safe and comprehensive local and regional bikeway network; and environmental quality, public health, recreation and mobility benefits through increased bicycling. These goals are supported by General Plan Mobility Element policies to help bicycling become a more viable transportation mode for trips of less than five miles, to connect to transit, and for recreation. The bicycle-related goals and policies relevant to the Project are identified in Table 5.2-2, *City of San Diego Mobility Element and Bicycle Master Plan Consistency Analysis*, along with an analysis of the Project's consistency with these goals and policies. Existing and proposed bicycle facilities in the vicinity of the Project are provided in Section 5.2.1 above.

4. University Community Plan

The University Community Plan Transportation Element contains goals and proposals to provide the community with an adequate vehicular and non-vehicular transportation system. This element addresses streets and highways, mass transit, parking, and non-motorized transportation (bicycle and pedestrian). Existing and planned mass transit in the University Community at the time the Community Plan was prepared (1987) consisted of bus, transit facilities, shuttle loop, and rail. In the vicinity of the Project area, the Community Plan identifies then existing transit routes and bikeways along Eastgate Mall and Genesee Avenue, and the future Mid-Coast Project along Genesee Avenue (now constructed and operational). It is also noted that the Community Plan Update process, currently underway, is recommending a Class III Bicycle Boulevard with traffic calming enhancements along Towne Centre Drive between the northern terminus and 1250 feet north of Eastgate Mall, and Class II buffered bike lanes south of that point.

The community plan recommends bicycle facilities (e.g., parking, lockers, racks) are to be provided at major activity centers and employment sites, as appropriate. Signs will be provided to identify bike routes and the availability of related facilities. An objective of the Transportation Element is to designate and clearly define a primary pedestrian network. The Transportation Element does not identify bikeways or primary pedestrian facilities along Towne Centre Drive, including the segment adjacent to the Project site. A current description of existing transportation facilities is provided in Section 5.2.1 above. The Transportation Element also identifies that Transportation System Management programs should be implemented in the University Community by ordinance or through the planned development permit process to aid in the reduction of peak-hour trips. The goals and policies from the Transportation Element relevant to the Project are identified in Table 5.2-5, *University Community Plan Transportation Element Consistency Analysis*, along with an analysis of the Project's consistency with these goals and policies.

5.2.3 Impact Analysis

A. Issue 1

Issue 1 *Would the project conflict with an adopted program, plan, ordinance or policy addressing the transportation system including transit, roadways, bicycle and pedestrian facilities?*

1. Impact Threshold

According to the City’s Significance Determination Thresholds, transportation impacts may be significant if a project would conflict with adopted policies, plans, or programs supporting alternative transportation modes (e.g., bus turnouts, bicycle racks). A significant transportation impact could occur if the project would:

- *Conflict with the General Plan Mobility Element or other adopted transportation programs, plans, ordinances, or policies such as the City’s Bicycle Master Plan.*

2. Analysis

Below is an analysis of the Project’s consistency with the following local planning programs addressing access and transportation: City of San Diego General Plan Mobility Element and Bicycle Master Plan, Complete Communities: Mobility Choices, and the University Community Plan Transportation Element.

Consistency with the City of San Diego General Plan and Bicycle Master Plan

The proposed scientific R&D and accessory uses would be consistent with the site’s designations of “Industrial Employment” and Prime Industrial Lands within the City of San Diego General Plan. The General Plan Mobility Element contains policies that advance a strategy for relieving congestion and increasing transportation choices; policies related to bicycle facilities have been carried forward into the Bicycle Master Plan. Table 5.2-2, *City of San Diego Mobility Element and Bicycle Master Plan Consistency Analysis*, addresses the Project’s consistency with these policies. As identified, the Project would not conflict with the policies in the Mobility Element and Bicycle Master Plan.

Table 5.2-2 City of San Diego Mobility Element and Bicycle Master Plan Consistency Analysis

Mobility Element	
Walkable Communities – Goals:	
<ul style="list-style-type: none"> • A safe and comfortable pedestrian environment. • A complete, functional, and interconnected pedestrian network, that is accessible to pedestrians of all abilities. • Greater walkability achieved through pedestrian friendly street, site and building design. 	
<p>Policy ME-A.1: Design and operate sidewalks, streets, and intersections to emphasize pedestrian safety and comfort through a variety of street design and traffic management solutions, including but not limited to those described in the Pedestrian Improvements Toolbox, Table ME-1.</p> <p>Policy ME-A.2: Design and implement safe pedestrian routes.</p>	<p>No Conflict. The Project site is located at the terminus of Towne Centre Drive, which currently has a sidewalk on the north side of Towne Centre Drive adjacent to the Project site and contiguous to the roadway. This existing sidewalk would be replaced. The sidewalk would be designed consistent with the proposed street section for Towne Centre Drive (north end near the Project site south to 9540 Towne</p>

<p>f. Provide adequate levels of lighting for pedestrian safety and comfort.</p>	<p>Centre Drive) being considered in the University Community Plan update, where the sidewalk would not be contiguous to the roadway and would be separated by a landscaped parkway to enhance the pedestrian environment. Onsite pedestrian paths would connect to the proposed non-contiguous sidewalk along Towne Centre Drive, which provides connectivity to existing sidewalks along Towne Centre Drive that ultimately provide access to the nearest signalized intersection of Towne Centre Drive and Eastgate Mall, which has marked crosswalks at each leg of the intersection, including a continental crosswalk on the north leg. Pedestrian countdown signals are not present at this location.</p> <p>The existing terminus to Towne Centre Drive west of Westerra Court would be vacated and become part of the Project site. As such, the intersection of Towne Centre Drive and Westerra Court would be modified to accommodate vehicular, emergency access, and pedestrian access to the Project site. Proposed modifications oriented to pedestrian travel to the intersection of Towne Centre Drive at Westerra Court include continental crosswalks to the south and east legs of the intersection and directional curb ramps to all intersection corners. With these modifications, pedestrian connectivity per City standards would be provided within the study area.</p> <p>As depicted in Figure 3-1, <i>Conceptual Site Plan</i>, the Project would also involve the installation of an onsite pedestrian resting area/recreation node adjacent to the sidewalk (with signage designating the space is available) in the eastern portion of the Project site adjacent to the parking garage, as well as pedestrian-scale lighting adjacent to public pedestrian walkways within the Project and along the entire development frontage with Towne Centre Drive.</p> <p>A series of pathways would lead from the sidewalks throughout the Project to connect to buildings and amenity facilities (e.g., gym, restaurants, and services), as well as the passenger loading areas for the shuttle and micromobility staging areas and would be enhanced with rest areas, eating, and meeting places, as well as recreational areas with basketball and sport courts, and other amenities. The</p>
<p>Policy ME-A.4: Make sidewalks and street crossings accessible to pedestrians of all abilities.</p> <p>a. Meet or exceed all federal and state requirements.</p> <p>b. Provide special attention to the needs of children, the elderly, and people with disabilities.</p> <p>c. Maintain pedestrian facilities to be free of damage or trip hazards.</p>	
<p>Policy ME-A.5: Provide adequate sidewalk widths and clear path of travel as determined by street classification, adjoining land uses, and expected pedestrian usage.</p> <p>a. Minimize obstructions and barriers that inhibit pedestrian circulation.</p> <p>b. Consider pedestrian impacts when designing the width and number of driveways within a street segment.</p>	
<p>Policy ME-A.6: Work toward achieving a complete, functional and interconnected pedestrian network.</p> <p>a. Ensure that pedestrian facilities such as sidewalks, trails, bridges, pedestrian-oriented and street lighting, ramps, stairways and other facilities are implemented as needed to support pedestrian circulation. Additional examples of pedestrian facilities are provided in the Pedestrian Improvements Toolbox, Table ME-1.</p> <ol style="list-style-type: none"> 1. Close gaps in the sidewalk network. 2. Provide convenient pedestrian connections between land uses, including shortcuts where possible. 3. Design grading plans to provide convenient and accessible pedestrian connections from new development to adjacent uses and streets. <p>c. Provide and maintain trash and recycling receptacles, and restrooms available to the public where needed.</p> <p>e. Routinely accommodate pedestrian facilities and amenities into private and public plans and projects.</p>	
<p>Policy ME-A.7: Improve walkability through the pedestrian-oriented design of public and private</p>	

<p>projects in areas where higher levels of pedestrian activity are present or desired.</p> <p>a. Enhance streets and other public rights-of-way with amenities such as street trees, benches, plazas, public art or other measures including, but not limited to those described in the Pedestrian Improvement Toolbox, Table ME-1 (see also Urban Design Element, Policy UD-A.10).</p> <p>b. Design site plans and structures with pedestrian-oriented features (see also Urban Design Element, Policies UD-A.6, UD-B.4, and UD-C.6).</p>	<p>Project would include extensive native landscape areas to enhance the pedestrian experience on the exterior as well as the interior of the Project. Sidewalks and internal pedestrian pathways of the Project would be constructed to current accessibility standards.</p>
<p>Policy ME-A.8: Encourage a mix of uses in villages, commercial centers, transit corridors, employment centers and other areas as identified in community plans so that it is possible for a greater number of short trips to be made by walking.</p>	<p>No Conflict. The Project involves redevelopment of the Project site, which is located within a designated Subregional Employment Area, with a five-building scientific R&D campus. Employees and visitors would have 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 (0.25 mile) of the Project site.</p>
<p>Transit First Goal: Increased Ridership</p>	<p>No Conflict. Pursuant to Mitigation Measure MM 5.2-1 (discussed under Issue 2), the Permittee would subsidize transit passes for employees, and would provide a shuttle service to increase the Project site's connectivity to transit within the University Community. The shuttle service would connect with the UTC transit station and to a SuperLoop transit stop at a minimum. The shuttle would carry a minimum of twelve passengers in one or more vehicles at the Permittee's discretion sufficient to achieve 15-minute headways during the morning 7:30 AM to 9:30 AM peak period and evening peak period of 4:30 PM to 6:30 PM and operate at 30-minute or better headways throughout the day.</p>
<p>Transportation Demand Management Goals:</p> <ul style="list-style-type: none"> • Reduced single-occupant vehicle traffic on congested streets and freeways. • Expanded travel options and improved personal mobility. • Improved performance and efficiency of the street and freeway system, by means other than roadway widening or construction. 	
<p>Policy ME-E.1: Support and implement TDM strategies including, but not limited to: alternative modes of transportation, alternative work schedules, and telework.</p> <p>Policy ME-E.4: Promote the most efficient use of the City's existing transportation network.</p>	<p>No Conflict. Refer to, the discussion of consistency with the City's CAP in Section 5.7, <i>Greenhouse Gas Emissions</i>, and the discussion of consistency with the City's Mobility Choices regulations discussed below, which addresses the TDM measures incorporated into the Project, including those required by the City's CAP and required by the City's Mobility Choice regulations.</p>

<p>Policy ME-E.6: Require new development to have site designs and onsite amenities that support alternative modes of transportation. Emphasize pedestrian and bicycle-friendly design, accessibility to transit, and provision of amenities that are supportive and conducive to implementing TDM strategies such as car sharing vehicles and parking spaces, bike lockers, preferred rideshare parking, showers and lockers, onsite food service, and child care, where appropriate.</p> <p>ME-E.7. Consider TDM programs with achievable trip reduction goals as partial mitigation for development project traffic and air quality impacts.</p>	
<p>Bicycling Goals:</p> <ul style="list-style-type: none"> • A safe and comprehensive local and regional bikeway network. • Environmental quality, public health, recreation and mobility benefits through increased bicycling. 	
<p>Policy ME-F.2: Identify and implement a network of bikeways that are feasible, fundable, and serve bicyclists’ needs, especially for travel to employment centers, village centers, schools, commercial districts, transit stations, and institutions.</p> <p>Policy ME-F.4: Provide safe, convenient, and adequate short- and long-term bicycle parking facilities and other bicycle amenities for employment, retail, multifamily housing, schools and colleges, and transit facility uses.</p> <ol style="list-style-type: none"> Continue to require bicycle parking in commercial and multiple unit residential zones. Provide bicycle facilities and amenities to help reduce the number of vehicle trips. 	<p>No Conflict. There are no existing bicycle facilities along Towne Centre Drive adjacent to the Project site; however, as discussed in Section 5.2.1, the ongoing University Community Plan Update process, Towne Centre Drive is recommended to include a Class III bicycle boulevard with traffic calming measures from the northern terminus of Towne Centre Drive to 9540 Towne Centre Drive, and restriping to provide Class II buffered bike lanes south of that point. The Project would not preclude implementation of these bicycle facilities, which would serve Project employees and visitors.</p> <p>Additionally, the Project would provide 50 short-term bicycle parking spaces, which are not required by the City for industrial uses; 120 long-term bicycle parking space (118 are required); and associated bicycle amenities including a bicycle repair station and changing/shower facilities (in accordance with the voluntary measures under the California Green Building Standards Code (CalGreen).</p>
<p>Parking Management Goals:</p> <ul style="list-style-type: none"> • Parking that is reasonably available when and where it is needed through management of the supply. • New development with adequate parking through the application of innovative citywide parking regulations. • Increased land use efficiencies in the provision of parking. 	
<p>Policy ME-G.2: Implement innovative and up-to-date parking regulations that address the vehicular and bicycle parking needs generated by development.</p> <ol style="list-style-type: none"> Adjust parking rates for development projects to take into consideration access to existing and 	<p>No Conflict. As discussed under Policy ME-F.2, the Project would include short- and long-term bicycle parking in excess of that required by the City. Additionally, the Project would include on-site car-share vehicles and vehicle spaces with designated</p>

<p>funded transit with a base mid-day service frequency of ten to fifteen minutes, affordable housing parking needs, shared parking opportunities for mixed-use development, provision of on-site car sharing vehicles and parking spaces and implementation of TDM plans.</p> <p>b. Strive to reduce the amount of land devoted to parking through measures such as parking structures, shared parking, mixed-use developments, and managed public parking, while still providing appropriate levels of parking.</p>	<p>parking and an on-site parking area designated for micro-mobility travel (e.g. bicycles, e-bikes, electric scooters, shared bicycles, and electric pedal-assisted bicycles).</p> <p>To reduce land devoted to parking, and as shown on the conceptual site plan provided on Figure 3-1, the Project would involve the development of a 4-level podium parking structure, a 7-level parking garage, and limited surface parking.</p>
<p>Policy ME-G.5: Implement parking strategies that are designed to help reduce the number and length of automobile trips. Reduced automobile trips would lessen traffic and air quality impacts, including greenhouse gas emissions (see also Conservation Element, Section A). Potential strategies include, but are not limited to those described on Table ME-3.</p>	<p>No Conflict. As identified through the consistency analysis for the Mobility Element goals and policies, the Project would promote public transit, improve pedestrian and bicycle facilities (including bicycle parking), implement TDM measures, and improve accessibility.</p>
<p>Regional Coordination and Financing Goal: Assured revenues to cover the costs of constructing, operating, and maintaining transportation facilities and providing needed transportation services</p>	
<p>Policy ME-K.4: Determine necessary transportation improvements to serve new development at the community plan level, and where necessary, at the project level.</p> <p>Policy ME-K.5: Require the dedication and/or improvement of transportation facilities in conjunction with the subdivision of land, negotiated development agreements, discretionary permits, and facilities financing plans.</p>	<p>No Conflict. As required the TSM, a local mobility analysis was prepared for the Project. The LMA is included in EIR Appendix B2. Roadway and access improvements included as part of the Project to accommodate the proposed scientific R&D use and parking structure are described in Section 3.2.2, Transportation/Circulation and Parking, of this EIR. Project-generated intersection and roadway deficiencies, the Project proposes off-site improvements at these deficient study area intersections and roadway segments, as summarized below in Table 5.2-3, <i>Project Off-Site Transportation Improvements</i>, and detailed in the Project’s Local Mobility Analysis, included as Appendix B2 to this EIR. 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.</p>
<p>Policy ME-K.6: Require development proposals to provide a mix of multi-modal transportation facilities, where needed, in accordance with the policies established in the Public Facilities Element, Section C.</p>	<p>No Conflict. Refer to the consistency analysis presented above for policies that address vehicular and non-vehicular modes of transportation. As discussed, the Project would include roadway</p>

	improvements as well as pedestrian, bicycle/bikeway and transit improvements.
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Table 5.2-3 Project Off-Site Transportation Improvements

Location	Improvement
Pedestrian Facilities	
The Project will improve the intersection of Towne Centre Drive at Westerra Court to current standards for pedestrian travel and connectivity to pedestrian facilities adjacent to the project site. These improvements include continental crosswalk markings for the south and east intersection approaches, directional curb ramps to the southwest, southeast, and northwest corners of the intersection, and a proposed non-contiguous sidewalk on the north side of the street along Towne Centre Drive extending the entire frontage of the project site.	
Signalized Intersections	
<u>Intersection #3: Towne Centre Dr. / Eastgate Mall</u>	<p>The project would implement the following ITS improvements for this intersection:</p> <ul style="list-style-type: none"> ▪ Upgrade traffic signal controller to a 2070 controller (including software update). ▪ Implementation of Audible Pedestrian Signals.
<u>Intersection #4: Towne Centre Dr. / Executive Dr.</u>	<p>The project would implement the following ITS improvements for this intersection:</p> <ul style="list-style-type: none"> ▪ Upgrade traffic signal controller to a 2070 controller (including software update). ▪ Implementation of Audible Pedestrian Signals.
<u>Intersection #6: Towne Centre Dr. / La Jolla Village Dr.</u>	The proposed mitigation measure consists of the implementation of Adaptive Traffic Signal Control on the La Jolla Village Drive corridor between Torrey Pines Road and I-805 NB Ramps. The Project proposes to engage in a private agreement with UCSD to contribute a fair share payment towards the implementation of this improvement.
<u>Intersection #7: Judicial Dr. / Eastgate Mall</u>	<p>The project would implement the following ITS improvements for this intersection:</p> <ul style="list-style-type: none"> ▪ Upgrade traffic signal controller to a 2070 controller (including software update). ▪ Implementation of Audible Pedestrian Signals.
<u>Intersection #8: Judicial Dr. / Executive Dr.</u>	<p>The project would implement the following ITS improvements for this intersection:</p> <ul style="list-style-type: none"> ▪ Upgrade traffic signal controller to a 2070 controller (including software update). ▪ Implementation of Audible Pedestrian Signals.

<p><u>Intersection #15: Regents Rd. / Eastgate Mall</u></p>	<p>The project would implement the following ITS improvements for this intersection:</p> <ul style="list-style-type: none"> ▪ Upgrade traffic signal controller to a 2070 controller (including software update). ▪ Implementation of Audible Pedestrian Signals.
<p><u>Intersection #17: Regents Rd. / Regents Park Row</u></p>	<p>The project would implement the following ITS improvements for this intersection:</p> <ul style="list-style-type: none"> ▪ Upgrade traffic signal controller to a 2070 controller (including software update). ▪ Implementation of Audible Pedestrian Signals.
<p><u>Intersection #18: Regents Rd. / La Jolla Village Dr.</u></p>	<p>The proposed mitigation measure consists of the implementation of Adaptive Traffic Signal Control on the La Jolla Village Drive corridor between Torrey Pines Road and I-805 NB Ramps. The Project proposes to engage in a private agreement with UCSD to contribute a fair share payment towards the implementation of this improvement.</p>
<p><u>Intersection #27: Eastgate Mall / Eastgate Dr.</u></p>	<p>The project would implement the following ITS improvements for this intersection:</p> <ul style="list-style-type: none"> ▪ Upgrade traffic signal controller to a 2070 controller (including software update). ▪ Implementation of Audible Pedestrian Signals.
<p><u>Intersection #30: Miramar Rd. / Eastgate Mall</u></p>	<p>The project would implement the following ITS improvements for this intersection:</p> <ul style="list-style-type: none"> ▪ Upgrade traffic signal controller to a 2070 controller (including software update). ▪ Implementation of Audible Pedestrian Signals.
<p><u>Intersection #32: Miramar Rd. / Miramar Pl.</u></p>	<p>The project would implement the following ITS improvements for this intersection:</p> <ul style="list-style-type: none"> ▪ Upgrade traffic signal controller to a 2070 controller (including software update). ▪ Implementation of Audible Pedestrian Signals.
<p><u>Intersection #33: Miramar Rd. / Camino Santa Fe / Frost Mar Pl.</u></p>	<p>The project would implement the following ITS improvements for this intersection:</p> <ul style="list-style-type: none"> ▪ Upgrade traffic signal controller to a 2070 controller (including software update). ▪ Implementation of Audible Pedestrian Signals.
<p>Roadway Segments</p>	

<u>Eastgate Mall (I-805 Overpass - Operation Blvd.)</u>	The Project would pay a fair share contribution towards the widening of the roadway from a 2-lane Collector without fronting property to a 4-lane Collector with a continuous left-turn lane per University Facilities Financing Program (PFFP 2013) Project NUC-34.
<u>Eastgate Mall (Operation Blvd. - Olson Dr.)</u>	The Project would pay a fair share contribution towards the widening of the roadway from a 2-lane Collector without fronting property to a 4-lane Collector with a continuous left-turn lane per University Facilities Financing Program (PFFP 2013) Project NUC-34.
<u>Eastgate Mall (Olson Dr. - Autoport Mall)</u>	The Project would pay a fair share contribution towards the widening of the roadway from a 2-lane Collector without fronting property to a 4-lane Collector with a continuous left-turn lane per University Facilities Financing Program (PFFP 2013) Project NUC-34.
<u>Eastgate Mall (Autoport Mall - Miramar Rd.)</u>	The Project would pay a fair share contribution towards the widening of the roadway from a 2-lane Collector without fronting property to a 4-lane Collector with a continuous left-turn lane per University Facilities Financing Program (PFFP 2013) Project NUC-34.
<u>La Jolla Village Dr. (Towne Centre Dr. - I-805 SB Ramps)</u>	The UCSD LRDP EIR identified this roadway segment as a location with a significant impact. The proposed mitigation measure consists of the implementation of Adaptive Traffic Signal Control on the La Jolla Village Drive corridor between Torrey Pines Road and I-805 NB Ramps. The Project proposes to engage in a private agreement with UCSD to contribute fair share towards the implementation of this improvement.
<u>Miramar Road (Camino Santa Fe – Carrol Rd)</u>	The Project would pay fair share contribution towards installation of a raised median and restricting driveway access as necessary along the five (5) roadway segments between Camino Santa Fe and Carroll Road.
Systemic Safety Review	
<u>Towne Centre Dr. / Eastgate Mall</u>	<ul style="list-style-type: none"> ▪ Backplates with retroreflective borders if asset owner agrees
<u>Towne Centre Dr. / Executive Dr.</u>	<ul style="list-style-type: none"> ▪ Replace existing bicycle Loop Detector for NB approach ▪ Backplates with retroreflective borders if asset owner agrees
<u>Towne Centre Dr. / Towne Centre Dwy.</u>	<ul style="list-style-type: none"> ▪ High visibility crosswalks for North and East quadrants ▪ Replace existing bicycle Loop Detector for NB and SB approaches ▪ Backplates with retroreflective borders if asset owner agrees

<u>Towne Centre Dr. / La Jolla Village Dr.</u>	<ul style="list-style-type: none"> ▪ Backplates with retroreflective borders if asset owner agrees
<u>Judicial Dr. / Eastgate Mall</u>	<ul style="list-style-type: none"> ▪ High visibility crosswalks for North, East, and West quadrants
<u>Judicial Dr. / Executive Dr.</u>	<ul style="list-style-type: none"> ▪ Replace existing bicycle Loop Detector for NB approach ▪ Backplates with retroreflective borders if asset owner agrees
<u>Judicial Dr. / Judicial Dwy.</u>	<ul style="list-style-type: none"> ▪ High visibility crosswalks for North, East, and West quadrants ▪ Replace existing bicycle Loop Detector for NB and SB approaches
<u>Eastgate Mall / Easter Wy.</u>	<ul style="list-style-type: none"> ▪ High visibility crosswalks for East and West quadrants ▪ Replace existing bicycle Loop Detector for WB approach
<u>Eastgate Mall / Genesee Ave.</u>	<ul style="list-style-type: none"> ▪ Backplates with retroreflective borders if asset owner agrees
<u>Genesee Ave. / Executive Dr.</u>	<ul style="list-style-type: none"> ▪ Backplates with retroreflective borders if asset owner agrees
<u>Regents Rd. / Eastgate Mall</u>	<ul style="list-style-type: none"> ▪ Replace existing bicycle Loop Detector for NB, SB, and EB approaches
<u>Regents Rd. / Executive Dr.</u>	<ul style="list-style-type: none"> ▪ Replace existing bicycle Loop Detector for NB, S, and WB approaches ▪ Backplates with retroreflective borders if asset owner agrees
<u>Regents Rd. / Regents Park Row</u>	<ul style="list-style-type: none"> ▪ High visibility crosswalks for North, South, East, and West quadrants ▪ Replace existing bicycle Loop Detector for NB and SB approaches ▪ Backplates with retroreflective borders if asset owner agrees
<u>Regents Rd. / La Jolla Village Dr.</u>	<ul style="list-style-type: none"> ▪ Backplates with retroreflective borders if asset owner agrees
<u>Genesee Ave. / Campus Point Dr.</u>	<ul style="list-style-type: none"> ▪ Backplates with retroreflective borders if asset owner agrees
<u>Genesee Ave. / Scripps Hospital Dwy.</u>	<ul style="list-style-type: none"> ▪ Backplates with retroreflective borders if asset owner agrees

<u>Genesee Ave. / I-5 NB Ramps</u>	<ul style="list-style-type: none"> ▪ Backplates with retroreflective borders if asset owner agrees
<u>Genesee Ave. / I-5 SB Ramps</u>	<ul style="list-style-type: none"> ▪ Backplates with retroreflective borders if asset owner agrees
<u>La Jolla Village Dr. / Lebon Dr.</u>	<ul style="list-style-type: none"> ▪ Backplates with retroreflective borders if asset owner agrees
<u>Miramar Rd. / I-805 NB Ramps</u>	<ul style="list-style-type: none"> ▪ Backplates with retroreflective borders if asset owner agrees
<u>La Jolla Village Dr. / Miramar Rd. / I-805 SB Ramps</u>	<ul style="list-style-type: none"> ▪ Backplates with retroreflective borders if asset owner agrees
<u>Miramar Rd. / Eastgate Mall</u>	<ul style="list-style-type: none"> ▪ Backplates with retroreflective borders if asset owner agrees
<u>Miramar Rd. / Carroll Rd.</u>	<ul style="list-style-type: none"> ▪ Backplates with retroreflective borders if asset owner agrees
<u>Miramar Rd. / Camino Ruiz</u>	<ul style="list-style-type: none"> ▪ Backplates with retroreflective borders if asset owner agrees

(USAI, 2022b)

Consistency with Complete Communities: Mobility Choices

As defined in SDMC Section 143.1103, because the Project site is located within a TPA, the Project is within Mobility Zone 2. SDMC Section 143.1103(b) contains the requirement for the application of VMT Reduction Measures for all development (outside the Coastal Overlay Zone) located within a Mobility Zone 2 area per the Land Development Manual Appendix T. 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*. Therefore, the Project would not conflict with City’s Mobility Choices requirements.

Table 5.2-4 Mobility Choice VMT Reduction Measures

Description of Mobility Choices Measure	Points Credited towards Compliance
(S) Provide short-term bicycle parking spaces that are available, at least 10% beyond minimum requirements	1.5
(S) Provide an on-site bicycle repair station	1.5
(S) Provide on-site showers/lockers at least 10% beyond the minimum requirement	2
(S) Install 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	2.5
(S) Install pedestrian-scale lighting adjacent to public pedestrian walkways along the entire development frontage.	0.5
(S) Provide on-site car-share vehicle spaces with designated parking shown on a site plan	2
(S) Provide an on-site parking area designated for micro-mobility travel (e.g., bicycles, e-bikes, electric scooters, shared bicycles, and electric pedal-assisted bicycles)	1.5
Total Points for Mobility Choices Compliance	11.5 points

(USAI, 2022a)

Consistency with the University Community Plan Transportation Element

The University Community Plan Transportation Element contains goals and proposals to provide the community with an adequate vehicular and non-vehicular transportation system. As identified through the consistency analysis provided in Table 5.2-11, *City of San Diego Mobility Element and Bicycle Master Plan Consistency Analysis*, the Project would not conflict with the policies in the University Community Plan Transportation Element.

Table 5.2-5 University Community Plan Transportation Element Consistency Analysis

Goals and Policies	Consistency Analysis
Transportation Goals	
<p>1. Develop a transportation system designed to move people and goods safely and efficiently within the community, including linkages with other communities, and with due consideration for energy conservation.</p>	<p>No Conflict. As described in Section 3.2.2, <i>Transportation/ Circulation and Parking</i>, of this EIR, the Project includes pedestrian and bicycle improvements to promote and facilitate pedestrian and bicycle travel along existing and proposed pedestrian and bicycle facilities, including along Towne Centre Drive. The location of the Project near existing and planned non-vehicular facilities, including multiple modes of transit, would reduce vehicle miles traveled as discussed under the analysis of Issue 2, below. As discussed in Section 5.5, <i>Energy</i>, of this EIR, transportation-related energy impacts resulting from the Project would be less than significant.</p>
<p>2. Encourage the adequate provision of public transit between major activity areas such as the University, the Towne Centre and La Jolla Village Square.</p>	<p>No Conflict. The Permittee would subsidize transit passes for employees, and would provide a shuttle service to increase the Project site’s connectivity to transit within the University Community. The shuttle service would connect with the UTC transit station and to a SuperLoop transit stop at a minimum.</p>
<p>3. Provide pedestrian paths and bikeways to accommodate the community and complement the citywide systems.</p>	<p>No Conflict. Refer the consistency analysis for General Plan Mobility Element Walkable Community and Bicycling goals presented in Table 5.2-2, <i>City of San Diego Mobility Element and Bicycle Master Plan Consistency Analysis</i>. The Project would not preclude implementation of planned public bikeway facilities along Towne Centre Drive, which would serve Project employees and visitors, and provide connectivity to other bicycle facilities. Additionally, the Project would provide short- and long-term bicycle parking spaces in excess of that required by the Municipal Code. Additionally, the Project would provide associated bicycle facilities including a bicycle repair station and changing/shower facilities. The pedestrian sidewalk along Towne Centre Drive would be replaced and onsite pedestrian facilities would connect to this enhanced sidewalk, which provides connectivity to other existing sidewalks along Towne Centre Drive.</p>

Goals and Policies	Consistency Analysis
4. Encourage alternative modes of transportation by requiring developer participation in transit facility improvements, the Intra-Community Shuttle Loop and the Light Rail Transit (LRT) system.	No Conflict. Refer to the consistency analysis provided for Goals 1 and 2 above.
5. Ensure implementation of City Council Policy 600-34, Transit Planning and Development.	No Conflict. Council Policy 600-34 strongly encourages the incorporation of transit planning into Community Plan and project development. The Project is consistent with this policy because it implements the Community Plan policies on transportation, bikeways, and pedestrian access, and would implement features and programs to facilitate transit ridership.
URBAN DESIGN ELEMENT	
Overall Urban Design Goals	
Provide for the needs of pedestrians in all future design and development decisions.	No Conflict. Refer to the consistency analysis for Transportation Goal 3.
TRANSPORTATION ELEMENT	
Goals	
A. Provide a network of transportation systems that are integrated, complementary and compatible with other citywide and regional goals. The network should take into account the physical, social, economic and environmental conditions of the community, both present and future.	No Conflict. The Project would provide additional employment density toward additional transit investments and encourage employees to locate in the near-by housing where they can use the pedestrian and bicycle networks as an alternative form of getting to work. Also refer to previous consistency analysis addressing the proposed pedestrian and bicycle facilities.
B. Provide a balanced public transportation system to link the entire community to all of its own activity areas and to the San Diego metropolitan area as a whole.	No Conflict. The Project is located at the terminus of Towne Centre Drive and would provide a shuttle to link the project to the existing transit system.
C. Encourage alternative modes of transportation by requiring developer participation in transit facility improvements, the Intra-Community Shuttle Loop and the LRT line.	No Conflict. Refer to the consistency analysis provided for Goal 2 above.

3. Significance of Impacts

Less than Significant Impact. The Project would implement various Project features to reduce vehicular travel. The Project would not conflict with an adopted program, plan, ordinance or policy addressing the transportation system and this impact would be less than significant.

4. Mitigation Measures

No mitigation measures are required.

B. Issue 2**Issue 2 *Would the project result in VMT exceeding thresholds identified in the City's Transportation Study Manual?*****1. *Impact Threshold***

The methodology and significance criteria for determining VMT transportation impacts in the City of San Diego is contained in the City's TSM, which was approved in September 2022. The TSM outlines the following process for performing analysis:

1. Determine if VMT analysis is necessary by evaluating project characteristics based on the TSM screening criteria.
2. If the project does not meet any of the screening criteria, evaluate the project's VMT.
3. Compare the project VMT to the VMT significance criteria to determine if the project results in a significant VMT transportation impact.
4. If there is an impact, identify mitigation measures to reduce the project impact to less than significant.

The significance thresholds and specific VMT metrics used for different types of land uses are shown in Table 3 of the City of San Diego TSM. The Project's land use designation as a scientific research and development Project is categorized as a Commercial Employment land-use type. Table 3 of the TSM establishes that a significant impact will occur for Commercial Employment projects with a VMT per employee that is in excess of 85% of the regional mean (Employee VMT per employee).

2. *Analysis***Screening Criteria Analysis**

As specified in the City of San Diego's TSM, the requirements to prepare a detailed transportation VMT analysis applies to all land development projects, except for those projects that meet at least one of the screening criteria summarized below (refer to the TIA for a complete description of these project types):

1. **Residential or Commercial Project Located in a VMT Efficient Area:** The Project is a residential or commercial employment Project located in a VMT efficient area (15% or more below the base year average VMT per Capita or VMT per employee) based on the applicable location-based screening map produced by SANDAG.
2. **Industrial or Agricultural Project Located in a VMT Efficient Area:** The Project is an industrial employment or agricultural employment Project located in VMT efficient area (in an area with average or below-average base year Employee VMT per employee) based on the applicable location-based screening map produced by SANDAG.

3. **Small Project:** The Project is a small Project defined as generating less than 300 daily unadjusted driveway trips using the City of San Diego trip generation rates/procedures.
4. **Locally Serving Retail/Recreational Project:** The Project is a locally serving retail/recreational Project defined as having 100,000 square feet gross floor area or less and demonstrates through a market area study that the market capture area for the Project is approximately three miles (or less) and serves a population of roughly 25,000 people or less.
5. **Locally Serving Public Facility:** The Project is locally serving public facility defined as a public facility that serves the surrounding community or a public facility that is passive use.
6. **Affordable Housing:** The Project has access to transit (located within a reasonable walking distance of ½ mile from the Project site) and is wholly or has a portion that meets one of the following criteria: is affordable to persons with a household income equal to or less than 50% of the area median income (as defined by California Health and Safety Code Section 50093), housing for senior citizens [as defined in Section 143.0720(e)], housing for transitional foster youth, disabled veterans, or homeless persons [as identified in 143.0720(f)].
7. **Mixed-Use Project Screening Considerations:** The Project's individual land uses should be compared to the screening criteria above. It is possible for some of the mixed-use Project's land uses to be screened out and some to require further analysis.
8. **Redevelopment Project Screening Considerations:** The Project is a redevelopment Project that demonstrates that the proposed Project's total Project VMT is less than the existing land use's total VMT.

With respect to the Project site's location being within a VMT efficient area (criteria 1 above), Appendix B of the City of San Diego TSM provides a land-use type categorization for specific land-use designations. The Project's land use as a scientific research and development use is categorized as a Commercial Employment land-use type.

The Project, as a Commercial Employment land use, was evaluated using the SANDAG Series 14, ABM 2, Base Year 2016 VMT screening map included in Figure 2 of the Project TIA included Appendix B. As shown, the regional mean Employee VMT per employee is 27.2 miles per employee. The Project is located in Census Tract 83.39 in which the Employee VMT per employee is 32.1; which is 118.0% of the regional average. Therefore, the Project is not located in a VMT efficient area. The Project does not meet any of the screening criteria and therefore, the VMT produced by the Project must be evaluated.

VMT Analysis

Because the Project is calculated to generate more than 2,400 daily unadjusted driveway trips, the Project is required to input the Project into the SANDAG Regional Travel Demand Model to provide

the Project's employee VMT per employee. At the time of this analysis, the Series 14 ABM2 (2019 RTP) model was the latest available model and did not allow for project-specific land-use customization. Therefore, a Project-specific VMT report was obtained from SANDAG for a Series 13 ABM1 Year 2025 model run with project land use customization and zone connector adjustments for Traffic Analysis Zone (TAZ) 2202 that the Project site is within and nearest forecast year to the time the Project is expected to open (2027).

Table 3 of the TSM establishes that a significant impact will occur for Commercial Employment projects with an employee VMT per employee that is in excess of 15% below the regional mean VMT per employee (22.015 VMT per employee) or stated otherwise, greater than 85% of the regional mean. As shown in Figure 3 of the Project TIA, the Project is expected to generate 32.6 VMT per Employee based on the Series 13, Year 2025 model with customized land-use inputs obtained from SANDAG. According to SANDAG Series 13 Base Year 2012 VMT Screening Map, the Regional Mean is 25.9 VMT per Employee for the San Diego Region. As a result, the proposed Project would generate VMT at 125.87% of the regional mean. The Project would be required to reduce VMT per employee by 32.47% to reduce Project VMT to below a level of significance.⁴ Therefore, the Project would have a significant transportation VMT impact.

As discussed above under the impact analysis for Issue 1, the Project complies with the Complete Communities: Mobility Choices program regulations. The Project would implement 11.5 points of VMT reduction measures as identified in Table 5.2-3, *Mobility Choices VMT Reduction Measures*, which exceeds the minimum 5-point requirement for development in Mobility Zone 2.

As identified in the TSM and through consultation with City Development Services Department Transportation Development staff, it was determined that 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), could be used to quantify the effectiveness of proposed mitigation for the Project. CAPCOA 2021 is an update to an older (2010) CAPCOA report, which is specifically mentioned in the TSM and which forms the basis for TSM Appendix E, TDM Strategies and Effectiveness Calculations. As CAPCOA 2021 is based on the most recent research and guidance from the State of California on VMT reduction, it was determined to be the appropriate primary reference to provide substantial evidence in-lieu of the older CAPCOA guidance from 2010 which has been superseded.

CAPCOA 2021 includes multiple mitigation measures which can be implemented at a Plan/Community or a Project/Site scale in order to reduce VMT. CAPCOA 2021 mitigation measures T-6 and T-12 were determined to be appropriate for application to the Project. According to CAPCOA 2021, mitigation measures T-6 and T-12 may be used at a Project/Site scale in a suburban area such

⁴ 32.6 VMT per employee multiplied by 32.47% = 10.59 VMT per employee reduction resulting in 22.01 VMT per employee being generated

as the Project and do not conflict with other mitigation measures.⁵ Refer to EIR Appendix B1 for a detailed discussion and analysis of the VMT reduction provided with implementation of these measures.

Measures T-6 and T-12 quantify a reduction to Commute VMT where the SANDAG Series 13 ABM1 model run for the Project provides a Total Project VMT output. Therefore, a conversion ratio to apply the commute VMT reduction to the total project VMT metric is required. The conversion ratio for Commute VMT to Total Project VMT was provided by City of San Diego Development Services Department as follows:

Sr 14 ABM2 2016 Employee VMT/Employee: 32.1

Sr 14 ABM2+ 2016 Commute VMT/Employee: 25.1

Ratio = 25.1 commute VMT/32.1 total VMT = 78%

Therefore, a 78% reduction ratio was applied to the quantified effectiveness of each mitigation measure.

Mitigation measure T-6 involves implementation of a Commute Trip Reduction (CTR) Program with mandatory implementation and monitoring (refer to Mitigation Measure MM 5.2-1) and has a maximum effectiveness of 26% in commute VMT per CAPCOA 2021. The following component mitigation measures that make up mitigation measure T-6 in CAPCOA 2021 would be fully implemented with 100% employee eligibility in order to qualify for maximum effectiveness under the CTR Program:

- T-7 – Implement CTR Marketing – the Project would designate a TDM coordinator who would ensure that Commute Trip Reduction materials and policies are implemented and tracked at the Project site. This includes providing information about the benefits of transit, providing SANDAG iCommute information, ensuring flexible work hour policies are promoted, hosting a bike-to-work day promotional event, transit promotion events and ensuring facilities committed to this program remain available.
- T-8 – Provide Ridesharing Program – the Project would include tenant participation in the SANDAG iCommute program and encourage ridesharing services as recommended by the program. In addition, the Project would incorporate carpool priority parking to ensure high visibility and convenience for carpool and vanpool users.
- T-9 – Implement Subsidized or Discounted Transit Program (50%) – the proposed Project would initially subsidize transit passes for employees at 50%. The amount of the subsidy

⁵ Measures T-6 and T-12 quantify a reduction to Commute VMT where the SANDAG Series 13 ABM1 model run for the Project provides a Total Project VMT output. Therefore, a conversion ratio to apply the commute VMT reduction to the total project VMT metric is required. The conversion ratio for Commute VMT to Total Project VMT was provided by City of San Diego Development Services Department, Transportation Development staff as discussed in EIR Appendix B1. In summary, a 78% ratio was applied to the quantified effectiveness of each CAPCOA mitigation measure.

can vary over time to reach the maximum Projected effectiveness within this measure and would be monitored as part of the mandatory monitoring and reporting program.

- T-10 – Provide End-of-Trip Bicycle Facilities – a bicycle repair station, lockers, bicycle storage and showers would be provided for employees.
- T-11 – Provide Employer-Sponsored Vanpool – Project tenants would be required by lease provision to participate in SANDAG’s iCommute program including providing an employer-sponsored vanpool to promote shared vehicle usage.

Using the formula provided in CAPCOA 2021, the calculated effectiveness for the Project site would be a 26% reduction in commute VMT which converts to 20.28% reduction in total Project VMT.

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).

Mitigation measure T-12 Price Workplace Parking involves charging employees to park onsite, resulting in a reduction in single-occupancy commute trips (potential VMT reduction of 15.6%). The proposed Project intends to charge 100% of employees for parking). The proposed Project would charge \$9 per day for parking and the supportive measures below, which would result in an estimated commute VMT reduction of 20% per the formula provided in CAPCOA 2021, converted to a total Project VMT reduction of 15.6%.

As stated above, to support this level of effectiveness by ensuring the Project provides other transportation options, the Project would provide the following supportive measures, which are further described in EIR Appendix B1:

- An employee shuttle service that would increase the Project site’s connectivity to transit within the University Community area (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);
- Provision of pedestrian improvements;
- Short-term bicycle parking spaces, at least 10% beyond minimum requirement;
- 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; and
- 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.

The calculated combined effectiveness for the implementation of T-6 through T-12 CAPCOA 2021 mitigation measures is 32.72%, which exceeds the reduction target necessary for full mitigation of the Project’s significant transportation impact (32.47%). With implementation of Mitigation Measure MM 5.2-1 (incorporates CAPCOA 2021 T-6 through T-12), the Project’s VMT would be reduced to 21.9 VMT per employee, which is more than 15% below the regional mean VMT per employee (22.015 VMT per employee). Therefore, with implementation of mitigation, the Project transportation VMT impact would be less than significant.

The calculation of the application of mitigation measures are summarized in Table 5.2-6, *Project VMT Reduction Calculations*.

Table 5.2-6 Project VMT Reduction Calculations

	Employee VMT per Employee	Percentage of Regional Mean
Series 13 ABM 1, Year 2025 (Land Use Customization) Project VMT	32.6	125.87%
SANDAG Series 13 ABM 1, Base Year 2012 Regional Mean	25.9	100%
Significance Threshold (15% below Regional Mean)	22.015	85%
Project VMT After Mitigation	21.933	84.68%

Source: (USAI, 2022a)

3. Significance of Impacts

Less than Significant Impact with Mitigation. 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 significant VMT impact. The Project would be required to reduce 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 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.

4. **Mitigation Measures**

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 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:
 - i. T-12 Price Workplace Parking
 - ii. T-6 Implement Commute Trip Reduction Program (Mandatory Implementation and Reporting)
 - iii. T-7 Implement Commute Trip Reduction Marketing
 - iv. T-8 Provide Ridesharing Program
 - v. T-9 Implement Subsidized or Discounted Transit Program
 - vi. T-10 Provide End of Trip Bicycle Facilities
 - vii. T-11 Provide Employee Sponsored Vanpool
 - viii. 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:
 - i. Calculating average vehicle occupancy
 - ii. Count of daily vehicle trips to and from the site
 - iii. Online survey of employees
 - iv. Intercept surveys at building entrances
 - v. 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.

C. Issue 3

Issue 3 *Would the project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*

1. **Impact Threshold**

According to the City CEQA Significance Determination Thresholds, transportation impacts may be significant if a project would:

- *Increase traffic hazards to motor vehicles, bicyclists, or pedestrians due to proposed nonstandard design features.*

2. **Analysis**

There would be no hazardous design features or incompatible uses introduced by the Project. Construction would take place within the existing site. The proposed scientific R&D and accessory uses would be consistent with the site's land use designation of Scientific Research and Open Space within the University Community Plan and the designations of "Industrial Employment" and Prime Industrial Lands within the City of San Diego General Plan.

The Project would vacate the portion of Towne Centre Drive west of Westerra Court to the existing northern terminus (cul-de-sac) of Towne Centre Drive. As such, the intersection of Towne Centre Drive and Westerra Court would be the proposed terminus of Towne Centre Drive and require a 55-foot curb radius turnaround per the City of San Diego Street Design Manual (SDM). However, the Project proposes a deviation from SDM Section 6.1.5.3 to provide a 40-foot curb radius turnaround in lieu of the standard 55-foot curb radius at this terminus. The turnaround indicates separation between public and private right of way for drivers and the 40-foot curb radius would avoid impacts to MHPA open space area. The deviation is appropriate as there is a full-sized cul-de-sac at the end of Westerra Court, which is approximately 300 feet from the vacated section of Towne Centre Drive, which can be used for emergency vehicle turnaround. Additionally, the turnaround improvements will include continental crosswalks, directional curb ramps, and maintain the existing side-street stop control.

The Project's onsite circulation system would connect with the existing adjacent public street system (Towne Centre Drive) via two 25-foot wide driveways along Towne Centre Drive and one 30-foot wide driveway along the turnaround discussed above (refer to the conceptual site plan provided in Figure 3-1). However, the 30-foot wide driveway requires a deviation from SDMC Section 142.0560(j)(1) for maximum permitted two-way nonresidential driveway width of 25 feet within a

Parking Impact Area. Although this Project site is within the Campus Parking Impact Overlay Zone, on-street parking would be prohibited within the proposed turnaround at the intersection of Westerra Court and Towne Centre Drive and therefore on-street parking would not be impacted by the wider driveway.

The contiguous sidewalk along the north side of Towne Centre Drive adjacent to the Project site would be replaced with a non-contiguous sidewalk and as stated above, continental crosswalks would be installed at the south and east legs of the intersection of Towne Centre Drive at Westerra Court, which improves the pedestrian environment. The Project provides an internal circulation system of pathways and drive aisles to move employees and visitors within the Project site and to connections with existing and planned pedestrian facilities along Towne Centre Drive.

The LMA includes a queueing analysis and concluded that under existing conditions, all of the studied intersections are anticipated to result in a 95th percentile queue that exceeds the capacity of the turn lane without the addition of Project traffic and not as a result of adding Project traffic. Therefore, the Project does not create any safety hazards due to queueing and no off-site improvements are required as a result queueing evaluation.

The proposed driveways would not create a hazard for vehicles or people entering or exiting the site. Additionally, the Project would not result in a hazardous roadway design or unsafe roadway configuration; place incompatible uses on existing roadways; or create or place curves, slopes, or walls that impede adequate sight distance on a roadway. Moreover, because the Project would be required to comply with City standards for any public street improvements, or obtain approval for requested deviations, the Project would not significantly increase hazards due to design features or incompatible uses resulting in a less than significant impact.

3. *Significance of Impacts*

Less than Significant Impact. The Project would involve redevelopment of the Project site with scientific R&D uses in an area planned for such uses. The Project would not include any design features or incompatible uses that would substantially increase traffic hazards to motor vehicles, bicyclists, or pedestrians due to proposed nonstandard design features. This impact would be less than significant.

4. *Mitigation Measures*

No mitigation measures are required.

D. Issue 4

Issue 4 Would the project result in inadequate emergency access?

1. **Impact Threshold**

According to Appendix G of the CEQA Guidelines, transportation impacts may be significant if a project would:

- *Result in inadequate emergency access.*

2. **Analysis**

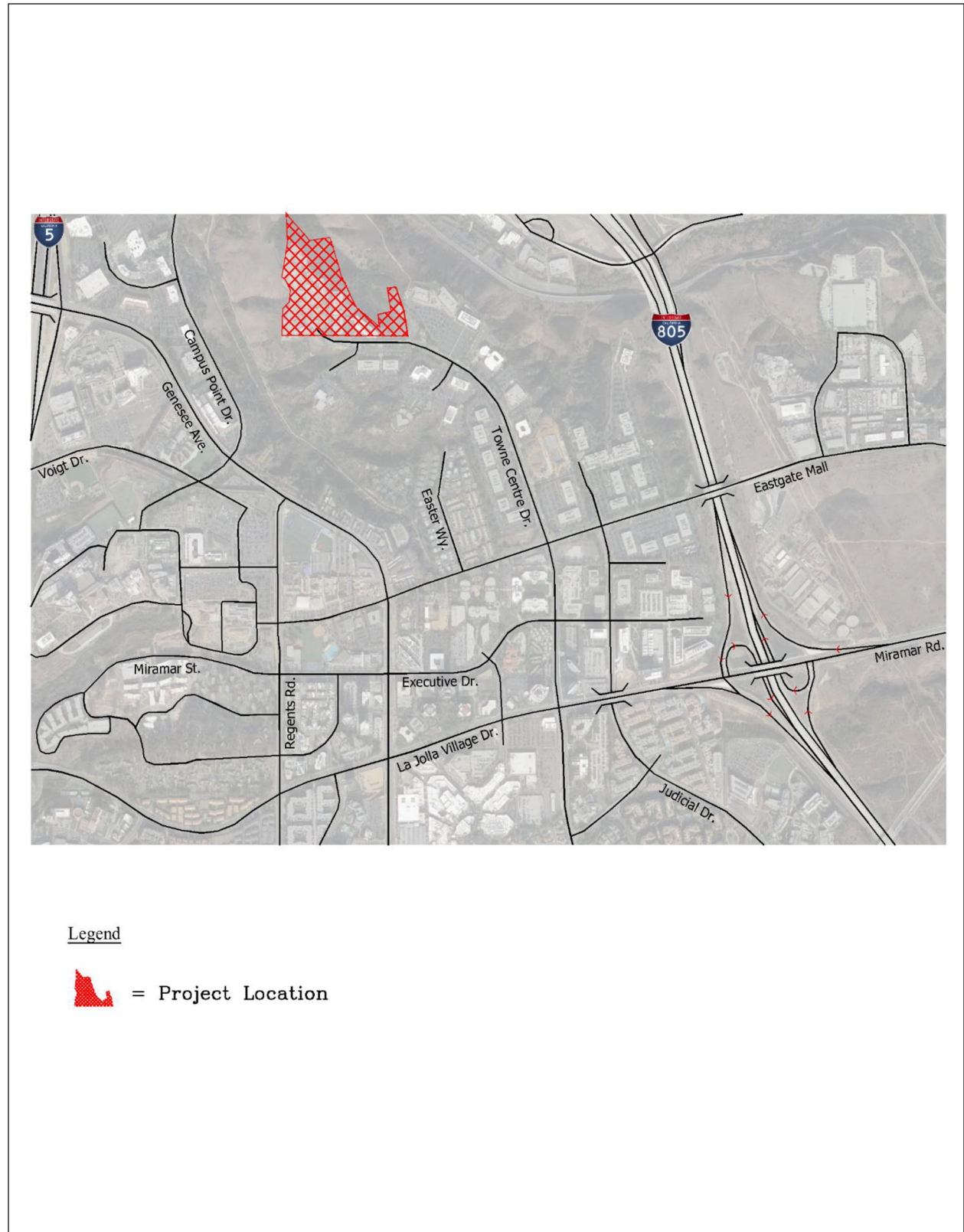
As discussed in Section 5.8, Health and Safety, Section 5.14, Public Services and Facilities, and Section 5.19, Wildfire, emergency services and access are currently provided at the Project site, which includes existing development. As shown on Figure 3-9, *Fire Access Plan*, the Project includes emergency access to the Project site from the two driveways along Towne Centre Drive and one driveway along the terminus turnaround, and 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. Additional emergency requirements, such as fire hydrants, fire hydrant markers (i.e., blue reflectors installed in the roadway), adequate vertical clearances, adequate turning radii, and fire ladder clearances, would be provided in accordance with City requirements. As discussed under Issue 3, the proposed deviations to the driveway width for the westernmost driveway and turnaround curb radius for a public street terminus would not affect emergency access. The driveways would be constructed per the City of San Diego Standard Drawings, and the existing turnaround with standard curb radius at the end of Westerra Court which is approximately 300 feet from the vacated section of Towne Centre Drive, provides adequate emergency turn around. Therefore, the Project would not result in inadequate emergency access and this impact would be less than significant.

3. **Significance of Impacts**

Less than Significant Impact. The proposed access and circulation improvements, including the proposed fire access plan, would be designed in accordance with applicable emergency access standards. The Project would not result in inadequate emergency access and impacts would be less than significant.

4. **Mitigation Measures**

No mitigation measures are required.



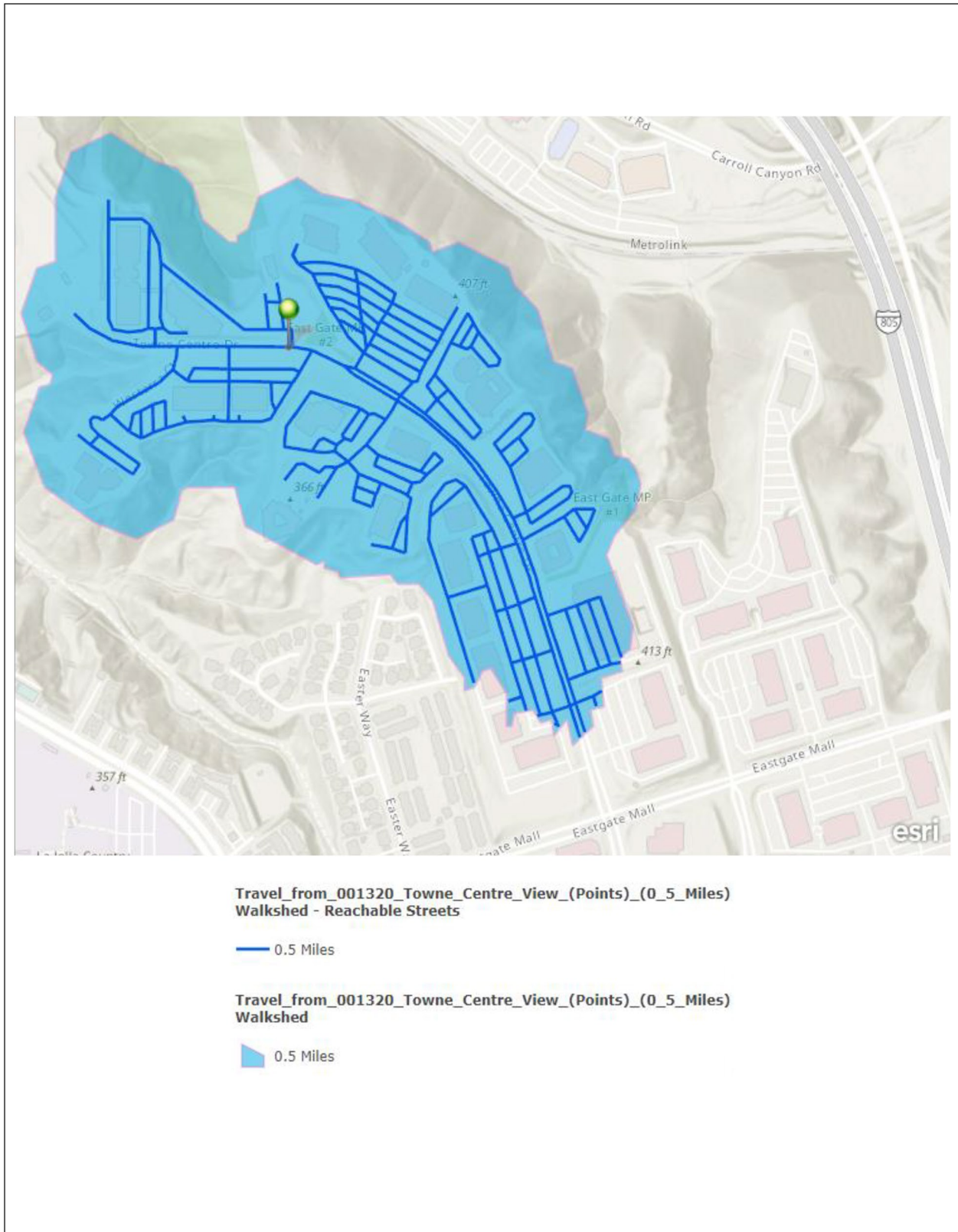
Source(s): Urbann Systems Associates, Inc. (03-24-2022)

Figure 5.2-1



Not to Scale

Project Location



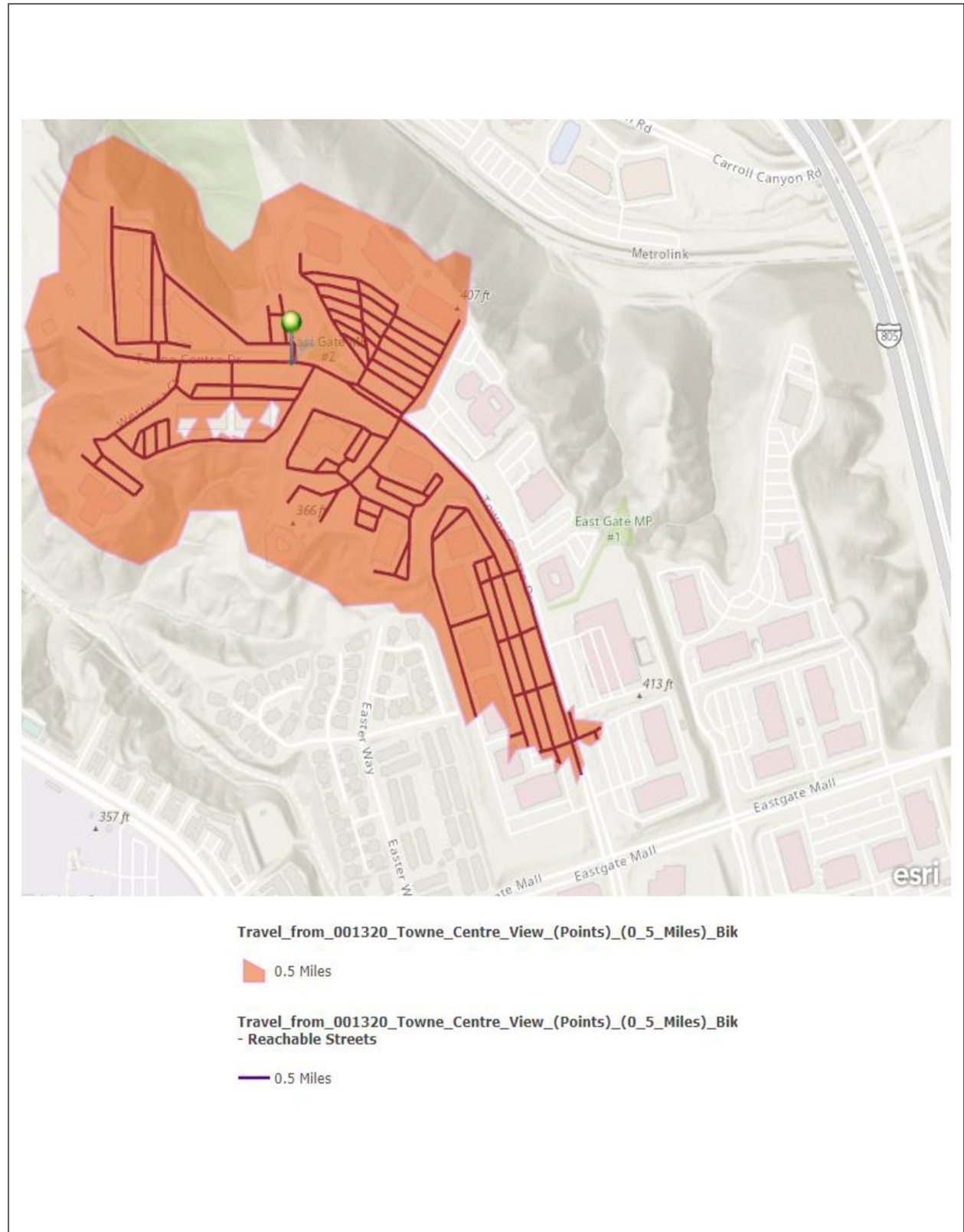
Source(s): Urbann Systems Associates, Inc. (03-24-2022)

Figure 5.2-2



Not to Scale

Walkshed Analysis



Source(s): Urbann Systems Associates, Inc. (03-24-2022)

Figure 5.2-3



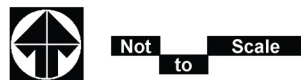
Not to Scale

Bikedshed Analysis

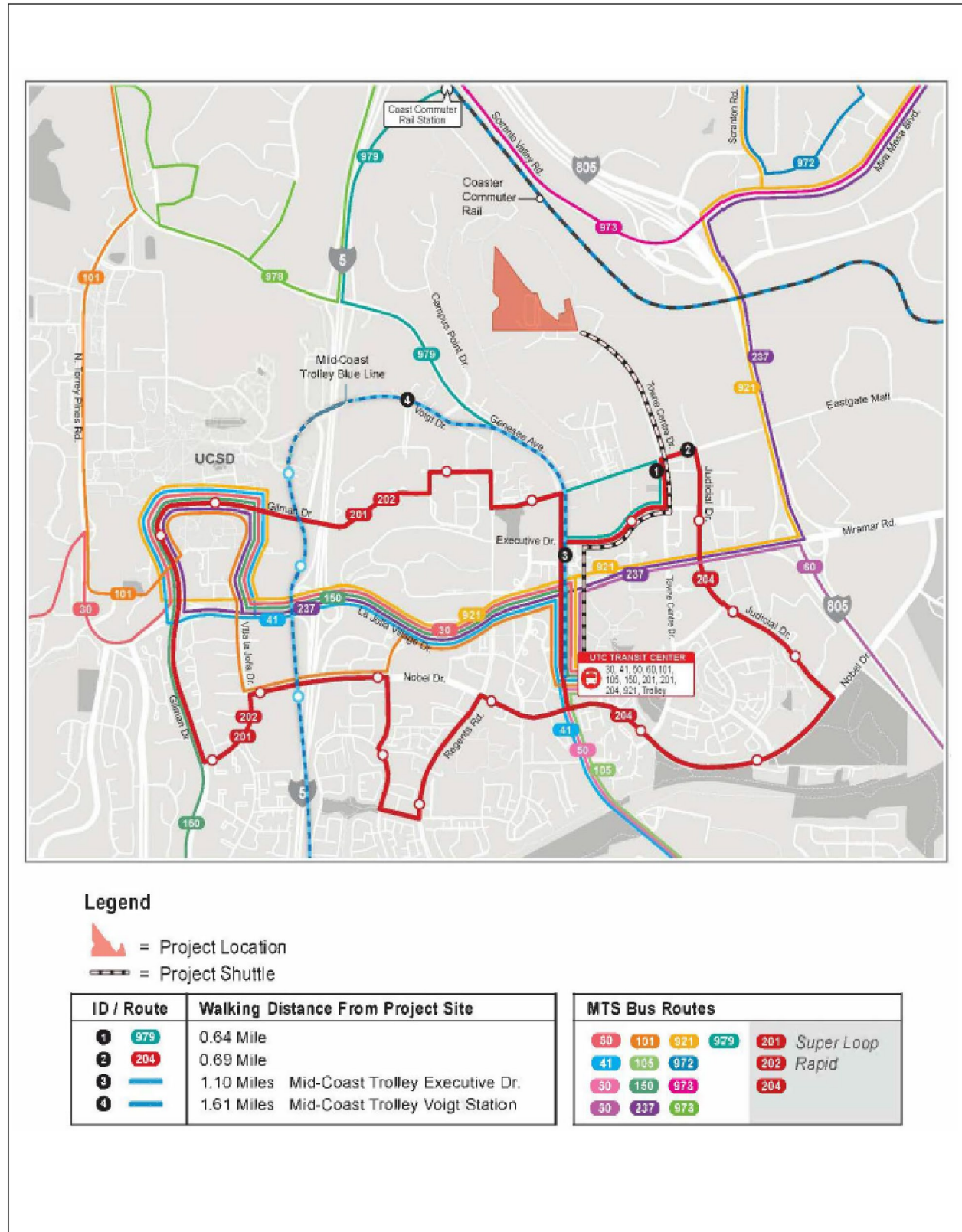


Source(s): Urban Systems Associates, Inc. (03-07-2022)

Figure 5.2-4



Transit Priority Areas Near the Project Site



Source(s): Urbann Systems Associates, Inc. (03-07-2022)

Figure 5.2-5



Not to Scale

North University City Transit Infrastructure

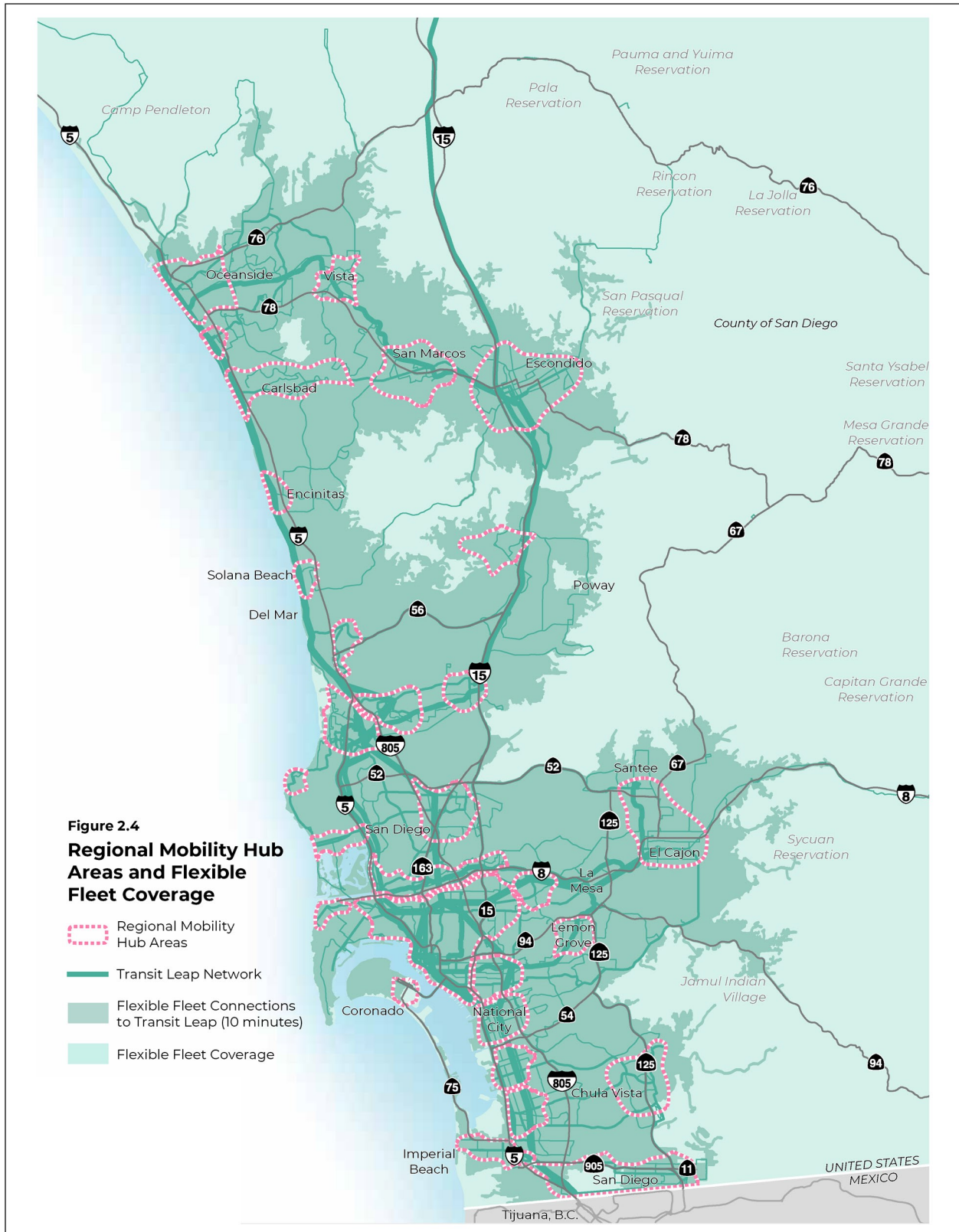


Figure 2.4
Regional Mobility Hub Areas and Flexible Fleet Coverage

-  Regional Mobility Hub Areas
-  Transit Leap Network
-  Flexible Fleet Connections to Transit Leap (10 minutes)
-  Flexible Fleet Coverage

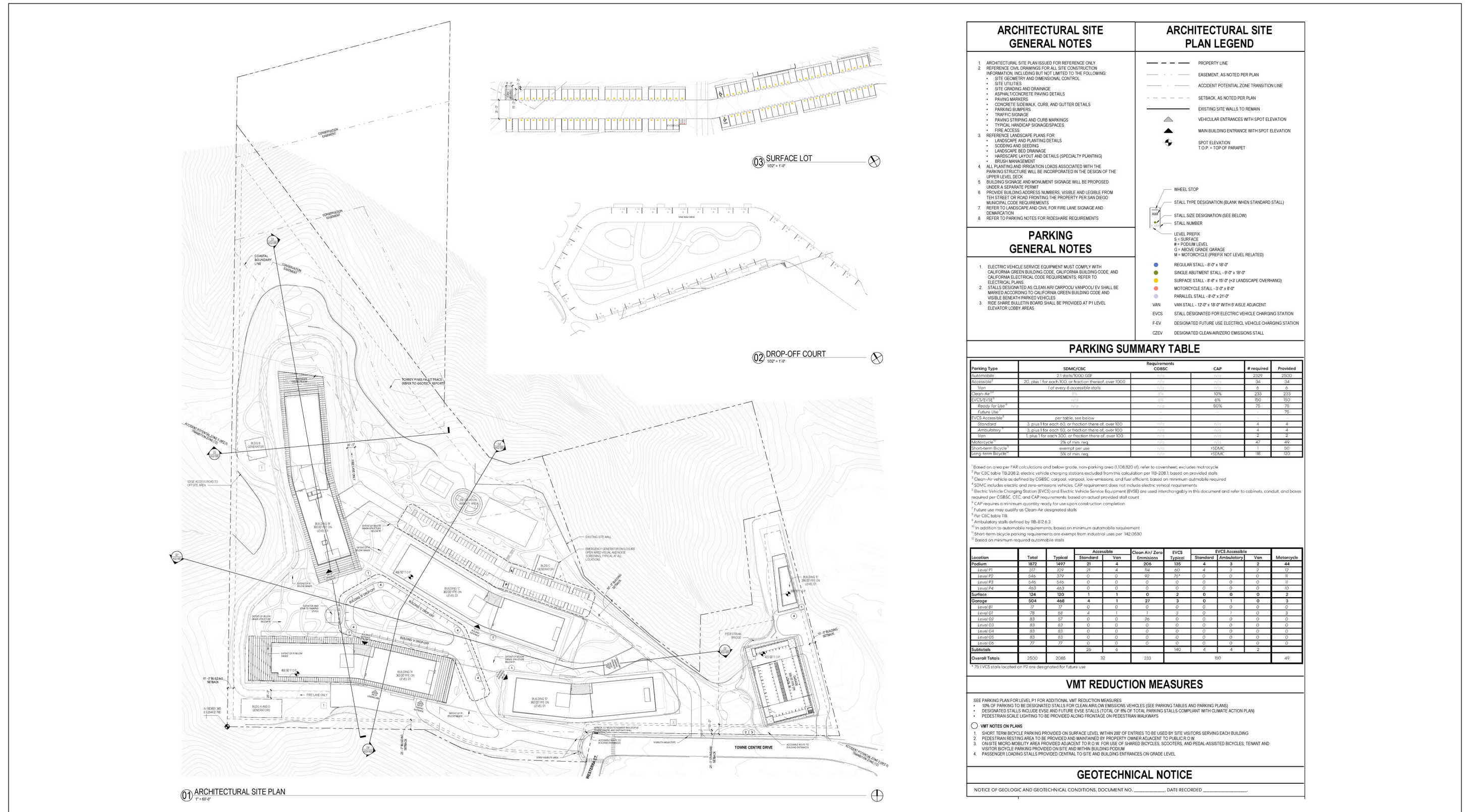
Source(s): SANDAG (2021)



Not to Scale

Figure 5.2-6

Regional Mobility Hub Areas and Flexible Fleet Coverage



ARCHITECTURAL SITE GENERAL NOTES

- ARCHITECTURAL SITE PLAN ISSUED FOR REFERENCE ONLY
- REFERENCE CIVIL DRAWINGS FOR ALL SITE CONSTRUCTION INFORMATION INCLUDING BUT NOT LIMITED TO THE FOLLOWING:
 - SITE GEOMETRY AND DIMENSIONAL CONTROL
 - SITE UTILITIES
 - SITE GRADING AND DRAINAGE
 - ASPHALT/CONCRETE PAVING DETAILS
 - PARKING MARKERS
 - CONCRETE SIDEWALK, CURB, AND GUTTER DETAILS
 - PARKING BUMPERS
 - TRAFFIC SIGNAGE
 - PAVING STRIPING AND CURB MARKINGS
 - TYPICAL HANDICAP SIGNAGE/SPACES
 - FIRE ACCESS
- REFERENCE LANDSCAPE PLANS FOR:
 - LANDSCAPE AND PLANTING DETAILS
 - SCODING AND SEEDING
 - LANDSCAPE BED DRAINAGE
 - HARDSCAPE LAYOUT AND DETAILS (SPECIALTY PLANTING)
 - BRUSH MANAGEMENT
- ALL PLANTING AND IRRIGATION LOADS ASSOCIATED WITH THE PARKING STRUCTURE WILL BE INCORPORATED IN THE DESIGN OF THE UPPER LEVEL DECK
- BUILDING SIGNAGE AND MONUMENT SIGNAGE WILL BE PROPOSED UNDER A SEPARATE PERMIT
- PROVIDE BUILDING ADDRESS NUMBERS, VISIBLE AND LEGIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY PER SAN DIEGO MUNICIPAL CODE REQUIREMENTS
- REFER TO LANDSCAPE AND CIVIL FOR FIRE LANE SIGNAGE AND DEMARCATION
- REFER TO PARKING NOTES FOR RIDE SHARE REQUIREMENTS

ARCHITECTURAL SITE PLAN LEGEND

- PROPERTY LINE
- EASEMENT AS NOTED PER PLAN
- ACCIDENT POTENTIAL ZONE TRANSITION LINE
- SETBACK AS NOTED PER PLAN
- EXISTING SITE WALLS TO REMAIN
- VEHICULAR ENTRANCES WITH SPOT ELEVATION
- MAIN BUILDING ENTRANCE WITH SPOT ELEVATION
- SPOT ELEVATION T.O.P. = TOP OF PARAPET
- 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
- CZEVD DESIGNATED CLEAN AIR ZERO EMISSIONS STALL

PARKING GENERAL NOTES

- ELECTRIC VEHICLE SERVICE EQUIPMENT MUST COMPLY WITH CALIFORNIA GREEN BUILDING CODE, CALIFORNIA BUILDING CODE, AND CALIFORNIA ELECTRICAL CODE REQUIREMENTS. REFER TO ELECTRICAL PLANS
- STALLS DESIGNATED AS CLEAN AIR/ CARPOOL/VANPOOL/ EV SHALL BE MARKED ACCORDING TO CALIFORNIA GREEN BUILDING CODE AND VISIBLE BENEATH PARKED VEHICLES
- FIRE SHARER BULLETIN BOARD SHALL BE PROVIDED AT P1 LEVEL ELEVATOR LOBBY AREAS

PARKING SUMMARY TABLE

Parking Type	SDMC/CBC	Requirements CGBCS	CAP	# required	Provided
Automobile	2.1 stalls/1000 GSF	100%	100%	2329	2500
Accessible ¹	2% plus 1 for each 100, or fraction thereof, over 1000	100%	100%	54	54
Van	1 stall every 8 accessible stalls	100%	100%	4	0
Clean-Air ²		10%	10%	233	233
EVCS/EVSE ³		10%	6%	150	150
Ready for Use ⁴		100%	50%	75	75
Future Use				75	75
EVCS Accessible ⁵	per table, see below				
Skateboard	3, plus 1 for each 50, or fraction thereof, over 100	100%	100%	4	4
Ambulatory ⁶	1, plus 1 for each 100, or fraction thereof, over 100	100%	100%	4	4
Van	1, plus 1 for each 500, or fraction thereof, over 100	100%	100%	2	2
Motorcycles ⁷	2% of min. req.	100%	100%	47	49
Short-term Bicycle ⁸	exempt per use	100%	100%	18	18
Long-term Bicycle ⁹	2% of min. req.	100%	100%	18	18

Location	Total	Typical	Standards	Van	Clean Air/ Zero Emissions	EVCS	Standards	EVCS Accessible	Van	Motorcycle
Podium	1872	1497	21	4	204	155	4	3	2	44
Level P1	317	312	21	4	144	60	4	3	2	12
Level P2	545	379	0	0	127	75*	0	0	0	11
Level P3	265	245	0	0	0	0	0	0	0	0
Level P4	453	443	0	0	0	0	0	0	0	10
Surface	124	120	1	1	0	2	0	0	0	2
Garage	904	468	4	1	27	3	0	1	0	3
Level G1	17	17	0	0	0	0	0	0	0	0
Level G2	78	68	4	1	1	3	0	1	0	3
Level G3	83	67	0	0	26	0	0	0	0	0
Level G4	83	68	0	0	0	0	0	0	0	0
Level G5	83	63	0	0	0	0	0	0	0	0
Level G6	77	77	0	0	0	0	0	0	0	0
Subtotal	4	25	0	0	160	4	4	2	0	49
Overall Totals	2500	2085	32	9	233	150	4	3	2	49

*75 EVCS stalls located on P2 are designated for future use

VMT REDUCTION MEASURES

SEE PARKING PLAN FOR LEVEL P1 FOR ADDITIONAL VMT REDUCTION MEASURES

- 10% OF PARKING TO BE DESIGNATED STALLS FOR CLEAN AIR/CW EMISSIONS VEHICLES (SEE PARKING TABLES AND PARKING PLANS)
- DESIGNATED STALLS INCLUDE EVSE AND FUTURE EVSE STALLS (TOTAL OF 8% OF TOTAL PARKING STALLS COMPLIANT WITH CLIMATE ACTION PLAN)
- PEDESTRIAN SCALE LIGHTING TO BE PROVIDED ALONG FRONTAGE ON PEDESTRIAN WALKWAYS

VMT NOTES ON PLANS

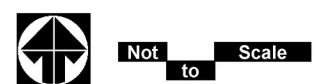
- SHORT TERM BICYCLE PARKING PROVIDED ON SURFACE LEVEL WITHIN 200' OF ENTRIES TO BE USED BY SITE VISITORS SERVING EACH BUILDING
- PEDESTRIAN RESTING AREA TO BE PROVIDED AND MAINTAINED BY PROPERTY OWNER ADJACENT TO PUBLIC R.O.W.
- ON-SITE MICRO-MOBILITY AREA PROVIDED ADJACENT TO R.O.W. FOR USE OF SHARED BICYCLES, SCOOTERS, AND PEDAL-ASSISTED BICYCLES, TENANT AND VISITOR BICYCLE PARKING PROVIDED ON SITE AND WITHIN BUILDING PODIUM
- PASSENGER LOADING STALLS PROVIDED CENTRAL TO SITE AND BUILDING ENTRANCES ON GRADE LEVEL

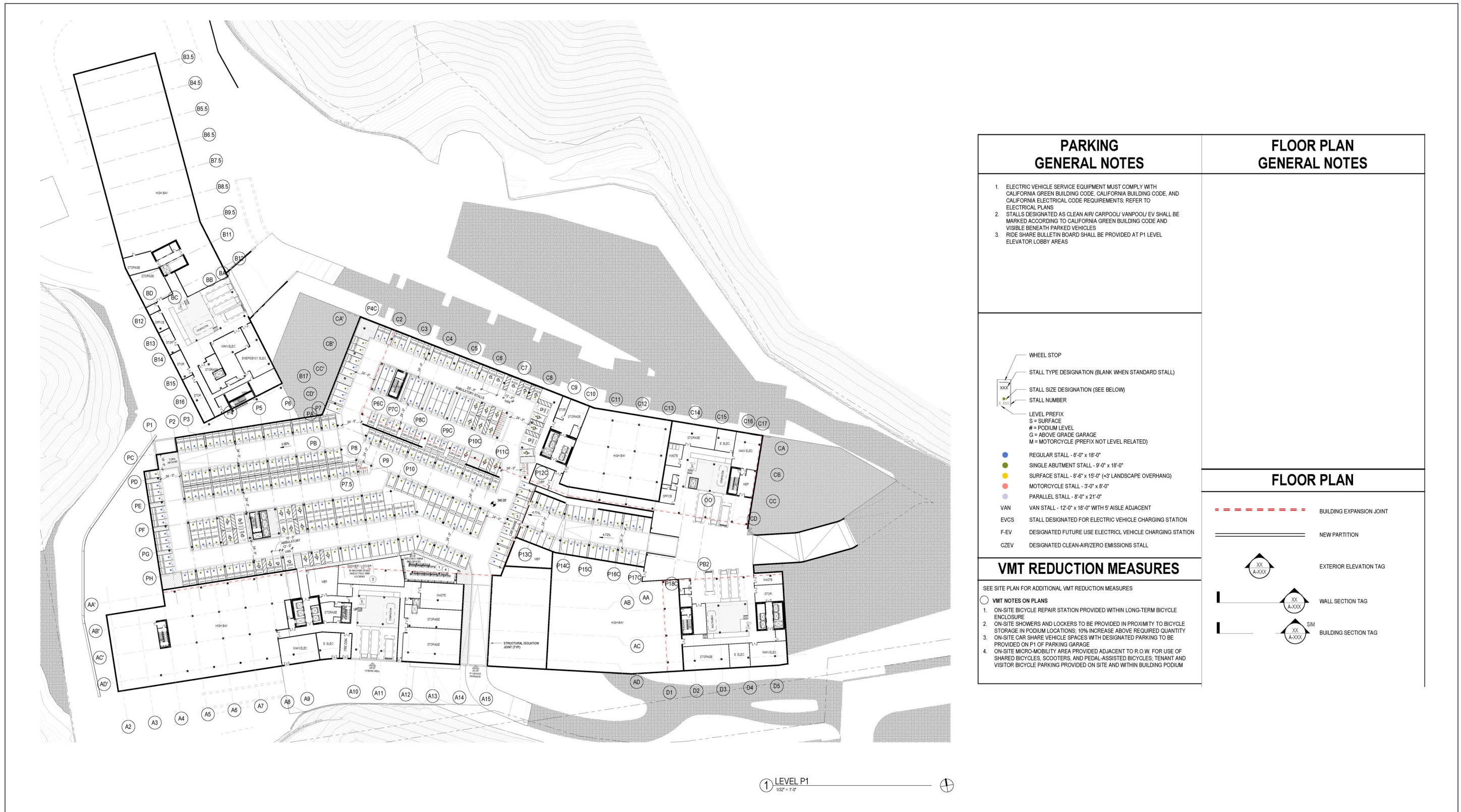
GEOTECHNICAL NOTICE

NOTICE OF GEOLOGIC AND GEOTECHNICAL CONDITIONS, DOCUMENT NO. _____, DATE RECORDED _____

Source(s): Perkins&Will (April 2022)

Figure 5.2-7





Source(s): Perkins&Will (April 2022)

Figure 5.2-7b

5.3 AIR QUALITY AND ODORS

This section presents a summary of the results of an assessment of potential air quality impacts associated with the Towne Centre View Project (Project). The information in this section is based on the *Towne Centre View Air Quality Impact Analysis, City of San Diego*, prepared by Urban Crossroads, Inc. (July 2022) and included as Appendix C of this Environmental Impact Report (EIR).

5.3.1 Existing Conditions

A. San Diego Air Basin

The Project site is located approximately 2 miles east of the Pacific Ocean in San Diego County. San Diego County is within the San Diego Air Basin (SDAB), one of the 15 air basins that geographically divide the state of California. The eastern portion of the SDAB is surrounded by mountains to the north, east, and south. These mountains tend to restrict airflow and concentrate pollutants in the valleys and low-lying areas.

B. Regional Climate

The City, like the rest of San Diego County, has a Mediterranean climate characterized by warm, dry summers and mild winters. The mean annual temperature for the City is 63 degrees Fahrenheit (°F). The average annual precipitation is 13 inches, falling primarily from November to April. Winter low temperatures in the City average about 44°F, and summer high temperatures average about 80°F. The average relative humidity is 69% and is based on the yearly average humidity at Lindbergh Field.

The dominant meteorological feature affecting the region is the Pacific High-Pressure Zone, which produces the prevailing westerly to northwesterly winds. These winds tend to blow pollutants away from the coast toward the inland areas. Consequently, air quality near the coast is generally better than that which occurs at the base of the coastal mountain range.

Fluctuations in the strength and pattern of winds from the Pacific High-Pressure Zone interacting with the daily local cycle produce periodic temperature inversions that influence the dispersal or containment of air pollutants in the SDAB. Beneath the inversion layer pollutants become “trapped” as their ability to disperse diminishes. The mixing depth is the area under the inversion layer. Generally, the morning inversion layer is lower than the afternoon inversion layer. The greater differences between the morning and afternoon mixing depths correspond to increased dispersion of pollutants in the atmosphere. Throughout the year, the height of the temperature inversion in the afternoon varies between approximately 1,500 and 2,500 feet above mean sea level (AMSL). In the winter, the morning inversion layer is about 800 feet AMSL. In the summer, the morning inversion layer is about 1,100 feet AMSL. Therefore, air quality generally tends to be better in the winter than in the summer.

The prevailing westerly wind pattern is sometimes interrupted by regional “Santa Ana” conditions. A Santa Ana occurs when a strong high pressure develops over the Nevada-Utah area and overcomes

the prevailing westerly coastal winds, sending strong, steady, hot, dry northeasterly winds over the mountains and out to sea. Strong Santa Ana winds tend to blow pollutants out over the ocean, producing clear days. However, at the onset or during breakdown of these conditions, or if the Santa Ana is weak, local air quality may be adversely affected. In these cases, emissions from the South Coast Air Basin to the north are blown out over the ocean, and low pressure over Baja California, Mexico, draws this pollutant-laden air mass southward. As the high pressure weakens, prevailing northwesterly winds reassert themselves and send this cloud of contamination ashore in the SDAB. When this event does occur, the combination of transported and locally produced contaminants produce the worst air quality measurements recorded in the basin.

C. Criteria Pollutants

Criteria pollutants are pollutants that are regulated through the development of human health based and/or environmentally based criteria for setting permissible levels. In general, air pollutants include Carbon Monoxide (CO), Sulfur Dioxide (SO₂), Nitrogen Dioxide (NO_x), Ozone (O₃), Particulate Matter (PM), Volatile Organic Compounds (VOC), Reactive Organic Compounds (ROG), lead (Pb), and odor. These compounds, their typical sources, and health effects are identified below; a detailed description is provided in Table 2-1, *Criteria Pollutants*, of the Air Quality Impact Analysis:

- **Carbon Monoxide (CO)** is a colorless, odorless gas produced by the incomplete combustion of carbon-containing fuels, such as gasoline or wood. CO concentrations tend to be the highest in the winter during the morning, when little to no wind and surface-based inversions trap the pollutant at ground levels. CO is emitted directly from internal combustion engines; therefore, motor vehicles operating at slow speeds are the primary source of CO in the SCAB. The highest ambient CO concentrations are generally found near congested transportation corridors and intersections. Individuals with a deficient blood supply to the heart are the most susceptible to the adverse effects of CO exposure. The effects observed include earlier onset of chest pain with exercise, and electrocardiograph changes indicative of decreased oxygen supply to the heart. Inhaled CO has no direct toxic effect on the lungs, but exerts its effect on tissues by interfering with oxygen transport and competing with oxygen to combine with hemoglobin present in the blood to form carboxyhemoglobin (COHb). Therefore, conditions with an increased demand for oxygen supply can be adversely affected by exposure to CO. Individuals most at risk to the effects of CO include fetuses, patients with diseases involving heart and blood vessels, and patients with chronic oxygen deficiency.
- **Sulfur Dioxide (SO₂)** is a colorless gas or liquid. SO₂ enters the atmosphere as a pollutant mainly as a result of burning high sulfur-content fuel oils and coal and from chemical processes occurring at chemical plants and refineries. When SO₂ oxidizes in the atmosphere, it forms sulfates (SO₄). Collectively, these pollutants are referred to as sulfur oxides (SO_x). SO₂ is a respiratory irritant to people afflicted with asthma. After acute exposure to SO₂, asthma sufferers can experience breathing difficulties, including airway constriction and reduction in breathing capacity. Although healthy individuals do not exhibit similar acute breathing difficulties even after exposure to higher concentrations to SO₂, animal studies suggest that

very high levels of exposure can cause lung edema (fluid accumulation), lung tissue damage, and sloughing off of cells lining the respiratory tract.

- **Nitrogen Oxides (NO_x)** consist of nitric oxide (NO), nitrogen dioxide (NO₂) and nitrous oxide (N₂O) and are formed when nitrogen (N₂) combines with oxygen (O₂). Their lifespan in the atmosphere ranges from one to seven days for nitric oxide and nitrogen dioxide, to 170 years for nitrous oxide. Nitrogen oxides are typically created during combustion processes, and are major contributors to smog formation and acid deposition. NO₂ is a criteria air pollutant, and may result in numerous adverse health effects; it absorbs blue light, resulting in a brownish-red cast to the atmosphere, and reduced visibility. Of the nitrogen oxide compounds, NO₂ is the most abundant in the atmosphere. As ambient concentrations of NO₂ are related to traffic density, commuters in heavy traffic may be exposed to higher concentrations of NO₂ than those indicated by regional monitoring stations. Population-based studies suggest that an increase in acute respiratory illness, including infections and respiratory symptoms in children (not infants), is associated with long-term exposure to NO₂. Short-term exposure to NO₂ can result in resistance to air flow and airway contraction in healthy subjects. Exposure to NO₂ can result in decreases in lung functions in individuals with asthma or chronic obstructive pulmonary diseases (e.g., chronic bronchitis, emphysema), as these individuals are more susceptible to the effects of NO_x than healthy individuals.
- **Ozone (O₃)** is a highly reactive and unstable gas that is formed when volatile organic compounds (VOCs) and NO_x, both byproducts of internal combustion engine exhaust, undergo slow photochemical reactions in the presence of sunlight. Ozone concentrations are generally highest during the summer months when direct sunlight, warm temperatures, and light wind conditions are favorable to the formation of this pollutant. Short-term exposure (lasting for a few hours) to ozone at levels typically observed in Southern California can result in breathing pattern changes, reduction of breathing capacity, increased susceptibility to infections, inflammation of the lung tissue, and some immunological changes. Individuals exercising outdoors, children, and people with preexisting lung disease, such as asthma and chronic pulmonary lung disease, are considered to be the most susceptible sub-groups for ozone effects. An increased risk for asthma has been found in children who participate in multiple sports and reside in communities with high ozone levels.
- **Particulate Matter less than 10 microns (PM₁₀)** is a major air pollutant consisting of tiny solid or liquid particles of soot, dust, smoke, fumes, and aerosols. The size of the particles (10 microns or smaller, about 0.0004 inches or less) allows them to enter the lungs where they may be deposited, resulting in the adverse health effects discussed below for PM_{2.5}. PM₁₀ also causes visibility reduction.
- **Particulate Matter less than 2.5 microns (PM_{2.5})** is a similar air pollutant to PM₁₀ consisting of tiny solid or liquid particles which are 2.5 microns or smaller (which is often referred to as fine particles). These particles are formed in the atmosphere from primary gaseous emissions that include sulfates formed from SO₂ release from power plants and industrial facilities and

nitrates that are formed from NO_x release from power plants, automobiles and other types of combustion sources. The chemical composition of fine particles is highly dependent on location, time of year, and weather conditions. Elevated ambient concentrations of fine particulate matter (PM₁₀ and PM_{2.5}) have been linked to an increase in respiratory infections, number, and severity of asthma attacks, and increased hospital admissions. Some studies have reported an association between long-term exposure to air pollution dominated by fine particles and increased mortality, reduction in life-span, and an increased mortality from lung cancer. Daily fluctuations in PM_{2.5} concentration levels have also been related to hospital admissions for acute respiratory conditions in children, to a decrease in respiratory lung volumes in normal children, and to increased medication use in children and adults with asthma. Recent studies show lung function growth in children is reduced with long-term exposure to particulate matter. The elderly, people with pre-existing respiratory or cardiovascular disease, and children, appear to be more susceptible to the effects of high levels of PM₁₀ and PM_{2.5}.

- **Volatile Organic Compounds (VOCs) and Reactive Organic Gasses (ROGs)** are hydrocarbon compounds (any compound containing various combinations of hydrogen and carbon atoms) that exist in the ambient air. Both VOCs and ROGs are precursors to ozone and contribute to the formation of smog through atmospheric photochemical reactions. VOCs and ROGs have different levels of reactivity; that is, they do not react at the same speed or do not form ozone to the same extent when exposed to photochemical processes. VOCs often have an odor, including such common VOCs as gasoline, alcohol, and the solvents used in paints. Breathing VOCs can irritate the eye, nose, and throat, can cause difficulty breathing and nausea, and can damage the central nervous system as well as other organs. reduce respiratory volume. Some VOCs can cause cancer. ROGs have similar health effects to VOCs
- **Lead (Pb)** is a heavy metal that is highly persistent in the environment. Historically, the primary source of lead in the air was emissions from vehicles burning leaded gasoline. Currently, emissions of lead are largely limited to stationary sources such as lead smelters. Exposure to low levels of lead can adversely affect the development and function of the central nervous system, leading to learning disorders, distractibility, inability to follow simple commands, and lower intelligence quotient. In adults, increased lead levels are associated with increased blood pressure. Lead poisoning can cause anemia, lethargy, seizures, and death. Fetuses, infants, and children are more sensitive than others to the adverse effects of lead exposure.
- **Odor** is the perception experienced by a person when one or more chemical substances in the air come into contact with the human olfactory nerves. Odors can come from many sources including animals, human activities, industry, natures, and vehicles. Offensive odors can potentially affect human health in several ways. First, odorant compounds can irritate the eye, nose, and throat, which can reduce respiratory volume. Second, studies have shown that the VOCs that cause odors can stimulate sensory nerves to cause neurochemical changes that might influence health, for instance, by compromising the immune system.

Finally, unpleasant odors can trigger memories or attitudes linked to unpleasant odors, causing cognitive and emotional effects such as stress.

D. Existing Air Quality

Air quality is measured at established San Diego Air Pollution Control District (SDAPCD) air quality monitoring stations. Monitored air quality is evaluated in the context of ambient air quality standards. These standards are the levels of air quality that are considered safe, with an adequate margin of safety, to protect the public health and welfare. National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) currently in effect are shown in Table 5.3-1, *Ambient Air Quality Standards*.

The determination of whether a region's air quality is healthful or unhealthful is determined by comparing contaminant levels in ambient air samples to the state and federal standards. At the time of this Air Quality Impact Analysis, the most recent state and federal standards were updated by the California Air Resources Board (CARB) on May 4, 2016 and are presented in Table 5.3-1. The air quality in a region is considered to be in attainment by the state if the measured ambient air pollutant levels for O₃, CO (except 8-hour Lake Tahoe), SO₂ (1 and 24 hour), NO₂, PM₁₀, and PM_{2.5} are equal to or do not exceed the established air quality standards. All other pollutants are considered not to be in attainment if they exceed the values. Attainment status for a pollutant means that the SDAB meets the standards set by the U.S. Environmental Protection Agency (EPA) or the California EPA (CalEPA). Conversely, nonattainment means that an area has monitored air quality that does not meet the NAAQS or CAAQS standards. To improve air quality in nonattainment areas, a State Implementation Plan (SIP) is drafted by CARB. The SIP outlines the measures that the state will take to improve air quality. Once nonattainment areas meet the standards and additional redesignation requirements, the EPA will designate the area as a maintenance area.

Table 5.3-1 Ambient Air Quality Standards

Ambient Air Quality Standards						
Pollutant	Averaging Time	California Standards ¹		National Standards ²		
		Concentration ³	Method ⁴	Primary ^{3,5}	Secondary ^{3,6}	Method ⁷
Ozone (O ₃) ⁸	1 Hour	0.09 ppm (180 µg/m ³)	Ultraviolet Photometry	—	Same as Primary Standard	Ultraviolet Photometry
	8 Hour	0.070 ppm (137 µg/m ³)		0.070 ppm (137 µg/m ³)		
Respirable Particulate Matter (PM10) ⁹	24 Hour	50 µg/m ³	Gravimetric or Beta Attenuation	150 µg/m ³	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	20 µg/m ³		—		
Fine Particulate Matter (PM2.5) ⁹	24 Hour	—	—	35 µg/m ³	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	12 µg/m ³	Gravimetric or Beta Attenuation	12.0 µg/m ³		
Carbon Monoxide (CO)	1 Hour	20 ppm (23 mg/m ³)	Non-Dispersive Infrared Photometry (NDIR)	35 ppm (40 mg/m ³)	—	Non-Dispersive Infrared Photometry (NDIR)
	8 Hour	9.0 ppm (10 mg/m ³)		9 ppm (10 mg/m ³)	—	
	8 Hour (Lake Tahoe)	6 ppm (7 mg/m ³)		—	—	
Nitrogen Dioxide (NO ₂) ¹⁰	1 Hour	0.18 ppm (339 µg/m ³)	Gas Phase Chemiluminescence	100 ppb (188 µg/m ³)	—	Gas Phase Chemiluminescence
	Annual Arithmetic Mean	0.030 ppm (57 µg/m ³)		0.053 ppm (100 µg/m ³)	Same as Primary Standard	
Sulfur Dioxide (SO ₂) ¹¹	1 Hour	0.25 ppm (655 µg/m ³)	Ultraviolet Fluorescence	75 ppb (196 µg/m ³)	—	Ultraviolet Fluorescence; Spectrophotometry (Pararosaniline Method)
	3 Hour	—		—	0.5 ppm (1300 µg/m ³)	
	24 Hour	0.04 ppm (105 µg/m ³)		0.14 ppm (for certain areas) ¹¹	—	
	Annual Arithmetic Mean	—		0.030 ppm (for certain areas) ¹¹	—	
Lead ^{12,13}	30 Day Average	1.5 µg/m ³	Atomic Absorption	—	—	High Volume Sampler and Atomic Absorption
	Calendar Quarter	—		1.5 µg/m ³ (for certain areas) ¹²	Same as Primary Standard	
	Rolling 3-Month Average	—		0.15 µg/m ³		
Visibility Reducing Particles ¹⁴	8 Hour	See footnote 14	Beta Attenuation and Transmittance through Filter Tape	No National Standards		
Sulfates	24 Hour	25 µg/m ³	Ion Chromatography			
Hydrogen Sulfide	1 Hour	0.03 ppm (42 µg/m ³)	Ultraviolet Fluorescence			
Vinyl Chloride ¹²	24 Hour	0.01 ppm (26 µg/m ³)	Gas Chromatography			

See footnotes on next page ...

1. California standards for ozone, carbon monoxide (except 8-hour Lake Tahoe), sulfur dioxide (1 and 24 hour), nitrogen dioxide, and particulate matter (PM₁₀, PM_{2.5}, and visibility reducing particles), are values that are not to be exceeded. All others are not to be equaled or exceeded. California ambient air quality standards are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations.
2. National standards (other than ozone, particulate matter, and those based on annual arithmetic mean) are not to be exceeded more than once a year. The ozone standard is attained when the fourth highest 8-hour concentration measured at each site in a year, averaged over three years, is equal to or less than the standard. For PM₁₀, the 24 hour standard is attained when the expected number of days per calendar year with a 24-hour average concentration above 150 µg/m³ is equal to or less than one. For PM_{2.5}, the 24 hour standard is attained when 98 percent of the daily concentrations, averaged over three years, are equal to or less than the standard. Contact the U.S. EPA for further clarification and current national policies.
3. Concentration expressed first in units in which it was promulgated. Equivalent units given in parentheses are based upon a reference temperature of 25°C and a reference pressure of 760 torr. Most measurements of air quality are to be corrected to a reference temperature of 25°C and a reference pressure of 760 torr; ppm in this table refers to ppm by volume, or micromoles of pollutant per mole of gas.
4. Any equivalent measurement method which can be shown to the satisfaction of the ARB to give equivalent results at or near the level of the air quality standard may be used.
5. National Primary Standards: The levels of air quality necessary, with an adequate margin of safety to protect the public health.
6. National Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.
7. Reference method as described by the U.S. EPA. An "equivalent method" of measurement may be used but must have a "consistent relationship to the reference method" and must be approved by the U.S. EPA.
8. On October 1, 2015, the national 8-hour ozone primary and secondary standards were lowered from 0.075 to 0.070 ppm.
9. On December 14, 2012, the national annual PM_{2.5} primary standard was lowered from 15 µg/m³ to 12.0 µg/m³. The existing national 24-hour PM_{2.5} standards (primary and secondary) were retained at 35 µg/m³, as was the annual secondary standard of 15 µg/m³. The existing 24-hour PM₁₀ standards (primary and secondary) of 150 µg/m³ also were retained. The form of the annual primary and secondary standards is the annual mean, averaged over 3 years.
10. To attain the 1-hour national standard, the 3-year average of the annual 98th percentile of the 1-hour daily maximum concentrations at each site must not exceed 100 ppb. Note that the national 1-hour standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the national 1-hour standard to the California standards the units can be converted from ppb to ppm. In this case, the national standard of 100 ppb is identical to 0.100 ppm.
11. On June 2, 2010, a new 1-hour SO₂ standard was established and the existing 24-hour and annual primary standards were revoked. To attain the 1-hour national standard, the 3-year average of the annual 99th percentile of the 1-hour daily maximum concentrations at each site must not exceed 75 ppb. The 1971 SO₂ national standards (24-hour and annual) remain in effect until one year after an area is designated for the 2010 standard, except that in areas designated nonattainment for the 1971 standards, the 1971 standards remain in effect until implementation plans to attain or maintain the 2010 standards are approved.
Note that the 1-hour national standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the 1-hour national standard to the California standard the units can be converted to ppm. In this case, the national standard of 75 ppb is identical to 0.075 ppm.
12. The ARB has identified lead and vinyl chloride as 'toxic air contaminants' with no threshold level of exposure for adverse health effects determined. These actions allow for the implementation of control measures at levels below the ambient concentrations specified for these pollutants.
13. The national standard for lead was revised on October 15, 2008 to a rolling 3-month average. The 1978 lead standard (1.5 µg/m³ as a quarterly average) remains in effect until one year after an area is designated for the 2008 standard, except that in areas designated nonattainment for the 1978 standard, the 1978 standard remains in effect until implementation plans to attain or maintain the 2008 standard are approved.
14. In 1989, the ARB converted both the general statewide 10-mile visibility standard and the Lake Tahoe 30-mile visibility standard to instrumental equivalents, which are "extinction of 0.23 per kilometer" and "extinction of 0.07 per kilometer" for the statewide and Lake Tahoe Air Basin standards, respectively.

Source: (Urban Crossroads, 2022a, Table 2-2)

E. Regional Air Quality

Air pollution contributes to a wide variety of adverse health effects. The EPA has established NAAQS for six of the most common air pollutants: CO, Pb, O₃, particulate matter (PM₁₀ and PM_{2.5}), NO₂, and SO₂ which are known as criteria pollutants (as discussed previously). The SDAPCD monitors levels of various criteria pollutants at 12 permanent monitoring stations throughout the air district. On February 21, 2019, CARB posted the 2018 amendments to the state and national area designations. The attainment status for criteria pollutants within the SDAB is summarized in Table 5.3-2, *Attainment Status of Criteria Pollutants in the San Diego Air Basin*.

Table 5.3-2 Attainment Status of Criteria Pollutants in the San Diego Air Basin

Criteria Pollutant	State Designation	Federal Designation
O ₃ – 8-hour standard	Nonattainment	Nonattainment
O ₃ – 1-hour standard	Nonattainment	Attainment
PM ₁₀	Nonattainment	Unclassifiable/Attainment
PM _{2.5}	Nonattainment	Attainment
CO	Attainment	Attainment/Maintenance
NO ₂	Attainment	Attainment
SO ₂	Attainment	Attainment
Pb ^A	Attainment	Attainment

"-" = The national 1-hour O₃ standard was revoked effective June 15, 2005.

^AThe Federal nonattainment designation for lead is only applicable towards the Los Angeles County portion of the SDAB.

Source: (Urban Crossroads, 2022a, Table 2-3)

F. Local Air Quality

Air quality at a particular location is a function of the kinds, amounts, and dispersal rates of pollutants being emitted into the air locally and throughout the basin. The major factors affecting pollutant dispersion are wind speed and direction, the vertical dispersion of pollutants (which is affected by inversions), and the local topography. Air quality is evaluated based on the number of days in which air pollution levels exceed state standards set by the State or federal standards set by the EPA. The SDAPCD maintains 12 air quality monitoring stations located throughout the greater San Diego metropolitan region. Air pollutant concentrations and meteorological information are continuously recorded at these stations. Measurements are then used to forecast daily air pollution levels.

CARB has aggregated and published monitoring data through 2019. Between 2017 and 2019, which is the most recent three-year period for which air quality information is available, the nearest active monitoring station was the San Diego-Kearny Villa Road monitoring station, located at 6125A Kearny Villa Road in the City of San Diego, approximately 6.1 miles southeast of the Project site. Table 5.3-3, *Air Quality Monitoring Summary 2017-2019*, presents the number of days ambient air quality standards were exceeded at the San Diego-Kearny Villa Road monitoring station, which is considered to be representative of the local air quality at the Project site. It should be noted that the

Table 5.3-3 Air Quality Monitoring Summary 2017-2019

Pollutant	Standard	Year		
		2017	2018	2019
O ₃				
Maximum Federal 1-Hour Concentration (ppm)		0.097	0.102	0.083
Maximum Federal 8-Hour Concentration (ppm)		0.083	0.077	0.075
Number of Days Exceeding State 1-Hour Standard	> 0.09 ppm	2	1	0
Number of Days Exceeding State/Federal 8-Hour Standard	> 0.070 ppm	6	5	1
NO ₂				
Maximum Federal 1-Hour Concentration	> 0.100 ppm	0.054	0.045	0.046
Annual Federal Standard Design Value		0.009	0.008	0.008
PM ₁₀				
Maximum Federal 24-Hour Concentration (µg/m ³)	> 150 µg/m ³	46	38	--
Annual Federal Arithmetic Mean (µg/m ³)		17.6	18.4	--
Number of Days Exceeding Federal 24-Hour Standard	> 150 µg/m ³	0	0	--
Number of Days Exceeding State 24-Hour Standard	> 50 µg/m ³	0	0	--
PM _{2.5}				
Maximum Federal 24-Hour Concentration (µg/m ³)	> 35 µg/m ³	27.5	32.2	16.2
Annual Federal Arithmetic Mean (µg/m ³)	> 12 µg/m ³	8.0	8.3	--
Number of Days Exceeding Federal 24-Hour Standard	> 35 µg/m ³	0	0	0

--= Data not available; ppm= Parts Per Million
Source: (Urban Crossroads, 2022a, Table 2-4)

three-year period is presented for informational purposes and is not the basis for how the State assigns attainment status.

G. Project Site

As described in Chapter 2.0, *Environmental Setting*, the eastern portion of the Project site is currently developed with 192,365 square feet (sf) of research and development and 7,370 sf of covered courtyard. The existing land uses have been on site since 2001 with one structure constructed in 2007. 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. The existing uses on site remain operational and are source of criteria pollutant emissions from area sources, energy sources, and mobile sources. Existing sources of emissions and associated pollutant emission are taken into consideration in the Project's net increase in pollutant emissions, as evaluated in Section 5.3.3, below.

5.3.2 Regulatory Framework

A. Federal

1. **Federal Clean Air Act**

The Federal Clean Air Act (CAA; 42 U.S.C. § 7401 et seq.) was first enacted in 1955 and has been amended numerous times in subsequent years (1963, 1965, 1967, 1970, 1977, and 1990). The CAA establishes the federal air quality standards, the NAAQS, and specifies future dates for achieving compliance. The CAA also mandates that states submit and implement SIPs for local areas not meeting these standards. These plans must include pollution control measures that demonstrate how the standards will be met. The 1990 amendments to the CAA that identify specific emission reduction goals for areas not meeting the NAAQS require a demonstration of reasonable further progress toward attainment and incorporate additional sanctions for failure to attain or to meet interim milestones. The sections of the CAA most directly applicable to the development of the Project site include Title I (Non-Attainment Provisions) and Title II (Mobile Source Provisions). Title I provisions were established with the goal of attaining the NAAQS for the following criteria pollutants O₃, NO₂, SO₂, PM₁₀, CO, PM_{2.5}, and Pb. The NAAQS were amended in July 1997 to include an additional standard for O₃ and to adopt a NAAQS for PM_{2.5}. Table 5.3-2 (previously presented) provides the NAAQS within the SDAB.

Mobile source emissions are regulated in accordance with Title II provisions. These provisions require the use of cleaner burning gasoline and other cleaner burning fuels such as methanol and natural gas. Automobile manufacturers are also required to reduce tailpipe emissions of hydrocarbons and NO_x. NO_x is a collective term that includes all forms of NO_x which are emitted as byproducts of the combustion process.

B. State

1. **California Air Resources Board (CARB)**

The CARB, which became part of the CalEPA in 1991, is responsible for ensuring implementation of the California Clean Air Act (CCAA) (AB 2595), responding to the federal CAA, and for regulating emissions from consumer products and motor vehicles. The CCAA mandates achievement of the maximum degree of emissions reductions possible from vehicular and other mobile sources in order to attain the state ambient air quality standards by the earliest practical date. The CARB established the CAAQS for all pollutants for which the federal government has NAAQS and, in addition, establishes standards for SO₄, visibility, hydrogen sulfide (H₂S), and vinyl chloride (C₂H₃Cl). However, at this time, H₂S and C₂H₃Cl are not measured at any monitoring stations in the SDAB because they are not considered to be a regional air quality problem. Generally, the CAAQS are more stringent than the NAAQS.

Local air quality management districts, such as the SDAPCD, regulate air emissions from stationary sources such as commercial and industrial facilities. All air pollution control districts have been formally designated as attainment or non-attainment for each CAAQS. Serious non-attainment areas

are required to prepare Air Quality Plans (AQP) that include specified emission reduction strategies in an effort to meet clean air goals. These plans are required to include:

- Application of Best Available Retrofit Control Technology to existing sources;
- Developing control programs for area sources (e.g., architectural coatings and solvents) and indirect sources (e.g., motor vehicle use generated by residential and commercial development);
- A District permitting system designed to allow no net increase in emissions from any new or modified permitted sources of emissions;
- Implementing reasonably available transportation control measures and assuring a substantial reduction in growth rate of vehicle trips and miles traveled;
- Significant use of low emissions vehicles by fleet operators;
- Sufficient control strategies to achieve a 5% or more annual reduction in emissions or 15% or more in a period of three years for ROG_s, NO_x, CO and PM₁₀. However, air basins may use alternative emission reduction strategy that achieves a reduction of less than 5% per year under certain circumstances.

2. *Title 24 Energy Efficiency Standards and California Green Building Standards*

California Code of Regulations (CCR) Title 24 Part 6: California's Energy Efficiency Standards for Residential and Nonresidential Buildings (Energy Code), was first adopted in 1978 in response to a legislative mandate to reduce California's energy consumption. CCR, Title 24, Part 11: California Green Building Standards Code (CALGreen) is a comprehensive and uniform regulatory code for all residential, commercial, and school buildings that went in effect on January 1, 2011, and is administered by the California Building Standards Commission. The Energy Code and CALGreen are updated on a regular basis, with the most recent approved update that became effective January 1, 2020. The 2019 Title 24 standards will result in less energy use than previous standards, thereby reducing air pollutant emissions associated with energy consumption in the SDAB and across the State of California.

3. *California Health and Safety Code Sections 41700 and 41705*

The State of California Health and Safety Code Sections 41700 and 41705 (commonly referred to as public nuisance law) and SDAPCD Rule 51 (discussed in further detail below) prohibit emissions from any source whatsoever in such quantities of air contaminants or other material, which cause injury, detriment, nuisance, or annoyance to the public health or damage to property.

C. Local

1. *San Diego Air Pollution Control District (SDAPCD)*

The SDAPCD is the agency that regulates air quality in the SDAB. The SDAPCD prepared the Regional Air Quality Strategy (RAQS) to address state requirements, pursuant to the CCAA of 1988 (Health & Safety Code [HSC] Section 39000 et seq.). The CCAA requires areas that are designated nonattainment of CAAQS for ozone, CO, SO₂, or NO₂ to prepare state implementation plans (SIP) and

implement these plans to attain the standards by the earliest practicable date (HSC Section 40911(a)). With the exception of state ozone standards, each of these standards has been attained in the SDAB.

The SDAPCD RAQS outlines SDAPCD's plans and control measures designed to attain the CAAQS. The RAQS relies on land use designations and population projections included in general plans and community plans for different areas within the County and its incorporated cities, as well as Transportation Control Measures (TCMs) prepared by the San Diego Association of Governments (SANDAG) that control emissions from mobile sources. The RAQS and TCM set forth the steps needed to accomplish attainment of CAAQS for ozone. The most recent update of the RAQS and corresponding TCMs were adopted in 2016.

The SDAPCD has also established a set of rules and regulations initially adopted on January 1, 1969, and periodically reviewed and updated. The most pertinent regulatory requirements required by SDAPCD Rules that are applicable to the Project include the following:

- **Rule 51.** This rule is intended to reduce nuisance associated with air pollution. Rule 51 applies to any activity capable of generating air contaminants except “odors emanating from agricultural operations in the growing of crops or raising of fowls or animals”. It is generally accepted that the considerable number of persons requirement in Rule 51 is normally satisfied when 10 different individuals/households have made separate complaints within 90 days. Odor complaints from a “considerable” number of persons or businesses in the area will be considered to constitute a significant, adverse odor impact.
- **Rule 55.** This rule is intended to reduce the amount of particulate matter entrained in the ambient air as a result of anthropogenic (human-made) fugitive dust sources by requiring actions to prevent and reduce fugitive dust emissions. Rule 55 applies to any activity or human-made condition capable of generating fugitive dust and requires best available control measures to be applied to earth moving and grading activities.
- **Rule 67.0.1.** This rule serves to limit the VOC content of architectural coatings used on projects in the SDAPCD. Any person who supplies, sells, offers for sale, or manufactures any architectural coating for use on projects in the SDAPCD must comply with the current VOC standards set in this rule.

2. SANDAG Regional Comprehensive Plan

In 2004 SANDAG released the Regional Comprehensive Plan (RCP) which altered the previous suburban planning paradigm in San Diego County and began moving the region toward a Smart Growth development pattern that attempted to place jobs and housing close to one another in areas connected by transit systems. SANDAG is continuing these strategies in *San Diego Forward: The Regional Plan*, which was adopted in December 2021 (2021 Regional Plan) and builds on the 2004 RCP and Smart Growth Concept Map (SGCM) to further integrate transportation with employment and housing land uses. The 2021 Regional Plan includes the region’s Sustainable Communities Strategy which is required by SB375 to include a pattern for forecasted growth and development

that when combined with the transportation network, the SCS will achieve the regional GHG emission-reduction targets, accommodate the Regional Housing Needs Assessment (RHNA) Determination, and utilize the most recent planning assumptions.

According to the 2021 Regional Plan, “the SCS uses areas in the region called Mobility Hubs to concentrate future development. Mobility Hubs are communities with a high concentration of people, destinations, and travel choices...”. In the SCS land use pattern, forecasted growth for housing and jobs are within these areas of the region. Additionally, this SCS land use pattern identifies areas within the region that are sufficient to house the 6th Cycle RHNA Plan allocations.” As shown in Figure 5.3-1, *Regional Mobility Hub Areas*, the 2021 Regional Plan designates North University City, including the Project site as a Regional Mobility Hub and Major Employment Center. As these places grow, more people will be able to get to work, school, shopping, and other destinations without having to travel a long distance. As shown in Figure 2-5 of the 2021 Regional Plan, the region’s major employment centers and urban core mobility hubs would take on the most housing and job growth in the region over the next 30 years.” Therefore, the University City area is forecast to grow significantly in jobs and housing over the next 30-years.

3. *San Diego Municipal Code (SDMC)*

The SDMC also addresses odor impacts in Chapter 14, Article 2, Division 7 paragraph 142.0710, “Air Contaminant Regulations,” which states: Air contaminants including smoke, charred paper, dust, soot, grime, carbon, noxious acids, toxic fumes, gases, odors, and particulate matter, or any emissions that endanger human health, cause damage to vegetation or property, or cause soiling shall not be permitted to emanate beyond the boundaries of the premises upon which the use emitting the contaminants is located.

5.3.3 Impact Analysis

A. *Issue 1*

Issue 1 ***Would the project conflict with or obstruct implementation of the applicable air quality plan?***

1. *Impact Thresholds*

The SDAPCD is required, pursuant to the federal CAA, to reduce emissions of criteria pollutants for which the SDAB is in nonattainment. Strategies to achieve these emissions reductions are developed in the RAQS and SIP, prepared by the APCD for the region. The CARB mobile source emission projections and SANDAG growth projections that are used to develop the RAQS and SIP are based on population and vehicle trends and land use plans developed by the cities and by the County. As such, A project could be inconsistent with the RAQS/SIP if it results in population and/or employment growth that exceed growth estimates for the area. In the event that a project proposes development that is less dense than anticipated within the General Plan, the project would likewise be consistent with the RAQS. If a project proposes development that is greater than that anticipated in the City General Plan and SANDAG’s growth projections upon which the RAQS is based, the

project could be in conflict with the RAQS and SIP and may have a potentially significant impact on air quality. This situation would warrant further analysis to determine if the project and the surrounding projects exceed the growth projections used in the RAQS for the specific subregional area.

2. Analysis

As discussed above, the 2021 Regional Plan includes the region's SCS which is required by SB375 to include a pattern for forecasted growth and development that when combined with the transportation network, the SCS will achieve the regional GHG emission-reduction targets, result in related reductions in air pollutant emissions, accommodate the RHNA Determination, and utilize the most recent planning assumptions. The SCS uses areas in the region called Mobility Hubs to concentrate future development. Mobility Hubs are communities with a high concentration of people, destinations, and travel choices. The region's major employment centers and urban core mobility hubs are expected to take on the most housing and job growth in the region over the next 30 years. Therefore, the University City area is forecast to grow significantly in jobs and housing over the next 30-years, and the Project is well within the policies directing job growth in this area.

Land use designations and population projections. While potential conflicts with the RAQS may occur when a proposed development, such as the Project, seeks to add structures or density that was not accounted for on the Project site when the RAQS was prepared, the effect on anticipated regional population and employment is also important. As noted above, the SANDAG regional growth projections forecast significant growth in jobs and housing in the University City area. The addition of scientific research and headquarters office land uses on the Project site in the University Community Plan area, which already supports extensive residential development, would provide for additional nearby employment opportunities consistent with SANDAG projections. The Project is estimated to retain 600 jobs and accommodate an additional 2,400 jobs. For the University Community Plan (UCP) area, SANDAG forecasts an additional 26,480 jobs to be added in the area from 2012 to 2050, for an increase of 30%. Therefore, the UCP area would be able to accommodate the Project's addition of jobs to the area within the existing growth projections. As there are no existing residential uses on site, and housing is prohibited by the City's Prime Industrial Lands designation and the MCAS Miramar ALUCP, the Project would not displace any existing housing. Finally, the Project is consistent with the existing zoning and is transit-supportive. Thus, the Project conforms to the overarching goals in the UCP of developing urban nodes in the community.

Emissions from mobile sources. As noted, the RAQS is the applicable regional air quality plan that sets forth the SDAPCD's strategies for achieving the NAAQS and CAAQS. The SDAB is designated a non-attainment area for the federal and state ozone standard. Accordingly, the RAQS was developed to identify feasible emission control measures and provide expeditious progress toward attaining the standards for ozone. The two pollutants addressed in the RAQS are VOC/ROG and NO_x, which are precursors to the formation of ozone. According to the SDAPCD, the projections used to develop the RAQS emissions budgets are based on emissions from permitted sources, emissions associated with the sale of products in the region (such as architectural coatings and fuels) and regional vehicle

miles traveled (VMT) estimates developed by CARB. While all these sources are included in the RAQS, the primary driver of ozone emissions in the region is vehicle emissions.

As discussed in Section 5.2, *Transportation*, with implementation of Mitigation Measure MM 5.2-1 (CAPCOA 2021 T-6 through T-12), the Project's VMT would be reduced to 21.9 VMT per employee, which is more than 15% below the regional mean VMT per employee (22.015 VMT per employee).

As detailed under the analysis for Issues 2 and 3, below, the Project would not result in a significant air quality impact with regards to construction- and operational-related emissions of ozone precursors or criteria air pollutants. The Project would also comply with all existing and new rules and regulations as they are implemented by the SDAPCD, CARB, and/or USEPA related to emissions generated during construction. Additionally, the Project is consistent with SANDAG's projections for employment growth in the area, Therefore, the Project would not result in an increase in emissions that are not already accounted for in the RAQS and would not obstruct or conflict with implementation of the RAQS.

Consistency with City of San Diego General Plan and UC Community Plan Policies. As further discussion in Section 5.1, *Land Use*, of this EIR, the Project would be consistent with applicable environmental goals and objectives contained in the City's General Plan and UCP. The General Plan's Economic Prosperity Element focuses on the long-term needs of the economy and the land uses to support them. The Economic Prosperity Element anticipates the growth in science and technology jobs and the land uses that support them stating that, "Long-term changes in the economy have increasingly favored San Diego as a location for research and development functions, which can be performed in an office setting or flexible industrial space. Although current industrial development standards allow for adequate intensification of all types of industrial and office uses today, over the long term the City needs to continue to strengthen policies that support higher-intensity industrial development in particular locations that accommodate these research and development uses, supportive professional services, and corporate headquarters. Higher-intensity development also uses the City's limited land supply more efficiently." To this end, the Economic Prosperity Element designates a series of policies that call for the densification of properties, acknowledging that "[w]hile traditional industrial park development may still be required in the future, the City will follow the trend toward increasingly vertical work places, that support base sector jobs, particularly in Subregional Employment Centers such as University. These Subregional Employment Centers are supported by transit infrastructure like the trolley and Coaster commuter rail, which allow for the expansion of employment opportunities without the added vehicle trips and subsequent air emissions from those trips." To this end, the Economic Prosperity Element provides the following policies which anticipate and encourage the densification of base sector technology jobs in Subregional Employment Centers like University:

- Policy EP-A.3: Encourage large regional employers to locate and expand in the Regional Center or Subregional Employment Areas.
- Policy EP-A.7: Increase the allowable intensity of employment uses in Subregional Employment Areas and Urban Village Centers where transportation and transit

infrastructure exist. The role of transit and other alternative modes of transportation on development project review are further specified in the Mobility Element, Policies ME-C.8 through ME-C.10.

- Policy EP-A.8: Concentrate more intense office development in Subregional Employment Areas and in Urban Villages with transit access.
- Policy EP-A.9: Efficiently utilize employment lands through increased intensity in “urban villages” and Subregional Employment Areas.
- Policy EP-A.10: Locate compatible employment uses on infill industrial sites and establish incentives to support job growth in existing urban areas.

As identified in the General Plan consistency analysis provided in Section 5.1, *Land Use*, the Project is consistent with these policies.

Consistency with Complete Communities: Housing Solutions and Mobility Choices. As further discussion in Sections 5.1 and 5.2, Land Use and Transportation, respectively, the Project would implement the City’s General Plan mobility and conservation policies through a combination of vehicular, bicycle, and pedestrian circulation improvements that would enhance movement within the Project and encourage alternative methods of travel, furthering City policies for sustainable methods of transportation to reduce energy use, emissions, and traffic pursuant to the City’s Complete Communities: Housing Solutions and Mobility Choices (Complete Communities) program. Under the Mobility Choices portion of the Complete Communities program, the Project site is located in Mobility Zone 2. The purpose of the Mobility Choices portion is “to implement SB 743 by ensuring that new development mitigates transportation impacts based on vehicle miles traveled (VMT) to the extent feasible, while incentivizing development within the City’s urban areas (Mobility Zones 1, 2, and 3).” Under the City’s Mobility Choices portion, Mobility Zones 1, 2, and 3 were identified as relatively VMT efficient areas. The Complete Communities Program EIR Findings recognized that incentivizing development in these areas “could result in densities beyond what was assumed in the current SIP and RAQS” and that “as community plans were updated, newly designated land uses would be forwarded to the San Diego Association of Governments (SANDAG) for inclusion in future updates to the air quality plans for the San Diego Air Basin (SDAB).” The University Community Plan is currently undergoing a comprehensive update to plan for 2050 growth and update the 1987 plan to meet new General Plan policies. As the Project is consistent with the City’s General Plan policies directing the intensification of employment uses in the subregional employment center of University City, and is consistent with the SANDAG land use and growth projections for Mobility Hubs and Major Employment Centers in San Diego Forward: The 2021 Regional Plan, the new job growth in University from the Project would be accommodated in the air quality plans.

3. *Significance of Impact*

Less than Significant Impact. The Project site is located in a Sub Regional Employment area. For the UCP area, SANDAG forecasts an additional 26,480 jobs to be added in the area from 2012 to 2050, which would accommodate growth from the Project’s anticipated net increase of 2,400 jobs

on-site. The Project is located in a TPA and includes various features to reduce dependency on the automobile by encouraging use of alternative modes of transportation (including transit, and bicycle and pedestrian travel), and to reduce GHG, thereby reducing pollutant emissions associated with vehicle trips. These Project features include implementation of VMT reduction measures required by the Complete Communities: Mobility Choices regulations, and transportation demand management measures required by the Climate Action Plan to reduce GHG emissions. The Project is also required to incorporate Mitigation Measure MM 5.2-1 (CAPCOA 2021 T-6 through T-12) to reduce its transportation VMT impact to less than significant. Therefore, it is unlikely that the additional structures and employment from the Project would interfere with the SDAPCD's goals for improving air quality in the SDAB. Impacts associated with conformance to regional air quality plans, including the San Diego County RAQS, would be less than significant.

4. Mitigation Measure

No mitigation measures are required.

B. Issue 2 and Issue 3

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

Issue 3 *Would the project exceed 100 pounds per day of Particulate Matter (PM) dust?*

1. Impact Thresholds

As stated in Appendix G of the CEQA Guidelines, significance established by the applicable air quality management or air pollution control district may be relied upon. The City's air quality CEQA Significance Determination Thresholds are established by the SDAPCD. The SDAPCD sets forth quantitative emission thresholds for stationary sources. Project-related air quality impacts would be considered significant if any of the applicable significance thresholds presented herein are exceeded. For CEQA purposes, these screening criteria can be used as numeric methods to demonstrate that a project's total emissions would not result in a significant impact to air quality. Significance thresholds based on the City's Significance Determination Thresholds and SDAPCD Rule 20.2 (for PM_{2.5}) are listed in Table 5.3-4, *Maximum Daily Regional Emissions Thresholds*.

Table 5.3-4 Maximum Daily Regional Emissions Thresholds

Pollutant	Hourly Limits	Daily Limit	Annual Limits
CO	100 lbs/hr	550 lbs/day	100 tons/yr
NO _x	25 lbs/hr	250 lbs/day	40 tons/yr
PM ₁₀	--	100 lbs/day	15 tons/yr
SO _x	25 lbs/hr	250 lbs/day	40 tons/yr
Pb	--	3.2 lbs/day	0.6 tons/yr
PM _{2.5}	--	67 lbs/day ¹	10 tons/yr
ROG	---	137 lbs/day	15 tons/yr

lbs./hr. = Pounds Per Hour; lbs./day = Pounds Per Day; tons/year

¹ City does not identify a PM_{2.5} limit, thus the daily limit is based on SDAPCD Rule 20.2, AQIA Trigger Levels.

Source: (Urban Crossroads, 2022a, Table 3-1)

2. Analysis

Construction Emissions

Construction activities associated with the Project would result in emissions of VOCs, NO_x, SO_x, CO, PM₁₀, and PM_{2.5}. Construction related emissions are expected from demolition, site preparation/grading, excavation, podium/building construction, paving, and architectural coating. For purposes of analysis in this EIR, construction is expected to commence in April 2022 and last through December 2027. The construction schedule utilized in the analysis represents a “worst-case” analysis scenario should construction occur any time after the respective dates since emission factors for construction decrease as time passes and the analysis year increases due to emission regulations becoming more stringent.¹ The duration of construction activity and associated equipment represents a reasonable approximation of the expected construction fleet.

As detailed in the Air Quality Impact Analysis prepared for the Project and included in Appendix C of this EIR, the Project’s construction emissions were estimated using the California Emissions Estimator Model (CalEEMod) Version 2020.40.0. CalEEMod calculates maximum daily emissions for summer and winter periods. Construction would require heavy equipment during site preparation, grading, building construction, and paving. Table 5.3-5, *Estimated Construction Equipment*, presents a summary of the assumed equipment that would be involved in each stage of construction. For purposes of analysis in this Draft EIR, it is anticipated that construction activities would generally follow a schedule similar to that listed in Table 5.3-6, *Estimated Construction Schedule*. The exact calendar dates of each construction activity are subject to change and may differ from those listed in Table 5.3-6.

¹ Based on the CalEEMod User’s Guide, Section 4.3 “Offroad Equipment”, as the analysis year increases, emission factors for same equipment decrease due to the fleet turnover of older equipment being replaced by newer less polluting equipment and the effects of continuing regulatory requirements.

Table 5.3-5 Estimated Construction Equipment

Phase Name	Equipment	Amount	Hours Per Day
Phase 1 Utilities	Aerial Lifts	2	8
	Excavators	1	8
	Generator Sets	1	8
Phase 1 Grading	Crawler Tractors	2	8
	Excavators	2	8
	Graders	1	8
	Rubber Tired Dozers	1	8
	Scrapers	2	8
Phase 1 Building Construction	Cranes	1	8
	Forklifts	3	8
	Generator Sets	1	8
	Tractors/Loaders/Backhoes	3	8
	Welders	1	8
Phase 1 Paving	Pavers	2	8
	Paving Equipment	2	8
	Rollers	2	8
Demolition of Existing Building	Concrete/Industrial Saws	1	8
	Excavators	3	8
	Rubber Tired Dozers	3	8
Phase 1 Site Preparation	Rubber Tired Dozers	4	8
	Tractors/Loaders/Backhoes	3	8
Phase 1 Architectural Coating	Air Compressors	1	8
Phase 2 Grading	Excavators	2	8
	Graders	1	8
	Rubber Tired Dozers	1	8
	Scrapers	2	8
	Tractors/Loaders/Backhoes	2	8
Phase 2 Building Construction	Cranes	1	8
	Forklifts	3	8
	Generator Sets	1	8
	Tractors/Loaders/Backhoes	3	8
	Welders	1	8
Phase 3 Grading	Excavators	2	8
	Graders	1	8
	Rubber Tired Dozers	1	8
	Scrapers	2	8

Phase Name	Equipment	Amount	Hours Per Day
	Tractors/Loaders/Backhoes	2	8
Phase 3 Building Construction	Cranes	1	8
	Forklifts	3	8
	Generator Sets	1	8
	Tractors/Loaders/Backhoes	3	8
	Welders	1	8
Phase 2 Architectural Coating	Air Compressors	1	8
Phase 3 Paving	Pavers	2	8
	Paving Equipment	2	8
	Rollers	2	8
Phase 4 Grading	Excavators	2	8
	Graders	1	8
	Rubber Tired Dozers	1	8
	Scrapers	2	8
	Tractors/Loaders/Backhoes	2	8
Phase 4 Building Construction	Cranes	1	8
	Forklifts	3	8
	Generator Sets	1	8
	Tractors/Loaders/Backhoes	3	8
	Welders	1	8
Phase 4 Grading	Rubber Tired Dozers	3	8
	Tractors/Loaders/Backhoes	4	8
Phase 4 Demolition	Concrete/Industrial Saws	1	8
	Excavators	3	8
	Rubber Tired Dozers	2	8
Building E Grading	Excavators	2	8
	Graders	1	8
	Rubber Tired Dozers	1	8
	Scrapers	2	8
	Tractors/Loaders/Backhoes	2	8
Phase 3 Architectural Coating	Air Compressors	1	8
Phase 4 Architectural Coating	Air Compressors	1	8

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

The estimated maximum daily construction emissions without mitigation are summarized in Table 5.3-7, *Overall Construction Emission Summary*. These emissions estimates include all worker, vendor, and hauling trips, as well as on-site heavy equipment. Under the assumed scenarios, emissions resulting from the Project construction would not exceed criteria pollutant thresholds established by the City for emissions of any criteria pollutant. Therefore, construction impacts associated with air pollutant emissions would be less than significant.

Table 5.3-7 Overall Construction Emission Summary

Year	Emissions (lbs/day)				
	VOC	NO _x	CO	PM ₁₀	PM _{2.5}
Summer					
2022	5.80	83.50	46.41	12.44	6.60
2023	9.38	91.59	78.74	33.70	18.11
2024	28.47	94.99	74.24	38.01	20.94
2025	46.72	74.60	56.07	14.43	6.80
2026	46.69	77.36	72.36	23.09	13.04
2027	46.11	105.60	106.99	35.18	18.57
Maximum Daily Summer Emissions	46.72	105.60	106.99	38.01	20.94
Winter					
2022	5.79	84.64	46.48	12.44	6.61
2023	9.41	91.79	78.58	33.70	18.11
2024	28.49	95.56	74.12	38.01	20.94
2025	46.77	75.97	56.06	14.43	6.81
2026	46.74	78.49	72.19	23.09	13.04
2027	46.15	105.84	106.81	35.18	18.57
Maximum Daily Winter Emissions	46.77	105.84	106.81	38.01	20.94
Maximum Daily Emissions	46.77	105.84	106.99	38.01	20.94
City of San Diego Regional Threshold	137	250	550	100	67
Threshold Exceeded?	No	No	No	No	No

Source: CalEEMod unmitigated regional construction-source emissions are presented in Appendix 3.1 of Appendix C.

(Urban Crossroads, 2022a, Table 3-4)

Operational Emissions

As previously discussed, the existing land uses at the Project site are currently generators of air pollutants from various operational activities and the Project would similarly result in emissions of VOCs, NO_x, SO_x, CO, PM₁₀, and PM_{2.5}. Operational emissions come from the following primary sources:

- Area Source Emissions:** Area source emissions associated with the Project would occur as a result of architectural coatings, consumer products, and landscape maintenance equipment. Over a period of time the existing and proposed buildings would be subject to emissions resulting from the evaporation of solvents contained in paints, varnishes, primers, and other surface coatings as part of Project maintenance. Consumer products include, but are not limited to detergents, cleaning compounds, polishes, personal care products, and lawn and garden products. Many of these products contain organic compounds which when released in the atmosphere can react to form O₃ and other photochemically reactive pollutants.

Landscape maintenance equipment would generate emissions from fuel combustion and evaporation of unburned fuel. Equipment in this category would include lawnmowers, shredders/grinders, blowers, trimmers, chain saws, and hedge trimmers used to maintain the landscaping of the Project. Emissions were calculated using CalEEMod for both the existing and future land uses.

- **Energy Source Emissions:** Electricity and natural gas are used by almost every project. For air quality evaluations, the emissions are limited to on-site natural gas sources as they are directly attributable to the Project. However, because electrical generating facilities for the Project area are located either outside the region (state) or offset through the use of pollution credits (RECLAIM) for generation within the SDAB, criteria pollutant emissions from off-site generation of electricity are generally excluded from the evaluation of significance and only natural gas use is considered. The emissions associated with natural gas use were calculated using CalEEMod emission factors that were reduced by 30% to account for Title 24 2020 for both the future land uses. Existing land uses were modeled using historical natural gas consumption factors.
- **Mobile Source Emissions:** Project-related air emissions derive predominantly from weekday vehicle trips generated by the Project. As further discussed in Section 5.2, *Transportation*, the Project is anticipated to generate a total of 7,995 trip-ends per day. For purposes of evaluating the net increase in mobile source emissions, the same trip generation was used for the existing land uses as they are also research and development. Thus, the existing land uses are estimated to generate 1,534 daily trip ends. Therefore, the net increase in trip generation is estimated as approximately 6,461 trip ends. CalEEMod's standard settings for trips lengths and purpose are used in this analysis.

CalEEMod utilizes summer and winter EMFAC2017 emission factors in order to derive vehicle emissions associated with Project operational activities, which vary by season. As such, operational activities for summer and winter scenarios are presented in Table 5.3-8, *Summary of Maximum Daily Operation Emissions*. As shown in the table below, Project net operation-source emissions would not exceed the City's regional thresholds of significance for any criteria pollutants. Therefore, operational impacts associated with air pollutant emissions would be less than significant.

Table 5.3-8 Summary of Maximum Daily Operation Emissions

Source	Emissions (lbs/day)				
	VOC	NO _x	CO	PM ₁₀	PM _{2.5}
Summer					
Area Sources	28.36	0.00	0.38	0.00	0.00
Energy Sources	0.34	3.09	2.60	0.24	0.24
Mobile Sources	17.58	15.69	153.36	42.40	11.44
Stationary Sources	16.54	64.13	103.92	7.43	7.43
Existing Sources	-9.25	-6.07	-39.03	-8.31	-2.35
Maximum Daily Summer Emissions	53.57	76.84	221.23	41.76	16.76
Winter					
Area Sources	28.36	0.00	0.38	0.00	0.00
Energy Sources	0.34	3.09	2.60	0.24	0.24
Mobile Sources	17.01	17.00	158.73	42.40	11.45
Stationary Sources	16.54	64.13	103.92	7.43	7.43
Existing Sources	-9.15	-6.44	-40.11	-8.31	-2.35
Maximum Daily Winter Emissions	53.10	77.78	225.52	41.76	16.77
Total Maximum Daily Emissions	53.57	77.78	225.52	41.76	16.77
City of San Diego Regional Threshold	137	250	550	100	67
Threshold Exceeded?	No	No	No	No	No

Source: CalEEMod 2020; (Urban Crossroads, 2022a, Table 3-5)

3. **Significance of Impact**

Less than Significant Impact. The Project would not result in a violation of any air quality standard or contribute substantially to an existing or projected air quality violation. Additionally, as shown in Tables Table 5.3-7 and Table 5.3-8, the Project would not exceed 100 pounds per day of PM dust. Therefore, impacts associated with construction and operational air pollutant emissions would be less than significant.

4. **Mitigation Measure**

No mitigation measures are required.

C. **Issue 4**

Issue 4 *Would the project expose sensitive receptors to substantial pollutant concentrations?*

1. **Impact Thresholds**

Based on the City's CEQA Significance Determination Thresholds, a project would have a potentially significant air quality environmental impact if it would:

- *Expose sensitive receptors to substantial pollutant concentrations including air toxics such as diesel particulates.*
- *Result in a CO hotspot.*

2. Analysis

Sensitive receptors can include uses such as long-term health care facilities, rehabilitation centers, and retirement homes. Residences, schools, playgrounds, childcare centers, and athletic facilities can also be considered as sensitive receptors. The nearest residential receptors are located 1,195 feet south of the site, along Leeds Street. All other residential receptors would be located at greater distances and thus exposed to lower Project related air emissions. The nearest non-residential sensitive receptors are the Scripps McDonald Center and the Pruess High School, which are located across Genesee Avenue, east of the Project site at 1,631 feet and 1,518 feet, respectively.

Toxic Air Contaminants

Construction

During short-term construction activity, the Project would also result in some diesel particulate matter (DPM) which is a listed carcinogen and toxic air contaminant (TAC) in the State of California. The 2015 Office of Environmental Health Hazard Assessment (OEHHA) revised risk assessment guidelines suggest that construction projects as short as 2-6 months may warrant evaluation. 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. As shown on Table 5.3-8, any DPM generated from construction activity would result in less than significant ground level concentrations of DPM to on-site building occupants and not result in significant health risks. Furthermore, given the distance of the Project from surrounding off-site sensitive receptors, the dominant wind patterns blowing to the northwest away for receptors, and the annual PM_{2.5} emissions from equipment during each year of construction, any DPM generated from construction activity would result in less than significant ground level concentrations of DPM and not result in significant health risks and no further evaluation is required.

Air districts throughout the state, including the South Coast Air Quality Management District (SCAQMD), are currently evaluating the applicability of age sensitivity factors and have not established CEQA guidance. More specifically in their response to comments received on SCAQMD New Source Review rule, the SCAQMD explicitly states that: "The Proposed Amended Rules are separate from the CEQA significance thresholds. The SCAQMD staff is currently evaluating how to implement the Revised OEHHA Guidelines under CEQA. The SCAQMD staff will evaluate a variety of options on how to evaluate health risks under the Revised OEHHA Guidelines under CEQA. The SCAQMD staff will conduct public workshops to gather input before bringing recommendations to the Governing Board. In the interim, staff will continue to use the previous guidelines for CEQA determinations."

Operation

While the final users of the Project are not known, the Project is intended for scientific development and research, which may include laboratories. Laboratories may utilize chemicals that can result in emissions of VOCs or TACs. In general, any source which emits more than an 'insignificant' amount of VOC or TACs, must obtain and then comply with air emission permits obtained from the SDAPCD. The SDAPCD review process would verify the laboratories implement best available control

technologies including fume hoods and air scrubbers as necessary to reduce excess cancer risks to 10 in a million or less.

The proposed generators would be diesel fueled. Based on the CalEEMod output, the diesel generators would not generate a sufficient amount of pollutants to exceed the SDAPCD Air Quality Impact Analysis trigger level, which are intended to identify stationary sources that would degrade air quality. As the emissions of the Project combined with the generators does not exceed these levels, it is unlikely the testing and emergency use of the generators would expose any sensitive receptor to excessive concentration of any pollutants. However, due to the hp rating of the anticipated generators (2300 – 2950 hp), the Project would require permits to construct and operate from the SDACPD. The SDAPCD review process would verify the generators have the best available control technologies to reduce excess cancer risks to 10 in a million or less.

Criteria Pollutants

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-site stationary sources.

Carbon Monoxide (CO) Hotspot

The Project would not result in potentially adverse CO concentrations or "hot spots." Further, detailed modeling of Project-specific CO "hot spots" is not needed to reach this conclusion. An adverse CO concentration, known as a "hot spot", would occur if an exceedance of the state one-hour standard of 20 ppm or the eight-hour standard of 9 ppm were to occur. The SDAB was designated nonattainment under the CAAQS and NAAQS for CO.

It has long been recognized that CO hotspots are caused by vehicular emissions, primarily when idling at congested intersections. In response, vehicle emissions standards have become increasingly stringent in the last twenty years. Currently, the allowable CO emissions standard in California is a maximum of 3.4 grams/mile for passenger cars (there are requirements for certain vehicles that are more stringent). With the turnover of older vehicles, introduction of cleaner fuels, and implementation of increasingly sophisticated and efficient emissions control technologies, CO concentration in the SDAB is now designated as attainment.

To establish a more accurate record of baseline CO concentrations potentially affecting the SDAB, a CO "hot spot" analysis conducted in 2003 by the SCAQMD for four busy intersections in Los Angeles

at the peak morning and afternoon time periods can be relied on. This “hot spot” analysis did not predict any violation of CO standards. Neither the City of San Diego, nor the SDAPCD has provided guidance within the SDAB for assessing localized impacts from CO. However, as part of its preparation of the 2003 Air Quality Management Plan (2003 AQMP) and the 1992 Federal Attainment Plan for Carbon Monoxide (1992 CO Plan), the SCAQMD determined peak CO concentrations in the SCAB were a result of unusual meteorological and topographical conditions and not a result of traffic volumes and congestion at a particular intersection. For example, 9.3 ppm 8-hr CO concentration measured at the Long Beach Boulevard/Imperial Highway intersection (highest CO generating intersection within the “hot spot” analysis), only 0.7 ppm was attributable to the traffic volumes and congestion at this intersection; the remaining 8.6 ppm were due to the ambient air measurements at the time the 2003 AQMP was prepared. In contrast, the ambient 8-hour CO concentration within the Project study area is estimated at 0.7-0.9 ppm. Therefore, even if the traffic volumes for the Project were double or even triple of the traffic volumes generated at the Long Beach Boulevard and Imperial Highway intersection, coupled with the ongoing improvements in ambient air quality, the Project would not be capable of resulting in a CO “hot spot” at any study area intersections.

The busiest intersection evaluated by the SCAQMD in its CO “hot spot” analysis was that at Wilshire Boulevard and Veteran Avenue, which had a daily traffic volume of approximately 100,000 vehicles per day and AM/PM traffic volumes of 8,062 vph and 7,719 vph respectively. The 2003 AQMP estimated that the 1-hour concentration for this intersection was 4.6 ppm; this indicates that, should the daily traffic volume increase four times to 400,000 vehicles per day, CO concentrations (4.6 ppm x 4= 18.4 ppm) would still not likely exceed the most stringent 1-hour CO standard (20.0 ppm). Under existing conditions, the highest daily traffic volumes generated at the roadways within the vicinity of the Project site do not exceed 70,601 vehicles per day. At buildout of the Project, the highest daily traffic volumes generated at the roadways within the vicinity of the Project are expected to generate less than the highest daily traffic volumes generated at the busiest intersection in the SCAQMD CO “hot spot” analysis. As such, the Project would not likely exceed the most stringent 1-hour CO standard.

Similarly, the Bay Area Air Quality Management District (BAAQMD) concluded that under existing and future vehicle emission rates, a given project would have to increase traffic volumes at a single intersection by more than 44,000 vehicles per hour (vph)—or 24,000 vph where vertical and/or horizontal air does not mix—in order to generate a significant CO impact.

In summary, the Project would generate approximately 6,461 net new daily trips and would not produce the volume of traffic required to generate a CO “hot spot” either in the context of the SCAQMD 2003 Los Angeles hot spot study or based on representative BAAQMD CO threshold considerations. Therefore, CO “hot spots” are not an environmental impact of concern for the Project, and localized air quality impacts related to mobile-source emissions would be less than significant.

3. *Significance of Impact.*

Less than Significant Impact. Project construction and operation would not result in long-term exposure to a substantial source of toxic air contaminant emissions. The Project would not expose sensitive receptors to substantial pollutant concentrations including air toxics such as diesel particulates. Additionally, the Project would not result in CO hotspot. Therefore, impacts would be less than significant.

4. *Mitigation Measure*

No mitigation measures are required.

D. *Issue 5*

Issue 5 *Would the project create objectionable odors affecting a substantial number of people?*

1. *Impact Threshold*

According to the City's CEQA Significance Determination Thresholds, determining the significance of potential odor impacts should be based on what is known about the quantity of the odor compound(s) that would result from the project's proposed use(s), the types of neighboring uses potentially affected, the distance(s) between the project's point source(s) and the neighboring uses such as sensitive receptors, and the resultant concentration(s) at receptors. According to Appendix G of the CEQA Guidelines, a project would have a potentially significant air quality environmental impact if it would:

- *Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.*

2. *Analysis*

Land uses generally associated with odor complaints include agricultural uses (livestock and farming), wastewater treatment plants, food processing plants, chemical plants, composting operations, refineries, landfills, dairies, and fiberglass molding facilities. The Project does not contain land uses typically associated with emitting objectionable odors. Potential odor sources associated with the Project may result from construction equipment exhaust and the application of asphalt and architectural coatings during construction activities and the temporary storage of typical solid waste (refuse) associated with the Project's (long-term operational) uses. Standard construction requirements would minimize odor impacts from construction. The construction odor emissions would be temporary, short-term, and intermittent in nature and would cease upon completion of the respective phase of construction and is therefore considered less than significant.

It is expected that Project-generated refuse would be stored in covered containers and removed at regular intervals in compliance with the City's solid waste regulations. The Project would also be required to comply with SDAPCD Rule 51 to prevent occurrences of public nuisances. Therefore, odors associated with the Project construction and operations would be less than significant.

3. *Significance of Impact*

Less than Significant Impact. The Project would not create objectionable odors affecting a substantial number of people. Impacts would be less than significant.

4. *Mitigation Measure*

No mitigation measures are required.

E. Issue 6

Issue 6 *Would the project result in substantial alteration of air movement in the area of the project?*

1. *Impact Threshold*

Impacts would be significant if the project results in:

- *A substantial alteration of air movement in the area of the project.*

2. *Analysis*

Air movement is usually associated with placement of tall structures in proximity to one-another, which can result in tunneling of air movement in an area that was previously unobstructed. The Project vicinity is characterized by 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. Additionally, the Project site is surrounded by undeveloped open space in the Multi-Habitat Planning Area (MHPA) to the north/northeast/northwest, west, and south (west of Westerra Court). The predominant wind direction in the vicinity of Project site is western to northwesterly. While these structures may somewhat shield winds across the Project site, spaces between buildings continue to allow for air movement and do not result in a tunnel effect.

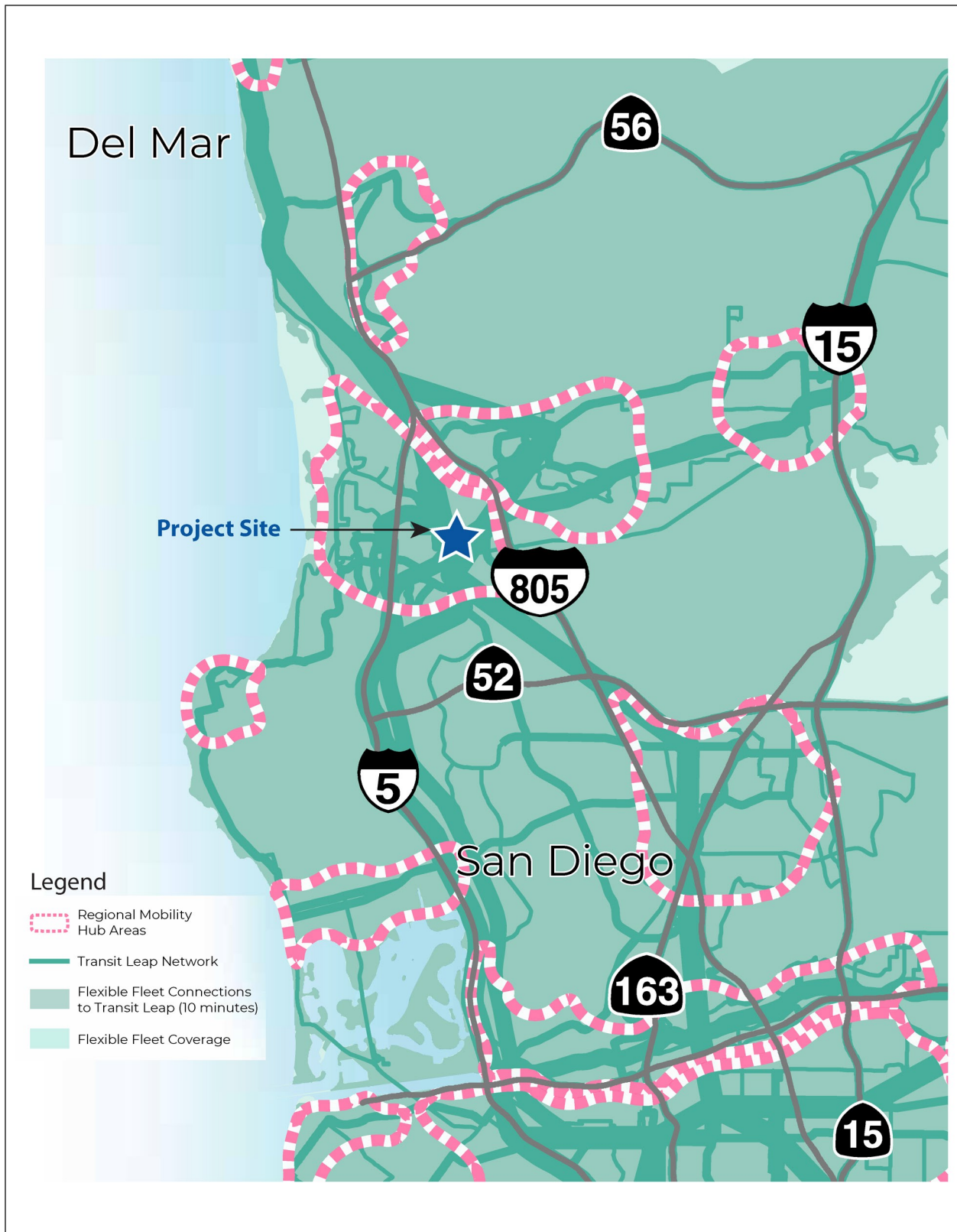
The Project would construct buildings on site that would exceed the heights of the existing on-site buildings; however, none of the Project's proposed structures would exceed 6 stories. Buildings A-C would be six stories while Building D and E would be five stories and two stories, respectively, Buildings A – D would have an overall building height ranging from 107.3 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 a building elevation of 466.5 feet AMSL, and the building elevation at top of parapet for Building D would be 450.6 feet (AMSL). Building E would have a building elevation of 389.0 feet AMSL at top of parapet. Spaces between buildings would allow for continued air movement through and across the site. These considerations would result in air flow continuing to follow patterns of existing development in the area and winding through, over, and around Project-related built structures without experiencing considerable tunneling events. Although localized effects would vary from the existing condition of the Project site, substantial obstruction or alteration of air movement would not occur.

3. *Significance of Impact*

Less than Significant Impact. The Project would not result in substantial alteration of air movement in the area of the Project. Impacts would be less than significant.

4. *Mitigation Measure*

No mitigation measures are required.



Source(s): SANDAG (11-30-2021)

Figure 5.3-1



Not to Scale

Regional Mobility Hub Access

5.4 BIOLOGICAL RESOURCES

This section describes the existing biological resource conditions of the Project site, identifies the associated regulatory framework, and evaluates the potential direct and indirect biological resources impacts associated with the Towne Centre View Project. The following discussion is based on the *Biological Resources Report*, prepared by Alden Environmental Inc. (Alden) (Alden, 2022), included as Appendix D.

5.4.1 Existing Conditions

In order to describe the existing conditions at the Project site relative to biological resources, available maps, air photos, and existing conditions material for the site were reviewed prior to a site visit. Searches of the California Native Diversity Database (CNDDDB), USFWS species database, and SanBios database were conducted to identify previously mapped resources on the site and in the vicinity. On May 30, 2020 and October 29, 2022, Alden biologist Greg Mason conducted a site visit to identify, map, and photograph existing biological resources on site. The entire Project site was walked and vegetation communities were mapped on aerial imagery.

A. Physical Characteristics

As described in Chapter 2.0, *Environmental Setting*, of this EIR, the proposed development parcels in the southern portion of the Project site currently support four existing buildings and parking areas in the eastern portion, and the western portion of the site is graded and has most recently been used as a staging area for Mid-Coast Trolley construction project. Small areas around the existing development/graded area support revegetated habitat, landscaping, and native and naturalized vegetation. The northern portion of the Project site (north of the existing developed/disturbed areas and including the approximately 7.0-acre northern parcel that would remain as open space) is within the City of San Diego Multi-Habitat Planning Area (MHPA)¹. The Project site is surrounded by undeveloped open space in the MHPA to the north/northeast/northwest, west, and south (west of Westerra Court).

Elevations on site range from approximately 330 to 360 feet above mean sea level (AMSL). The majority of the soil on site is mapped by the U.S. Department of Agriculture SoilWeb as Chesterton fine sandy loam (5 to 9% slopes) with small areas mapped as Altamont clay (30 to 50% slopes) and Terrace Escarpments. However, according to the Preliminary Geotechnical Investigation for the Project (Geocon, 2021), and as further discussed in Section 5.6, *Geologic Conditions*, of this EIR, much of the site is covered with fill material.

B. City of San Diego Multi-Habitat Planning Area

As described in Section 5.4.2, *Regulatory Framework*, below, the MHPA was developed by the City in cooperation with the United States Fish and Wildlife Service (USFWS), California Department of Fish

¹ The MHPA mapping shown on figures in this section were confirmed by MSCP staff during preparation of the Project's *Biological Resources Report* (Alden, 2022).

and Wildlife (CDFW), property owners, developers, and environmental groups using the Preserve Design Criteria contained in the City's *Final Multiple Species Conservation Program* (MSCP) Plan, and the City Council-adopted criteria for the creation of the MHPA. The Project site is within the City's Urban Habitat Lands section of the overall MSCP. The City's MSCP Subarea Plan does not include any specific guidelines, policies, or measures for the portion of the MHPA located at the Project site.

C. Vegetation Communities

According to the *Biological Resources Report* (Alden, 2022), nine vegetation communities and developed land occur on the parcels to be developed, and the portion of existing Towne Centre Drive right-of-way that would be vacated and developed as part of the Project. A summary of the existing vegetation communities is provided in Table 5.4-1, *Existing Vegetation Communities On Site*. Additionally, the vegetation communities on site are identified in Figure 5.4-1, *Biological Resources*. Descriptions of the existing vegetation communities are provided below.

Table 5.4-1 Existing Vegetation Communities On Site

Vegetation Community ¹	Inside MHPA (acres)	Outside MHPA (acres)	Total (acres)
Southern willow scrub (no tier)	<0.01	0.04	0.04
Scrub oak chaparral (Tier I)	0.07	0.28	0.35
Diegan coastal sage scrub (Tier II)	1.60	1.66	3.26
Diegan coastal sage scrub-disturbed (Tier II)	0.01	0.05	0.06
Non-native grassland (Tier IIIB)	0.01	0.30	0.31
Diegan coastal sage scrub-revegetation (Tier IV) ²	<0.01	0.98	0.98
Ornamental (Tier IV)	0.00	1.52	1.52
Disturbed land (Tier IV)	0.00	0.03	0.03
Developed (no tier)	0.01	18.88	18.89
Total	1.70	23.74	25.44

Source: (Alden, 2022)

1. Upland vegetation communities within the MSCP study area have been divided into four tiers of sensitivity (the first being the most sensitive and the fourth being the least) based on rarity and ecological importance. Wetland communities and developed land are not assigned a tier.

2. Diegan coastal sage scrub-revegetation on site is considered herein as Tier IV other upland rather than a Tier II uncommon upland because this community was the result of an MHPA Land Use Adjacency Guideline requirement for the previously approved project in the western portion of the Project and not mitigation for that previous project's impacts.

Southern Willow Scrub

Southern willow scrub occurs near stream channels and typically consists of dense, broadleaved, winter-deciduous stands of trees dominated by shrubby willows (*Salix* sp.) in association with mule fat (*Baccharis salicifolia*), and sometimes with scattered emergent cottonwood (*Populus fremontii*) and western sycamores (*Platanus racemosa*). The Southern willow scrub on site is comprised of arroyo willow with mule fat and dwarf nettle (*Urtica urens*) and occurs at the upper end of the bottom of a canyon in the eastern portion of the Project site. Southern willow scrub is a wetland community that is not assigned to a tier by the City. It is not, however, a City Wetland (see Jurisdictional Features below).

Scrub Oak Chaparral

Scrub oak chaparral is a dense, evergreen chaparral that grows up to 20 feet tall, dominated by Nuttall's scrub oak (*Quercus Dumosa*). Scrub oak chaparral occurs in somewhat more mesic areas than many other chaparrals, such as north facing slopes. Scrub oak chaparral on site occurs on slopes along the eastern border of the Project site development parcels. Scrub oak chaparral is recognized as Tier I (rare upland) community by the City.

Diegan Coastal Sage Scrub

Diegan Coastal sage scrub is in the northern, southern, and eastern portions of the Project site development parcels and contains a diverse suite of plant species such as California sagebrush (*Artemisia californica*), California buckwheat (*Eriogonum fasciculatum*), bush sunflower (*Encelia californica*), and laurel sumac (*Malosma laurina*). Diegan coastal sage scrub is recognized as a Tier II (uncommon upland) community by the City.

Diegan Coastal Sage Scrub-Disturbed

Diegan coastal sage scrub-disturbed (Tier II) contains many of the same scrub species as the undisturbed community but is sparser and has a higher proportion of non-native, annual species (such as wild oats [*Avena fatua*] and black mustard [*Brassica nigra*] on site). Diegan coastal sage scrub disturbed is so because it occurs adjacent to existing development activities and is likely to have been disturbed during those activities. Diegan coastal sage scrub-disturbed is located along the western boundary of the Project site development parcels.

Diegan Coastal Sage Scrub-Revegetation

This community on site is the result of an MHPA Land Use Adjacency Guideline requirement for the previous Towne Centre Corporate Plaza project. It is not the result of mitigation for that project. The Mitigation Monitoring and Reporting Program for that project (Project 1591; Resolution Number R-300179 Adopted March 1, 2005) stated that, "No new, exotic, invasive plant species shall be utilized adjacent to the MHPA. All non-irrigated hydroseeded vegetation areas and areas adjacent to the MHPA shall consist of native or non-invasive species to the satisfaction of the Environmental Review Manager of Land Development Review."

Therefore, native Diegan coastal sage scrub species such as California sagebrush and California buckwheat were planted. Since this coastal sage scrub was planted to satisfy an MHPA adjacency requirement, it is considered herein as a Tier IV other upland rather than a Tier II uncommon upland because it was not mitigation for the previous project's impacts.

Non-Native Grassland

Non-native grassland includes a dense to sparse cover of non-native grasses, sometimes associated with species of showy-flowered, native annual forbs but where the vegetative cover is at least 50%

annual grass species. This community typically occurs on gradual slopes with deep, fine-textured, usually clay soils. Characteristic grass species on site include wild oats, ripgut grass (*Bromus diandrus*), perennial rye grass (*Festuca perennis*) wild barley (*Hordeum murinum*), and Bermuda grass (*Cynodon dactylon*). Non-native grassland is located along the western boundary and in the northern tip of the Project site development parcels. Non-native grassland is along the western boundary and in the northern tip of the Project site development parcels. Non-native grassland is recognized as a Tier IIIB upland community (common uplands) by the City.

Ornamental

Ornamental vegetation on site includes non-native plant species that were planted for ornamental purposes but is considered separate from landscaping that is part of the “Developed” vegetation community because it is not maintained. Ornamental plant species are located primarily along the perimeter of existing developed areas on site and include those such as oleander (*Nerium oleander*), Canary Island date palm (*Phoenix canariensis*), Mexican fan palm (*Washingtonia robusta*), Canary Island pine (*Pinus canariensis*), and Brazilian pepper tree (*Schinus terebinthifolius*). Ornamental is recognized as a Tier IV (other) community and is not considered sensitive by the City.

Disturbed Land

Disturbed habitat includes unvegetated or sparsely vegetated areas, often where the soil has been heavily compacted by prior development or where agricultural lands have been abandoned. Disturbed land is generally dominated by non-native, weedy species that are adapted to frequent disturbance or consists of dirt trails and roads. Disturbed land is in the southeastern corner of the Project site, and some plant species in disturbed land on site include crown daisy (*Glebionis coronaria*), bristly ox-tongue (*Helminthotheca echioides*), prickly lettuce (*Lactuca serriola*), and Russian thistle (*Salsola tragus*). Disturbed habitat is recognized as a Tier IV (other) community by the City.

Developed

Developed land on site includes, existing buildings, internal roadways, maintained landscaping, the area that was graded and being used as a staging area for Mid-Coast Trolley construction project, and the western terminus of Towne Centre Drive (west of Westerra Court). Developed land is not assigned to a tier by the City.

D. Sensitive Plants

The May 30, 2020 site visit was conducted during the bloom period for most annual plant species, and the site visit included a search for sensitive annual and perennial plant species. These species were mapped when found. One sensitive plant species (Nuttall’s scrub oak) was observed on site during the May 30 site visit; Nuttall’s scrub oak is the dominant species in scrub oak chaparral and is described below.

- **Nuttall's scrub oak (*Quercus Dumosa*)**
 - **Sensitivity:** California Native Plant Society Rare Plant Rank 1B.1
 - **Distribution:** San Diego, Orange, and Santa Barbara counties; Baja California, Mexico
 - **Habitat:** Chaparral with a relatively open canopy cover in flat terrain (also found in coastal scrub). On north-facing slopes, may grow in dense monotypic stands.
 - **Presence on site:** Nuttall's scrub oak is the dominant plant species in scrub oak chaparral on site (refer to Figure 5.4-1, *Biological Resources*).

In addition to the Nuttall's scrub oak, the CNDDDB search also identifies that the following other sensitive species may occur on site or in the vicinity of the Project site: San Diego barrel cactus (20 individuals were observed off site west of the basketball court in the eastern portion of the Project site), wart-stemmed ceanothus (*Ceanothus verrucosus*), Campbell's liverwort (*Geothallus tuberosus*), California adolphia (*Adolphia californica*), and woven-spored lichen (*Texosporium sancti-jacobi*). All sensitive plant species that were observed or that have the potential to occur on site are listed in Attachment D of the *Biological Resources Report* included in Appendix D of this EIR. San Diego barrel cactus is a species that would have been observed if present on site.

E. Jurisdictional Features

The Project site development parcels were assessed for features that could be considered jurisdictional by the U.S. Army Corps of Engineers (Corps), CDFW, Regional Water Quality Control Board (RWQCB), and the City. According to the *Biological Technical Report* (Alden, 2022), no features that could be jurisdictional to the Corps, CDFW, or RWQCB or that could qualify as a City Wetland were found within the Project impact footprint. Southern willow scrub that occurs outside the impact footprint may be jurisdictional to one or more agency but is not a City Wetland. The southern willow scrub is not a City Wetland because it occurs in a historically non-wetland location (City 2018). Historic aerial imagery back to 1953 shows what appears to be the typical patterns of scrub and chaparral on the north-south facing slopes. The southern willow scrub appears in the imagery after the creation of the now-existing, irrigated, vegetated (with ornamentals) slope above the canyon bottom that was manufactured just prior to 2022 (based on Google Earth imagery). During the October 30, 2022 site visit, significant irrigation runoff into the canyon was observed.

Since the southern willow scrub is not a City Wetland, a wetland buffer is not required. The manufactured slope, however, provides approximately 90 feet of distance between the southern willow scrub vegetation and the proposed development area above.

F. Sensitive Animal Species and Nesting Birds

As discussed in the *Biological Technical Report* (Alden, 2022), no focused sensitive animal species studies were conducted; however, sensitive animal species were searched for opportunistically during the site visit and were mapped when found. One sensitive animal species was observed on site, coastal California gnatcatcher (*Poliophtila California californica*). The coastal California gnatcatcher is a federal threatened, State species of special concern, and MSCP covered species; this species was observed on site in the MHPA (outside the Project direct impact footprint) and off site in the MHPA (refer to Figure 5.4-1, *Biological Resources*).

The CNDDDB search also reports other sensitive animal species that may occur on site or in the vicinity of the Project site development parcels: California black rail (*Laterallus jamaicensis coturniculus*) and mule deer (*Odocoileus hemionus*). Sensitive animal species that were observed or that have the potential to occur on site are listed in Attachment E of the *Biological Resource Report* included in Appendix D.

Additionally, the Project site contains vegetation that has potential to support bird nesting; however, that potential is very low in the developed portions of the Project site due to lack of suitable nesting habitat, where most of the Project's development would occur.

G. Wildlife Corridors

According to the *Biological Technical Report* (Alden, 2022), the MHPA delineates core biological resource areas and corridors targeted for conservation as these lands are determined to provide the necessary habitat quality, quantity, and connectivity to sustain the unique biodiversity of the San Diego Region. As shown on Figure 5.4-1, *Biological Resources*, there is MHPA designated in the northern portion of the Project site (including the northern 7.0-acre parcel that would not be subject to development as part of the Project) and surrounding the Project site.

5.4.2 Regulatory Framework

A. Federal

1. Endangered Species Act

The Endangered Species Act (ESA) provides protections for species endangered or threatened with extinction. ESA prohibits the "take" of endangered or threatened wildlife species. "Take is defined" to include harassing, harming, pursuing, hunting, shooting, wounding, killing, trapping, capturing, or collecting wildlife species or any attempt to engage in such conduct (ESA Section 3[(3)(19)]. "Harm" is further defined to include significant habitat modification or degradation that result in death or injury to listed species by significantly impairing behavioral patterns (50 CFR Section 17.3). "Harass" is defined as actions that create the likelihood of injury to listed species to such an extent as to significantly disrupt normal behavior patterns (50 CFR Section 17.3). Actions that result in take can result in civil or criminal penalties. Projects that are implemented consistent with the City of San Diego's MSCP and Biology Guidelines would be allowed to take listed species with the City of San Diego's authorization and approval.

2. Rivers and Harbors Act and Clean Water Act

Federal wetland regulation (non-marine issues) is guided by the Rivers and Harbors Act of 1899 (RHA) and the Clean Water Act. The Rivers and Harbors Act deals primarily with discharges into navigable waters, while the purpose of the Clean Water Act is to restore and maintain the chemical, physical, and biological integrity of all Waters of the U.S. Permitting for projects filling Waters of the U.S. (including wetlands) is overseen by the Corps under Section 404 of the Clean Water Act. Projects could be permitted on an individual basis or be covered under one of several approved nationwide

permits. Individual permits are assessed independently based on the type of action, amount of fill, etc. Individual permits typically require substantial time (often longer than 6 months) to review and approve, while nationwide permits are pre-approved if a project meets appropriate conditions. Given the lack of jurisdictional Waters of the U.S. features within the Project impact footprint, a Section 404 Permit would not be required for the Project.

3. *Migratory Bird Treaty Act*

Migratory bird species that are native to the U.S. or its territories are protected under the federal Migratory Bird Treaty Act (MBTA), as amended under the Migratory Bird Treaty Reform Act of 2004 (FR Doc. 05-5127). The MBTA is intended to protect migratory birds. Typically, protection of migratory birds through the MBTA is provided through restrictions on disturbance of active bird nests during the nesting season. In addition, the USFWS commonly places restrictions on disturbances allowed near active raptor nests. Compliance with the MBTA is required for all projects.

B. State

1. *California Environmental Quality Act*

Primary environmental legislation in California is found in the California Environmental Quality Act (CEQA) and its implementing guidelines (State CEQA Guidelines), requiring that projects with potential adverse effects or impacts on the environment undergo environmental review. Adverse impacts to the environment are typically mitigated as a result of the environmental review process in accordance with existing laws and regulations.

2. *California Endangered Species Act*

The California Endangered Species Act (CESA) established that it is State policy to conserve, protect, restore, and enhance endangered species and their habitats. Under State law, plant, and animal species may be formally designated rare, threatened, or endangered by official listing by the California Fish and Game Commission. CESA authorizes that private entities may “take” plant or wildlife species listed as endangered or threatened under the ESA and CESA, pursuant to a Federal Incidental Take Permit if the CDFW certifies that the incidental take is consistent with the CESA. For State-only listed species, Section 2081 of the CESA authorizes the CDFW to issue an Incidental Take Permit for a State listed threatened or endangered species if specific criteria are met.

3. *California Fish and Game Code*

Pursuant to California Fish and Game Code (CFGC) Section 3503, it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto. Raptors and owls and their active nests are protected by CFGC Section 3503.5, which states that it is unlawful to take, possess, or destroy any birds of prey or to take, possess, or destroy the nest or eggs of any such bird unless authorized by the CDFW. Section 3513 states that it is unlawful to take or possess any migratory non-game bird as designated in the MBTA. These regulations could require that construction activities phases of the nesting cycle unless surveys by a qualified biologist demonstrate that nests, eggs, or nesting birds would not be

disturbed, subject to approval by CDFW and/or USFWS. As a general/standard condition, the Project must comply with California Fish and Game Code Sections 3503 and 3503.5.

Fully protected species are described in CFGC Sections 3511, 4700, 5050, and 5515. These species include certain fish, amphibian and reptile, bird, and mammal species. These statutes prohibit take or possession of fully protected species and do not provide for authorization of incidental take of fully protected species.

4. Porter-Cologne Water Quality Control Act (1970)

The Porter-Cologne Water Quality Control Act of 1970 grants the State Water Resource Control Board (SWRCB) and its regional officers' power to protect water quality and is the primary vehicle for implementation of the State's responsibilities under Section 401 of the federal Clean Water Act. The Porter-Cologne Act grants the SWRCB authority and responsibility to adopt plans and policies, regulate discharges to surface and groundwater, regulate waste disposal sites, and require cleanup of discharges of hazardous materials and other pollutants. Typically, the SWRCB and RWQCB act in concert with the Corps under Section 401 of the Clean Water Act in relation to permitting fill of Waters of the U.S.

C. Local

1. Multiple Species Conservation Program

The MSCP is a comprehensive planning program for San Diego County. Local jurisdictions, including the City of San Diego, implement their portions of the MSCP through subarea plans, which describe specific implementing mechanisms. The City's MSCP Subarea Plan, approved in March 1997, is a plan and process for the issuance of permits under the federal and State Endangered Species Act and the California Natural Communities Conservation Planning Act of 1991. The primary goal of the MSCP Subarea Plan is to conserve viable populations of sensitive species and to conserve regional biodiversity while allowing for reasonable economic growth. 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. This approach allows for preservation of entire ecosystems (e.g., coastal sage scrub) on a large scale, rather than a single species, project-by-project basis as under the original State and federal species protection laws. In accordance with the MSCP, the City has developed a Subarea Plan to implement the MSCP and MHPA within the City of San Diego.

Within the MHPA, development will be limited to ensure the long-term viability and recovery of "covered" species. Through this strategy, the MSCP will preserve a network of habitat and open space, protecting biodiversity and enhancing the region's quality of life, while at the same time providing an economic benefit by streamlining compliance with federal and State wildlife laws. Signatory agencies and districts administer their portions of the MSCP through subarea plans and implementing agreements (IAs). In July 1997, the City signed an IA with the USFWS and the CDFW. The Implementing Agreement serves as a binding contract between the City, the USFWS, and the CDFW that identifies the roles and responsibilities of the parties to implement the MSCP and

Subarea Plan. The agreement allows the City to issue incidental take authorizations under the provisions of the MSCP. Applicable State and federal permits are still required for wetland and listed species that are not covered by the MSCP.

As previously discussed, and as identified on Figure 5.4-1, *Biological Resources*, there are areas within the MHPA on site and surrounding the Project site.

City of San Diego MHPA

The MHPA was developed by the City in cooperation with the USFWS, CDFW, property owners, developers, and environmental groups using the Preserve Design Criteria contained in the MSCP Plan, and the City Council-adopted criteria for the creation of the MHPA. MHPA lands are those that have been included within the City's MSCP Subarea Plan for habitat conservation. These lands have been determined to provide the necessary habitat quality, quantity, and connectivity to sustain the unique biodiversity of the San Diego region. MHPA lands are considered by the City to be a sensitive biological resource. To address the integrity of the MHPA, guidelines were developed to manage land uses adjacent to the MHPA. The MHPA Land Use Adjacency Guidelines (LUAG) are intended to be addressed on a project-by-project basis either in the planning or management stage. The LUAG address the issues of drainage, toxics, lighting, noise, invasive, brush management, access to MHPA, and grading/land development. Because the project includes development adjacent to the MHPA, conformance with the LUAG is required.

2. *City of San Diego Environmentally Sensitive Lands (ESL) Regulations*

The City's 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. ESL Regulations include sensitive biological resources, steep hillsides, coastal beaches, sensitive coastal bluffs and 100-year floodplains (San Diego Municipal Code [SDMC] 143.0110). Mitigation requirements for sensitive biological resources follow the requirements of the City's Biology Guidelines as outlined in the City's Municipal Code ESL Regulations (Chapter 14, Article 3, Division 1), further discussed below (City of San Diego, 2018). Impacts to biological resources within the City's MHPA must comply with the ESL Regulations, which also serve as standards for the determination of biological impacts and mitigation under CEQA in the City.

The ESL listing defines sensitive biological resources as: those lands included within the MHPA as identified in the City of San Diego's MSCP Subarea Plan, and other lands outside the MHPA that contain wetlands; vegetation communities classifiable as Tier I, II, IIIA or IIIB (as defined in the City of San Diego Biology Guidelines); habitat for Rare, Endangered or Threatened species; or MSCP narrow endemic species as listed in the Biological Guidelines. The ESL Regulations are applicable to the Project because Tier I, Tier II, and Tier IIIB habitats occur within the Project site development parcels. Because the ESL Regulations are a land use planning tool and are applied during the City's review and processing of proposed projects, these regulations and their relationship to the Project are further discussed in Section 5.1, *Land Use*, of this EIR.

3. **Biology Guidelines**

The City's Biology Guidelines have been formulated by the Development Services Department to aid in the implementation and interpretation of the ESL Regulations. The purpose of the ESL Regulations is to, "protect, preserve and, where damaged, restore the ESL of San Diego and the viability of the species supported by those lands" (SDMC 143.0101). Section III of the Biology Guidelines (Biological Impact Analysis and Mitigation Procedures) also serves as standards for the determination of impact and mitigation under CEQA. The Biology Guidelines are the baseline biological standards for processing Neighborhood Development Permits, Site Development Permits, and Coastal Development Permits issued pursuant to the ESL Regulations.

5.4.3 Impact Analysis

A. **Issue 1, Issue 2, and Issue 3**

Issue 1 *Would the project result in a substantial adverse impact, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in the MSCP or other local or regional plans, policies or regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS)?*

Issue 2 *Would the project result in a substantial adverse impact on any Tier I Habitats, Tier II Habitats, Tier IIIA Habitats, or Tier IIIB Habitats as identified in the Biology Guidelines of the Land Development manual or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW or USFWS?*

Issue 3 *Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, including linkages identified in the MSCP Plan, or impede the use of native wildlife nursery sites?*

1. **Impact Threshold**

According to the City's CEQA Significance Determination Thresholds, impacts to biological resources would be considered significant if any of the following conditions occur:

- *The site has been identified as part of the MHPA by the City's MSCP Subarea Plan.*
- *Any encroachment into the MHPA (in excess of the allowable encroachment by a project) would be considered significant and require a boundary adjustment.*
- *Lands containing Tier I, II, IIIa, and IIIb (see Table 3 of City's Biology Guidelines) vegetation communities and all wetlands are considered sensitive and declining habitats. As such, impacts to these resources may be considered significant.*
- *Impacts to wildlife species listed as threatened or endangered or other protected species that may use the site.*

- *Impacts to individual sensitive species, outside of any impacts to habitat, may also be considered significant based upon the rarity and extent of impacts. Impacts to State or federally listed species and all narrow endemics should be considered significant. Certain species covered by the MSCP and other species not covered by the MSCP may be considered significant on a case-by-case basis taking into consideration all pertinent information regarding distribution, rarity, and the level of habitat conservation afforded by the MSCP.*
- *Brush management Zone 2 thinning outside the MHPA which affects non-covered species is potentially significant. Brush management not conducted in accordance with brush management regulations, regardless of where it is located, is also potentially significant.*
- *For California gnatcatcher habitat within the MHPA and occupied, construction or operational noise levels exceeding 60 dB(A) (or exceeding the existing ambient noise level if already above 60 dB(A)) during the breeding season is considered significant.*
- *Indirect impacts, including:*
 - *The introduction of urban meso-predators into a biological system;*
 - *The introduction of urban runoff into a biological system;*
 - *The introduction of invasive exotic plant species into a biological system;*
 - *Noise and lighting impacts.*
- *Direct impacts to perennial native grasslands that are greater than 0.1-acre are significant and cumulatively significant.*
- *Impacts to State- or federally-listed species not covered by the MSCP may be considered cumulatively significant*
- *Result in substantial interference with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, including linkages identified in the MSCP Plan, or impedance of the use of native wildlife nursery sites.*

It should be noted that a project would not result in significant impacts to biological resources if any of the following occurs:

- *Total upland impacts (Tier I-III) less than 0.1-acre are not considered significant and do not require mitigation.*
- *Lands designated as Tier IV are not considered to have significant habitat value and impacts would not be considered significant.*
- *Brush management Zone 2 thinning activities, while having the potential to adversely affect biological resources, are not considered potentially significant inside the MHPA or to the extent that non covered species are not impacts, outside the MHPA, because of the implementation of the MSCP.*

- *Removal/control of non-native plants is not considered to constitute a significant habitat impact for which compensatory habitat acquisition, preservation, or creation for the area impacted is required.*

2. Analysis

Direct Impacts

Direct impacts immediately alter the affected biological resources such that those resources are eliminated temporarily or permanently. All Project-related direct impacts would be permanent.

Vegetation Communities

The Project would directly impact a total of 20.06 acres on site due to grading and Brush Management Zone (BMZ 1)² within the existing developed and disturbed areas within the limits of existing grading footprint; brush management requirements applicable to the Project and proposed alternative compliance for brush management requirements are further discussed in Section 5.19, *Wildfire*, of this EIR. The Project's on-site brush management activities in BMZ 2³ would affect a total of 0.38-acre; however, BMZ 2 is considered impact neutral (i.e., not considered impacted but cannot be used as mitigation). Additionally, the Project would directly impact a total of 1.41 acres off site associated with construction within the existing Towne Centre Drive public right-of-way and slopes outside that right-of-way (refer to Figure 5.4-1, *Biological Resources*). A summary of the Project's direct impacts is provided in Table 5.4-2, *Direct Project Impacts to Vegetation Communities*.

As identified in Table 5.4-2, the Project would not impact Tier 1 scrub oak chaparral, Tier IIIB non-native grassland, or southern willow scrub (no tier) vegetation communities as these communities do not occur within the Project's impact limits. The Project would impact 0.05-acre of Tier II Diegan coastal sage scrub and Diegan coastal sage scrub-disturbed from grading and BMZ 1 outside the MHPA. However, according to the City's Biology Guidelines, total impacts to Tier I-IIIB vegetation communities that are less than 0.10-acre are not significant and do not require mitigation.

The Project would impact a total of 1.49 acres of Tier IV communities (i.e., Diegan coastal sage scrub-revegetation, ornamental, and disturbed land) and developed land are not considered to have significant habitat value; therefore, the Project's impacts to these communities and developed land onsite are not significant. Additionally, the Project's impacts to these Tier IV communities and developed land in the MHPA that would occur due to the construction of Towne Centre Drive would not be significant.

² BMZ 1 typically extends 35 feet out from the habitable structure, shall be least flammable, and shall typically consist of pavement and permanently irrigated ornamental planting.

³ BMZ 2 is typically 65 feet and includes the area between BMZ 1 and any area of native or naturalized vegetation and typically consists of thinned, native or naturalized non-irrigated vegetation.

Table 5.4-2 Direct Project Impacts to Vegetation Communities

Vegetation Community	Existing On Site	On-site Impacts ¹ (acres)			Off-site Impacts (acres)			TOTAL IMPACTS (acres)	Brush Management Zone 2 ² (acres)	
		Inside MHPA	Outside MHPA	Total On Site	Inside MHPA	Outside MHPA	Total Off Site		Inside MHPA	Outside MHPA
Southern willow scrub (no tier)	0.04	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Scrub oak chaparral (Tier I)	0.35	0.00	0.00	0.00	0.00	0.00	0.00	0.00	<0.01 (0.001)	0.00
Diegan coastal sage scrub (Tier II)	3.26	0.00	0.01	0.01	0.00	0.00	0.00	0.01	0.01	0.10
Diegan coastal sage scrub-disturbed (Tier II)	0.06	0.00	0.04	0.04	0.00	0.00	0.00	0.04	0.00	0.00
Non-native grassland (Tier IIIB)	0.31	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Diegan coastal sage scrub - revegetation (Tier IV)	0.98	0.00	0.35	0.35	<0.01 (0.001)	0.00	<0.01 (0.001)	0.35	0.00	0.21
Ornamental (Tier IV)	1.52	0.00	0.99	0.99	0.04	0.07	0.11	1.10	0.00	0.02
Disturbed land (Tier IV)	0.03	0.00	0.03	0.03	<0.01 (0.004)	<0.01 (0.002)	0.01	0.04	0.00	0.00
Developed (no tier)	18.89	0.00	18.64	18.64	0.59	0.71	1.30	19.94	<0.01 (0.003)	0.04
TOTAL	25.44	0.00	20.06	20.06	0.63	0.78	1.41	21.47	0.01	0.37

Source: (Alden, 2022)

Totals reflect rounding.

1. Includes impacts from BMZ 1.

2. BMZ 2 is impact neutral; therefore, it is not considered an impact, but cannot be used as mitigation.

Further, as required by the City, prior to recordation of the first final map and/or issuance of any grading permits, and as shown on Figure 5.1-3, *Open Space Easements*, in Section 5.1, Land Use, the onsite MHPA open space area would be conveyed to the City's MSCP preserve 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.

Sensitive Plant Species

Most of the Project's direct physical impacts would occur on currently disturbed or developed land, thereby reducing the Project's potential to impact sensitive plant species as these species are not likely to be present in those areas. As previously discussed, one sensitive plant species, Nuttall's scrub oak, was observed on site. However, this species and its scrub oak chaparral habitat that occur

on site would not be impacted; this habitat would be preserved in the Project's proposed open space area.

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 on site because it is a perennial stem succulent that is detectable year-round. Therefore, the implementation of the Project is not anticipated to result in impacts to the San Diego barrel cactus. No other sensitive species have a moderate or high potential to occur on site.

No significant impacts to sensitive plant species would occur and no mitigation is required.

Sensitive Animal Species

During the site visit conducted on May 30, 2020, one sensitive animal species (California gnatcatcher) was observed. However, this species was observed within the MHPA that lies outside the Project's direct impact footprint and off site within the MHPA. No other sensitive animal species were observed in the Project impact footprint on site and no sensitive animal species are anticipated to occur within the Project impact footprint due to the disturbed and developed nature of most of the Project site. Therefore, direct impacts to sensitive animal species are not anticipated.

Nesting Birds

The Project would be required to comply with the regulations of the MBTA and Fish and Game Code to avoid and/or minimize impacts to nesting birds. Therefore, the Project's potential impacts on nesting birds would be less than significant.

Avian Collisions

According to the USFWS:

Glass reflectivity and transparency create a lethal illusion of clear airspace that birds do not see as a barrier. During the daytime, birds collide with windows because they see reflections of the landscape in the glass (e.g., clouds, sky, vegetation, or the ground); or they see through glass to perceived habitat (including potted plants or vegetation inside buildings) or to the sky on the other side...The majority of collisions with both residential and urban buildings happen during the day, as birds fly around looking for food... avian mortalities at night more frequently occur at communication towers, offshore drilling platforms and in other situations where there is a bright light source in a dark area, especially during inclement weather.

As described in Chapter 3.0, *Project Description*, of this EIR, to the extent practicable, the Project would incorporate architectural design (windows/glass) and landscaping that is consistent with

American Bird Conservancy Bird-Friendly Design to minimize the potential for avian collisions with windows/glass and landscaping associated with the Project and to reduce the potential impact to a less than significant level.

Wildlife Corridors

The proposed development would occur on land outside the MHPA that is disturbed or already developed. The Project has been designed to preserve 3.98 acres in on-site open space that supports Tier I scrub oak chaparral, Tier II Diegan coastal sage scrub and Diegan coastal sage scrub-disturbed, Tier III B non-native grassland, and southern willow scrub. This area would be placed into a Covenant of Easement, as required by the City's ESL regulations. 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.

Indirect Impacts

Indirect impacts consist of secondary effects of a project that can occur during construction or from a project once built. Indirect effects listed in the City's Subarea Plan include those from grading/land development/MHPA boundaries, drainage, toxics/project staging/equipment storage, lighting, barriers, invasives, brush management, and noise as addressed by the MCSP LUAG specifically for indirect impacts to the MHPA from residential, active recreation, commercial, industrial, agricultural, landfill, and extractive uses but that may also affect sensitive biological resources outside the MHPA and during construction. 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 shall depict applicable requirements within the contract specifications and depict them on construction documents (as necessary) for the Project site. Other indirect impacts of a project include fugitive dust from construction and avian collisions. The magnitude of an indirect impact may be the same as a direct impact, but the effects generally take longer to become apparent.

Grading/Land Development/MHPA Boundaries

The LUAG require that *within or adjacent to the MHPA, all manufactured slopes associated with site development shall be included within the development footprint*. All manufactured slopes associated with the Project are included within the development footprint and would not impact the MHPA. Therefore, impacts related grading and land development would be less than significant consistent with the LUAG.

Drainage

The LUAG require that *all staging and developed/paved areas must prevent the release of toxins, chemicals, petroleum products, exotic plant materials prior to release by incorporating the use of filtration devices, planted swales and/or planted detention/desiltation basins, or other approved temporary and permanent methods that are designed to minimize negative impacts, such as excessive water and toxins*

into the ecosystems of the MHPA. Hardscape and landscape irrigation associated with the built Project could result in runoff. Runoff can be associated with erosion, sedimentation, and pollution, which could significantly impact water quality in the adjacent MHPA and nearby sensitive plant and animal species. As further discussed in Section 5.18, *Water Quality*, of this EIR, potential impacts due to runoff would be minimized using biofiltration basins and underground storm water vaults that would collect and treat water from the Project before discharging to preclude impacts to the MHPA per the LUAG. Therefore, drainage impacts resulting from the Project would be less than significant consistent with the LUAG.

Toxics/Project Staging Areas/Equipment Storage

The LUAG require that *projects that use chemicals or generate by-products such as pesticides, herbicides, and animal waste, and other substances that are potentially toxic or impactive to native habitats/flora/fauna (including water) shall incorporate measures to reduce impacts caused by the application and/or drainage of such materials into the MHPA. No trash, oil, parking, or other construction/development-related material/activities shall be allowed outside any approved construction limits. Provide a note in/on the construction documents that states: "All construction related activity that may have potential for leakage or intrusion shall be monitored by the Qualified Biologist/Owners Representative or Resident Engineer to ensure there is no impact to the MHPA."*

The storage and use of hazardous or toxic chemicals during construction of projects has the potential for leakage that could impact the adjacent MHPA and nearby sensitive plant and animal species. Potential impacts from any use of pesticides or herbicides (the Project would not generate animal waste) that could be spread via runoff would be minimized through the use of biofiltration basins and underground storm water vaults that would collect and treat water from the Project before it is discharged, and none of the discharges would occur directly into the MHPA (refer to Figure 5.4-1, *Biological Resources*). Additionally, no trash, oil, parking, or other construction/development-related material/activities will be allowed outside the approved construction limits, and the required note will be included on the construction documents. Therefore, toxics, staging, and storage impacts from the Project would be less than significant consistent with the LUAG.

Lighting

The LUAG require that *all lighting within or adjacent to the MHPA shall be directed away/shielded from the MHPA, or limited to the immediate area, and shall be in compliance with City Outdoor Lighting Regulations per LDC Section 142.0740*. 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. The Project's proposed night lighting would be shielded and directed away from the MHPA, or limited to the immediate area, and would be in compliance with City Outdoor Lighting Regulations per LDC Section 142.07. Therefore, lighting impacts from the Project would be less than significant consistent with the LUAG.

Barriers

The LUAG require that *existing fences/walls and/or signage along the MHPA boundaries shall remain and/or be added to direct public access to appropriate locations, reduce domestic animal predation, protect wildlife in the preserve, and provide adequate noise reduction where needed.* The Project would retain existing walls around the perimeter of the Project site and would involve the construction of new retaining walls northeast of proposed Building D and south of proposed Building A. These walls would deter access to the MHPA, and no new trails are proposed. The Project does not involve the construction of any new trails or access into the adjacent MHPA. As discussed under “Noise” below, noise associated with operation of the proposed facility is not expected to 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. Therefore, access and operational noise impacts resulting from the Project would be less than significant consistent with the LUAG.

Invasives

The LUAG require that *no invasive, non-native plant species shall be introduced into areas within or adjacent to the MHPA.* Invasive, non-native plants if used in a project’s landscaping, can spread into the adjacent MHPA and displace native plant species, reduce diversity, increase flammability and fire frequency, change ground and surface water levels, and adversely affect the native wildlife that are dependent on native or naturalized vegetation.

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 Nursery, incorporates native plants from the adjacent canyons, as well as the region, in support of the diverse ecosystem (Native West Nursery, 2021). No impacts to the MHPA would occur from the Project related to invasive plants. Therefore, invasive plan impact resulting from the Project would be less than significant consistent with the LUAG.

Brush Management

The LUAG require that *brush management zones will not be greater in size that is currently required by the City’s regulations (this includes use of approved alternative compliance). Within Zone 2, the amount of woody vegetation clearing shall not exceed 50% of the vegetation existing when the initial clearing is done. Vegetation clearing shall be done consistent with City standards and shall avoid/minimize impacts to covered species to the maximum extent possible. For all new development, regardless of the ownership, the brush management in the Zone 2 area will be the responsibility of a homeowner’s association or other private party.*

BMZ 1 for the Project would occur entirely within the Project impact footprint, outside the MHPA. BMZ 2 would occur outside of the impact footprint and the MHPA. All brush management maintenance would be under the responsibility of the Project owner and in conformance with City

regulations (San Diego Municipal Code Section 142.0412). Therefore, the proposed brush management activities would be less than significant consistent with the LUAG.

Noise

The LUAG require that *construction noise that exceeds the maximum levels allowed (60 decibels [dB] or greater at the beginning edge of the habitat) shall be avoided during the breeding season for the coastal California gnatcatcher (March 1 to August 15). If construction is proposed during the breeding season for the species, the following measures are required.*

As required, measures for the coastal California gnatcatcher, which includes restrictions on grading and construction during the breeding season for the California gnatcatcher (March 1 through August 15) would be implemented to be consistent with the LUAG for noise.

1. Prior to the issuance of any grading permit, the City Manager (or appointed designee) shall verify that the Multi-Habitat Planning Area (MHPA) boundaries and the following project requirements regarding the coastal California gnatcatcher are shown on the construction plans:

No clearing, grubbing, grading, or other construction activities shall occur between March 1 and August 15, the breeding season of the coastal California gnatcatcher, until the following requirements have been met to the satisfaction of the City Manager:

- A. *A qualified biologist (possessing a valid federal Endangered Species Act Section 10(a)(1)(A) Recovery Permit) shall survey appropriate habitat (coastal sage scrub) areas within the MHPA that would be subject to construction noise levels exceeding 60 decibels dB (dBA) hourly average for the presence of the coastal California gnatcatcher. Surveys for the coastal California gnatcatcher shall be conducted pursuant to protocol survey guidelines established by the USFWS within the breeding season prior to commencement of any construction. If gnatcatchers are present, the following conditions must be met:*
 - i. *Between March 1 and August 15, no clearing, grubbing, or grading of occupied gnatcatcher habitat shall be permitted. Areas restricted from such activities shall be staked or fenced under the supervision of a qualified biologist; and*
 - ii. *Between March 1 and August 15, no construction activities shall occur within any portion of the site where construction activities would result in noise levels exceeding 60 dBA hourly average at the edge of occupied gnatcatcher habitat. An analysis showing that noise generated by construction activities would not exceed 60 dBA hourly average at the edge of occupied habitat must be completed by a qualified acoustician (possessing current noise engineer license or registration with monitoring noise level experience with listed animal species) and approved by the City Manager at least two weeks prior to the commencement of construction activities. Prior to commencement of construction activities during*

the breeding season, areas restricted from such activities shall be staked or fenced under supervision of a qualified biologist; or

iii. At least two weeks prior to commencement of construction activities and under direction of a qualified acoustician, noise attenuation measures (e.g., berms, walls) shall be implemented to ensure that noise levels resulting from construction activities will not exceed 60 dBA hourly average at the edge of habitat occupied by the coastal California gnatcatcher. Concurrent with commencement of construction activities and construction of necessary noise attenuation facilities, noise monitoring⁴ shall be conducted at the edge of occupied habitat areato ensure that noise levels do not exceed 60 dBA hourly average. If the noise attenuation techniques implemented are determined to be inadequate by the qualified acoustician or biologist, then the associated construction activities shall cease until such time that adequate noise attenuation is achieved or until the end of the breeding season (August 16).

- B. If coastal California gnatcatchers are not detected during the protocol survey, the qualified biologist shall submit substantial evidence to the City Manager and applicable wildlife agencies which demonstrates whether or not mitigation measures such as noise walls are necessary between March 1 and August 15 as follows:*
- i. if this evidence indicates the potential is high for coastal California gnatcatcher to be present based on historical records or site conditions, then Condition A.III shall be adhered to as specified above.*
 - ii. If this evidence concludes that no impacts to this species are anticipated, no mitigation measures would be necessary.*

Construction-related noise has the potential to result in significant, indirect, temporary noise-related impacts to other nesting avian species (i.e., the coastal California gnatcatcher) within the adjacent MHPA, as well, should construction occur during the general avian breeding season (January through August). However, the Project would be required to comply with the regulations of the MBTA and California Fish and Game Code for the protection of nesting avian species, as discussed in Section 5.4.2. Specifically, compliance would be achieved through having construction activities occur outside the general avian breeding season. If construction activities adjacent to the MHPA cannot occur outside the general avian breeding season, a pre-construction avian nesting survey shall be conducted by a qualified biologist within 3 calendar days prior to construction. If nests are not observed, vegetation clearing may proceed. If nests are found, work may proceed provided the construction activity is: 1) located at least 900 feet from raptor nests; 2) located at least 300 feet from listed bird species' nests; and 3) located at least 100 feet from non-listed bird species' nest (specific measures would be implemented for the coastal California gnatcatcher). A qualified biologist shall conspicuously mark the buffer so that vegetation clearing does not encroach into the

buffer until the nest is no longer active (i.e., the nestlings fledge, the nest fails, or the nest is abandoned, as determined by a qualified biologist). This would be a condition of Project approval.

The Project would be required to comply with the MBTA and the California Fish and Game Code requirements. Furthermore, the MHPA LUAGs would be conditions of Project approval. Therefore, no significant construction noise impacts are anticipated to occur within the MHPA to general avian species.

As further discussed in Section 5.11, *Noise*, of this EIR, daytime and nighttime operational noise levels at the Project site boundary with adjacent open space would range from resulting 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 this LUAG.

Fugitive Dust

Fugitive dust produced during demolition and construction could disperse onto adjacent vegetation inside the MHPA. A continual cover of dust may reduce the overall vigor of individual plants by reducing their photosynthetic capabilities and increasing their susceptibility to pests or disease. This, in turn, could affect animals dependent on these plants (e.g., seed-eating rodents). As discussed in Section 5.3, *Air Quality*, of this EIR, construction of the Project would adhere to applicable construction dust control measures prescribed by the City. These measures include reduced driving speeds on unpaved roads and regular watering of dirt surfaces. Potential impacts from fugitive dust would be less than significant consistent with the LUAG.

Summary

The Project would be consistent with the LUAG; therefore, impacts would be less than significant.

3. Significance of Impact

Less than Significant Impact. The Project would impact less than 0.10 acre of sensitive (Tier II) habitats but would preserve 3.98 acres in 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. The Project would have no direct impacts on sensitive plant species, would not result in direct impacts on the coastal California gnatcatcher, and is not expected to have direct impacts on other sensitive animal species with moderate potential to occur. The Project would not interfere with wildlife movement. The Project's potential indirect impacts would be addressed through compliance with the LUAG and City-prescribed measures, which would be incorporated into the Project and included in the Project's conditions of approval. Project impacts would be less than significant.

4. Mitigation Measure

No mitigation measures are required.

B. Issue 4

Issue 4 *Would the project result in a substantial adverse impact on wetlands (including, but not limited to, marsh, vernal pool, riparian, etc.) through direct removal, filling, hydrological interruption, or other means?*

1. Impact Threshold

According to the City's CEQA Significance Determination Thresholds, impacts to biological resources would be considered significant if any of the following conditions occur:

- *All wetlands (see Table 2 of City's Biology Guidelines) are considered sensitive and declining habitats and impacts to wetlands resources may be considered significant. Total wetland impacts less than 0.01 acre are not considered significant and do not require mitigation.*
- *All direct impacts to vernal pools are significant and cumulatively significant.*

2. Analysis

According to the *Biological Technical Report* (Alden, 2022), the Project site does not contain any jurisdictional features within the Project's impact footprint. As discussed above, the Project site contains Southern willow scrub that is not considered a City Wetland and a wetland buffer is not required. Existing ornamental vegetation (located within Brush Management Zone (BMZ 1) on the slope above the Southern willow scrub acts as an approximately 90-foot buffer between the proposed development area and the Southern willow scrub habitat. The 90-foot buffer (mostly on a slope) would adequately protect the Southern willow scrub that would be located outside the Project impact footprint. As such, the implementation of the Project would not result in any impacts to features that could be jurisdictional to Corps, CDFW, or RWQCB or could qualify as City Wetland.

3. Significance of Impact

No Impact. The Project would not result in impacts to wetlands or jurisdictional features due to the absence of such features occurring within the development footprint of the Project. No impacts would occur.

4. Mitigation Measure

No mitigation measures are required.

C. Issue 5, Issue 6, and Issue 7

Issue 5 *Would the project result in a conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan, either within the MSCP plan area or in the surrounding region?*

Issue 6 *Would the project introduce a land use within an area adjacent to the MHPA that would result in adverse edge effects?*

Issue 7 *Would the project result in an introduction of invasive species of plants into a natural open space area?*

1. Impact Threshold

According to the City's Significance Determination Thresholds, a project would result in impacts to biological resources if it would:

- *Result in a conflict with the provisions of an adopted HCP, NCCP, or other approved local, regional, or State habitat conservation plan either within the MSCP plan area or in the surrounding region.*
- *Encroach into the MHPA in excess of the allowable encroachment.*
- *Introduce land use within an area adjacent to the MHPA that would result in adverse edge effects.*
- *Introduce invasive species of plants into a natural open space area.*

2. Analysis

According to the City's MSCP Subarea Plan, land uses planned or existing adjacent to the MHPA include single- and multiple-family residential, active recreation, commercial, industrial, agricultural, landfills, and extractive uses. The land uses adjacent to the MHPA are analyzed to ensure minimal impacts to the MHPA.

As described in Chapter 3.0, *Project Description*, the Project involves redevelopment of the southern portion of the Project site with a five-building campus (Building A through Building E), which would include scientific R&D, laboratory, technology, and office uses, with supporting parking structures and surface parking areas, recreational facilities, amenities, and landscaping. The Project's 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 does not include any invasive species and incorporates native species recommended by Native West Nursery and would include a number of native plants compatible with the surrounding canyon and region. The northern portion of the Project site, including areas within the MHPA, would remain as open space. The Project's impact footprint would not encroach into the MHPA. Although the Project's impact footprint does not occur within the MHPA, development would occur adjacent to the MHPA. As discussed above under subsection A, *Issue 1, Issue 2, and Issue 3*, the Project would adhere to the requirements outlined in Section 1.4.3 of the City's MCSP Subarea Plan (i.e., requirements related to drainage and toxics, lighting, noise, barriers, invasives, brush management, and grading/land development), including requirements outlined in the LUAG as Project conditions of approval and therefore impacts to the MHPA would be less than significant.

3. *Significance of Impact*

Less than Significant Impact. The Project would not result in a conflict with the provisions of an adopted HCP, NCCP, or other approved local, regional, or state habitat conservation plan. The Project would not introduce land uses adjacent to the MHPA that would result in significant edge effect nor would the Project introduce invasive species of plants into natural open space. Impacts would be less than significant.

4. *Mitigation Measure*

No mitigation measures are required.

D. *Issue 8*

Issue 8 *Would the project result in a conflict with any local policies or ordinances protecting biological resources?*

1. *Impact Threshold*

According to the City Significance Determination Thresholds, a project would result in impacts to biological resources if it would:

- *Result in a conflict with any local policies or ordinances protecting biological resources.*

2. *Analysis*

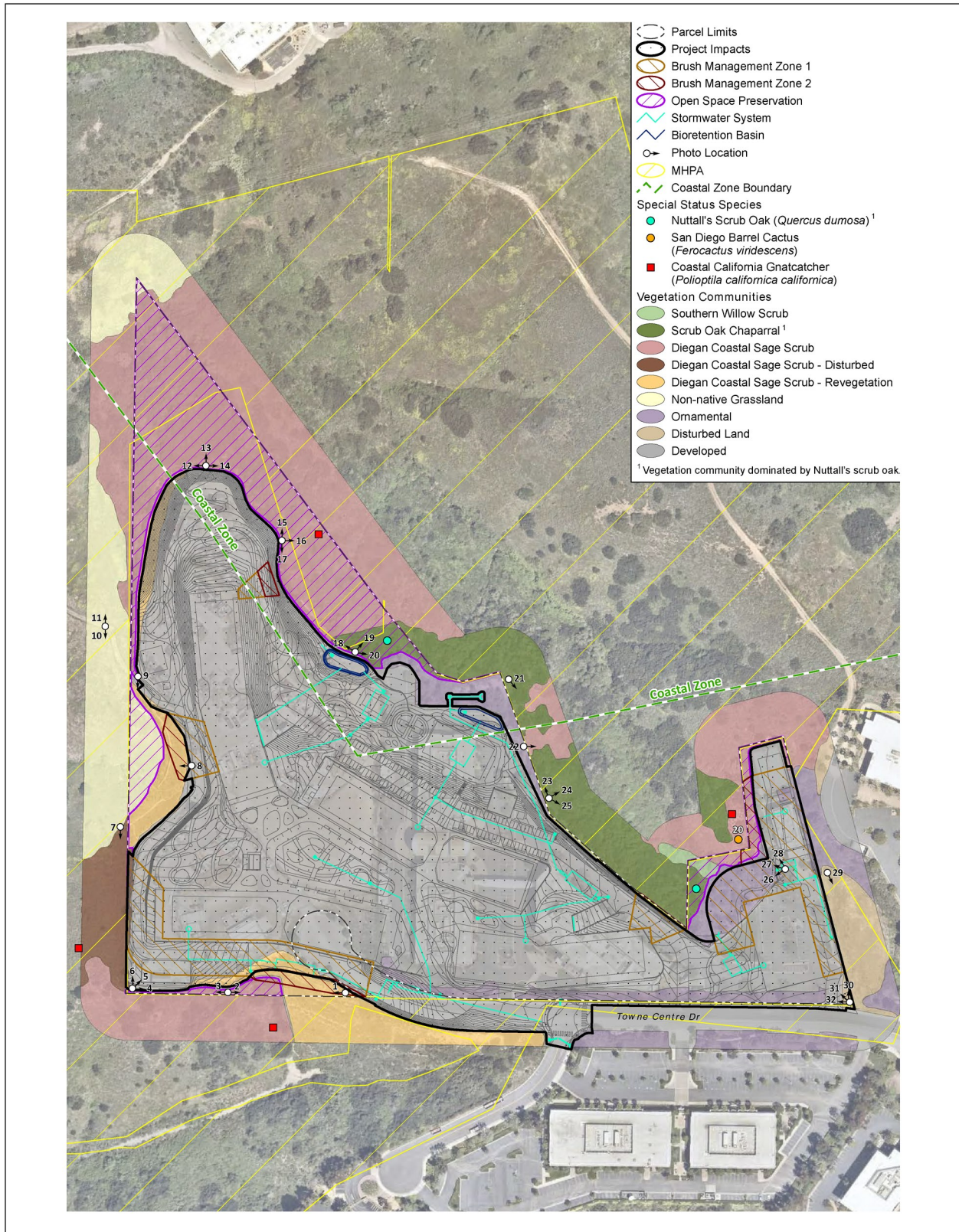
The Project would be subject to the City's Biology Guidelines and ESL Regulations within the Municipal Code Land Development Code related to sensitive biological resources. The City's ESL Regulations require avoidance of MHPA lands, wetlands, vernal pools in naturally occurring complexes, MSCP Covered Species, and MSCP Narrow Endemics. As discussed under Issues 1, 2, and 3, the Project site's impact footprint does not contain any wetlands, vernal pools, sensitive animal species, or sensitive plant species. Additionally, the Project would preserve the northern portion of the site, including areas within the MHPA, as open space; no development would occur within the proposed open space. The Project's consistency with the City's ESL regulations is discussed in Section 5.1, *Land Use*, of this EIR, and the Project would comply with the City's ESL Regulations, including conveyance of non-impacted ESL resources to a Covenant of Easement. No impact would occur.

3. *Significance of Impact*

No Impact. As discussed in Section 5.1, *Land Use*, of this EIR, the Project would not conflict with the City's Biology Guidelines and ESL Regulations within the Municipal Code Land Development Code related to sensitive biological resources. No impact would occur.

4. *Mitigation Measure*

No mitigation measures are required.



Source(s): Alden Environmental (January 2023)

Figure 5.4-1



Not to Scale

Biological Resources

5.5 ENERGY

This section provides an evaluation of existing energy production/consumption conditions and potential energy use and related impacts from the Project. The following discussion is based on the *Towne Centre View Energy Analysis, City of San Diego, (Energy Analysis)* prepared by Urban Crossroads, Inc. (February 2021) and included as Appendix E of this Environmental Impact Report (EIR).

5.5.1 Existing Conditions

A. Electricity

The Project site is located within the service area of San Diego Gas and Electric (SDG&E), which is regulated by the California Public Utilities Commission (CPUC). SDG&E provides electric power to more than 3.6 million persons in San Diego and Orange counties, within a service area encompassing approximately 4,100 square miles. Based on SDG&E's 2018 Power Content Label Mix, SDG&E derives electricity from varied energy resources including fossil fuels, hydroelectric generators, nuclear power plants, geothermal power plants, solar power generation, and wind farms. SDG&E also purchases from independent power producers and utilities, including out-of-state suppliers. The 2018 SDG&E Power Content Mix indicated 43% was from renewable energy, which included 2% of biomass and biowaste resources, 8% of geothermal resources, 21% of wind power and 21% solar energy. Additionally, natural gas and unspecified sources of power represent 29% and 27%, respectively, and less than 1% from other sources (refer to Table 2-2 of the Energy Analysis included in Appendix E of this EIR).

The Southern California region's electricity reliability has been of concern for the past several years due to the planned retirement of aging facilities that depend upon once-through cooling technologies, as well as the June 2013 retirement of the San Onofre Nuclear Generating Station (San Onofre). While the once-through cooling phase-out has been ongoing since the May 2010 adoption of the State Water Resources Control Board's once-through cooling policy, the retirement of San Onofre complicated the situation. California Independent System Operator (ISO) studies revealed the extent to which the South California Air Basin (SCAB) and the San Diego Air Basin (SDAB) region were vulnerable to low-voltage and post-transient voltage instability concerns. A preliminary plan to address these issues was detailed in the 2013 Integrative Energy Policy Report (IEPR) after a collaborative process with other energy agencies, utilities, and air districts. Similarly, the subsequent 2020 IEPR identifies broad strategies that are aimed at maintaining electricity system reliability.

B. Natural Gas

SDG&E also provides natural gas service to the Project site. SDG&E is a wholesale customer of Southern California Gas (SoCalGas), in which they receive deliveries of gas from SoCalGas and in turn deliver that gas to their own customers. SDG&E provides service to over 800,000 customers. Statewide, about 65% of the natural gas is consumed by larger volume gas customers, like electric generators and industrial customers, while about 35% of natural gas are consumed by residential and small commercial customers. Natural gas is available from a variety of in-state and out-of-state

sources and is provided throughout the State in response to market supply and demand. Complementing available natural gas resources, biogas may soon be available via existing delivery systems, thereby increasing the availability and reliability of resources in total. The CPUC oversees utility purchases and transmission of natural gas to ensure reliable and affordable natural gas deliveries to existing and new consumers throughout the State.

C. Transportation Energy Resources

California's on-road transportation system includes 394,383 land miles, more than 27.5 million passenger vehicles and light trucks, and almost 8.1 million medium- and heavy-duty vehicles. While gasoline consumption has been declining since 2008, it is still by far the dominant fuel. Petroleum comprises about 91% of all transportation energy use, excluding fuel consumed for aviation and most marine vessels. Nearly 17.8 billion gallons of on-highway fuel are burned each year, including 14.6 billion gallons of gasoline (including ethanol) and 3.2 billion gallons of diesel fuel (including biodiesel and renewable diesel). In 2019, Californians used 194 million cubic feet of natural gas as a transportation fuel, or the equivalent of 183 billion gallons of gasoline.

In March 2019, the Department of Motor Vehicles (DMV) identified 36.4 million registered vehicles in California, and those vehicles consume an estimated 17.8 billion gallons of fuel each year. Gasoline (and other vehicle fuels) are commercially provided commodities and would be available to the Project patrons and employees via commercial outlets.

D. Existing Project Site Energy Demand

Information from the California Emissions Estimator Model (CalEEMod) Version 2016.3.2 outputs for the *Towne Centre View Air Quality Impact Analysis* (Urban Crossroads, 2022a), discussed in Section 5.3, *Air Quality and Odors*, of this EIR, was used in the Project's Energy Analysis to estimate the energy demand from the existing and proposed uses. The energy demand of the existing uses was modeled using historical energy efficiencies. The modeled existing uses include 192,365 sf of research and development building area and a 420-space parking structure. Parking is estimated based on the required number of spaces at 2.1 per 1,000 sf. The parking is included to account for energy consumption associated with lighting for parking lots.

As presented in the Energy Analysis included in Appendix E of this EIR, the existing uses generate 2,948,473 annual vehicle miles traveled (VMT) with an estimated annual fuel consumption of 102,633 gallons of fuel (refer to Table 4-14 of the Energy Analysis), consume approximately 6,519,500 kBTU per year of natural gas, and consume approximately 3,350,290 kWh per year of electricity.

5.5.2 Regulatory Framework

A. Federal

1. ***Intermodal Surface Transportation Efficiency Act of 1991***

The Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) promoted the development of inter-modal transportation systems to maximize mobility as well as address national and local interests in air quality and energy. ISTEA contained factors that Metropolitan Planning Organizations (MPOs) were to address in developing transportation plans and programs, including some energy-related factors. To meet the new ISTEA requirements, MPOs adopted explicit policies defining the social, economic, energy, and environmental values guiding transportation decisions.

2. ***The Transportation Equity Act for the 21st Century***

The Transportation Equity Act for the 21st Century (TEA-21) was signed into law in 1998 and builds upon the initiatives established in the ISTEA legislation, discussed above. TEA-21 authorizes highway, highway safety, transit, and other efficient surface transportation programs. TEA-21 continues the program structure established for highways and transit under ISTEA, such as flexibility in the use of funds, emphasis on measures to improve the environment, and focus on a strong planning process as the foundation of good transportation decisions. TEA-21 also provides for investment in research and its application to maximize the performance of the transportation system through, for example, deployment of Intelligent Transportation Systems, to help improve operations and management of transportation systems and vehicle safety.

B. State

1. ***Integrated Energy Policy Report***

Senate Bill 1389 (Bowen, Chapter 568, Statutes of 2002) requires the California Energy Commission (CEC) to prepare a biennial integrated energy policy report (IEPR) that assesses major energy trends and issues facing the state's electricity, natural gas, and transportation fuel sectors and provides policy recommendations to conserve resources; protect the environment; ensure reliable, secure, and diverse energy supplies; enhance the state's economy; and protect public health and safety (Public Resources Code § 25301a)). The Energy Commission prepares these assessments and associated policy recommendations every two years, with updates in alternate years, as part of the Integrated Energy Policy Report.

The 2020 IEPR was adopted March 23, 2021, and continues to work towards improving electricity, natural gas, and transportation fuel energy use in California. The 2020 IEPR identifies actions the state and others can take to ensure a clean, affordable, and reliable energy system. California's innovative energy policies strengthen energy resiliency, reduce greenhouse gas (GHG) emissions that cause climate change, improve air quality, and contribute to a more equitable future.

2. State of California Energy Plan

The CEC is responsible for preparing the State Energy Plan, which identifies emerging trends related to energy supply, demand, conservation, public health and safety, and the maintenance of a healthy economy. The State Energy Plan calls for the state to assist in the transformation of the transportation system to improve air quality, reduce congestion, and increase the efficient use of fuel supplies with the least environmental and energy costs. To further this policy, the State Energy Plan identifies several strategies, including assistance to public agencies and fleet operators and encouragement of urban designs that reduce VMT and accommodate pedestrian and bicycle access.

3. California Code Title 24, Part 6, Energy Efficiency Standards

California Code Title 24, Part 6 (also referred to as the California Energy Code), was promulgated by the CEC in 1978 in response to a legislative mandate to create uniform building codes to reduce California's energy consumption. The standards are updated periodically to allow consideration and possible incorporation of new energy efficient technologies and methods. Energy efficient buildings require less electricity; therefore, increased energy efficiency reduces fossil fuel consumption and decreases greenhouse gas (GHG) emissions. The 2019 version of Title 24 was adopted by the CEC and became effective on January 1, 2020. The 2019 Title 24 requirements are applicable to building permit applications submitted on or after January 1, 2020. The 2019 Title 24 standards require solar PV systems for new homes, establish requirements for newly constructed healthcare facilities, encourage demand responsive technologies for residential buildings, and update indoor and outdoor lighting standards for nonresidential buildings. The CEC anticipates that nonresidential buildings will use approximately 30% less energy due to lighting upgrades compared to the prior code.

4. AB 1493 Pavley Regulations and Fuel Efficiency Standards

California AB 1493, enacted on July 22, 2002, required the California Air Resources Board (CARB) to develop and adopt regulations that reduce GHGs emitted by passenger vehicles and light duty trucks. Under this legislation, CARB adopted regulations to reduce GHG emissions from non-commercial passenger vehicles (cars and light-duty trucks). Although aimed at reducing GHG emissions, specifically, a co-benefit of the Pavley standards is an improvement in fuel efficiency and consequently a reduction in fuel consumption.

5. California's Renewable Portfolio Standard (RPS)

First established in 2002 under Senate Bill (SB) 1078, California's Renewable Portfolio Standards (RPS) requires retail sellers of electric services to increase procurement from eligible renewable resources to 33% of total retail sales by 2020.

6. Clean Energy and Pollution Reduction Act of 2015 (SB 350)

In October 2015, the legislature approved, and the Governor signed SB 350, which reaffirms California's commitment to reducing its GHG emissions and addressing climate change. Key provisions include an increase in the renewables portfolio standard (RPS), higher energy efficiency

requirements for buildings, initial strategies towards a regional electricity grid, and improved infrastructure for electric vehicle charging stations. Specifically, SB 350 requires the following to reduce statewide GHG emissions:

- Increase the amount of electricity procured from renewable energy sources from 33% to 50% by 2030, with interim targets of 40% by 2024, and 25% by 2027.
- Double the energy efficiency in existing buildings by 2030. This target will be achieved through the California Public Utility Commission (CPUC), the California Energy Commission (CEC), and local publicly owned utilities.
- Reorganize the Independent System Operator (ISO) to develop more regional electrify transmission markets and to improve accessibility in these markets, which will facilitate the growth of renewable energy markets in the western United States.

7. *Appendix F of the CEQA Guidelines*

Appendix F of the CEQA Guidelines states that the means of achieving the goal of energy conservation includes the following:

- Decreasing overall per capita energy consumption;
- Decreasing reliance on fossil fuels such as coal, natural gas, and oil; and
- Increasing reliance on renewable energy sources.

C. San Diego County

1. *Regional Energy Office (SDREO)*

The San Diego Regional Energy Office (SDREO) 2003 San Diego Regional Energy Infrastructure Study provided an integrated and comprehensive analysis of the electricity and natural gas supply and demand inventory and issues. The San Diego Regional Energy Infrastructure Study found that the San Diego region is unique compared to the rest of the state because of its proximity to Baja California, Mexico, and the close integration with respect to trade flows, movement of people, and capital. Currently, there is a growing interdependency between San Diego County and Northern Baja California in terms of both the supply and demand of energy. Electric power transfers have taken place between California and Northern Baja California, to some extent, for more than 20 years and recently, the bi-national supply and demand interdependencies have increased dramatically. Additionally, while abundant renewable resources are located within the County, the available resources are much greater when the potential of surrounding counties and Baja California are considered. The San Diego region's economic and energy development future depends on bi-national as well as interregional cooperation and joint problem solving. The County experiences many unique challenges because of its "island-like" geographic situation, bounded by the Pacific Ocean to the west, the Laguna Mountains to the east, the Mexican border to the south and Camp Pendleton to the north. Because of this fact, there are supply issues and risks that the region is facing unless additional supply options are made available.

San Diego Association of Governments' (SANDAG) 2014 Regional Energy Strategy (RES) identifies priority planning actions, essential to meeting the region's energy goals in the future:

1. Support energy efficiency policies in local and regional plans, such as AB 758: CA Comprehensive Energy Efficiency Program for Existing Buildings
2. Facilitate consistent permitting practices across the region
3. Promote building energy ratings and disclosure
4. Increase local availability and awareness of finance programs
5. Support implementation of Proposition 39 and resulting energy and cost savings

The major sources of energy in the San Diego region, which encompasses the Project area, include petroleum, electricity, and natural gas. The SDREO is currently preparing an update of the Regional Energy Plan (REP) for SANDAG. The SDREO has been asked to supplement the Regional Energy Plan Update to provide more detailed information and recommendations about energy infrastructure needs such as traditional power plants, alternative energy generating projects, and conservation elements. The SDREO will support the development of a comprehensive Regional Energy Strategy that is intended to address projected electricity and natural gas demand and needed supply for the region through 2030.

D. City of San Diego

1. City of San Diego General Plan

The Conservation Element of the City of San Diego General Plan includes the following energy-related policies:

Climate Change & Sustainable Development

- **Policy CE-A.5:** Employ sustainable or “green” building techniques for the construction and operation of buildings.
 - a. Develop and implement sustainable building standards for new and significant remodels of residential and commercial buildings to maximize energy efficiency, and to achieve overall net zero energy consumption by 2020 for new residential buildings and 2030 for new commercial buildings. This can be accomplished through factors including, but not limited to:
 - Designing mechanical and electrical systems that achieve greater energy efficiency with currently available technology
 - Minimizing energy use through innovative site design and building orientation that addresses factors such as sun-shade patterns, prevailing winds, landscape, and sun-screens
 - Employing self-generation of energy using renewable technologies
 - Combining energy efficient measures that have longer payback periods with measures that have shorter payback periods

- Reducing levels of non-essential lighting, heating, and cooling using energy efficient appliances and lighting. Provide technical services for “green” buildings in partnership with other agencies and organizations.

Sustainable Energy

- **Policy CE-I.3:** Pursue state and federal funding opportunities for research and development of alternative and renewable energy sources.
- **Policy CE-I.4:** Maintain and promote water conservation and waste diversion programs to conserve energy.
- **Policy CE-I.5:** Support the installation of photovoltaic panels, and other forms of renewable energy production.
 - a. Seek funding to incorporate renewable energy alternatives in public buildings.
 - b. Promote the use and installation of renewable energy alternatives in new and existing development.
- **Policy CE-I.7:** Pursue investments in energy efficiency and direct sustained efforts towards eliminating inefficient energy use.
- **Policy CE-I.10:** Use renewable energy sources to generate energy to the extent feasible.
- **Policy CE-I.12:** Use small, decentralized, aesthetically designed, and appropriately sited energy efficient power generation facilities to the extent feasible.

2. *City of San Diego Energy Strategy for a Sustainable Future*

The City of San Diego Environmental Services Department has taken a leadership role to advance policies and practices that support a more sustainable future. In June 2009, the department published its Energy Strategy for a Sustainable Future, which outlines six objectives to achieve more sustainable generation and use of energy, as follows:

- **Energy Conservation** – All City employees will be aware of and implement energy conservation measures by 2010.
- **Energy Efficiency** – Reduce energy use 10% by 2012, using 2000 as a baseline.
- **Renewable Energy** – Increase megawatts of renewable energy used at City facilities to 17 by 2012, and to 25 by 2020.
- **Management of SDG&E Energy Bills** – Continue the use of the Electronic Data Interchange.
- **Policy Development and Implementation** – Guide City efforts by institutionalizing policies and programs that increase energy conservation, efficiency, and the use of renewable energy.

- **Leverage Resources** – Ensure that state and federal funds are leveraged to the extent possible with existing programs such as CEC loans and the California Public Utilities Commission Partnership funds.

3. City of San Diego Climate Action Plan

The City of San Diego's Climate Action Plan (CAP) and CAP Consistency Checklist are the guiding documents that will be used to demonstrate consistency with the City's energy goals. The CAP identifies five strategies to address GHG emissions. Of these five strategies, three have direct implications to the energy demand of the Project: Energy and Water Efficient Buildings; Clean and Renewable Energy; and, Bicycling, Walking, Transit and Land Use. Applicable actions within each of these strategies identified below are expected to reduce the overall energy demand of the Project:

Strategy 1: Energy and Water Efficient Buildings

- Residential Energy Conservation and Disclosure Ordinance

Strategy 2: Clean and Renewable Energy

- Community Choice Aggregation Program or Another Program

Strategy 3: Bicycling, Walking, Transit and Land Use

- Mass Transit
- Commuter Walking
- Commuter Biking
- Promote Effective Land Use to Reduce Vehicle Miles Traveled

These actions support the overarching goals that the City is striving to achieve. The CAP Consistency Checklist provides more targeted guidance to evaluate a project's consistency with the applicable CAP strategies and actions. The targeted guidance that impacts energy include:

Strategy 1: Energy and Water Efficient Buildings

- Cool/Green Roofs

Strategy 2: Clean and Renewable Energy

- The CAP Consistency Checklist does not provide additional targeted guidance for this strategy.

Strategy 3: Bicycling, Walking, Transit and Land Use

- Electric Vehicle Charging
- Bicycle Parking Spaces
- Designated Parking Spaces
- Transportation Demand Management Program

5.5.3 Impact Analysis

A. Issue 1

Issue 1 *Would the project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?*

1. **Impact Threshold**

The City of San Diego has not yet prepared thresholds of significance for potential impacts related to energy. Therefore, for purposes of analysis in this EIR, guidance provided by issue questions listed in Appendix G of the CEQA Guidelines are used to evaluate the potential for significant impacts related to energy. According to CEQA Guidelines Appendix G, a project would result in a significant impact if it would:

- *Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.*

2. **Analysis**

Pursuant to State CEQA Guidelines Appendix F, energy conservation impacts were analyzed by estimating project energy requirements by amount and type, then evaluating project compliance with regulatory requirements. These data were used to evaluate the Project's effects on energy resources and the degree to which the project would comply with existing energy standards.

As previously discussed, the analysis included in this section utilizes the CalEEMod Version 2016.3.2 results from the Project's air quality analysis to estimate energy usage. Since operational GHG emission are based largely on the amount of energy used, the latest version of CalEEMod has been used, in part, to determine the Project's anticipated transportation and facility energy demands. Further, EMissions FACtor model (EMFAC) 2017, a mathematical model that was developed to calculate emission rates, fuel consumption, VMT from motor vehicles that operate on highways, freeways, and local roads in California was used to derive the average vehicle fuel economy and the estimated annual fuel consumption associated with vehicle usage during Project construction and operational activities. Additional information regarding the modeling methodology is provided in the Energy Analysis included in Appendix E of this EIR.

Construction Impacts

For purposes of analysis in this EIR, construction of the Project is estimated to commence in April 2022 and last through December 2027. Based on the 2017 National Construction Estimator, the typical power cost per 1,000 sf of construction per month is estimated to be \$2.32. The Project includes the development of 999,386 sf of commercial office use and associated parking, landscape area, and paved areas. Therefore, the total power cost of the on-site electricity usage during the construction of the Project is estimated to be approximately \$192,360. Additionally, as of June 1,

2020, SDG&E's general service rate is \$0.16 per kWh of electricity for general services. Therefore, the total electricity usage from on-site Project construction related activities is estimated to be approximately 1,190,646 kWh.

Fuel consumed by construction equipment would be the primary energy resource expended over the course of Project construction. Assuming eight-hour daily use of all equipment, the aggregate fuel consumption rate for all equipment is estimated at 18.5 horsepower hour per gallon (hp-hr-gal). For the purposes of this analysis, the calculations are based on all construction equipment being diesel-powered which is standard practice consistent with industry standards. Diesel fuel would be supplied by existing commercial fuel providers serving the City and region. As shown in Table 5.5-1, *Total Energy Consumption from Construction Equipment and Vehicles*, Project construction activities would consume an estimated 791,332 gallons of diesel fuel. Project construction would represent a "single-event" diesel fuel demand and would not require ongoing or permanent commitment of diesel fuel resources for this purpose.

Based on the CalEEMod, the trip and VMT are the number and length (in terms VMT) of on-road vehicle trips for workers, vendors, and hauling for each construction phase. As further described in the Energy Analysis, it is assumed that 69% of all worker trips are from light-duty automobile (LDA) vehicles, 8% are from light-duty truck 1 (LDT 1), and 23% are from light-duty truck 2 (LDT2). Construction worker trips are estimated to generate 2,509,682 VMT during the estimated 68 months of construction. It is estimated that 52,960, 8,412, and 23,812 gallons of fuel would be consumed related to construction worker trips from LDA, LDT1, LDT2, respectively (approximately 85,184 gallons of fuel). As with other construction fuel consumption, Project construction worker trips would represent a "single-event" gasoline fuel demand and would not require ongoing or permanent commitment of fuel resources for this purpose.

Construction vendor trips are estimated to generate 574,101 VMT and hauling is anticipated to generate in 794,420 VMT along area roadways for the Project. It is estimated that 39,745 and 38,300 gallons of fuel would be consumed in relation to construction vendor trips from medium-heavy duty trucks (MHDT) and heavy-heavy duty trucks (HHDT) respectively. Fuel consumption from construction hauling trips (HHDTs) would be approximately 126,470 gallons of fuel. Therefore, approximately 204,515 gallons of fuel would be consumed in relation to construction vendor and hauling trips during construction of the Project.

Construction Energy Efficiency and Conservation Measures

The equipment used for Project construction would conform to CARB regulations and California emissions standards. There are no unusual Project characteristics or construction processes that would require the use of equipment that would be more energy intensive than is used for comparable activities; or equipment that would not conform to current emissions standards (and related fuel efficiencies). Equipment employed in construction of the Project would therefore not result in inefficient wasteful, or unnecessary consumption of fuel.

Table 5.5-1 Total Energy Consumption from Construction Equipment and Vehicles

Construction Vehicle Type	Total Fuel Consumption (gal. diesel fuel)
Construction Equipment	501,633
Construction Worker (LDA)	52,960
Construction Worker (LDT1)	8,412
Construction Worker (LDT2)	23,812
Construction Vendor (MHDT)	39,745
Construction Vendor (HHDT)	38,300
Construction Hauling (HHDT)	126,470
Total Construction Fuel Consumption	791,332

Source: (Urban Crossroads, 2021)

The Project would retain construction contractors which practice compliance with applicable CARB regulation regarding retrofitting, repowering, or replacement of diesel off-road construction equipment. Additionally, CARB has adopted the Airborne Toxic Control Measure to limit heavy-duty diesel motor vehicle idling in order to reduce public exposure to diesel particulate matter and other Toxic Air Contaminants (TAC). Compliance with anti-idling and emissions regulations would result in a more efficient use of construction-related energy and the minimization or elimination of wasteful or unnecessary consumption of energy. Idling restrictions and the use of newer engines and equipment would result in less fuel combustion and energy consumption.

Additionally, certain incidental construction-source energy efficiencies would likely accrue through implementation of California regulations and best available control measures (BACM). Notably, CCR Title 13, Motor Vehicles, Section 2449(d)(2), limits idling times of construction vehicles to no more than five consecutive minutes, thereby precluding unnecessary and wasteful consumption of fuel due to unproductive idling of construction equipment. Construction equipment operators are required to be informed that engines are to be turned off at or prior to five minutes of idling. Enforcement of idling limitations is realized through periodic site inspections conducted by City building officials, and/or in response to citizen complaints.

Indirectly, construction energy efficiencies and energy conservation would be achieved for the Project through energy efficiencies realized from bulk purchase, transport and use of construction materials. A full analysis related to the energy needed to form construction materials is not included in this analysis due to a lack of detailed Project-specific information on construction materials. At this time, an analysis of the energy needed to create Project-related construction materials would be extremely speculative and thus has not been prepared.

In general, the construction processes promote conservation and efficient use of energy by reducing raw materials demands, with related reduction in energy demands associated with raw materials extraction, transportation, processing, and refinement. Use of materials in bulk reduces energy demands associated with preparation and transport of construction materials as well as the

transport and disposal of construction waste and solid waste in general, with corollary reduced demands on area landfill capacities and energy consumed by waste transport and landfill operations.

Operational Impacts

Energy consumption in support of or related to Project operations would include transportation energy demands (energy consumed by employee and patron vehicles accessing the Project site) and facilities energy demands (energy consumed by building operations and site maintenance activities), which are summarized in Table 5.5-2, *Project Generated Traffic Annual Fuel Consumption (All Vehicles)*, and Table 5.5-3, *Project Annual Operational Energy Demand Summary*, respectively. As previously discussed, to evaluate the net increased demand from the Project, the energy demand of the existing uses has been modeled using CalEEMod, using historical energy efficiencies.

Transportation Energy Demands

Energy that would be consumed by Project-generated traffic is a function of total VMT and estimated vehicle fuel economies of vehicles accessing the Project site. Existing use is estimated to generate 2,948,473 annual VMT with an estimated annual fuel consumption of 102,633 gallons of fuel. As summarized in Table 5.5-2, *Project Generated Traffic Annual Fuel Consumption (All Vehicles)*, the Project would result 12,319,637 annual VMT and an estimated annual fuel consumption of 428,834 gallons of fuel. After accounting for the estimated fuel use associated with the existing land uses (2,948, 473 annual VMT and 102,633 gallons annually), the Project would result in a net increase demand for 326,201 gallons of fuel.

Table 5.5-2 Project Generated Traffic Annual Fuel Consumption (All Vehicles)

Vehicle Type	Annual Miles Traveled	Average Vehicle Fuel Economy (mpg)	Estimated Annual Fuel Consumption (gallons)
LDA	7,545,901	38	200,386
LDT1	481,796	30	15,847
LDT2	2,212,385	30	74,961
MDV	1,254,940	24	51,254
LHD1	171,231	13	13,610
LHD2	66,341	13	5,114
MHD	210,037	9	22,622
HHD	305,071	7	43,065
MCY	71,934	36	1,976
Total (All Vehicles)	12,319,637	--	428,834

Source: (Urban Crossroads, 2021, Table 4-13)

Facility Energy Demands

Project building operations and Project site maintenance activities would result in the consumption of natural gas and electricity. Natural gas and electricity would be supplied to the Project by SDG&E. As previously stated, the analysis herein assumes compliance with the 2019 Title 24 Standards. As such, the CalEEMod defaults for Title 24 – Electricity and Lighting Energy were reduced by 30% in order to reflect consistency with the 2019 Title 24 standard. Annual natural gas and electricity demands of the Project are summarized in Table 5.5-3, *Project Annual Operational Energy Demand Summary*. As shown, Project's operation would generate an annual natural gas demand of approximately 27,862,900 kBTU and an annual electricity demand of 12,960,610 kWh. Existing uses currently consume 6,519,500 kBTU/year of natural gas and 3,350,290 kWh/year of electricity. After accounting for the energy use associated with the existing land uses, the Project would result in a net increase demand for 21,343,400 kBTU/year of natural gas; and 9,610,320 kWh/year of electricity.

Table 5.5-3 Project Annual Operational Energy Demand Summary

Natural Gas Demand	kBTU/year
Enclosed Parking with Elevator	0
Surface Parking Lots	0
Research & Development	27,862,900
TOTAL PROJECT NATURAL GAS DEMAND	27,862,900
Electricity Demand	kWh/year
Enclosed Parking with Elevator	4,344,700
Surface Parking Lots	11,200
Research & Development	8,604,710
TOTAL PROJECT ELECTRICITY DEMAND	12,960,610

kBTU – kilo-British Thermal Units; kWh – kilo-Watt-hours
Source: (Urban Crossroads, 2021, Table 4-15)

Operational Energy Efficiency and Conservation Measures

Energy efficiency/energy conservation attributes of the Project would be complemented by increasingly stringent State and federal regulatory actions addressing vehicle fuel economies and vehicle emissions standards; and enhanced building/utilities energy efficiencies mandated under California building codes (e.g., Title 24, California Green Building Standards Code).

In addition to the Title 24 Standards, the Project would comply with the City's Climate Action Plan Consistency Checklist, which requires incorporating contemporary design features such as cool roofs and increased water efficiencies. To be conservative these measures are not incorporated in the energy analysis of facility energy demand. The Project would also not result in a substantial increase in demand for transmission service, resulting in the need for new or expanded sources of energy supply or new or expanded energy delivery systems or infrastructure (other than site-adjacent and on site connects to local utilities).

Project annual fuel consumption estimates represent likely potential maximums that would occur for the Project. Under subsequent future conditions, average fuel economies of vehicles accessing the Project site can be expected to improve as older, less fuel-efficient vehicles are removed from circulation, and in response to fuel economy and emissions standards imposed on newer vehicles entering the circulation system. Furthermore, the Project would comply with the City Climate Action Plan Consistency Checklist, which requires incorporating design features such as dedicated carpool and clean air parking, Transportation Demand Management, EV charging stations, bicycle facilities, and showers and lockers for employees who use alternative modes of transportation.

Conclusion

With respect to construction, construction equipment use of fuel would not be atypical for the type of construction proposed because there are no aspects of the Project's proposed construction process that are unusual or energy-intensive, and Project construction equipment would conform to the applicable CARB emissions standards, acting to promote equipment fuel efficiencies. Indirectly, construction energy efficiencies and energy conservation would be achieved using bulk purchases, transport and use of construction materials. The 2020 IEPR released by the CEC has shown that fuel efficiencies are getting better within on and off-road vehicle engines due to more stringent government requirements. Therefore, project construction energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary.

As reflected in the Institute of Transportation Engineers (ITE) Trip Generation Manual (10th Ed., 2017), and CalEEMod trip generation and VMT generated by the Project are consistent with other industrial uses of similar scale and configuration.. The Project does not propose uses or operations that would inherently result in excessive and wasteful vehicle trips and VMT, nor associated excess and wasteful vehicle energy consumption. A detailed VMT analysis has been conducted for the Project pursuant to the City's requirements, is included in Appendix B1 of this EIR, and summarized in Section 5.2, *Transportation*. As identified through the Project-specific analysis, the Project would reduce its VMT impact to a less than significant level by implementing Transportation Demand Management (TDM) measures required by the City CAP Consistency Checklist and the City's Mobility Choices Program (as required Project features), and incorporating other TDM-related mitigation measures described in Section 5.2. The application of required TDM measures and additional mitigation measures would reduce the Project's employee VMT per employee by approximately 32.7%, and would also reduce associated vehicle energy demands. Further, the location of the Project proximate to regional and local roadway systems tends to reduce VMT within the region, acting to reduce regional vehicle energy demands. As further discussed in Section 5.2, the Project would also include sidewalks, facilitating and encouraging pedestrian access. Facilitating pedestrian and bicycle access would also reduce VMT and associated energy consumption. In compliance with the California Green Building Standards Code, the Project would promote the use of bicycles as an alternative mean of transportation by providing short-term and/or long-term bicycle parking accommodations. As supported by the preceding discussions, Project transportation energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary.

With respect to Project building operation, the Project proposes conventional industrial uses reflecting contemporary energy efficient/energy conserving designs and operational programs. Uses proposed by the Project are not inherently energy intensive, and the Project energy demands in total would be comparable to, or less than, other industrial projects of similar scale and configuration.

3. *Significance of Impact*

Less than Significant Impact. The Project would increase the energy demand at the Project site and within SDG&E's service area. However, the energy demands of the Project can be accommodated within the context of available resources and energy delivery systems. The Project would therefore not cause or result in the need for additional energy producing or transmission facilities. The Project would not engage in wasteful or inefficient uses of energy and aims to achieve energy conservation goals within the State of California. Therefore, impacts would be less than significant.

4. *Mitigation Measure*

No mitigation measures are required.

B. Issue 2

Issue 2 *Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?*

1. *Impact Threshold*

According to CEQA Guidelines Appendix G, a project would result in a significant impact to energy if it would:

- *Conflict with or obstruct a state or local plan for renewable energy or energy efficiency.*

2. *Analysis*

As discussed below, the Project would be consistent with or otherwise would not conflict with State or local plans related to energy conservation. Federal plans are also discussed for informational purposes.

- **Consistency with ISTEA.** Transportation and access to the Project site is provided primarily by the local and regional roadway systems. The Project would not interfere with, nor otherwise obstruct intermodal transportation plans or projects that may be realized pursuant to the ISTEA because SANDAG is not planning for intermodal facilities on or through the Project site.
- **Consistency with TEA-21.** As previously discussed, TEA-21 builds upon the initiatives established in the ISTEA legislation, and authorizes highway, highway safety, transit, and other efficient surface transportation programs. While TEA-21 is not applicable to individual

development projects, the Project site is located along major transportation corridors with proximate access to the Interstate freeway system. The site selected for the Project facilitates access, acts to reduce VMT, takes advantage of existing infrastructure systems, and promotes land use compatibilities through collocation of similar uses. The Project supports the strong planning processes emphasized under TEA-21. The Project is therefore consistent with, and would not otherwise interfere with, nor obstruct implementation of TEA-21.

- **Consistency with IEPR.** Electricity would be provided to the Project by SDG&E. SDG&E's Clean Power and Electrification Pathway white paper builds on existing state programs and policies. As such, the Project is consistent with, and would not otherwise interfere with, nor obstruct implementation the goals presented in the 2019 IEPR.
- **Consistency with the State of California Energy Plan.** The Project site is located along major transportation corridors with proximate access to the Interstate freeway system. The site selected for the Project facilitates access and takes advantage of existing infrastructure systems. The Project therefore supports urban design and planning processes identified under the State of California Energy Plan, is consistent with, and would not otherwise interfere with, nor obstruct implementation of the State of California Energy Plan.
- **Consistency with California Code Title 24, Part 6, Energy Efficiency Standards.** The 2019 version of Title 24 was adopted by the CEC and became effective on January 1, 2020. It should be noted that the analysis herein assumes compliance with the 2019 Title 24 Standards. It should be noted that the CEC anticipates that nonresidential buildings will use approximately 30% less energy compared to the prior code. As such, the CalEEMod defaults for Title 24 – Electricity and Lighting Energy were reduced by 30% in order to reflect consistency with the 2019 Title 24 standard.
- **Consistency with AB 1493 (Pavley Regulations and Fuel Efficiency Standards).** AB 1493 is not applicable to the Project as it is a statewide measure establishing vehicle emissions standards. No feature of the Project would interfere with implementation of the requirements under AB 1493.
- **California's Renewable Portfolio Standard.** California's Renewable Portfolio Standard is not applicable to the Project as it is a statewide measure that establishes a renewable energy mix. No feature of the Project would interfere with implementation of the requirements under RPS.
- **Appendix F of the CEQA Guidelines.** As previously identified, Appendix F of the CEQA Guidelines states that the means of achieving the goal of energy conservation includes the following: decreasing overall per capita energy consumption, decreasing reliance on fossil fuels such as coal, natural gas, and oil; and increasing reliance on renewable energy sources. As previously stated, the Project is subject to CBC requirements and the City of San Diego Climate Action Plan. New buildings must achieve compliance with 2019 Title 24 Energy Efficiency Standards, the 2019 California Green Building Standards requirements, and the City CAP Consistency Checklist requirements. The CEC anticipates that nonresidential buildings will use approximately 30% less energy due to lighting upgrades compared to the

prior code. Although the Project would result in a net increase in energy usage, the Project's adherence to the applicable Title 24 standards which would ensure that the Project energy demands would not be inefficient, wasteful, or otherwise unnecessary, as compared to the existing buildings which were built between 2000 and 2007 and do not meet the current energy standards.

- **Consistency with the City of San Diego General Plan.** The City of San Diego General Plan include several energy efficiency policies. However, many of these policies are not applicable to a single development and are intended to focus City efforts in reducing energy consumption in the community. Table 5.5-4, *City of San Diego General Plan Consistency*, provides a summary of the Project's consistency with the General Plan policies.
- **Consistency with the San Diego Energy Strategy for a Sustainable Future.** San Diego Energy Strategy for a Sustainable Future is not applicable to the Project as it is a countywide program that establishes a renewable energy plan. No feature of the Project would interfere with implementation of the requirements under San Diego Energy Strategy for a Sustainable Future.
- **Consistency with the San Diego Climate Action Plan.** The City of San Diego CAP Consistency Checklist is intended to streamline the analysis of GHG emissions analysis under CEQA by developing a set of requirements that would ensure projects reduce GHG emission through energy efficiency and VMT reduction consistent with the development identified in the General Plan. As further discussed in Section 5.7, *Greenhouse Gas Emissions*, of this EIR, the Project would comply with CAP Consistency Checklist requirements for energy efficiency, and as discussed in Section 5.2, *Transportation*, the Project would implement Transportation Demand measures to reduce VMT associated with fossil fuel vehicles. Table 5.5-5, *San Diego Climate Action Plan Consistency*, provides a summary of the Project's compliance with the applicable requirements of the CAP Consistency Checklist.

Table 5.5-4 City of San Diego General Plan Consistency

General Plan Policy	Project Consistency
Policy CE-A.5: Employ sustainable or “green” building techniques for the construction and operation of buildings.	Consistent. The Project would include a high-performance building envelope including cool roofs.
Policy CE-I.3: Pursue state and federal funding opportunities for research and development of alternative and renewable energy sources.	Not applicable. This measure is aimed at government agencies to pursue state and federal funding at a City-wide level. Thus, this policy is not applicable to private development projects.
Policy CE-I.4: Maintain and promote water conservation and waste diversion programs to conserve energy.	Consistent. The Project would include high efficiency water fixtures in accordance with CAP Consistency Checklist requirements.
Policy CE-I.5: Support the installation of photovoltaic panels, and other forms of renewable energy production.	Consistent. The Project would include the infrastructure needed for the installation of rooftop solar PV panels.
Policy CE-I.7: Pursue investments in energy efficiency and direct sustained efforts towards eliminating inefficient energy use.	Not applicable. This measure is aimed at government agencies to investments in energy efficiency at a City-wide level. Thus, this policy is not applicable to private development projects.
<p>Policy CE-I.10: Use renewable energy sources to generate energy to the extent feasible.</p> <p>Policy CE-I.12: Use small, decentralized, aesthetically designed, and appropriately sited energy efficient power generation facilities to the extent feasible.</p>	Consistent. The Project would use energy from SDG&E, which has committed to diversify their portfolio of energy sources by increasing energy from wind and solar sources. Additionally, As described in Section 3.2.6, <i>Sustainable Features</i> , the Project would include the 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.

Source: (Urban Crossroads, 2021, Table 4-17)

Table 5.5-5 San Diego Climate Action Plan Consistency

CAP Consistency Checklist Strategy	Project Consistency
<p>Strategy 1: Energy and Water Efficient Buildings</p>	<p>Consistent. The Project would have a high-performance building envelope including cool roofs, and recycled water. The following design features have been incorporated into the Project for energy efficiency:</p> <ul style="list-style-type: none"> • 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.

CAP Consistency Checklist Strategy	Project Consistency
	<ul style="list-style-type: none"> Highly reflective roof system. Energy efficient HVAC components.
Strategy 2: Clean and Renewable Energy	<p>Consistent. The Project would include the 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, and would provide exterior solar shades with access to daylight to reduce lighting energy consumption. Additionally, the proposed buildings would be designed to accommodate PV panels.</p>
Strategy 3: Bicycling, Walking, Transit and Land Use	<p>Consistent. As further discussed in Section 5.2, <i>Transportation</i>, the Project located in a TPA and includes various features to reduce dependency on the automobile by encouraging use of alternative modes of transportation (including transit, and bicycle and pedestrian travel). These Project features include implementation of VMT reduction measures outlined in the Complete Communities: Mobility Choice program, and measures outlined in the Climate Action Plan to reduce GHG emissions. The Project is also required to incorporate mitigation measures outlined in CAPCOA 2021 to reduce potential VMT impacts by encouraging alternative modes of transportation. The Project incorporates the following:</p> <ul style="list-style-type: none"> An employee shuttle service that would increase the Project site's connectivity within the University Community area (Error! Reference source not found. Error! Reference source not found., depicts the robust transit system that would be connected to the Project site using the employer 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

CAP Consistency Checklist Strategy	Project Consistency
	<ul style="list-style-type: none"> • 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 vehicles and spaces with designated parking shown on the 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 • Access to services that reduce the need to drive, such as cafes, commercial stores, banks, post offices, restaurants, gyms, either on site or within 1,320 feet (1/4-mile) of the structure/use

(Urban Crossroads, 2021, Table 4-18)

3. Significance of Impact

Less than Significant Impact. The Project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency. No significant adverse environmental effects would result from the adoption of the Project in terms of plan consistency or conflicts. Therefore, impacts would be less than significant.

4. Mitigation Measure

No mitigation measures are required.

5.6 GEOLOGIC CONDITIONS

This section evaluates the potential geologic hazards associated with the Project. Unless otherwise noted, the following discussion is based on the *Preliminary Geotechnical Investigation, Towne Centre View, Northern Terminus of Towne Centre Drive, San Diego California* (Geotechnical Investigation), prepared by Geocon Incorporated (Geocon) (February 3, 2021), included as Appendix F of this Environmental Impact Report (EIR) (Geocon, 2021).

5.6.1 Existing Conditions

A. ***Regional and Local Geologic Setting***

Regionally, the Project site is within the Peninsular Ranges geomorphic province. The province is bounded by the Transverse Ranges to the north, the San Jacinto Fault Zone on the east, the Pacific Ocean coastline on the west, and the Baja California on the south. The province is characterized by elongated northwest-trending mountain ridges separated by straight-sided sediment-filled valleys. The northwest trend is further reflected in the direction of the dominant geologic structural features of the province that are northwest to west-northwest trending folds and faults, such as the nearby Rose Canyon fault zone.

Locally, the Project site is within the western portion of the coastal plain of San Diego County. The coastal plain is underlain by a thick sequence of relatively undisturbed and non-conformable sedimentary bedrock units that thicken to the west and range in age from Upper Cretaceous age through the Pleistocene age which have been deposited on Cretaceous to Jurassic age igneous and volcanic bedrock. Geomorphically, the coastal plain is characterized by a series of 21 stair-stepped marine terraces (younger to the west) that have been dissected by west flowing rivers. The coastal plain is a relatively stable block that is dissected by relatively few faults, including the active Rose Canyon Fault Zone located to the west, described further below. The western portion of the coastal plain contains several inactive and potentially active faults associated with the Rose Canyon Fault Zone.

Marine sedimentary units make up the geologic sequence encountered on the Project site and consist of Pleistocene-age Very Old Paralic Deposits (formerly known as the Linda Vista Formation) and the Tertiary-aged Scripps Formation and Ardath Shale. The Very Old Paralic Deposits are shallow near shore marine deposits generally consisting of clayey to silty sandstone interfingered with occasional thin layers of conglomerate, siltstone, and claystone. There is a north trending contact before previous grading operations on the Project site between Units 9 and 10 of the Very Old Paralic Deposits. Unit 9 is exposed on the eastern portion of the Project site and is correlative to the Linda Vista Terrace that is roughly 855,000 years old. Unit 10 is exposed on the western portion of the Project site correlative to the Tecolote Terrace that is 800,000 years old. Previous grading in the center portion of the Project site removed the terraces, and the Ardath Shale is currently exposed. The terraces were deposits on a sloping Ardath Shale surface creating locally thick Very Old Paralic deposits.

The Scripps Formation is exposed on the north side of the Torrey Pines Fault located in the northern portion of the Project site above an elevation of roughly 250 feet above mean sea level (AMSL). The Scripps Formation is typically composed of silty to clayey sandstone with occasional conglomerate layers. The Ardath Shale is typically composed of fine-grained soils that are exposed on the south side of the fault below the Very Old Paralic Deposits on the west and east portions of the Project site and in the central portion. This unit is typically several hundred feet thick. Regionally the Scripps Formation and Ardath Shale have dips up to 10 degrees and are folded into north plunging synclines and anticlines in the area.

B. Project Site Geologic Conditions and Soils

The western portion of the Project was previously graded in 2008/2009 for two commercial buildings, which were never constructed, and was recently used as a construction staging area for the Mid-Coast Trolley. The grading operations consisted of sheet grading of the site for future building pads, driveways and parking areas with maximum cuts from natural grade of approximately 20 feet and fill of up to approximately 15 feet deep. Additionally, several mechanically stabilized earth (MSE) retaining walls with a maximum height of 20 feet were constructed along the northern, western and southern perimeters of the Project site. The reinforcing grid behind the MSE walls ranged from 5 to 19 feet in length behind the walls.

The eastern portion of the Project site consists of existing buildings with utilities, surface parking, landscaping, and associated improvements. The elevations on the property in the areas of the existing buildings and graded pads are about 330 to 360 feet AMSL. Based on previous topography and the results of the borings, it is expected that the eastern portion of the site consisted of creating the building pads for the existing structures with maximum cuts and fills of about 40 feet.

Prior to grading for the current uses on site, the Project site consisted of hillside topography. The general geologic conditions prior to mass grading consisted of surficial soil composed of topsoil, undocumented fill and colluvium overlying formational materials of Very Old Paralic Deposits and the Ardath Shale. Descending natural slopes exist to the north, west and southwest of the Project site. The descending slope located on the south side of the Towne Centre Drive cul-de-sac consists of a fill slope.

Based on the results of exploratory borings (14 borings conducted to a maximum depth of approximately 61 feet), two surficial soil units (consisting of previously compacted fill and undocumented fill) and three geologic units (consisting of Very Old Paralic Deposits, the Scripps Formation, and the Ardath Shale) were encountered within the Project site. The geologic units are described below in order of increasing age. Figure 5.6-1, *Project Site Geologic Map*, depicts the location of the borings and the geologic units.

1. Previously Placed Fill (Qpf)

Previously placed fill in Borings B-1 and B-2 range in depth from about 5 feet to 10 feet. The fill materials were placed during prior grading activities in the western portion of the site. In general, the fill consists of medium-dense to dense, mixed silty and clayey sand with some gravel and cobble.

The previously placed fill possesses a “very low” to “medium” expansion potential (expansion index of 90 or less) and a “S0” sulfate class.

2. *Undocumented Fill (Qudf)*

Undocumented fill material was encountered in the eastern portion of the Project site (Borings B-11 and B-13) to depths ranging from about 12 feet to 58 feet. Based on the field and laboratory test results of the materials, it is expected that the undocumented fill materials were placed in the early 2000s to fill the existing canyon and match adjacent site grades during previous grading at the Project site, and that the undocumented fill was placed as compacted fills. In general, the fill consists of medium-dense to dense, clayey sand and stiff to very stiff, sandy clay.

3. *Very Old Paralic Deposits (Qvop)*

The Quaternary-age Very Old Paralic Deposits exist below the fill materials or at-grade across the western (Unit 10) and eastern (Unit 9) portions of the Project site. These deposits generally consist of dense to very dense, light to dark reddish brown and olive brown, silty to clayey, fine to medium sand with gravel and cobble. The Very Old Paralic Deposits typically possess a “very low” to “medium” expansion potential (expansion index of 90 or less) and a “S0” sulfate class.

4. *Scripps Formation (Tsc)*

The Tertiary-age Scripps Formation is mapped to underlie the Very Old Paralic Deposits on the undeveloped northern portion of the site (north of the mapped fault discussed below). The Scripps Formation is generally brown, yellowish brown to light gray, silty to clayey sandstone and sandy siltstone/claystone containing layers of strongly cemented material. Geocon’s laboratory tests and experience indicate the Scripps Formation possess a “very low” to “medium” expansion potential (expansion index of 90 or less) and an “S0” to “S2” water-soluble sulfate exposure.

5. *Ardath Shale (Ta)*

Ardath Shale underlying the fill materials and Very Old Paralic Deposits was encountered in all of the borings. The Ardath Shale generally consists of hard, gray, clayey siltstone, and sandy siltstone. The Ardath Shale may contain localized areas of highly cemented concretionary beds. Soil generated from this unit typically possess a “very low” to “medium” expansion potential (expansion index of 90 or less) and an “S0” to “S2” water-soluble sulfate exposure.

C. Groundwater

Groundwater or seepage was not encountered on site to the maximum depth explored of 61 feet. The groundwater table is anticipated to be at least 200 feet below existing grades. However, it is not uncommon for seepage conditions to develop where none previously existed when sites are irrigated or infiltration is implemented. Seepage is dependent on seasonal precipitation, irrigation, land use, among other factors, and varies as a result.

D. Geologic Hazards

The City of San Diego Seismic Safety Study is a series of maps that indicate the likely geologic hazards throughout the city. These maps may be used to evaluate the relative risk within a region or to determine if a geotechnical report is required for development or building permits. Geologic Hazards and Faults, Sheet 34 defines most of the site with *Hazard Category 51: Level Mesas – Underlain by Terrace Deposits and Bedrock, Nominal Risk; Hazard Category 53: Level or Sloping Terrain, Unfavorable Geologic Structures, Low to Moderate Risk; and, Hazard Category 25: Ardatl – Neutral or Favorable Geologic Structure*. Additionally, the northern portion of the Project site, which is currently undeveloped, is defined as *Hazard Category 12: Fault Zone – Potentially Active, Inactive, Presumed Inactive, or Activity Unknown*.

1. Faulting and Seismicity

The San Diego County and Southern California region is seismically active. An active fault is defined by the California Geological Survey (CGS) as a fault showing evidence for activity within the last 11,700 years. Figure 5.6-2, *Faults and Earthquakes in Southern California*, shows the location of the existing faulting in the San Diego County and Southern California region,¹ and the occurrence of earthquakes with a magnitude greater than 2.5 from the period of 1900 through 2015. The nearest active fault to the Project site is the Rose Canyon Fault located approximately three miles to the west. Portions of the Rose Canyon Fault are located within a State of California Alquist-Priolo Earthquake Fault Zone, but do not include the Project site. Other faults shown in Figure 5.6-2 include the Coronado Bank Fault located approximately 18 miles to the west, and unnamed fault located approximately four miles to the north, the Murphy Canyon Fault located approximately six miles east, the Mission Gorge Fault located approximately four miles south, the Texas Street Fault located eight miles south, the Florida Canyon Fault located approximately eight miles south, the La Nacion Fault, located ten miles southeast, and the Point Loma Fault located approximately eight miles southwest (USGS, 2021).

The Project site is not located within an Alquist-Priolo Earthquake Fault Zone. As shown on the City's Hazard Category Map, a trace of the Torrey Pines fault bisects the northern portion of the Project site generally with an east-to-west trend; this fault location is depicted on Figure 5.6-1, *Project Site Geologic Map*. The Torrey Pines fault is not known to displace Quaternary-aged Very Old Paralic Deposits and is not classified as being active. Geocon performed trenching within the fault trace during a previous investigation at the Project site and did not identify any disturbance to the Pleistocene-aged Very Old Paralic Deposits Unit 10 or the Linda Vista Terrace that is roughly 800,000 years old. Therefore, the fault may be classified as potentially active, defined as no movement in the last 11,700 years; based on the geologic conditions on the Project site, the fault has not moved in at least the last 800,000 years. Based on a review of published geologic literature and observations during previous site investigations no known active faults exist on the Project site.

¹ The fault traces are shown as solid, dashed and dotted that represent well-constrained, moderately constrained and inferred, respectively. The fault line colors represent fault with ages less than 150 years (red), 15,000 years (orange), 130,000 years (green), 750,000 years (blue) and 1.6 million years (black).

2. **Ground Rupture**

Ground surface rupture occurs when movements along a fault is sufficient to cause a gap or rupture where the upper edge of the fault zone intersects the ground surface. The potential for ground rupture is considered to be very low due to the absence of active faults at the Project site.

3. **Landslides**

Geocon did not identify evidence of previous or incipient slope instability on the southern, northern, or eastern slopes of the Project site. Landslide debris was encountered in the west/northwest corner of the Project site during previous grading for the retaining wall. However, the majority of the landslide debris materials was removed during grading and replaced with compacted fill and subsequent slope stability evaluations of the graded slope indicated a calculated factor of safety of at least 1.5 under static conditions. The *City of San Diego Seismic Safety Study, Geologic Hazards and Faults, Map Sheet 34* has mapped two landslides to the north of the Project site defined as *Hazard Category 21: Landslides, confirmed, known, or highly suspected*. However, the mapped landslides are at least 300 feet away from the proposed structures at the site and 150 feet away from the proposed limits of grading.

4. **Liquefaction**

Liquefaction typically occurs when a site is in a zone with seismic activity, on-site soils are cohesionless or silt/clay with low plasticity, groundwater is encountered within 50 feet of the surface and soil densities are less than about 70% of the maximum dry densities. If the four previous criteria are met, a seismic event could result in a rapid pore water pressure increase from the earthquake-generated ground accelerations. Due to the lack of a permanent, near-surface groundwater table and the very dense nature of the underlying Very Old Paralac Deposits and the Ardath Shale, liquefaction potential for the Project site is considered very low.

5. **Storm Surge, Tsunamis, and Seiches**

Storm surges are large ocean waves that sweep across coastal areas when storms make landfall. Storm surges can cause inundation, severe erosion, and backwater flooding along the water front. A tsunami is a series of long period waves generated in the ocean by a sudden displacement of large volumes of water. Causes of tsunamis include underwater earthquakes, volcanic eruptions, or offshore slope failures. The first-order driving force for locally generated tsunamis offshore southern California is expected to be tectonic deformation from large earthquakes. Historically, tsunami wave heights have ranged up to 3.7 feet in the San Diego area. According to the County of San Diego Hazard Mitigation Plan (2017), the largest tsunami effect recorded in San Diego since 1950 was May 22, 1960 which had maximum run-up amplitudes of 2.1 feet (0.7 meters). Other tsunamis felt in San Diego County occurred on November 5, 1952, with a wave height of 2.3 feet and caused by an earthquake in Kamchatka; March 9, 1957, with a wave height of 1.5 feet; May 22, 1960, at 2.1 feet; March 27, 1964 with a wave height of 3.7 feet, September 29, 2009 with a wave height of 0.5 feet, February 2010 with a wave height of 0.6 meters, and in June, 2011 with wave height of 2 feet (San Diego County, 2017a). Wave heights and run-up elevations from tsunamis along the San Diego

Coast have historically fallen within the normal range of the tides. The site is located approximately 2 miles from the Pacific Ocean and is at a minimum elevation of about 330 feet or greater AMSL. The Project site is not within a tsunami inundation area mapped by the California Department of Conservation (California Department of Conservation, 2009), and is not within the maximum tsunami projected runup area identified in Figure 4.3-1, *Coastal Storm/Erosion/Tsunami County of San Diego (3 of 4) Hazard Mitigation Planning*, of the County of San Diego Hazard Mitigation Plan (San Diego County, 2017a). Therefore, the potential for a tsunami at the Project site is low.

A seiche is a run-up of water within a lake or embayment triggered by fault- or landslide-induced ground displacement. The site is not located in the vicinity of or downstream from such bodies of water; therefore, the potential for seiche is negligible.

5.6.2 Regulatory Framework

A. Federal

1. ***International Building Code***

The International Building Code (IBC, which encompasses the former Uniform Building Code [UBC]) is produced by the International Code Council (formerly the International Conference of Building Officials). The IBC provides standard specifications for engineering and construction activities, including measures to address geologic and soil concerns. Specifically, these measures encompass issues such as seismic loading (e.g., classifying seismic zones and faults), ground motion, engineered fill specifications (e.g., compaction and moisture content), expansive soil characteristics, and pavement design. The referenced regulations, while not compromising formal regulatory requirements per se, are widely accepted by regulatory authorities, and are routinely included in related standards such as municipal grading codes. The IBC regulations are regularly updated to reflect current industry standards and practices, including criteria from the American Society of Civil Engineers (ASCE) and ASTM International (formerly the American Society for Testing and Materials [ASTM]).

B. State

1. ***California Seismic Hazards Mapping Act***

The California Seismic Hazards Mapping Act (Public Resource Code Division 2, Chapter 7.8, Section 2690 et seq.) provides a statewide seismic hazard mapping and technical advisory program to assist local governments in protecting public health and safety relative to seismic hazards. The Seismic Hazards Mapping Act provides direction and funding for the State Geologist to compile seismic hazard maps (to designate zones of potential liquefaction and seismically induced landslide potential) and to make those maps available to local governments. The Seismic Hazards Mapping Act, along with related standards in the Seismic Hazards Mapping Regulations (CCR Title 14, Division 2, Chapter 8, Article 10, Section 3270 et seq.), also directs local governments to require the completion and review of appropriate geotechnical studies prior to approving development projects. These requirements are implemented on a local level through means such as General Plan

directives and regulatory ordinances (with applicable City standards). The City of San Diego, including the USGS quadrangle that includes the Project site, has not yet been mapped pursuant to the Seismic Hazard Mapping Act. As a result, the provisions of the Seismic Hazards Mapping Act would not apply to the Project.

2. California Alquist-Priolo Earthquake Fault Zoning Act

The California Alquist-Priolo Act (Public Resources Code Section 2621 et seq.) is intended to prevent the construction of buildings used for human occupancy on the surface trace of active faults. The law requires the State Geologist to establish regulatory zones known as Earthquake Fault Zones (previously called Special Studies Zones and Fault-Rupture Hazard Zones) around the surface traces of active faults, and to distribute maps of these zones to all affected cities, counties, and State agencies. The California Alquist-Priolo Act also requires completion of a geologic investigation prior to project approval, to demonstrate that applicable structures will not be constructed across active faults and/or that appropriate setbacks from such faults (generally 50 feet) are included in the project design.

3. California Building Code

The California Building Code (CBC) (California Code of Regulation [CCR] Title 24, Part 2) encompasses a number of requirements related to geologic issues. Specifically, these include general provisions, structural design, including soil and seismic loading; structural tests and special inspections, including seismic resistance; soils and foundations; concrete; masonry; wood, including consideration of seismic design categories; construction safeguards; and grading, including excavation, fill, drainage, and erosion control criteria. The CBC encompasses standards from other applicable sources, including the IBC and ASTM International, with appropriate amendments and modifications to reflect site-specific conditions and requirements in California. Health and Safety Code (State law) Section 18902 gives CCR Title 24 the name California Building Standards Code (CBSC).

The CBSC in CCR Title 24 is published by the California Building Standards Commission and it applies to all building occupancies (see Health and Safety Code Sections 18908 and 18938) throughout the State of California. Cities and counties are required by state law to enforce CCR Title 24 (reference Health and Safety Code Sections 17958, 17960, 18938(b), and 18948). Cities and counties may adopt ordinances making more restrictive requirements than provided by CCR Title 24, because of local climatic, geological, or topographical conditions. Such adoptions and a finding of need statement must be filed with the California Building Standards Commission (Reference Health and Safety Code Sections 17958.7 and 18941.5). The 2019 CBC became effective on January 1, 2020 and is the basis for the geotechnical analysis performed for the Project.

C. Local**1. *City of San Diego Seismic Safety Study***

As previously discussed, the City Seismic Safety Study includes a series of maps identifying potential geologic hazards throughout the City. These maps provide a guide to determine relative risks and identify areas prone to hazards including active fault zones, liquefaction, and landslides/slope stability that require appropriate levels of geotechnical investigation prior to discretionary approvals. Specific requirements related to the nature and level of required geotechnical investigations are outlined in Article 5, Division 18, Section 145.1803 of the San Diego Municipal Code (SDMC); and Information Bulletin 515.

2. *City of San Diego General Plan Policies*

The Public Facilities, Services, and Safety Element of the City General Plan identifies a number of applicable policies related to seismic, geologic, and structural considerations. Specifically, Policies PF-Q.1 and PF-Q.2 presented below include measures regarding conformance with State laws related to seismic and geologic hazards, conducting/reviewing geotechnical investigations, and maintaining structural integrity with respect to geologic hazards. The Project's consistency with the policies applicable to the Project is discussed in Section 5.1, *Land Use*, of this EIR.

- PF-Q.1.** Protect public health and safety through the application of effective seismic, geologic and structural considerations.
- a. Ensure that current and future community planning and other specific land use planning studies continue to include consideration of seismic and other geologic hazards. This information should be disclosed, when applicable, in the California Environmental Quality Act (CEQA) document accompanying a discretionary action.
 - b. Maintain updated citywide maps showing faults, geologic hazards, and land use capabilities, and related studies used to determine suitable land uses.
 - c. Require the submission of geologic and seismic reports, as well as soils engineering reports, in relation to applications for land development permits whenever seismic or geologic problems are suspected.
 - d. Utilize the findings of a beach and bluff erosion survey to determine the appropriate rate and amount of coastline modification permissible in the City.
 - e. Coordinate with other jurisdictions to establish and maintain a geologic "data bank" for the San Diego area.
 - f. Regularly review local lifeline utility systems to ascertain their vulnerability to disruption caused by seismic or geologic hazards and implement measures to reduce any vulnerability. Adhere to state laws pertaining to seismic and geologic hazards.
- PF-Q.2.** Maintain or improve integrity of structures to protect residents and preserve communities.

- a. Abate structures that present seismic or structural hazards with consideration of the desirability of preserving historical and unique structures and their architectural appendages, special geologic and soils hazards, and the socio-economic consequences of the attendant relocation and housing programs.
- b. Continue to consult with qualified geologists and seismologists to review geologic and seismic studies submitted to the City as project requirements.
- c. Support legislation that would empower local governing bodies to require structural inspections for all existing pre-Riley Act (1933) buildings, and any necessary remedial work to be completed within a reasonable time.

3. Additional City of San Diego Requirements

In addition to the regulatory standards listed above, City requirements related to geologic and geotechnical issues include obtaining a grading permit (per Article 9, Division 6, Section 129.0601 et seq. of the SDMC), conformance with the City's Steep Hillside Guidelines, and conformance with applicable elements of the City Storm Water Standards Manual and related documents (per Article 3, Division 3, Section 43.0301 et seq. of the SDMC). The Steep Hillside Guidelines are discussed in more detail in Section 5.1, *Land Use*, of this EIR. Storm water standards are discussed in more detail in Section 5.10, *Hydrology*, and Section 5.18, *Water Quality*, of this EIR.

5.6.3 Impact Analysis

A. Issue 1

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

1. Impact Threshold

According to the City's CEQA Significance Determination Thresholds, a project would result in a significant impact associated with geologic conditions if it would:

- *Expose people or structure to geologic hazards such as earthquakes, landslides, mudslides, ground failure or similar hazards.*

2. Analysis

Seismicity (Earthquakes)

As previously identified, the Torrey Pines Fault bisects the northern portion of the property generally in an east-to-west trend. The Torrey Pines Fault is not an active fault, rather it is considered a potentially active fault (no movement in the last 11,700 years). No active faults are located within the Project site.

However, the Project site is in Southern California, which is a seismically active region of California. As such, the Project site could be subject to moderate to strong ground shaking. Therefore, seismic design of the Project's proposed structures would be performed in accordance with the adopted CBC and other applicable regulatory standards. Based on site-specific design criteria obtained from the 2019 CBC and using Site Class C and D conditions, values for the risk-targeted maximum considered earthquake (MCE_R) were determined during preparation of the Geotechnical Investigation consistent with Section 1613.2.2 of the 2019 CBC and Table 20.3-1 of ASCE 7-16. It is estimated the Project site would have a Site Class modified maximum considered geometric mean (MCE_G) peak ground acceleration of 0.623g (or 62% of the force of gravity). Site grading and construction of the proposed buildings would be completed in accordance with the recommendations outlined in the Geotechnical Investigation included in Appendix F of this EIR, and applicable portions of the CBC, and/or applicable City requirements. Because there are no active faults within the Project site, the potential for ground rupture is considered low and no structural setbacks are necessary (Geocon, 2021). Compliance with applicable regulatory requirements and incorporation of recommendations from the Geotechnical Investigation would ensure that people and/or structures associated with the Project would not be exposed to potential substantial adverse effects from strong seismic ground shaking, resulting in a less than significant impact.

Secondary Seismic Hazards

As previously discussed, due to the estimated depth of groundwater at the Project site (anticipated to be at least 200 feet below existing grades) the potential for seismic-induced liquefaction is considered very low. Secondary seismic hazards addressed in the Geotechnical Investigation and relevant to this analysis include landslides. Previous landslide debris was encountered in the west/northwest corner of the Project site during grading for retaining walls associated with the western portion of the Project site. However, most of the landslide debris materials were removed during grading and replaced with compacted fill, and subsequent slope stability evaluations of the graded slope indicated a calculated factor of safety of at least 1.5 under static condition. Additionally, according to the *City of San Diego Seismic Safety Study, Geologic Hazards and Faults*, Map Sheet 34 mapped two landslides north of the Project site as Hazard Category 21: *Landslides confirmed, known, or highly suspected*. The mapped landslides are at least 300 feet north of the Project's proposed structures and 150 feet north from the Project's proposed limits of grading. Therefore, the Project would not expose people or structure to a substantial risk of landslides. Further, as discussed in Chapter 3.0, *Project Description*, existing retaining walls surrounding the proposed development site would remain in place, and new retaining walls would be installed, as needed, in compliance with applicable regulatory requirements and incorporation of recommendations from the Geotechnical Investigation.

As previously discussed, the Project site is located approximately 2 miles east of the Pacific Ocean and is at an elevation of approximately 330 feet or greater AMSL. Additionally, the Project site is not located in proximity to any enclosed or partially enclosed bodies of water that have the potential to generate seiches. Therefore, the potential for storm surges affecting the Project site is considered low, and the potential for a tsunami and the risk of seiches affecting the Project site is negligible, resulting in a less than significant impact.

Impact Conclusion

As with all habitable structures within the City of San Diego, the major seismic concerns for the Project are related to strong seismic groundshaking and associated side effects due to a large earthquake event. The City's requirements with respect to seismic safety are delineated in the SDMC, which includes the adoption of, and additions and modifications to, the CBC. The CBC governs the requirements for geotechnical investigations as well as grading, excavation, slopes, foundations, retaining walls, and other site preparation and building elements used to eliminate or control the effects of seismic ground shaking and adverse soil conditions.

The Geotechnical Investigation concludes that the Project site is suitable for the proposed development and improvements provided the recommendations outlined in the Geotechnical Investigation are incorporated into the design and construction of the Project, as required by SDMC Section 145.1803. Grading and building construction activities would be conducted in compliance with application regulations and requirements, including those outlined in the Geotechnical Investigation and any future geotechnical report(s). Therefore, the project would not significantly expose people or structures to geologic hazards such as earthquakes, landslides, mudslides, ground failure or similar hazards, resulting in a less than significant impact.

3. *Significance of Impact*

Less Than Significant Impact. Conformance with the recommendations of the Project-specific Geotechnical Investigation and appropriate building design measures per the SDMC and CBC would reduce the risk of potential effects from geologic hazards to a less than significant level of risk. There are no landslide risks identified on or near the Project site. Additionally, due to the Project site's distance to bodies of water, the Project would not be subject to inundation from a storm surge, tsunami or seiche.

4. *Mitigation Measure*

No mitigation measures are required.

B. *Issue 2*

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

1. *Impact Threshold*

According to the City's CEQA Significance Determination Thresholds, a project would result in a significant impact associated with geologic conditions if it would:

- *Result in a substantial increase in wind or water erosion of soils either on or off the site.*

2. *Analysis*

Erosion is the process by which the upper layers of the surface (such as soils) are worn and removed by the movement of water or wind. Because water is able to flow faster down steeper gradients, the steeper the slope on which a given soil is located, the more readily it will erode. Wind erosion can damage land and natural vegetation by removing soil from one place and depositing it in another. It mostly affects dry, sandy soils in flat, bare areas, but wind erosion may occur wherever soil is loose, dry, and finely granulated.

Under existing conditions, the majority of proposed development site is paved, developed, or landscaped, limiting the potential for erosion or windblown soil or sand. Construction would involve grading activities that would expose and disturb soils. Therefore, the Project has the potential to increase localized soil erosion during construction compared to the existing condition, as wind and water could carry loose soils off site. Short-term erosion and sedimentation impacts would be addressed through conformance with applicable elements of the City storm water program and related National Pollutant Discharge Elimination System (NPDES) requirements. Specifically, this would entail conformance with applicable City regulatory codes as well as the NPDES Construction General Permit. Pursuant to the discussion of construction-related water quality concerns in Section 5.18, *Water Quality*, of this EIR, this would entail implementing an approved storm water pollution prevention plan (SWPPP) and related plans and best management practices (BMPs), including appropriate measures to address erosion and sedimentation. Additionally, as described in Section 5.10, *Hydrology*, of this EIR, post-development drainage for the Project site would be adequately controlled such that substantial runoff would not occur and storm drains would be designed to handle storm water runoff originating from the Project site. Further, the Project's proposed landscaping is designed to control erosion after completion of the Project's construction phase. As recommended in the Geotechnical Investigation, slopes would be landscaped with drought-tolerant vegetation having variable root depths and requiring minimal landscape irrigation. In addition, slopes would be drained and properly maintained to reduce erosion. Therefore, with adherence to existing regulations and requirements, there would be a less than significant impact related to erosion during construction and operation of the Project.

3. *Significance of Impact*

Less Than Significant Impact. Potential impacts related to erosion and sedimentation from construction and operation of the Project would be avoided or reduced to a less than significant level through mandatory conformance with applicable regulatory/industry standard and codes, including applicable requirements under the City Storm Water Program and NPDES.

4. *Mitigation Measure*

No mitigation measures are required.

C. Issue 3

Issue 3 *Would the project be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?*

1. Impact Threshold

According to the City's Significance Determination Thresholds, a project would result in a significant impact associated with geologic conditions if it would:

- *Be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.*

2. Analysis

As discussed previously, the Project site consists of two surficial soil units and three geologic units. The two surficial soil units include previously compacted fill and undocumented fill and the three geologic units include Very Old Paralic Deposits, the Scripps Formation, and the Ardath Shale. Potential impacts associated with landslides, liquefaction, and related hazards are addressed above under Issue 1, with analysis of other potential geologic instability issues provided below.

Site Conditions and Soil Suitability

As previously discussed, previously placed compacted fill occurs at depths ranging from about 5 to 10 feet. Apart from the upper 1 to 2 feet, the previously compacted fill materials are considered acceptable to support the Project's planned fill and foundation loads. Undocumented fill material occurs at depths between 12 and 58 feet and is considered potentially suitable in its current condition for the support of foundations or structural fill and remedial grading of the materials can be limited as recommended in the Geotechnical Investigation. The settlement values presented in the geotechnical investigation would need to be incorporated into the design of the Project. The undocumented fill can be reused for new compacted fill during grading operations provided it is generally free of roots and debris. The Very Old Paralic Deposits, Scripps Formation, and Ardath Shale are generally considered suitable to support the Project and associated improvements.

The existing MSE walls at the Project site are intended to remain in place as part of the proposed development. The geogrid reinforcement for the walls ranges from about 5 to 19 feet behind the walls. To maintain the stability of the walls, the proposed grading and foundation systems at the site would not disturb or intersect with the existing geogrid reinforcement.

Due to the depth of groundwater, and the Project site's existing soil and geologic conditions lateral spreading and subsidence are not anticipated at the Project site.

Grading would be performed in accordance with the recommendations provided in Geotechnical Investigation and the City of San Diego's Grading Ordinance and impacts associated with potentially unsuitable soils would be less than significant.

Settlement

The Geotechnical Investigation concludes that fill soil, even when properly compacted, would experience settlement over the lifetime of the improvements that it supports. The ultimate settlement potential of the fill is a function of the soil classification, placement relative compaction, and subsequent increases in the soil moisture content. Deep foundations such as driven piles or drilled piers are the most effective means of reducing the ultimate settlement potential of the proposed structures to a negligible amount. Alternatively, highly reinforced shallow foundation systems and slabs-on-grade may be used for support of the buildings.

The northern portion of Building B would be supported by a deep foundation system embedded in the formational materials to address the potential differential settlement due to the underlying compacted fill materials; drilled piles would be used. However, the proposed parking Structure and Building E could be supported by a shallow foundation system underlain by fill with a maximum thickness on the order of 60 feet. The settlement of compacted fill is expected to continue over a relatively extended time period resulting from both gravity loading and hydrocompression upon wetting from rainfall and/or landscape irrigation. The previously placed fill has existed for approximately 25 years; therefore, a majority of the expected settlement has likely occurred.

Due to the variable fill thickness beneath proposed Building E and the Parking Structure in the eastern portion of the Project site, a potential for differential settlement across the proposed buildings exist and special foundation design consideration as discussed in the Geotechnical Investigation would be necessary. Based on measured settlement of similar fill depths on other sites and the time period since the fill was placed, it is estimated that maximum settlement of the existing fill on the eastern portion of the site would be approximately 0.15%.

The subterranean parking garage for Buildings A, B, C and D are proposed to be supported at two to four levels below grade. The proposed subterranean structure would be supported on a shallow foundation system founded in formational materials.

The proposed buildings and associated improvements would be constructed in adherence to the foundation and drilled pier recommendations outlined in the Geotechnical Investigation and impacts associated with settlement would be less than significant.

Expansive Soils

The Geotechnical Investigation concludes that a majority of the soil encountered during the investigation possess a "very low" to "medium" expansion potential (EI of 90 or less). Even with the incorporation of the recommendations of the Geotechnical Investigation related to soil preparation, the exterior concrete flatwork has a potential to experience some uplift due to expansive soil

beneath grade. Therefore, the Geotechnical Investigation includes recommendations for the exterior geotechnical flatwork to reduce the potential for cracking, which are incorporated into the design and construction of the Project, as required by SDMC Section 145.1803.

Impact Conclusion

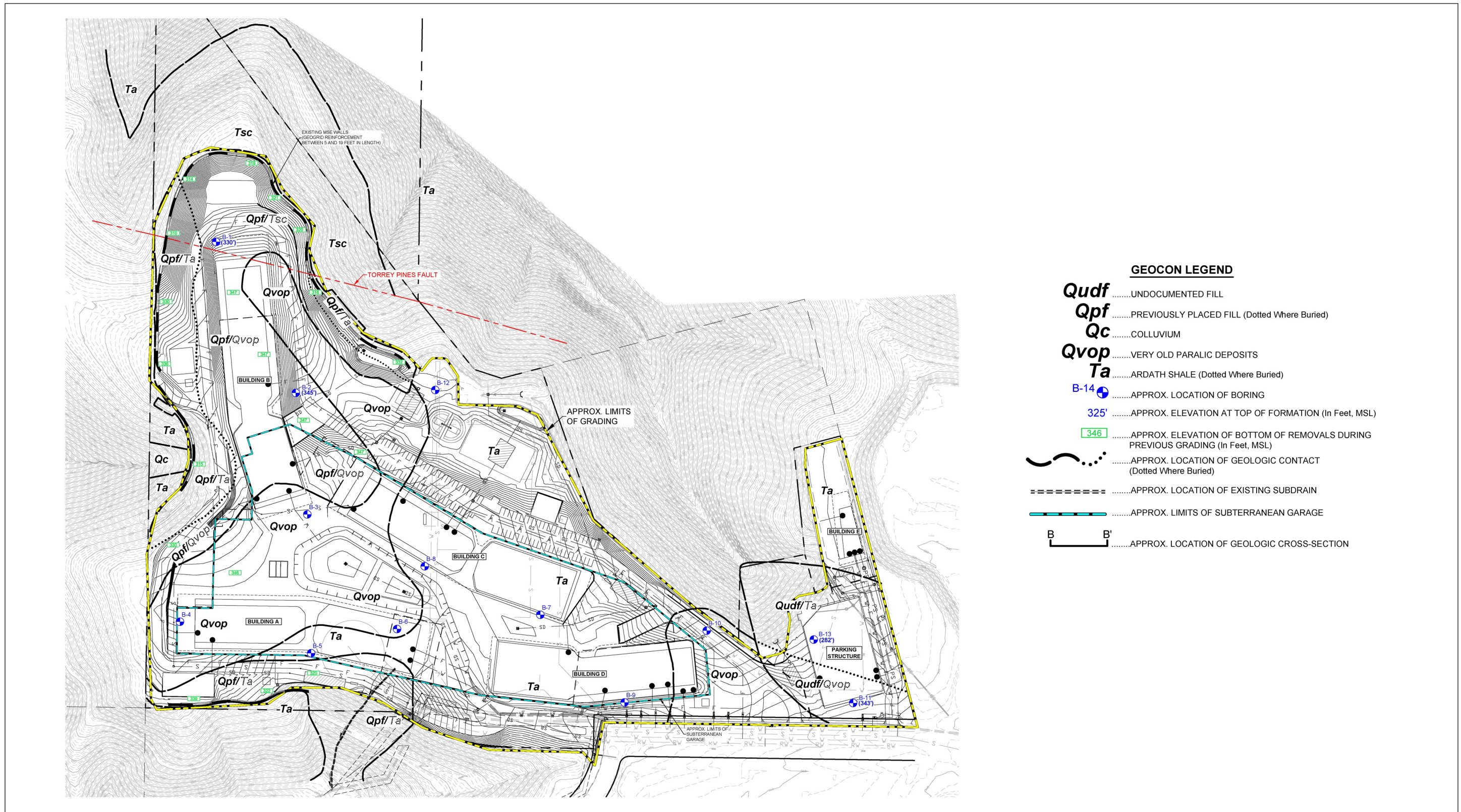
The Geotechnical Investigation concludes that the Project site is suitable for the proposed development and improvements provided the recommendations outlined in the Geotechnical Investigation are incorporated into the design and construction of the Project, as required by SDMC Section 145.1803. Grading and building construction activities would be conducted in compliance with application regulations and requirements, including those outlined in the Geotechnical Investigation and any future geotechnical report(s). Therefore, the Project would result in less than significant impact related to location on a site that contains geologic units or soils that are, or may become, unstable.

3. Significance of Impact

Less Than Significant Impact. Implementation of associated design/construction recommendations set forth in the Geotechnical Investigation, and mandatory conformance with applicable regulatory/industry standard and codes, including the CBC and City requirements would reduce the risk of potential effects from geologic hazards to acceptable levels. Therefore, impacts would be less than significant.

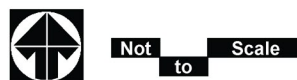
4. Mitigation Measure

No mitigation measures are required.



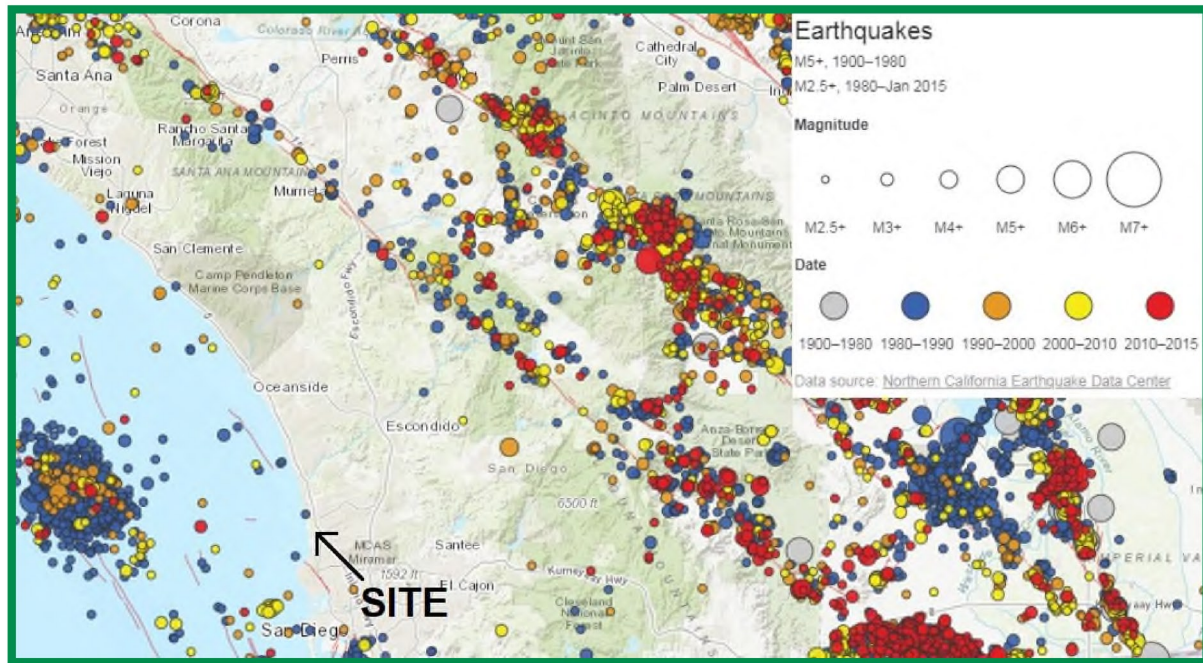
Source(s): Geocon, Inc. (02-03-2021)

Figure 5.6-1





Faults in Southern California



Earthquakes in Southern California

Source(s): Geocon, Inc. (02-03-2021)

Figure 5.6-2



Not to Scale

Faults and Earthquakes in Southern California

5.7 GREENHOUSE GAS EMISSIONS

This section evaluates potential greenhouse gas (GHG) emission-related impacts associated with the Project. The following discussion is based on the Climate Action Plan Consistency Checklist prepared by Project Management Advisors, Inc., (April 22, 2022), included in Appendix G of this Environmental Impact Report (EIR).

5.7.1 Existing Conditions

A. Background

Following is a summary of background information regarding Global Climate Change (GCC) and greenhouse gases (GHGs) presented in the *San Diego Climate Action Plan Final Program Environmental Impact Report* certified by the City of San Diego in 2015 and incorporated by reference into this EIR (City of San Diego, 2015). GCC is defined as the change in average meteorological conditions on the earth concerning temperature, precipitation, and storms. Scientific evidence suggests that GCC is the result of increased concentrations of GHGs in the earth's atmosphere, including carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), and fluorinated gases. Global temperatures are regulated by naturally occurring atmospheric gases such as water vapor, CO₂, N₂O, CH₄, hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF₆). These particular gases are important due to their residence time (duration they stay) in the atmosphere. These gases allow solar radiation into the earth's atmosphere, but prevent radioactive heat from escaping, thus warming the earth's atmosphere. GCC can occur naturally as it has in the past with the previous ice ages. Gases that trap heat in the atmosphere are often referred to as GHGs. GHGs are released into the atmosphere by both natural and anthropogenic activity. The cumulative accumulation of these gases in the earth's atmosphere is considered to be the cause for the observed increase in the earth's temperature.

GHGs are global pollutants, unlike criteria air pollutants and toxic air contaminants, which are pollutants of regional and local concern. Whereas pollutants with localized air quality effects have relatively short atmospheric lifetimes (about one day), GHGs have long atmospheric lifetimes (one year to several thousand years). According to the majority of the scientific literature on this topic, emissions of GHGs contributing to global climate change are attributable in large part to human activities associated with the transportation, industrial/manufacturing, utility, residential, commercial, and agricultural sectors. Emissions of CO₂ are a largely a byproduct of fossil fuel combustion. CH₄, a highly potent GHG, results from off-gassing (the release of chemicals from nonmetallic substances under ambient or greater pressure conditions) and is largely associated with agricultural practices and landfills. N₂O is also largely attributable to agricultural practices and soil management. CO₂ sinks, or reservoirs, include vegetation and the ocean, which absorb CO₂ through sequestration and dissolution, respectively, two of the most common processes of CO₂ sequestration. Potential global warming impacts in California may include, but are not limited to, loss in snow pack, sea level rise, more extreme heat days per year, more high ozone days, more large forest fires, and more frequent and long-lasting droughts. Secondary effects are likely to include the displacement of thousands of coastal businesses and residences, reduced potable water

supply, lower crop yields, human health impacts, changes in disease vectors, and impacts to habitat and biodiversity.

B. Global Warming Potential

GHGs have varying Global Warming Potential (GWP) values. GWP of a GHG indicates the amount of warming a gas causes over a given period of time and represents a gas's potential to trap heat in the atmosphere. CO₂ is utilized as the reference gas for GWP, and thus has a GWP of 1. CO₂ equivalent (CO₂e) is a term used for describing the difference GHGs in a common unit. CO₂e signifies the amount of CO₂ which would have the equivalent GWP. Table 5.7-1, *GWP and Atmospheric Lifetime of Select GHGs*, summarizes the atmospheric lifetime and GWP of selected GHGs. As shown, GWP for the 2nd Assessment Report, the Intergovernmental Panel on Climate Change (IPCC)'s scientific and socio-economic assessment on climate change, range from 1 for CO₂ to 23,900 for SF₆ and GWP for the IPCC's 5th Assessment Report range from 1 for CO₂ to 23,500 for SF₆.

Table 5.7-1 GWP and Atmospheric Lifetime of Select GHGs

Gas	Atmospheric lifetime (years)	GWP (100-year time horizon)	
		2 nd Assessment Report	5 th Assessment Report
CO ₂	. ^a	1	1
CH ₄	12 .4	21	28
N ₂ O	121	310	265
HFC-23	222	11,700	12,400
HFC-134a	13.4	1,300	1,300
HFC-152a	1.5	140	138
SF ₆	3,200	23,900	23,500

a. As per Appendix 8.A. of IPCC's 5th Assessment Report, no single lifetime can be given.

Source: Table 2.14 of the IPCC Fourth Assessment Report, 2007

The CARB compiles GHG inventories for the State of California. Based on the 2019 GHG inventory data (i.e., the latest year for which data are available) for the 2000-2017 GHG emissions period, California emitted an average 424.1 million metric tons of CO₂e year (MMTCO₂e/yr) (CARB, 2019). In comparison, the United States (the second highest global producer of GHG emissions in 2018) produced approximately 6.7 billion MMTCO₂e/yr (Climate Watch, 2021).

5.7.2 Regulatory Framework

All levels of government have some responsibility for the protection of air quality, and each level (Federal, State, and regional/local) has specific responsibilities relating to air quality regulation. GHG emissions and the regulation of GHGs is a relatively new component of this air quality regulatory framework.

A. Federal**1. Clean Air Act**

In *Massachusetts v. Environmental Protection Agency et al.* (127 S. Ct. 1438 [2007]); however, the U.S. Supreme Court found that four GHGs, including CO₂, are air pollutants subject to regulation under Section 202(a)(1) of the Clean Air Act and directed the EPA to decide whether the gases endangered public health or welfare.

Coinciding with the 2009 meeting of international leaders in Copenhagen, on December 7, 2009, the EPA Administrator signed two distinct findings regarding GHGs under Section 202(a) of the Clean Air Act (Endangered Finding and Cause of Contribute Finding), opening the door to federal regulation of GHGs. The Endangerment Finding notes that GHGs threaten public health and welfare and are subject to regulation under the Clean Air Act. The Cause and Contribute Finding notes that the combined emissions of GHGs from new motor vehicles and new motor vehicle engines contribute to GHG pollution which threatens public health and welfare. To date, the EPA has not promulgated regulations on GHG emissions, but it has begun to develop them.(EPA, 2020a; DOJ, 2015)

2. Light-Duty Vehicle Greenhouse Gas Emissions Standards and Corporate Average Fuel Economy Standards

The EPA and the National Highway Traffic Safety Administration (NHTSA) have worked together on developing a national program of regulations to reduce GHG emissions and to improve fuel economy of light-duty vehicles. On April 1, 2010, the EPA and NHTSA announced a joint Final Rulemaking that established standards for 2012 through 2016 model year vehicles. This was followed up on October 15, 2012, when the agencies issued a Final Rulemaking with standards for model years 2017 through 2025. The rules require vehicles to meet a 2016 standard that is equivalent to 35.5 miles per gallon (mpg), and a 2025 standard that is equivalent to 54.5 mpg if the levels were achieved solely through improvements in fuel efficiency. The agencies expect, however, that a portion of these improvements will be made through improvements in air conditioning leakage and the use of alternative refrigerants that would not contribute to fuel economy. These standards would cut GHG emissions by an estimated 2 billion metric tons (MT) and 4 billion barrels of oil over the lifetime of the vehicles sold under the program (model years 2017–2025). The combined EPA GHG standards and NHTSA Corporate Average Fuel Economy (CAFE) standards resolve previously conflicting requirements under both federal programs and the standards of the State of California and other states that have adopted the California standards (USEPA 2011, USEPA and NHTSA 2012).

B. State**1. California Assembly Bill 32 – Global Warming Solutions Act of 2006**

In September 2006, Governor Schwarzenegger signed Assembly Bill 32 (AB 32), the California Global Warming Solutions Act of 2006. AB 32 requires California to reduce its GHG emissions to 1990 levels by 2020, which represents a reduction of approximately 15 % below emissions expected under a “business as usual” scenario. Pursuant to AB 32, the CARB must adopt regulations to achieve the

maximum technologically feasible and cost-effective GHG emission reductions. The full implementation of AB 32 will help mitigate risks associated with climate change, while improving energy efficiency, expanding the use of renewable energy resources, cleaner transportation, and reducing waste.

AB 32 specifically required that CARB do the following:

- Prepare and approve a Scoping Plan for achieving the maximum technologically feasible and cost-effective reductions in GHG emissions from sources or categories of sources of GHGs by 2020, and update the Scoping Plan every five years.
- Maintain and continue reductions in emissions of GHG beyond 2020.
- Identify the statewide level of GHG emissions in 1990 to serve as the emissions limit to be achieved by 2020.
- Identify and adopt regulations for discrete early actions that could be enforceable on or before January 1, 2010.
- Adopt a regulation that establishes a system of market-based declining annual aggregate emission limits for sources or categories of sources that emit GHG emissions.
- Convene an Environmental Justice Advisory Committee to advise the Board in developing and updating the Scoping Plan and any other pertinent matter in implementing AB 32.
- Appoint an Economic and Technology Advancement Advisory Committee to provide recommendations for technologies, research, and GHG emission reduction measures.

In November 2007, CARB completed its estimated calculations of Statewide 1990 GHG levels. Net emission 1990 levels were estimated at 427 million metric tons (MMTs) (emission sources by sector were: transportation – 35 %; electricity generation – 26 %; industrial – 24 %; residential – 7 %; agriculture – 5 %; and commercial – 3 %). Accordingly, 427 million metric tons of carbon dioxide equivalent (MMT_{CO₂e}) equivalent was established as the emissions limit for 2020. For comparison, CARB’s estimate for baseline GHG emissions was 473 MMT_{CO₂e} for 2000 and without emissions reduction measures 2010 emissions were projected to be 532 MMT_{CO₂e}. “Business as usual” conditions (without the reductions to be implemented by CARB regulations) for 2020 were projected to be 596 MMT_{CO₂e}.

2. California Air Resources Board: Scoping Plan

AB 32 required CARB to develop a Scoping Plan which lays out California’s strategy for meeting the 2020 GHG reduction goals. The Scoping Plan must be updated every five years. In December 2008, CARB approved the initial Scoping Plan, which included a suite of measures to sharply cut GHG emissions. The State has made steady progress in implementing AB 32. CARB has also made substantial progress in achieving its goal of achieving 1990 emissions levels by 2020. In May 2014, CARB approved the First Update to the Climate Change Scoping Plan (Update), which builds upon the initial Scoping Plan with new strategies and recommendations.

In January 2017, CARB released the draft Second Update to the Scoping Plan, which identifies the State's post-2020 reduction strategy. The Second Update reflects the 2030 target of a 40 % reduction below 1990 levels, set by Executive Order B-30-15 and codified by Senate Bill (SB) 32. Key GHG emissions reductions programs that the draft Second Update proposes to build upon include the Cap-and-Trade Regulation, the Low Carbon Fuel Standard, and much cleaner cars, trucks and freight movement, utilizing cleaner, renewable energy, and strategies to reduce methane emissions from agricultural and other wastes. The 2017 Scoping Plan Update was finalized in November 2017 and approved by the CARB on December 14, 2017. The 2017 Scoping Plan Update establishes a new emissions limit of 260 MMTCO₂e for the year 2030, which corresponds to a 40% decrease in 1990 levels by 2030.

3. ***Senate Bill 97 and the CEQA Guidelines Update***

By enacting SB 97 in 2007, California's lawmakers expressly recognized the need to analyze GHGs as a part of the CEQA process. SB 97 required the Governor's Office of Planning and Research (OPR) to develop, and the Natural Resources Agency to adopt, amendments to the CEQA Guidelines addressing the analysis and mitigation of greenhouse gas emissions. Those CEQA Guidelines amendments clarified several points, including the following:

- Lead agencies must analyze the GHG emissions of proposed projects, and must reach a conclusion regarding the significance of those emissions. (See CEQA Guidelines Section 15064.4.)
- When a project's GHG emissions may be significant, lead agencies must consider a range of potential mitigation measures to reduce those emissions. (See CEQA Guidelines Section 15126.4(c).)
- Lead agencies must analyze potentially significant impacts associated with placing projects in hazardous locations, including locations potentially affected by climate change. (See CEQA Guidelines Section 15126.2(a).)
- Lead agencies may significantly streamline the analysis of GHGs on a project level by using a programmatic GHG emissions reduction plan meeting certain criteria. (See CEQA Guidelines Section 15183.5(b).)
- CEQA mandates analysis of a proposed project's potential energy use (including transportation-related energy), sources of energy supply, and ways to reduce energy demand, including through the use of efficient transportation alternatives. (See CEQA Guidelines, Appendix F.)

As part of the administrative rulemaking process, the Natural Resources Agency developed a Final Statement of Reasons explaining the legal and factual bases, intent, and purpose of the CEQA Guidelines amendments. The amendments to the CEQA Guidelines implementing SB 97 became effective on March 18, 2010.

Pursuant to CEQA Guidelines Section 15064.4(a), "A lead agency shall have discretion to determine, in the context of a particular project, whether to: (1) Quantify greenhouse gas emissions resulting from a project, and/or; (2) Rely on a qualitative analysis or performance-based standards."

Section 15064.4(b) of the guidelines provides direction for lead agencies for determining the significance of impacts of greenhouse gas emissions. The following factors should be considered:

1. The extent to which the project may increase or reduce greenhouse gas emissions as compared to the existing environmental setting;
2. Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project; or
3. The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions (see, e.g., Section 15183.5(b)). Such requirements must be adopted by the relevant public agency through a public review process and must include specific requirements that reduce or mitigate the project's incremental contribution of greenhouse gas emissions. If there is substantial evidence that the possible effects of a particular project are still cumulatively considerable notwithstanding compliance with the adopted regulations or requirements, an EIR must be prepared for the project. In determining the significance of impacts, the lead agency may consider a project's consistency with the State's long-term climate goals or strategies, provided that substantial evidence supports the agency's analysis of how those goals or strategies address the project's incremental contribution to climate change and its conclusion that the project's incremental contribution is not cumulatively considerable.

The CEQA Guideline amendments do not identify a threshold of significance for GHG emissions, nor do they prescribe assessment methodologies or specific mitigation measures. Instead, they call for a "good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate or estimate the amount of greenhouse gas emissions resulting from a project." Section 15183.5 of the CEQA Guidelines identifies that public agencies can make use of programmatic mitigation plans and programs from which to tier when they perform individual project GHG analyses.

4. *Executive Order S-3-05*

Executive Order (EO) S-3-05 documents GHG emission reduction goals, creates the Climate Action Team and directs the Secretary of the California EPA to coordinate efforts with meeting the GHG reduction targets with the heads of other state agencies. The EO requires the Secretary to report back to the Governor and Legislature biannually to report: progress toward meeting the GHG goals; GHG impacts to California; and applicable Mitigation and Adaptation Plans. EO S-3-05 goals for GHG emissions reductions include: reducing GHG emissions to 2000 levels by the year 2010; reducing GHG emissions to 1990 levels by the year 2020; and reducing GHG emissions to 80 % below 1990 levels by 2050.

The Executive Order S-3-05 target for 2010 of reducing GHG emissions to 2000 levels has been achieved. The 2020 goal was established to be a mid-term target. The 2050 reduction goal represents what some scientists believe is necessary to reach levels that will stabilize the climate. Because this is an executive order, the goals are not legally enforceable for local governments or the private sector.

5. **Executive Order S-14-08**

On November 17, 2008, Governor Schwarzenegger signed Executive Order S-14-08, revising California's Renewable Portfolio Standard (RPS) upward to require all retail sellers of electricity to serve 33% of their load from renewable energy sources by 2020. In order to meet this new goal, a substantial increase in the development of wind, solar, geothermal, and other "RPS eligible" energy projects will be needed. Executive Order S-14-08 seeks to accelerate such development by streamlining the siting, permitting, and procurement processes for renewable energy generation facilities. To this end, S-14-08 issues two directives: (1) the existing Renewable Energy Transmission Initiative will identify renewable energy zones that can be developed as such with little environmental impact, and (2) the California Energy Commission (CEC) and the California Department of Fish and Wildlife (CDFW) will collaborate to expedite the review, permitting, and licensing process for proposed RPS-eligible renewable energy projects.

6. **Executive Order B-30-15**

On April 29, 2015, Governor Brown issued Executive Order B-30-15, which sets a goal to reduce GHG emissions in California to 40 % below 1990 levels by 2030. The 2030 target serves as a benchmark goal on the way to achieving the GHG reductions goal set by former Governor Schwarzenegger via Executive Order S-3-05 (i.e., 80 % below 1990 greenhouse gas emissions levels by 2050).

7. **Senate Bill 32 (SB 32) and AB 197**

SB 32 requires the State to reduce statewide GHG emissions to 40% below 1990 levels by 2030, a reduction target that was first introduced in Executive Order B-30-15. The new legislation builds upon the AB 32 requirement of 1990 levels by 2020 and provides an intermediate goal to achieving the Executive S-3-05 statewide GHG reduction target goal of 80% below 1990 levels by 2050. AB 197 creates a legislative committee to oversee regulators to ensure that CARB responds to the Governor and the Legislature.

8. **Senate Bill 375**

The Sustainable Communities and Climate Protection Act of 2008 (Sustainable Communities Act, SB 375, Chapter 728, Statutes of 2008) supports the State's climate action goals to reduce greenhouse gas (GHG) emissions through coordinated transportation and land use planning with the goal of more sustainable communities. Under the Sustainable Communities Act, CARB sets regional targets for GHG emissions reductions from passenger vehicle use. In 2010, CARB established these targets for 2020 and 2035 for each region covered by one of the State's metropolitan planning organizations (MPO). CARB will periodically review and update the targets, as needed.

Each of California's MPOs must prepare a "sustainable communities strategy" (SCS) as an integral part of its regional transportation plan (RTP). The SCS contains land use, housing, and transportation strategies that, if implemented, would allow the region to meet its GHG emission reduction targets. Once adopted by the MPO, the RTP/SCS guides the transportation policies and investments for the region. CARB must review the adopted SCS to confirm and accept the MPO's determination that the

SCS, if implemented, would meet the regional GHG targets. If the combination of measures in the SCS would not meet the regional targets, the MPO must prepare a separate "alternative planning strategy" (APS) to meet the targets. The APS is not a part of the RTP.

9. Title 24 Building Energy Standards

The California Energy Commission (CEC) first adopted Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations, Title 24, Part 6) in 1978 in response to a legislative mandate to reduce energy consumption in the state. Although not originally intended to reduce GHG emissions, increased energy efficiency, and reduced consumption of electricity, natural gas, and other fuels would result in fewer GHG emissions from residential and nonresidential buildings subject to the standard. The standards are updated periodically to allow for the consideration and inclusion of new energy efficiency technologies and methods. The latest revisions (2019 Building Energy Efficiency Standards) became effective on January 1, 2020. The 2019 Building Energy Efficiency Standards are 7 % more efficient than the previous (2016) Building Energy Efficiency Standards for residential construction and 30 % more efficient than the previous Standards for non-residential construction. (The 2016 Building Energy Efficiency Standards already were 28 % more efficient for residential construction and 5 % more efficient for nonresidential construction than the 2013 Building Energy Efficiency Standards they replaced.)

Part 11 of Title 24 is referred to as the California Green Building Standards Code (CALGreen Code). The purpose of the CALGreen Code is to "improve public health, safety and general welfare by enhancing the design and construction of buildings through the use of building concepts having a positive environmental impact and encouraging sustainable construction practices in the following categories: (1) Planning and design; (2) Energy efficiency; (3) Water efficiency and conservation; (4) Material conservation and resource efficiency; and (5) Environmental air quality." The CALGreen Code is not intended to substitute or be identified as meeting the certification requirements of any green building program that is not established and adopted by the California Building Standards Commission (CBSC). Unless otherwise noted in the regulation, all newly constructed buildings in California are subject of the requirements of the CALGreen Code.

10. Senate Bill 1078

Senate Bill (SB) 1078 establishes the California Renewables Portfolio Standard Program, which requires electric utilities and other entities under the jurisdiction of the California Public Utilities Commission to meet 20% of their renewable power by December 31, 2017 for the purposes of increasing the diversity, reliability, public health, and environmental benefits of the energy mix.

11. Senate Bill 107

SB 107 directed California Public Utilities Commission's Renewable Energy Resources Program to increase the amount of renewable electricity (Renewable Portfolio Standard) generated per year, from 17% to an amount that equals at least 20% of the total electricity sold to retail customers in California per year by December 31, 2010.

12. California Assembly Bill No. 1493 (AB 1493)

AB 1493, enacted on July 22, 2002, required CARB to develop and adopt regulations that reduce GHGs emitted by passenger vehicles and light duty trucks. The second phase of the bill's implementation is currently in effect and was incorporated into Amendments to the Low-Emission Vehicle Program (LEV III) or the Advanced Clean Cars program. The Advanced Clean Car program combines the control of smog-causing pollutants and GHG emissions into a single coordinated package of requirements for model years 2017 through 2025. The regulation would reduce GHGs from new cars by 34% from 2016 levels by 2025. The new rules would clean up gasoline and diesel-powered cars, and deliver increasing numbers of zero-emission technologies, such as full battery electric cars, newly emerging plug-in hybrid electric vehicles (EV) and hydrogen fuel cell cars. The package would also ensure adequate fueling infrastructure is available for the increasing numbers of hydrogen fuel cell vehicles planned for deployment in California.

13. Executive Order S-01-07

Executive Order (EO) S-01-07 is effectively known as the Low Carbon Fuel Standard (LCFS). The Executive Order seeks to reduce the carbon intensity of California's passenger vehicle fuels by at least 10 % by 2020. The LCFS requires fuel providers in California to ensure that the mix of fuel they sell into the California market meet, on average, a declining standard for GHG emissions measured in CO₂e grams per unit of fuel energy sold. CARB approved the LCFS regulation in 2009 and began implementation on January 1, 2011.

CARB approved the LCFS regulation in 2009 and began implementation on January 1, 2011. CARB approved some amendments to the LCFS in December 2011, which were implemented on January 1, 2013. In September 2015, the Board approved the re-adoption of the LCFS, which became effective on January 1, 2016, to address procedural deficiencies in the way the original regulation was adopted. In 2018, the Board approved amendments to the regulation, which included strengthening and smoothing the carbon intensity benchmarks through 2030 in-line with California's 2030 GHG emission reduction target enacted through SB 32, adding new crediting opportunities to promote zero emission vehicle adoption, alternative jet fuel, carbon capture and sequestration, and advanced technologies to achieve deep decarbonization in the transportation sector.

C. Regional**1. 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. The 2021 Regional Plan combines the City's RCP and RTP/SCS. As required by SB 375, the SCS that demonstrates how the region would achieve GHG emission reduction targets set by CARB.

The Sustainable Communities Strategy in *San Diego Forward - The 2021 Regional Plan* notes that the area in which the Project is located is designated as a Regional Mobility Hub. The Project's consistency with SANDAG's regional planning programs is discussed further in Section 5.1, *Land Use*, of this EIR.

D. Local

1. *City of San Diego Climate Action Plan and Consistency Checklist*

In December 2015, the City of San Diego adopted its CAP. The CAP establishes a baseline for 2010, sets goals for GHG reductions for the milestone years 2020 and 2035, and details the implementation actions and phasing for achieving the goals. To implement the State's goals of reducing emissions to 15% below 2010 levels by 2020, and 49% below 2010 levels by 2035, the City would be required to implement strategies that would reduce emissions to approximately 10.6 MMT CO₂e by 2020 and to 6.4 MMT CO₂e by 2035. The CAP determined that, with implementation of the measures identified therein, the City would exceed the State's targets for 2020 and 2035. The CAP also identifies a comprehensive set of goals, policies, and actions that the City can use to reduce GHG emissions. The CAP includes five strategies: (1) water- and energy-efficient buildings; (2) clean and renewable energy; (3) bicycling, walking, transit, and land use; (4) zero-waste; and (5) climate resiliency.

CAP Consistency Checklist

The CAP is a plan for the reduction of GHG emissions in accordance with CEQA Guidelines Section 15183.5. Pursuant to CEQA Guidelines Sections 15064(h)(3), 15130(d), and 15183(b), a project's incremental contribution to a cumulative GHG emissions effect may be determined not to be cumulatively considerable if it complies with the requirements of the CAP. To provide a mechanism for CEQA tiering, the City developed a CAP Consistency Checklist to provide a streamlined review process for GHG emissions for development subject to CEQA. The checklist contains measures that are required to be implemented on a project-by-project basis to ensure that the specified emissions targets identified in the CAP are achieved. Implementation of the measures identified in the checklist would ensure that new development is consistent with the CAP's assumptions for relevant CAP strategies toward achieving identified GHG reduction targets. Projects that are consistent with the CAP as determined through the use of this Checklist may rely on the CAP for the cumulative impact analysis of GHG emissions. Projects that are not consistent with the CAP must prepare a comprehensive project-specific analysis of GHG emissions, including quantification of existing and projected GHG emissions and incorporation of the measures in this Checklist to the extent feasible. Cumulative GHG impacts would be significant for any project that is not consistent with the CAP.

2022 CAP Update

In September 2022, the City of San Diego adopted an update to the CAP. The CAP update establishes a baseline for 2019, sets goals for GHG reductions for the milestone years 2030 and 2035, and details the implementation actions and phasing for achieving the goals. The City's goal is to achieve net zero GHG emission by 2035. In order to meet its goal, the City would be required to implement

strategies that would reduce emission to approximately 4.2 MMT CO₂e by 2030 and net zero emissions by 2035. The CAP also identifies a comprehensive set of goals, policies, and actions that the City can use to reduce GHG emissions. The CAP update includes six strategies: (1) decarbonization of the built environment; (2) access to clean and renewable energy; (3) mobility and land use; (4) circular economy and clean communities; (5) resilient infrastructure and healthy ecosystems; and (6) emerging climate action.

CAP Consistency Regulations

The CAP is a plan for the reduction of GHG emissions in accordance with CEQA Guidelines Section 15183.5. Pursuant to CEQA Guidelines Sections 15064(h)(3), 15130(d), and 15183(b), a project's incremental contribution to a cumulative GHG emissions effect may be determined not to be cumulatively considerable if it complies with the requirements of the CAP. To provide a mechanism for CEQA tiering, the City developed CAP Consistency Regulations that are incorporated into the City's Municipal Code as Chapter 14, Article 3, Division 14 to provide a streamlined review process for GHG emissions for development subject to CEQA. The regulations contain measures that are required by the Municipal Code to be implemented on a project-by-project basis to ensure that the specified emissions targets identified in the CAP are achieved. Implementation of the measures identified in the regulations would ensure that new development is consistent with the CAP's assumptions for relevant CAP strategies toward achieving identified GHG reduction targets. Projects that are consistent with the CAP as determined through the use of the CAP Consistency Regulations may rely on the CAP for the cumulative impact analysis of GHG emissions. Projects that are not consistent with the CAP must prepare a comprehensive project-specific analysis of GHG emissions, including quantification of existing and projected GHG emissions and incorporation of the measures in the Consistency Regulations to the extent feasible. Cumulative GHG impacts would be significant for any project that is not consistent with the CAP.

2. City of San Diego General Plan

The City's General Plan includes various goals and policies designed to help result in a reduction in GHG emissions. As discussed in the General Plan, climate change and GHG reduction policies are addressed in multiple chapters of the General Plan. The goal and policies related to GHG emissions that are particularly relevant to the Project are included in the Conservation Element and include the following. The Project's consistency with this goal and associated policies is addressed in Section 5.1, *Land Use*, of this EIR.

Goal: To reduce the City's overall carbon dioxide footprint by improving energy efficiency, increasing use of alternative modes of transportation, employing sustainable planning and design techniques, and providing environmentally-sound waste management.

Policy CE-A.5 *Employ sustainable or "green" building techniques for the construction and operation of buildings.*

(a) Develop and implement sustainable building standards for new and significant remodels of residential and commercial buildings to maximize energy efficiency, and

to achieve overall net zero energy consumption by 2020 for new residential buildings and 2030 for new commercial buildings. This can be accomplished through factors including, but not limited to:

- Designing mechanical and electrical systems that achieve greater energy efficiency with currently available technology;*
- Minimizing energy use through innovative site design and building orientation that addresses factors such as sun-shade patterns, prevailing winds, landscape, and sunscreens;*
- Employing self-generation of energy using renewable technologies;*
- Combining energy efficient measures that have longer payback periods with measures that have shorter payback periods;*
- Reducing levels of non-essential lighting, heating and cooling; and*
- Using energy efficient appliances and lighting.*

Policy CE-A-7 Construct and operate buildings using materials, methods, and mechanical and electrical systems that ensure a healthful indoor air quality. Avoid contamination by carcinogens, volatile organic compounds, fungi, molds, bacteria, and other known toxins.

- (a) Eliminate the use of chlorofluorocarbon-based refrigerants in newly constructed facilities and major building renovations and retrofits for all heating, ventilation, air conditioning, and refrigerant-based building systems.*
- (b) Reduce the quantity of indoor air contaminants that are odorous or potentially irritating to protect installers and occupants' health and comfort. Where feasible, select low-emitting adhesives, paints, coatings, carpet systems, composite wood, agrifiber products, and others.*

Policy CE-A.8 Reduce construction and demolition waste in accordance with Public Facilities Element, Policy PF-1.2, or by renovating or adding on to existing buildings, rather than constructing new buildings.

Policy CE-A.9 Reuse building materials, use materials that have recycled content, or use materials that are derived from sustainable or rapidly renewable sources to the extent possible, through factors including:

- Scheduling time for deconstruction and recycling activities to take place during project demolition and construction phases.*

Policy CE-A.10 Include features in buildings to facilitate recycling of waste generated by building occupants and associated refuse storage areas.

- a. Provide permanent, adequate, and convenient space for individual building occupants to collect refuse and recyclable material.*
- b. Provide a recyclables collection area that serves the entire building or project. The space should allow for the separation, collection and storage of paper, glass, plastic, metals, yard waste, and other materials as needed.*

Policy CE-A.11 Implement sustainable landscape design and maintenance.

- a. *Use integrated pest management techniques, where feasible, to delay, reduce, or eliminate dependence on the use of pesticides, herbicides, and synthetic fertilizers.*
- c. *Decrease the amount of impervious surfaces in developments, especially where public places, plazas and amenities are proposed to serve as recreation opportunities.*
- d. *Strategically plant deciduous shade trees, evergreen trees, and drought tolerant native vegetation, as appropriate, to contribute to sustainable development goals.*
- e. *Reduce use of lawn types that require high levels of irrigation.*
- f. *Strive to incorporate existing mature trees and native vegetation into site designs.*
- g. *Implement water conservation measures in site/building design and landscaping.*
- h. *Minimize the use of landscape equipment powered by fossil fuels.*
- i. *Encourage the use of high efficiency irrigation technology, and recycled site water to reduce the use of potable water for irrigation. Use recycled water to meet the needs of development projects to the maximum extent feasible.*

Policy CE-A.12 *Reduce the San Diego Urban Heat Island through actions as:*

- *Using cool roofing materials, such as reflective, low heat retention tiles, membranes and coatings, or vegetated eco-roofs to reduce heat build-up;*
- *Planting trees and other vegetation, to provide shade and cool air temperatures. In particular, properly position trees to shade buildings, air conditions units, and parking lots; and*
- *Reducing heat build-up in parking lots through increased shading or use of cool paving materials as feasible.*

5.7.3 Impact Analysis

A. Issue 1 and Issue 2

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

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

1. **Impact Thresholds**

Pursuant to CEQA Guidelines Sections 15183.5(b), 15064(h)(3), and 15130(d), the City may determine that a project's incremental contribution to a cumulative GHG effect is not cumulatively considerable if the project complies with the requirements of a previously adopted GHG emissions reduction plan.

As noted under Subsection 5.7.2, *Regulatory Framework*, in September 2022, a CAP update was approved by the City of San Diego. The Project was in process and deemed complete in October 2020, prior to the adoption of the 2022 CAP update. Therefore, the analysis herein demonstrates the

Project's compliance with both the 2015 CAP and the 2022 CAP update; thus, the impact threshold for compliance with the 2015 CAP and 2022 CAP update are included below.

Under the City's CEQA Significance Determination Thresholds, the method for determining significance for project-level environmental documents is through demonstrating CAP Consistency. The CAP Consistency Checklist is used by the City to verify project-by-project consistency with the underlying assumptions in the 2015 CAP and ensure that the City would achieve its emissions reduction targets. The 2015 CAP Consistency Checklist includes a three-step process to determine project consistency.

- **Step 1** consists of an assessment to determine a project's consistency with the growth projections of the CAP.
- **Step 2** includes a list of measures a project is required to implement. Regardless of whether the project answers "yes" or "no" to Step 1, implementation of the measures listed in Step 2 are required for all projects, as applicable.
- **Step 3** focuses on assessing if a project would implement the General Plan's City of Villages strategy, the General Plan's Mobility Element, pedestrian improvements, the Bicycle Master Plan, and support transit-oriented development within a Transit Priority Area (TPA). Step 3 applies to projects proposing a land use and/or zoning designation amendment and increase density within a TPA.

Under the City's CEQA Significance Determination Thresholds, adopted with the 2022 CAP update, the method for determining significance for project-level environmental documents is through demonstrating CAP Consistency. The City requires that projects implement Climate Action Plan Consistency Regulations set forth in San Diego Municipal Code Chapter 14, Article 3, Division 14 to ensure that new development is consistent with the CAP. The 2022 CAP update includes a two-step process to determine project consistency.

- **Step 1** consists of an assessment to determine a project's consistency with the growth projections of the CAP.
- **Step 2** includes implementation of the Climate Action Plan Consistency Regulations in San Diego Municipal Code Chapter 14, Article 3, Division 14

2. Analysis

As noted above under Subheading 1 of Issues 1 and 2, the analysis below demonstrates the Project's compliance with both the 2015 CAP and the 2022 CAP update.

2015 CAP Consistency

Step 1

The Project site is designated as “Industrial Employment” in the San Diego General Plan and as “Scientific Research” within Subarea 11 of the University Community Plan. 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 Project’s proposed uses are allowed in areas designated as Scientific Research in the University Community Plan, and because 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. Pursuant to the City’s CAP Consistency Checklist, because the Project is consistent with the existing General Plan land use and zoning designations, the analysis of CAP consistency proceeds to Step 2.

Step 2

The second step of the CAP consistency review is to review and evaluate the Project’s consistency with the applicable strategies and actions of the CAP. Table 5.7-2, *2015 Climate Action Plan Consistency Checklist*, shows the Project’s consistency with each item within the CAP Consistency Checklist.

Table 5.7-2 2015 Climate Action Plan Consistency Checklist

CAP Consistency Checklist Item	Compliance
<p>1. Cool/Green Roofs.</p> <ul style="list-style-type: none"> • Would the project include roofing materials with a minimum 3-year aged solar reflection and thermal emittance or solar reflection index equal to or greater than the values specified in the voluntary measures under California Green Building Standards Code (Attachment A)?; OR • Would the project roof construction have a thermal mass over the roof membrane, including areas of vegetated (green) roofs, weighing at least 25 pounds per square foot as specified in the voluntary measures under California Green Building Standards Code?; OR • Would the project include a combination of the above two options? <p>Check “N/A” only if the project does not include a roof component.</p>	<p>Consistent. The Project’s roof materials would have 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.</p>
<p>2. Plumbing fixtures and fittings With respect to plumbing fixtures or fittings provided as part of the project, would those low-flow</p>	<p>Consistent. The Project would involve the development of non-residential buildings. The Project</p>

CAP Consistency Checklist Item	Compliance
<p>fixtures/appliances be consistent with each of the following:</p> <p>Residential buildings:</p> <ul style="list-style-type: none"> • Kitchen faucets: maximum flow rate not to exceed 1.5 gallons per minute at 60 psi; • Standard dishwashers: 4.25 gallons per cycle; • Compact dishwashers: 3.5 gallons per cycle; and • Clothes washers: water factor of 6 gallons per cubic feet of drum capacity? <p>Non-residential buildings:</p> <ul style="list-style-type: none"> • Plumbing fixtures and fittings that do not exceed the maximum flow rate specified in Table A5.303.2.3.1 (voluntary measures) of the California Green Building Standards Code (See Attachment A); and • Appliances and fixtures for commercial applications that meet the provisions of Section A5.303.3 (voluntary measures) of the California Green Building Standards Code (See Attachment A)? <p>Check "N/A" only if the project does not include any plumbing fixtures or fittings.</p>	<p>would include low-flow fixtures and appliances consistent with the requirements of this Checklist item. Plumbing fixtures and fittings would not exceed the maximum flow rate specified in Table A5.303.2.3.1 of the California Green Building Standards Code, and appliances and fixtures would meet the provisions of Sec.A5.303.3 of the California Green Building Standards Code.</p>
<p>3. Electric Vehicle Charging</p> <ul style="list-style-type: none"> • Multiple-family projects of 17 dwelling units or less: Would 3% of the total parking spaces required, or a minimum of one space, whichever is greater, be provided with a listed cabinet, box or enclosure connected to a conduit linking the parking spaces with the electrical service, in a manner approved by the building and safety official, to allow for the future installation of electric vehicle supply equipment to provide electric vehicle charging stations at such time as it is needed for use by residents? • Multiple-family projects of more than 17 dwelling units: Of the total required listed cabinets, boxes or enclosures, would 50% have the necessary electric vehicle supply equipment installed to provide active electric vehicle charging stations ready for use by residents? • Non-residential projects: Of the total required listed cabinets, boxes or enclosures, would 50% have the necessary electric vehicle supply 	<p>Consistent. The Project would involve development of non-residential buildings. As further described in Chapter 3.0, <i>Project Description</i>, of this EIR, the Project would include a total of 2,500 parking stalls, 150 electric vehicle charging stations are required and proposed. Of the required listed cabinets, boxes or enclosures (75 stall total), 50% would have the necessary electric vehicle supply equipment installed; the balance are dedicated for future use.</p>

CAP Consistency Checklist Item	Compliance
<p>equipment installed to provide active electric vehicle charging stations ready for use?</p> <p>Check "N/A" only if the project is a single-family project or would not require the provision of listed cabinets, boxes, or enclosures connected to a conduit linking the parking spaces with electrical service, e.g., projects requiring fewer than 10 parking spaces.</p>	
<p>4. Bicycle Parking Spaces</p> <p>Would the project provide more short- and long-term bicycle parking spaces than required in the City's Municipal Code (Chapter 14, Article 2, Division 5)?</p> <p>Check "N/A" only if the project is a residential project.</p>	<p>Consistent. The Project would provide more short- and long-term bicycle parking spaces than required by the City's Municipal Code. The Municipal Code requires zero short-term spaces and Project proposes 50 short-term bicycle parking spaces. The Municipal Code requires 118 long-term spaces and the Project proposes 120 long-term bicycle parking spaces.</p>
<p>5. Shower facilities</p> <p>If the project includes nonresidential development that would accommodate over 10 tenant occupants (employees), would the project include changing/shower facilities in accordance with the voluntary measures under the California Green Building Standards Code as shown in the table in the CAP Consistency Checklist?</p> <p>Check "N/A" only if the project is a residential project, or if it does not include nonresidential development that would accommodate over 10 tenant occupants (employees).</p>	<p>Consistent. The Project would include changing/shower facilities in accordance with the voluntary measures under the California Green Building Standards Code. At an assumed occupancy of 3 tenants per 1,000 sf (3,000 tenants total), the Project would provide 15 shower stalls and 57 two-tier lockers.</p>
<p>6. Designated Parking Spaces</p> <p>If the project includes a nonresidential use in a TPA, would the project provide designated parking for a combination of low-emitting, fuel-efficient, and carpool/vanpool vehicles in accordance with the table in the CAP Consistency Checklist?</p> <p>This measure does not cover electric vehicles. See Question 4 for electric vehicle parking requirements.</p> <p>Note: Vehicles bearing Clean Air Vehicle stickers from expired HOV lane programs may be considered eligible for designated parking spaces. The required designated parking spaces are to be provided within the overall minimum parking requirement, not in addition to it.</p>	<p>Consistent. The Project would include a non-residential use in a TPA. At least 10% of required parking would be designated for a combination of low-emitting, fuel efficient, and carpool/van pool vehicles. Based on the table in the CAP Consistency Checklist, the Project (with 2,329 automobile parking spaces required pursuant to the SDMC) would require 233 designated spaces and the Project proposes 233 designated spaces.</p>

CAP Consistency Checklist Item	Compliance
<p>Check "N/A" only if the project is a residential project, or if it does not include nonresidential use in a TPA.</p>	
<p>7. Transportation Demand Management Program If the project would accommodate over 50 tenant-occupants (employees), would it include a transportation demand management program that would be applicable to existing tenants and future tenants that includes:</p> <p>At least one of the following components:</p> <ul style="list-style-type: none"> • Parking cash out program • Parking management plan that includes charging employees market-rate for single-occupancy vehicle parking and providing reserved, discounted, or free spaces for registered carpools or vanpools • Unbundled parking whereby parking spaces would be leased or sold separately from the rental or purchase fees for the development for the life of the development <p>And at least three of the following components:</p> <ul style="list-style-type: none"> • Commitment to maintaining an employer network in the SANDAG iCommute program and promoting its RideMatcher service to tenants/employees • On-site carsharing vehicle(s) or bikesharing • Flexible or alternative work hours • Telework program • Transit, carpool, and vanpool subsidies • Pre-tax deduction for transit or vanpool fares and bicycle commute costs • Access to services that reduce the need to drive, such as cafes, commercial stores, banks, post offices, restaurants, gyms, or childcare, either on site or within 1,320 feet (1/4-mile) of the structure/use? <p>Check "N/A" only if the project is a residential project or if it would not accommodate over 50 tenant-occupants (employees).</p>	<p>Consistent. As further discussed in Section 5.2, <i>Transportation</i>, of this EIR, the Project would accommodate more than 50 employees and would include a Transportation Demand Management/Commute Trip Reduction Program with mandatory implementation and monitoring consistent with CAPCOA 2021 Measure T-6 which includes the following:</p> <ul style="list-style-type: none"> • <i>T-7. Implement Commute Trip Reduction Marketing</i> - The Project will designate a TDM coordinator who will ensure that Commute Trip Reduction materials and policies are implemented and tracked at the Project site. This includes providing information about the benefits of transit, providing SANDAG iCommute information, ensuring flexible work hour policies are promoted, hosting a bike-to-work day promotional event, transit promotion events and ensuring facilities committed to this program remain available. • <i>T-8. Provide Ridesharing Program</i> - The Project will include tenant participation in the SANDAG iCommute program and encourage ridesharing services as recommended by the program. In addition, the Project will incorporate carpool priority parking to ensure high visibility and convenience for carpool and vanpool users. • <i>T-9. Implement Subsidized or Discounted Transit Program</i> - The proposed Project will subsidize transit passes for employees. The amount of the subsidy can vary over

CAP Consistency Checklist Item	Compliance
	<p>time to reach the maximum Projected effectiveness within this measure and will be monitored as part of the mandatory monitoring and reporting program.</p> <ul style="list-style-type: none"> • <i>T-10. Provide End-of-Trip Bicycle Facilities</i> - A bicycle repair station, lockers, bicycle storage and showers will be provided for employees. As noted in the Complete Communities section of this memorandum, the facilities will exceed code required minimums. • <i>T-11. Provide Employer-Sponsored Vanpool</i>- Project tenants will be required by lease provision to participate in SANDAG’s iCommuter program including providing an employer-sponsored vanpool to promote shared vehicle usage. <p>In summary, the Project meets the first set of CAP Consistency Checklist criteria by providing Parking Management and Unbundled Parking. The Project will include CAPCOA 2021 measure T-12 Priced Workplace Parking which is equivalent to Parking management plan that includes charging employees market-rate for single-occupancy vehicle. The Project will also provide parking a reserved, discounted, or free spaces for registered carpools or vanpools. The Project will also include unbundled parking whereby parking spaces would be leased or sold separately from the rental or purchase fees for the development for the life of the development.</p> <p>The Project meets the second set of CAP Consistency Checklist criteria by providing the following items listed:</p>

CAP Consistency Checklist Item	Compliance
	<ul style="list-style-type: none"> • Employer sponsored shuttle to Regional Transit Hub / Last Mile Connection. • Subsidized transit passes. • On-site car-share vehicles 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) • Access to services that reduce the need to drive, such as cafes, commercial stores, banks, post offices, restaurants, gyms, either on site or within 1,320 feet (1/4-mile) of the structure/use. <p>To address its transportation VMT impact, the Project would also be required to implement Mitigation Measure MM 5.2-1 outlined in Section 5.2, <i>Transportation</i>.</p>

Source: CAP Consistency Checklist provided in Appendix G of this EIR.

As shown in Table 5.7-2, the Project would be consistent with applicable GHG reduction strategies found within Step 2 of the CAP Consistency Checklist.

Step 3

Lastly, as identified under Step 1, the Project would develop the site consistent with the existing General Plan and Zoning designations. Therefore, a further CAP conformance evaluation pursuant to Step 3 of the CAP Consistency Checklist is not required. As described in Chapter 3.0, *Project Description*, of this EIR, the Project, which is within a TPA, would involve a Community Plan Amendment (CPA) to add the proposed intensity of the Project to Table 2, *Land Use and Development Intensity*, of the University Community Plan (for Subarea 11). The proposed CPA to allow up to 1,000,000 sf of Scientific Research uses within Subarea 11 would increase the allowed development intensity by 617,635 sf. Therefore, the following addresses the Project’s implementation of CAP Strategy 3 actions.

1. Would the proposed project implement the General Plan's City of Villages strategy in an identified Transit Priority Area (TPA) that will result in an increase in the capacity for transit-supportive residential and/or employment densities?

The General Plan identifies the University Community as a Sub-Regional Employment Area which is made up of high intensity office, commercial, industrial, scientific research, and residential uses. The General Plan defines Sub-Regional Employment Areas as "major employment and/or commercial districts within the region containing corporate or multiple-use office, industrial, and retail uses with some adjacent multifamily residential uses. Existing Sub-Regional Districts include the Mission Valley/Morena/Grantville and University/Sorrento Mesa areas."(City of San Diego, 2015, p. LU-7) The proposed CPA is consistent with General Plan policy LU.A.1.b which states: "Encourage further intensification of employment uses throughout Sub-Regional Employment Districts.

2. Would the proposed project implement the General Plan's Mobility Element in Transit Priority Areas to increase the use of transit?

The proposed CPA would help provide additional quality job opportunities and secondary employment in an area where a significant investment in transit has been made. This in turn, would help increase employment within a TPA, consistent with CAP Strategies and would further the City's trajectory towards meeting its goals to reduce GHG emissions.

3. Would the proposed project implement pedestrian improvements in Transit Priority Areas to increase walking opportunities?

As discussed previously, the Project includes implementation of TDM strategies for employees, which would include access to services that reduce the need to drive (such as cafes, commercial stores, banks post offices, restaurants, gyms, either on site or within 1,320 feet (1/4-mile) of the structure/use) and a privately funded shuttle. Additionally, the Project would include visual access to the site's adjacent canyons by one or more of the following: canyon rim walking paths, overlooks, and/or scenic vistas.

4. Would the proposed project implement the City of San Diego's Bicycle Master Plan to increase bicycling opportunities?

In accordance with the City's Bicycle Master Plan, the Project would include bike racks and lockers to accommodate those who are expecting to park their bikes for more than two hours, such as employees and transit commuters. In addition, locker rooms and showers would be included in the Project to support the Bicycle Master Plan's goal of providing end-of-trip amenities.

5. Would the proposed project incorporate implementation mechanisms that support Transit Oriented Development?

To maximize on-site parking efficiency, the Project would include unbundled parking whereby parking spaces would be leased or sold separately from the rental or purchase fees for the

development for the life of the development, and subsidized transit passes. In addition, the proposed CPA would help provide additional quality job opportunities and secondary employment in an area where a significant investment in transit has already been made. This in turn, would help increase employment within a TPA, consistent with CAP Strategies and would further the City's trajectory towards meeting its goals to reduce greenhouse gas emissions. Similarly, it is important to note that the Project site is located within an area designated as a Regional Mobility Hub by SANDAG's *San Diego Forward - The 2021 Regional Plan, Sustainable Communities Strategy*.

6. Would the proposed project implement the Urban Forest Management Plan to increase urban tree canopy coverage?

The Project would implement the Urban Forest Management Plan through the planting of approximately 400 new trees, which would increase the canopy tree coverage of the City.

Plan, Policy or Regulation Consistency

As detailed in Section 5.7.2, *Regulatory Framework*, numerous plans, policies, and regulations have been adopted for the purpose of reducing GHG emissions. The principal overall state plan and policy are AB 32 and the follow-up legislation, SB 32. AB 32 requires reduction of GHG emissions to 1990 levels by 2020 and SB 32 requires a reduction of GHG emissions to 40 % below 1990 levels by 2030. Further, Executive S-3-05 establishes a statewide GHG reduction target goal of 80% below 1990 levels by 2050. The City's CAP outlines the measures for the City to achieve its share of state GHG reduction requirements. As discussed under Issues 1 and 2 above, the Project would be consistent with the CAP and, therefore, would be consistent with state GHG reduction goals.

Statewide plans and regulations such as GHG emissions standards for vehicles (AB 1493), the LCFS, and regulations requiring an increasing fraction of electricity to be generated from renewable sources are being implemented at the statewide, rather than project-specific, level. The Project does not conflict with or inhibit implementation of those plans and regulations.

The City General Plan includes policies to reduce GHG emissions. As further discussed in Section 5.1, *Land Use*, of this EIR, the Project would not conflict with the applicable GHG reducing goals or policies within the City's General Plan. Therefore, the Project would be consistent with the City's General Plan policies for reducing GHG emissions.

2022 CAP Update Consistency

Step 1

The Project site is designated as "Industrial Employment" in the San Diego General Plan and as "Scientific Research" within Subarea 11 of the University Community Plan. 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 Project's

proposed uses are allowed in areas designated as Scientific Research in the University Community Plan, and because 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. As discussed in Section 5.13, *Population and Housing*, of this EIR, the Project is consistent with the growth projections for the University Community Plan Area and SANDAG’s *San Diego Forward – 2021 Regional Plan*. These projections are the basis for the 2022 CAP update. Therefore, pursuant to the City’s CEQA Significance Thresholds, because the Project is consistent with the growth projections in the 2022 CAP update, the analysis of CAP update consistency proceeds to Step 2.

Step 2

The second step of the 2022 CAP update consistency review is to review and evaluate the Project’s consistency with the applicable strategies and actions of the 2022 CAP update. Table 5.7-3, *2022 Climate Action Plan Update Consistency Regulations*, shows the Project’s consistency with each regulation within the Climate Action Plan Consistency Regulations in San Diego Municipal Code Chapter 14, Article 3, Division 14.

Table 5.7-3 2022 Climate Action Plan Update Consistency Regulations

CAP Update Regulation	Compliance
<p>§143.1410 Mobility and Land Use Regulations – Pedestrian Enhancements</p> <p>(a) Pedestrian enhancements that reduce heat island effects shall be provided as follows:</p> <p>(1) Development on a premises that contains a street yard or abuts a public right-of-way with a Furnishings Zone, at least 50 percent of the Throughway Zone shall be shaded as specified below.</p> <p>(A) If the abutting public right-of-way contains a Furnishings Zone, shading shall be provided by street trees.</p> <p>(B) If the abutting public right-of-way does not contain a Furnishings Zone, shading may be provided by a combination of trees and shade structures placed in the street yard.</p> <p>(C) The shade coverage of a tree shall be determined by the expected canopy at 10-year maturity. The tree shall be selected in accordance with the Landscape Standards of the Land Development Manual and the City’s Street Tree Selection Guide.</p>	<p>Consistent. The Project includes 22 trees along the Project frontage which abuts a public right-of-way within a Furnishings Zone. At least 50 percent of the Throughway Zone would be shaded in accordance with the CAP Consistency Regulations.</p>

CAP Update Regulation	Compliance
<p>(D) Trees shall be irrigated and maintained consistent with Section 142.0403.</p> <p>(E) The number of street trees provided shall not be less than what is required by the Landscape Regulations in Chapter 14, Article 2, Division 4.</p> <p>(2) Development on a premises that does not contain a street yard and does not abut a public right-of-way with a Furnishings Zone, the applicant shall do one of the following:</p> <p>(A) Plant the number of trees required by Section 143.1410(a)(1) at an off-site location within one mile of the development and enter into an agreement with the owner of the off-site location that ensures the indefinite maintenance of the trees; or</p> <p>(B) Pay an Urban Tree Canopy Fee to be deposited into the Climate Resiliency Fund consistent with adopted City Council Resolution.</p>	
<p>§143.1410 Mobility and Land Use Regulations – Pedestrian Amenities</p> <p>Development on a premises with 150 linear feet or more of street frontage shall provide and privately maintain at least one of the following publicly accessible pedestrian amenities for every 250 linear feet of street frontage to the satisfaction of the Development Services Department:</p> <p>(1) One trash receptacle and one recycling container;</p> <p>(2) Seating comprised of movable seats, fixed individual seats, benches with or without backs, or design feature seating, such as seat walls, ledges, or seating steps;</p> <p>(3) Pedestrian-scale lighting that illuminates the adjacent sidewalk;</p> <p>(4) Public artwork;</p> <p>(5) Community wayfinding signs; or</p> <p>(6) Enhancement of a bus stop or public transit waiting station within 1,000 feet of the premises.</p>	<p>Consistent. The Project includes approximately 660 feet of street frontage. The Project includes pedestrian scale lighting that would illuminate the adjacent sidewalk along the Project’s frontage. The pedestrian scale lighting would be provided less than 250 feet linear feet apart.</p>
<p>§143.1410 Mobility and Land Use Regulations – Bicycle Parking</p>	<p>Consistent. The Project includes a total of 170 bicycle parking spaces; thus the Project would supply a minimum of 85 bicycle parking</p>

CAP Update Regulation	Compliance
<p>(c) At least 50 percent of all residential and non-residential bicycle parking spaces required in accordance with Chapter 14, Article 2, Division 5 shall be supplied with individual outlets for electric charging at each bicycle parking space.</p>	<p>spaces with outlets for electric charging.</p>
<p>§143.1415 Resilient Infrastructure and Healthy Ecosystems Regulations – Urban Tree Canopy</p> <p>(a) Two trees shall be provided on the premises for every 5,000 square feet of lot area, with a minimum of one tree per premises.</p> <p>(1) If planting of a new tree is required to comply with this Section, the tree shall be selected in accordance with the Landscape Standards of the Land Development Manual and the City's Street Tree Selection Guide.</p> <p>(2) Where possible, trees must be planted in native soil. Where native soil planting is prohibited by site conditions, required trees may be provided in built-in or permanently affixed planters and pots on structural podiums. Planters and pots for trees shall have a minimum inside dimension of 48 inches.</p> <p>(3) For a premises located within a base zone that does not require open space to accommodate the planting of on-site trees in compliance with this Section, the applicant shall do one of the following, except that all trees required by the Landscape Regulations in Chapter 14, Article 2, Division 4 must be provided on-site:</p> <p>(A) Plant the number of trees required by Section 143.1415(a) at an off-site location within one mile of the development and enter into an agreement with the owner of the off-site location that ensures the indefinite maintenance of the trees; or</p> <p>(B) Pay an Urban Tree Canopy Fee to be deposited into the Climate Resiliency Fund consistent with adopted City Council Resolution.</p> <p>(4) Trees shall be irrigated and maintained consistent with Section 142.0403.</p>	<p>Consistent. The area of the Project site subject to development is 1,154,340 sf; thus, a total of 461 trees are required. The Project would be required to provide a total of 461 trees as a condition of approval.</p>

CAP Update Regulation	Compliance
(5) The number of trees provided shall not be less than what is required by the Landscape Regulations in Chapter 14, Article 2, Division 4.	

3. Significance of Impact

Less than Significant Impact. 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.

4. Mitigation Measure

No mitigation would be required.

5.8 HEALTH AND SAFETY

This section evaluates the potential for health and safety impacts associated with the Project. The discussion of hazardous materials in this section is based in part on the *Phase I Environmental Site Assessment, APNs: 343-121-42 and -42, Towne Centre Drive, San Diego, California 92121* (Phase I ESA) prepared by Geosyntec Consultants (Geosyntec), included as Appendix H of this EIR (Geosyntec, 2020). The Phase I ESA focuses on the western portion of the Project site; however, the eastern portion of the Project site is covered within the search radii for the Phase I ESA.

5.8.1 Existing Conditions

A. Current and Historical Land Use

The northern parcel of the Project site is undeveloped and covered with vegetation as described in Section 5.4, *Biological Resources*, of this EIR. The southern portion of the Project site includes the previous staging area for the Mid-Coast Trolley construction to the west and three scientific research buildings owned by the Project Applicant to the east. Prior to construction of the existing buildings in 2001 and 2007, the eastern portion of the Project site was undeveloped land. The western portion of the Project site was undeveloped land until 2007/2008 when building pads were graded; this portion of the Project site was used as a staging area for the Mid-Coast Trolley construction between 2016 and 2021.

The Project site is surrounded by undeveloped open space to the north/northeast/northwest, west, and south (west of Westerra Court); these open space areas are characterized by steep canyon slopes. The Atchison, Topeka, and Santa Fe Railroad further north. The area further to the east and southeast (across Towne Centre Drive) is developed with commercial structures, which were constructed between 1985 and 2018 (See Figure 2-3, *Aerial Photograph*.)

B. Sensitive Receptors

Sensitive receptors are individuals who, due to fragile immune systems or other characteristics, may have a special sensitivity to some environmental contaminants. These sensitive receptors typically include elderly or immunocompromised individuals and children. Sensitive receptors are likely to be located in schools, daycares, hospitals, medical centers, and nursing homes. The nearest sensitive receptors to the Project site are residential uses located approximately 0.2 miles south of the Project site. The nearest school to the Project site is the University of California San Diego (UCSD) Preuss School, located approximately 0.27 mile to the southwest (measured directly, not considering distance using roadways.) The nearest school to the Project site using roadway distance is Eastgate Christian School, located approximately 1.0 roadway mile south of the Project site. Scripps Memorial Hospital La Jolla and associated uses are located approximately 0.3 miles west of the Project site, along Genesee Avenue.

C. Hazardous Materials

According to the Phase I ESA (Geosyntec, 2020), a database search report was obtained from Environmental Data Resources, Inc. (EDR), which documented the findings of various federal, State, and local regulatory database searches. Although the Phase I ESA focuses on the western portion of the Project site, the eastern portion of the Project site is within the search radius for the Phase I ESA. The database search did not reveal recognized environmental conditions (RECs)¹ on- or off-site that would pose a potential to affect the Project site. The Phase I ESA concluded that there is no evidence of RECs in connection with the Project site. Geosyntec identified the following to be *de minimis* conditions on the western portion of the Project site when the Phase I ESA was prepared, which are not considered to be RECs:

- The Project site has two retention basins for the collection of storm water. The retention basins are routinely inspected by the City of San Diego and are in compliance with current regulations.
- The Project site had a hazardous materials storage shed with an elevated concrete secondary containment, which was removed by the contractor following completion of the onsite construction staging activities for the Mid-Coast Trolley. The concrete had no discoloring and chemicals were contained in properly labeled containers. The City of San Diego routinely inspects the hazardous materials storage shed, and the shed was used in compliance with applicable regulations.

Based on the EDR report, the existing building in the eastern portion of the Project site at 9865 Towne Centre Drive was identified in the Resource Conservation and Recovery Act (RCRA) non-generator/no longer regulated (NLR) database. This property is listed as "Handler: Non-Generators do not presently generate hazardous waste".

Additionally, properties identified by EDR within ½-mile of the Project site include properties listed in the RCRA Non-Gen/NLR database (17 sites), RCRA Small Quantity (SQG) (3 sites), RCRA Large Quantity Generator (LQG) (4 sites), San Diego County Hazardous Materials Management Division (HMMD) (2 sites), HAZNET (1 site), California Environmental Report System (CERS) HAZ Waste (10 sites), CERS (10 sites), CERS Tanks (2 sites), Enforcement and Compliance History Online (ECHO) (1 site), Facility Index System (FINDS) (2 sites), Superfund Enterprise Management System (SEMS) (1 site), Aboveground Storage Tank (AST) (4 sites) and Potentially Responsible Parties (PRP) (1 site) databases. Several additional properties were identified by EDR within one-mile of the Project site. Based on the nature of the information presented in the listings, the distance from the Project site, and/or the location of these properties at a lower elevation, these properties do not have the potential to adversely affect the Project site.

¹ As defined by ASTM E 1527-13, a Recognized Environmental Condition is: the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment. De minimis conditions are not recognized environmental conditions. De minimis conditions are environmental conditions that generally do not present a threat to human health or the environment and that generally would not be the subject of an enforcement action.

During preparation of the Phase I ESA, Geosyntec also contacted various federal, State, and local agencies and accessed associated online databases to identify information pertaining to the Project site and areas within one-mile of the Project site. There were no records regarding the Project site obtained during this research. Additionally, information on properties within one-mile of the Project site was only available from the California Department of Toxic Substances Control (DTSC) (EnviroStor database) and the San Diego Regional Water Quality Control Board (RWQCB) (GeoTracker) database. The review of the EnviroStor database in February 2020 identified four DTSC-evaluation sites:

- **Cosmopolitan Cleaners (Sorrento Court) – 9450 Scranton Road:** Located approximately 4,810 feet northeast of the Project site, this property is under evaluation. The site summary indicated that the property was referred to the local agency in March 2000. A County of San Diego Department of Environmental Health Voluntary Assistance Program (DEH VAP) application, dated March 2000, indicates a Phase II site assessment for dry cleaners was conducted. No chemicals of concern (COCs) are listed and no cleanup activities are documented. Based on the distance from the Project site, this property has a low potential to adversely affect the Project site.
- **Marine Rifle Range:** Located approximately 4,825 feet southwest of the Project site, this property is listed as a “formerly used defense site (FUDS). The site summary (August 2018) indicated that the property is inactive and needs evaluation. Potential COCs are explosives and munitions debris (MD). The potential media affected is under investigation. However, based on the down-gradient location and distance of the property from the Project site, this property has low potential to adversely affect the Project site.
- **HM Poole Medical Offices (Building 9834) – 9834 Genesee Avenue:** Located approximately 2,885 feet west of the Project site, this property is under evaluation. The site summary indicated that the property was referred to the local agency in August 2001. No COCs are listed and no cleanup activities are documented. However, based on the down-gradient location and distance of the property from the Project site, this property has low potential to adversely affect the Project site.
- **K-Tube Facility (Former) – 10581-75 Roselle Street:** Located approximately 3,875 feet northwest of the Project site, this property is under evaluation. The site summary indicated that the property was referred to the local agency in October 2000. County of San Diego DEH VAP, dated September 2000, indicates 11 USTs and 1 sump were removed from the site and approximately 20-tons of petroleum contaminated soil was removed. DEH VAP states the case was closed and no petroleum hydrocarbons have been identified in groundwater and only low level of chlorinated hydrocarbons from off-site sources remain. Based on the cross-gradient location and distance of the facility from the Project site, this property has a low potential to adversely affect the Project site.

Review of the San Diego RWQCB and GeoTracker Database in February 2020 identified the following cases:

- **Cosmopolitan Cleaners – 9450 and 6450 Scranton Road:** Located approximately 4,810 feet northeast of the Project site, this property has 3 cleanup program cases completed and closed. No COCs are listed and no cleanup activities are documented for two cases closed in February 2015. The third case closed in April 2000. The COCs were chlorinated hydrocarbons and media of concern was soil. No cleanup activities are documented. Based on the distance from the Project site, this property has a low potential to adversely affect the Project site.
- **IVAC Corporation – 10300 Campus Point Drive:** Located approximately 2,080 feet northwest of the Project site, this property has a cleanup program case completed and closed in May 1986. No COCs are listed and no cleanup activities are documented. Based on the cross-gradient location and distance of the property from the Project site, this property has a low potential to adversely affect the Project site.
- **Scripps Memorial Hospital – 9888 Genesee Avenue:** Located approximately 2,010 feet south of the Project site, this property has a leaking underground storage tank (LUST) case completed and closed in November 2007. The COC was gasoline and media of concern was soil. No cleanup activities are documented. Based on the down-gradient location, this property has a low potential to adversely affect the Site.
- **UCSD Thornton Hospital – 9300 Campus Point Drive:** Located approximately 1,400 to 1,800 feet west and southwest of the Site, the property has 2 LUST cases completed and closed. One case closed in May 1990 and one closed in June 2013. In both cases the COC was diesel and media of concern was soil for the 1990 case and aquifer used for drinking water for the 2013 case. No cleanup activities are documented. Soil investigations to delineate impacts were conducted between September 2008 and February 2001. Concentrations of total petroleum hydrocarbons gasoline and diesel were all reported below laboratory reporting limits for all samples. Based on the cross- and down-gradient location and low contamination levels, the property has a low potential to adversely affect the Project site.
- **K-Tube Corporation – 10581 Roselle Street:** Located approximately 4,750 feet northwest (down-gradient) of the Project site, this property has a cleanup program case completed and closed in May 2004. The COC were chlorinated hydrocarbons and media of concern was an aquifer used for drinking water supply. No cleanup activities are documented. Based on the distance from the Project site, this property has a low potential to adversely affect the Project site.

D. Emergency Response/Evacuation

1. Emergency Response

The City is a participating jurisdiction in the San Diego County Multi-Jurisdictional Hazard Mitigation Plan (MHMP), a countywide plan further discussed under Section 5.8.2, *Regulatory Framework*, below,

that identifies risks and minimizes damage from natural and man-made disasters (San Diego County, 2017a).

The City of San Diego Office of Homeland Security (SD-OHS) oversees the City's Preparedness Grant, Emergency Preparedness, Emergency Operations Center, and Public and Disaster Assistance programs.

The collective purpose of these four programs and the mission of SD-OHS is to promote a secure and resilient city with the capabilities required across the whole community to prevent, protect against, mitigate, respond to, and recover from the threats and hazards that pose the greatest risk. These risks include events such as natural disasters, disease pandemics, chemical spills and other manmade hazards, terrorist attacks, and cyber-attacks.

2. *Emergency Evacuation Plans*

The City participates in the County's Unified San Diego County Emergency Services Organization and County of San Diego Operational Area Emergency Operations Plan (EOP), which addresses emergency issues including evacuation, as further discussed under Section 5.8.2, *Regulatory Framework*, below (San Diego County, 2018).

E. Airports and Heliports

1. *MCAS Miramar*

The nearest airport to the Project site is Marine Corps Air Station Miramar (MCAS Miramar), located approximately 3.0 miles to the South southeast. 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 airport influence area (AIA) for MCAS Miramar includes land within four general land use jurisdictions: The County of San Diego and the Cities of Poway, San Diego, and Santee. The MCAS Miramar AIA is divided into two subareas, Review Area 1 and Review Area 2. Review Area 1 consists of locations where noise and/or safety concerns may necessitate limitations on the types of land uses. Review Area 1 encompasses locations exposed to noise levels of community noise equivalence level (CNEL) 60 decibels (dBA) or greater together with all the other safety zones for the airport. Within Review Area 1, all types of land use actions are to be submitted to the ALUC for review to the extent review is required by law. The Project site is within Review Area 1 of the AIA for MCAS Miramar. The MCAS Miramar ALUCP is further discussed under Section 5.8.2, *Regulatory Framework*, below.

2. *Helipads and Heliports*

A helipad is a small, designated area, usually with a prepared surface, on a heliport, airport, landing/takeoff area, apron/ramp, or movement area used for takeoff, landing, or parking of helicopters. A heliport is a facility used for operating, basing, housing, and maintaining helicopters. (ALUC, 2011) There are numerous roof top helipads within two miles of the project site. Most of these helipads

are private, fire-life-safety additions for tall buildings in the area. Two hospitals in the area also have private hospital helipads for emergency medical airlift. Scripps Memorial Hospital and UCSD Medical Center (Jacobs Medical Center) are facilities closest to the I-5 corridor and are used exclusively by medical helicopters. The Project site is located approximately 0.4 miles east of Scripps Memorial Hospital and approximately 0.8-mile northeast of the UCSD Medical Center. Helicopters approaching these facilities primarily use the freeway corridors to avoid other fixed-wing aircraft arriving and departing MCAS Miramar, San Diego International Airport, Montgomery Gibbs Executive Airport, and Gillespie Field. Further, operations associated with these facilities are undertaken in accordance with the applicable state and federal safety and flight regulations.

3. Wildfire Hazards

Potential wildfire risk zones include areas that have steep slopes, limited precipitation, and available vegetation fuel. As shown in Figure 5.19-1, *Very High Fire Hazard Severity Zone Map*, in Section 5.19, *Wildfire*, of this EIR, the entire Project site is within the Very High Fire Hazard Severity Zone (VHFHSZ) (SDFRD, 2009). The VHFHSZ Map was established on February 24, 2009, in coordination between the City of San Diego Fire-Rescue Department and the California Department of Forestry and Fire Protection (CAL FIRE). The VHFHSZ Map identifies areas within and adjacent to the Project site that would fall into the VHFHSZ risk zone. The northern portion of the Project site and areas surrounding the Project site are characterized by open space with steep slopes and vegetation. The southern portion of the Project site includes disturbed and developed areas. For a discussion of the Project's impacts related to wildfire, refer to Section 5.19, *Wildfire*, of this EIR.

5.8.2 Regulatory Framework

A. Federal

1. MCAS Miramar AICUZ 2020 Update

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 2-9, *MCAS Miramar AICUZ 2020 CNEL Noise Contour*, the Project site is within the 60-65 dB CNEL contour for MCAS Miramar. 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. 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.

2. Federal Aviation Regulation Part 77

Federal Aviation Regulation Title 14 Part 77 establishes standards and notification requirements for objects affecting navigable airspace. This notification serves as the basis for:

- Evaluating the effect of the construction or alteration on operating procedures;

- Determining the potential hazardous effect of the proposed construction on air navigation;
- Identifying mitigating measures to enhance safe air navigation; and
- Charting of new objects.

Notification allows the Federal Aviation Administration (FAA) to identify potential aeronautical hazards in advance to prevent or minimize the adverse impacts to the safe and efficient use of navigable airspace. Any person/organization who intends to sponsor any of the following construction or alterations must notify the Administrator of the FAA.

- Any construction or alteration exceeding 200 feet above ground level.
- Any construction or alteration:
 - within 20,000 feet of a public use or military airport which exceeds a 100:1 surface from any point on the runway of each airport with at least one runway more than 3,200 feet;
 - within 10,000 feet of a public use or military airport which exceeds a 50:1 surface from any point on the runway of each airport with its longest runway no more than 3,200 feet; or
 - within 5,000 feet of a public use heliport which exceeds a 25:1 surface.
- Any highway, railroad, or other traverse way whose prescribed adjusted height would exceed that above noted standards.
- When requested by the FAA.
- Any construction or alteration located on a public use airport or heliport regardless of height or location.

Persons failing to comply with the provisions of Federal Aviation Regulations Part 77 are subject to Civil Penalty under Section 902 of the Federal Aviation Act of 1958, as amended and pursuant to 49 U.S.C. Section 46301(a).

The MCAS Miramar ALUCP considers the area within the FAA Notification Area part of the airspace protection compatibility area.

3. Hazardous Materials Transportation Act

The Hazardous Materials Transportation Act of 1975 (HMTA) empowered the Secretary of Transportation to designate as hazardous material any "particular quantity or form" of a material that "may pose an unreasonable risk to health and safety or property." Hazardous materials regulations are subdivided by function into four basic areas:

- Procedures and/or Policies 49 CFR Parts 101, 106, and 107;
- Material Designations 49 CFR Part 172;

- Packaging Requirements 49 CFR Parts 173, 178, 179, and 180; and
- Operational Rules 49 CFR Parts 171, 173, 174, 175, 176, and 177.

The HMTA is enforced by use of compliance orders [49 U.S.C. § 1808(a)], civil penalties [49 U.S.C. § 1809(b)], and injunctive relief (49 U.S.C. § 1810). The HMTA (Section 112, 40 U.S.C. § 1811) preempts state and local governmental requirements that are inconsistent with the statute, unless that requirement affords an equal or greater level of protection to the public than the HMTA requirement.

4. *Hazardous Materials Transportation Uniform Safety Act of 1990*

In 1990, Congress enacted the Hazardous Materials Transportation Uniform Safety Act (HMTUSA) to clarify the maze of conflicting state, local, and federal regulations. Like the HMTA, the HMTUSA requires the Secretary of Transportation to promulgate regulations for the safe transport of hazardous material in intrastate, interstate, and foreign commerce. The Secretary also retains authority to designate materials as hazardous when they pose unreasonable risks to health, safety, or property. The statute includes provisions to encourage uniformity among different state and local highway routing regulations, to develop criteria for the issuance of federal permits to motor carriers of hazardous materials, and to regulate the transport of radioactive materials.

5. *Occupational Safety and Health Act*

Congress passed the Occupational and Safety Health Act (OSHA) to ensure worker and workplace safety. Their goal was to make sure employers provide their workers a place of employment free from recognized hazards to safety and health, such as exposure to toxic chemicals, excessive noise levels, mechanical dangers, heat or cold stress, or unsanitary conditions. To establish standards for workplace health and safety, the Act also created the National Institute for Occupational Safety and Health (NIOSH) as the research institution for OSHA. OSHA is a division of the U.S. Department of Labor that oversees the administration of the Act and enforces standards in all 50 states.

6. *Resource Conservation and Recovery Act*

The Resource Conservation and Recovery Act (RCRA) serves as the basis for the proper management of hazardous and non-hazardous solid wastes. The RCRA amended the Solid Waste Disposal Act of 1965 and is implemented through the following programs:

- The Solid Waste Program encourages States to develop comprehensive plans to manage non-hazardous industrial solid wastes and municipal solid wastes; sets criteria for municipal solid waste landfills and other solid waste disposal facilities; and prohibits the open dumping of solid wastes.
- The Hazardous Waste Program establishes a system for controlling hazardous waste from the time it is generated until its ultimate disposal, in effect from “cradle to grave”.
- The Underground Storage Tank (UST) Program regulates USTs containing hazardous substances and petroleum products.

In November 1984, the RCRA was amended with the passing of the Federal Hazardous and Solid Waste Amendments (HSWA) to phase out the land disposal of hazardous wastes; to increase the United State Environmental Protection Agency (USEPA)'s enforcement authority; to set more stringent hazardous waste management standards; and to develop a comprehensive UST program. The RCRA has been further amended by the Federal Facility Compliance Act of 1992 (which strengthened the enforcement of RCRA at federal facilities) and the Land Disposal Program Flexibility Act of 1996 (which provided regulatory flexibility for land disposal of certain wastes).

7. Toxic Substances Control Act

The Toxic Substances Control Act (TSCA) of 1976 provides EPA with authority to require reporting, record-keeping and testing requirements, and restrictions relating to chemical substances and/or mixtures. Certain substances are generally excluded from TSCA, including, among others, food, drugs, cosmetics, and pesticides. TSCA addresses the production, importation, use, and disposal of specific chemicals including polychlorinated biphenyls (PCBs), asbestos, radon, and lead-based paint. Various sections of TSCA provide authority to:

- Require, under Section 5, pre-manufacture notification for "new chemical substances" before manufacture;
- Require, under Section 4, testing of chemicals by manufacturers, importers, and processors where risks or exposures of concern are found;
- Issue Significant New Use Rules (SNURs), under Section 5, when it identifies a "significant new use" that could result in exposures to, or releases of, a substance of concern;
- Maintain the TSCA Inventory, under Section 8, which contains more than 83,000 chemicals; as new chemicals are commercially manufactured or imported, they are placed on the list;
- Require those importing or exporting chemicals, under Sections 12(b) and 13, to comply with certification reporting and/or other requirements;
- Require, under Section 8, reporting and record-keeping by persons who manufacture, import, process, and/or distribute chemical substances in commerce; and
- Require, under Section 8(e), that any person who manufactures (including imports), processes, or distributes in commerce a chemical substance or mixture and who obtains information which reasonably supports the conclusion that such substance or mixture presents a substantial risk of injury to health or the environment to immediately inform EPA, except where EPA has been adequately informed of such information. EPA screens all TSCA b§8(e) submissions as well as voluntary "For Your Information" (FYI) submissions. The latter are not required by law, but are submitted by industry and public interest groups for a variety of reasons.

B. State**1. *Porter-Cologne Water Quality Control Act***

The Porter-Cologne Water Quality Control Act restricts the disposal of wastes and requires cleanup of wastes that are below hazardous waste concentrations but could nonetheless impact ground and surface water quality. California regulations that address waste management and prevention and cleanup of contamination include California Code of Regulations (CCR) Title 22 Division 4.5 Environmental Health Standards for the Management of Hazardous Waste, CCR Title 23 Waters, and CCR Title 27 Environmental Protection.

2. *California Code of Regulations***Hazardous Materials and Hazardous Waste (Titles 5, 17, 22 and 26)**

A variety of CCR titles address regulations and requirements related to hazardous materials and hazardous waste. Title 5 contains the California Plumbing Code, which, in Appendix H, establishes detailed standards for the capping, removal, fill, and disposal of cesspools, septic tanks, and seepage pits (see H 1101.0). CCR Title 17, Division 1, Chapter 8, defines and regulates handling and disposal of lead-based paint. Any detectable amount of lead is regulated. Title 22 contains detailed compliance requirements for hazardous waste generators, transporters, and facilities for treatment, storage, and disposal. Because California is a fully-authorized state according to RCRA, most regulations (i.e., 40 C.F.R. Parts 260 et seq.) have been duplicated and integrated into Title 22. However, because the Department of Toxic Substances Control (DTSC) regulates hazardous waste more stringently than the EPA, the integration of State and federal hazardous waste regulations that make up Title 22 does not contain as many exemptions or exclusions as does 40 C.F.R. Part 260. As with the HSC, Title 22 also regulates a wider range of waste types and waste management activities than does RCRA. To aid the regulated community, California has compiled hazardous materials, waste, and toxics-related regulations from CCR, Titles 3, 8, 13, 17, 19, 22, 23, 24 and 27 into one consolidated listing: CCR Title 26 (Toxics). However, the hazardous waste regulations are still commonly referred to collectively as "Title 22."

Airports and Heliports (Title 21)

The California Department of Transportation (Caltrans) Division of Aeronautics' Office of Airports is responsible for airport permitting and inspection, and other matters related to airports and aviation in the State of California. As a general rule, it is unlawful to operate an airport in the State of California without a State Airport Permit. State Airport Permit requirements are promulgated in the California Public Utilities Code (PUC), Sections 21001 et seq., otherwise known as the State Aeronautics Act, and CCR, Title 21, Sections 3525-3560, Airports and Heliports. Caltrans conducts public-use airport safety and permit compliance inspections. They also review and assess new, amended, and corrected airport permit applications, including plans check/approval, site visits, final permit inspections, and issuing of permits. Pursuant to PUC Section 21666, the following will be considered, before issuing a State Airport Permit:

- The site meets or exceeds the minimum airport standards specified by Caltrans in its rules and regulations;
- Safe air traffic patterns have been established for the proposed airport and all existing airports and approved airport sites in its vicinity;
- Safe "zones of approach" for the airport have been engineered in conformity with the provisions of PUC Section 21403 (compliance with Federal Aviation Regulations Part 77);
- Caltrans may impose reasonable permit conditions which it deems necessary to ensure the purposes of PUC Section 21666; and
- The advantages to the public in selection of the site of a proposed new airport (or airport expansion) outweigh the disadvantages to the environment. Environmental considerations include but are not limited to noise, air pollution, and the burden upon the surrounding area caused by the airport (or airport expansion), including but not limited to, surface traffic and expense. The standards by which noise considerations are weighed shall be the level of noise acceptable to a reasonable person residing in the vicinity of the airport. The regulations adopted by the Caltrans pursuant to PUC Section 21669 may be considered in determining such level of noise.

3. California Health and Safety Code

The CalEPA/DTSC established rules governing the use of hazardous materials and the management of hazardous wastes. Under the California Accidental Release Prevention Program (CalARP, California Health and Safety Code [CHSC] Sections 25531 to 25545.3), certain businesses that store or handle more than 500 pounds, 55 gallons, or 200 cubic feet (for gases) of acutely hazardous materials at their facilities are required to develop and submit a Risk Management Plan (RMP) to the appropriate local authorities, the designated local administering agency, and the USEPA for review and approval. The RMP is intended to satisfy federal right-to-know requirements and provide basic information to regulators and first responders, including identification/quantification of regulated substances used or stored on site, operational and safety mechanisms in place (including employee training), and potential on- and off-site consequences of release and emergency response provisions.

Under CHSC Sections 25500-25532, businesses handling or storing certain amounts of hazardous materials are required to prepare a Hazardous Materials Business Emergency Plan (HMBEP), which includes an inventory of hazardous materials stored on site (above specified quantities), an emergency response plan, and an employee training program. HMBEPs are also required to include a written set of procedures and information created to help minimize the effects and extent of a release or threatened release of a hazardous material, and must be prepared prior to facility operation (with updates and amendments required for appropriate circumstances such as changes in business location, ownership, or operations).

Pursuant to CHSC Chapter 6.11, CalEPA established the Unified Hazardous Waste and Hazardous Materials Management Regulatory Program (Unified Program), which consolidated a number of

existing state programs related to hazards and hazardous materials. The Unified Program also allows the designation of Certified Unified Program Agencies (CUPAs) to implement associated state regulations within their jurisdiction. For businesses within the City, applicable hazardous materials plans (such as RMPs and HMBEPs) are submitted to and approved by the San Diego County Department of Environmental Health (DEH)/Hazardous Materials Division (HMD), which is the local CUPA as outlined below under County requirements.

The responsibility for implementing the RCRA was given to DTSC in August 1992. The DTSC is also responsible for implementing and enforcing California's own hazardous waste laws; the Hazardous Waste Control Law (HWCL) (Health and Safety Code [HSC], Division 20, Chapter 6.5, Article 2, Sections 25100 et seq.) is the primary hazardous waste statute in California. The HWCL implements RCRA as a "cradle-to-grave" waste management system. It specifies that generators have the primary duty to determine whether their wastes are hazardous and to ensure its proper management. The HWCL also establishes criteria for the reuse and recycling of hazardous wastes used or reuse as raw materials. The HWCL exceeds federal requirements by mandating source reduction planning and broadening requirements for permitting facilities that treat hazardous waste. It also regulates a number of waste types and waste management activities not covered by federal law (RCRA).

Division 12 (Fires and Fire Protection) of the CHSC provides a number of standards related to fire protection methods, including requirements for the management of vegetation comprising a potential fire hazard under Part 5, Chapters 1 through 3.

Division 39 of the CHSC establishes the Office of Environmental Health Hazard Assessment (OEHHA), which is the lead state agency for the assessment of health risks posed by environmental contaminants. OEHHA implements the Safe Drinking and Toxic Enforcement Act of 1986, commonly known as Proposition 65, and compiles the state's list of substances that cause cancer or reproductive harm. OEHHA also develops health-protective exposure levels for contaminants in air, water, and soil as guidance for regulatory agencies and the public.

4. *California Department of Forestry and Fire Protection (CAL FIRE) – State Responsibility Areas System*

Legislative mandates passed in 1981 (SB 81) and 1982 (SB 1916) require CAL FIRE to develop and implement a system to rank fire hazards in California. Areas are rated as moderate, high, or very high based primarily on the assessment of different fuel types. CAL FIRE also identifies responsibility areas for fire protection, including federal, State, and local responsibility areas (FRAs, SRAs, and LRAs, respectively).

C. *Regional*

1. *MCAS Miramar Airport Land Use Compatibility Plan*

As previously discussed, the Project site is within the AIA and Review Area 1 for MCAS Miramar and must be reviewed for compliance with the MCAS Miramar ALUCP. The Project site is outside the 60 dB CNEL contour identified in the ALUCP; however, it is within the Accident Potential Zone II (APZ II)

and Transition Zone (TZ) Safety Zones (refer to Figure 2-8, *MCAS Miramar ALUCP Compatibility Policy Map: Safety*). APZ II is the area located immediately beyond APZ I; typically, the potential for aircraft accidents and the corresponding need for land use restriction are greatest within the clear zone (closest to the runway end) and diminish with increased distance from the runway (APZ II). The TZ is the safety zone located on the perimeter of APZ II. The boundaries of the TZ were created using low-altitude fixed-wing aircraft flight track location and additional data from the military was used to identify locations where these aircraft fly at an altitude of less than 2,000 feet above mean sea level. The maximum intensity limits of proposed non-residential uses within the APZ II and TZ safety zones are 50 people and 300 people per acre, respectively. Additionally, research and development uses within the APZ II are limited to 300 square feet (sf) per person and a floor area ratio (FAR) of 0.34.

The Project site is within the MCAS Miramar FAA notification area, and the FAA must be notified regarding proposed construction (refer to discussion of Federal Aviation Regulations Part 77, above). Additionally, the Project site is within the MCAS Miramar Overflight Notification Area. An “overflight notification” is a buyer awareness tool that ensures prospective buyers of residential land use development near an airport are informed about the airport’s potential impact on the property. Overflight notifications are generally appropriate in areas outside the 60 dB CNEL noise contour, outside safety zones, and within areas where the height of structures and other objects would not pose a significant potential of being airspace obstruction hazards. No restrictions on the heights of objects, requirements for marking or lighting of objects, or access to the property for these purposes are included. Although State law does not require overflight notifications for non-residential uses, the ALUC recommends AIA notification for all property transactions in the Miramar area. The sample overflight notification language presented in the MCAS Miramar ALUCP is as follows:

NOTICE OF AIRPORT IN VICINITY: This property is located in the vicinity of an airport and within the airport influence area. The property may be subject to some of the annoyances or inconveniences associated with proximity to an airport and aircraft operations (for example: noise, vibration, overflights or odors). Individual sensitivities to those annoyances can vary from person to person. You should consider what airport annoyances, if any, affect the Property before you complete your purchase and whether they are acceptable to you.

2. County of San Diego Hazardous Materials Area Plan

The County DEH/HMD is the local CUPA and has the jurisdiction over hazardous materials plans in the City. The County DEH/HMD also requires businesses that handle reportable quantities of hazardous materials, hazardous wastes, or extremely hazardous substances to submit a Hazardous Materials Business Plan (HMBP), which includes detailed information on the storage of regulated substances. The County DEH/HMD provides guidelines for the preparation and implementation of HMBPs, including direction on submittal requirements, covered materials, inspections, and compliance.

The HMD is also the administering agency for the San Diego County Operational Area Hazardous Materials Area Plan (HAZMAT Area Plan) (San Diego County, 2017b). The HAZMAT Area Plan,

prepared pursuant to Division 20 Chapter 6.95 (Section 25503) of the CHSC and in accordance with Title 19 of the CCR, describes the system currently being used within the County of San Diego for managing hazardous materials emergencies. The activities carried out by the HMD, Hazardous Materials Incident Response Team (HIRT), and the San Diego County OES to effectively manage hazardous materials emergencies are coordinated, in part, through the HAZMAT Area Plan. This document also references information covering hazardous substance inventories and emergency response spill planning received from regulated businesses, community groups and the U.S. Coast Guard, which also are integrated into the HAZMAT Area Plan and the Unified San Diego Emergency Services Organization and County of San Diego Operational Area Emergency Operations Plan (Unified OES/COSD Op Area Emergency Ops Plan). The HAZMAT Area Plan is designed to integrate the operational activities of the HIRT into the on-scene operational procedures for the local, State, or federal agency who have primary responsibility for a hazardous chemical emergency in the jurisdiction.

3. County of San Diego Multi-Jurisdictional Hazard Mitigation Plan

As previously discussed, the City is a participating jurisdiction in the San Diego County MHMP (as amended through 2017), a Countywide plan to identify risks and ways to minimize damage from natural and man-made disasters. The City of San Diego, along with other jurisdictions in the County, has prepared a local Hazard Mitigation Plan. The primary goals of the Countywide MHMP include the following:

- **Goal 1:** Promote Disaster-resistant future development.
- **Goal 2:** Increase public understanding and support for effective hazard mitigation.
- **Goal 3:** Build and support local capacity and commitment to become less vulnerable to hazards.
- **Goal 4:** Enhance hazard mitigation coordination and communication with federal, State, local and tribal governments.

Reduce the possibility of damage and losses to existing assets, particularly people, critical facilities/ infrastructure, and County-owned facilities, due to the following:

- **Goal 5:** Dam Failure
- **Goal 6:** Earthquakes and Liquefaction
- **Goal 7:** Coastal Storm/Erosion/Tsunami
- **Goal 8:** Landslides
- **Goal 9:** Floods
- **Goal 10:** Structural Fire/Wildfire
- **Goal 11:** Extreme Weather and Drought
- **Goal 12:** Manmade Hazards
- **Goal 13:** Hazardous Materials Release

4. *San Diego Air Pollution Control District*

Per the California Air Toxics “Hot Spots” Information and Assessment Act (AB 2588), toxic air emissions in the region are regulated by the San Diego Air Pollution Control District (SDAPCD). A toxic air contaminant is defined as an air pollutant that may increase a person’s risk of developing cancer and/or other serious health effects. Approximately 800 chemical compounds have been identified as having potential adverse health effects.

Hazardous air polluters in San Diego include the following types of businesses: chromium electroplating and anodizing; dry cleaning; aerospace manufacturing and rework facilities; shipbuilding and repair operations; halogenated solvent cleaning; ethylene oxide sterilizing; and miscellaneous organic chemicals process. Other types of businesses are considered hazardous air polluters; however, they are not expected to be major contributors in San Diego. These include: gasoline distribution (bulk terminals); wood furniture manufacturing; boat manufacturing; printing and publishing; research and development facilities; and off-site waste and recovery operations.

The SDAPCD requires a review of businesses which may emit air contaminants from non-vehicular sources. The purpose of this review is to determine whether an Authority to Construct and Permit to Operate are required for certain equipment at the business. In addition, the review will determine whether notification is required for demolition and renovation projects involving asbestos. Permits and notifications help San Diego County protect the public health by attaining and maintaining ambient air quality standards and preventing public nuisance.

There are no set initial limitations or prohibited types of business in relation to closeness to sensitive receptors; however, during the permitting process some issues may arise that would need to be addressed or changed for standards to be met, though these are on a case specific basis. The only exception to this rule is if the business dealing with hazardous materials is in the vicinity of a school (K-12), it must be a minimum distance of 1,000 feet away from the school. Notification of such use to the parents of each child in the school is also required.

D. City of San Diego

1. *Hazardous Materials*

The City of San Diego Fire-Rescue Department implements the City Hazardous Materials Program, which requires applicable uses/processes related to hazardous materials to provide disclosure through submittal of a Hazardous Material Information Form and acquisition of an associated permit. The Hazardous Materials Program also includes guidelines and requirements for topics such as education, code enforcement, and safe business practices related to hazardous processes and the use/storage of hazardous materials (City of San Diego, 2021d).

The City’s Local Enforcement Agency (LEA) enforces State minimum standards on public and private solid waste services within the City, including waste collection/disposal, illegal solid waste dumping, and hazardous solid waste sites requiring remediation. The City’s Environmental Services Department (ESD) carries out federal, State, and local waste management requirements, including

requirements in the California Public Resources Code, such as AB 939, AB 341, and AB 1862, as well as requirements in the San Diego Municipal Code (SDMC), including the People's Ordinance (collection), the Recycling Ordinance, the Construction and Demolition Debris Ordinance, and the Storage Ordinance.

The SDMC includes general hazardous materials regulations in Chapter 4 (Health and Sanitation), Sections 42.0801, 42.0901 (et seq.); and Chapter 5 (*Public Safety, Morals and Welfare*), Section 54.0701; as well as regulations regarding specific hazardous materials such as explosives (Chapter 5, Section 55.3301).

2. Hazard Mitigation Plan

The City's Hazard Mitigation Plan (HMP) identifies potential hazard-related exposure/loss in the City of San Diego, and the City's current capabilities for implementing hazard mitigation. This includes a summary of departments and their responsibilities associated to hazard mitigation planning as well as codes, ordinances, and plans already in place associated to hazard mitigation planning. The City of San Diego has developed the following six goals for its HMP (City of San Diego, 2018):

- **Goal 1.** Promote public understanding, support, and demand for hazard mitigation.
- **Goal 2.** Improve hazard mitigation coordination and communication with federal, State, local, and tribal governments.
- **Goal 3.** Reduce the possibility of damage and losses to people, critical facilities/infrastructure, and State-owned facilities, due to wildfire/structural fire, coastal storms/erosion/ tsunami, landslide, hazardous materials, and other manmade hazards.
- **Goal 4.** Reduce the possibility of damage and losses to people, critical facilities/infrastructure and State-owned facilities due to severe weather (e.g., El Nino storms, thunderstorms, lightning, tsunami, and extreme heat and drought).
- **Goal 5.** Reduce the possibility of damage and losses to people, critical facilities/infrastructure and State-owned facilities due to earthquake and dam failure.
- **Goal 6.** Reduce the high probability of damage and losses to people, critical facilities/infrastructure and State-owned facilities due to floods.

3. Emergency Plans

As noted above, the City is a participating agency in the County's Unified San Diego County Emergency Services Organization and County of San Diego Operational Area EOP, which addresses emergency issues including evacuation. Annex Q (Evacuation) of the EOP notes that primary evacuation routes consist of major interstates, highways, and prime arterials within San Diego County. I-5 and I-805 are identified as the primary evacuation routes in the Project vicinity and University Community area.

4. **Fire Protection**

Chapter 5 of the SDMC outlines fire protection requirements (access, building design, etc.). Except as outlined in Chapter 5 of the SDMC, the City adopts the California Fire Code. Chapter 14 (*General Regulations*) of the SDMC includes requirements pertaining to fire hazard concerns, such as brush management (Section 142.0412), adequate fire flow (Section 144.0240), and construction materials for development near open space (Sections 145.0701 et seq.).

5. **Traffic Control Plan**

SDMC Section 129.0702 outlines the City's procedures for obtaining a permit for construction activities within the public right-of-way, and these activities must comply with the City-approved traffic control plan. Traffic control plans are required to conform to the California Manual of Uniform Traffic Control Devices (MUTCD) and the California Supplement; and Standard Specifications for Public Works Construction, including Regional Supplement Amendments and City of San Diego Supplement Amendments. Among other items, the traffic control plan is required to identify the following: construction signs (type and spacing); flashing arrow boards (as required); delineator patterns for transition area, buffer space, work area, and termination area; advance warning sign spacing and length of transition area; a detour plan (if required); and, how pedestrian (including disabled) and bicycle routes/paths will be handled.

5.8.3 Impact Analysis

A. **Issue 1**

Issue 1 *Would the project result in hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within a quarter-mile of an existing or proposed school?*

1. **Impact Threshold**

According to the City's CEQA Significance Determination Thresholds, a project would result in impacts to health and safety if it would:

- *Site facilities, which may emit hazardous emissions or acutely hazardous materials, or may handle acutely hazardous materials within a quarter-mile of an existing or proposed school.*

2. **Analysis**

Hazards to Schools

There are no existing schools located within 0.25 mile of the Project site, and no new San Diego Unified School District (SDUSD)-operated school facilities are currently planned within 0.25 mile of the Project site. The closest SDUSD-operated school to the Project site is the UCSD Preuss School (SDUSD Charter School on the UCSD campus), located approximately 0.27 mile southwest. The nearest non SDUSD-operated school to the Project site is the La Jolla Country Day School located

approximately 0.4 mile south. The Lawrence Family Jewish Community Center (JCC), which includes a preschool, is located south of the La Jolla Country Day School, approximately 0.7-mile south of the Project site. Thus, the Project would not result in hazardous emissions or the handling of hazardous emissions or substances within 0.25-mile of a school. Additionally, as discussed below, the Project would be operated compliance with applicable regulations and would not create a threat to public health and safety, including to schools in the area.

Hazards During Construction

Although the Project site is not within 0.25-mile of a school, heavy equipment (e.g., dozers, excavators, tractors) would be operated on the Project site during construction. This heavy equipment likely would be fueled and maintained by petroleum-based substances such as diesel fuel, gasoline, oil, and hydraulic fluid, which are considered hazardous if improperly stored or handled. In addition, materials such as paints, adhesives, solvents, and other substances typically used in building construction would be located on the Project site during construction. Improper use, storage, or transportation of hazardous materials can result in accidental releases or spills, potentially posing health risks to workers, the public, and the environment. Construction contractors would be required to comply with all applicable federal, State, and local laws and regulations regarding the transport, use, and storage of hazardous construction-related materials, including but not limited requirements imposed by the EPA, DTSC, and the San Diego Regional Water Quality Control Board (RWQCB) (water quality regulations are further discussed in Section 5.18, *Water Quality*, of this EIR). With mandatory compliance with applicable hazardous materials regulations, the Project would not create significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials during the construction phase. A less than significant impact would occur.

Hazards During Operation

Similar to existing conditions, operation of the proposed buildings would involve the use of materials common to all urban development that are labeled hazardous (e.g., solvents and commercial cleansers; petroleum products; and pesticides, fertilizers, and other landscape maintenance materials). Additionally, due to the types of tenants that are anticipated to occupy the proposed buildings, it is possible that operations would involve the use of hazardous materials and generation of hazardous waste, including biohazardous materials. The frequency, type, and amount of hazardous materials used, stored or transported to the site, and/or hazardous waste generation is not known; 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.

As previously discussed in Section 5.8.2, above, federal and State community right-to-know laws allow the public access to information about the amounts and types of chemicals that may be used by businesses on the Project site. Laws also are in place that require businesses to plan and prepare for possible chemical emergencies. Any business that occupies a building on the Project site and that handles/stores substantial quantities hazardous materials would require a permit in order to

register the business as a hazardous materials handler. Such businesses also are required to comply with California's Hazardous Materials Release Response Plans and Inventory Law, which requires immediate reporting regarding any release or threatened release of a hazardous material, regardless of the amount handled by the business, and prepare a HMBEP.

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. These include the Hazardous Material Transportation Act, the RCRA, the California Hazardous Waste Control Act, and the California Accidental Release Prevention Program, as previously discussed. 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. Therefore, potential health and safety impacts associated with operation of the Project would be less than significant and no mitigation is required.

3. *Significance of Impact*

Less than Significant Impact. The Project would not result in hazardous emissions or the handling of hazardous emissions and substances or waste within 0.25-mile of an existing or proposed school. A less than significant impact would occur.

4. *Mitigation Measures*

No mitigation measures are required.

B. *Issue 2*

Issue 2 *Would the project impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

1. *Impact Threshold*

According to the City's CEQA Significance Determination Thresholds, a project would result in impacts to health and safety if it would:

- *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.*

2. *Analysis*

Construction of the Project could require temporary detours and/or lane closures that could temporarily disrupt travel along existing roadways (i.e., Towne Centre Drive and Westerra Court) for periods of time within the construction zone. Emergency access to all surrounding properties, however, would be maintained throughout the construction period. In addition, a traffic control plan would be prepared and implemented during Project construction, as required by the City. With implementation of the City-approved traffic control plan, the Project would not impede access to

publicly or privately-owned land and would not interfere with emergency response or evacuation during construction.

As shown on Figure 3-9, *Fire Access Plan*, the Project includes emergency access to and within the Project site. The Project has been designed in consultation with the City of San Diego Fire Department and would be consistent with applicable codes, including the California Fire Code (as adopted by the City; refer to Chapter 5 of the SDMC) and the San Diego Fire-Rescue Departments fire apparatus access roadway requirements (Policy A-14-1 related to fire access roadways for new buildings) (City of San Diego, 2009). Additional emergency requirements, such as fire hydrants, fire hydrant markers (i.e., blue reflectors installed in the roadway), adequate vertical clearances, adequate turning radii, and fire ladder clearances, would be provided in accordance with City requirements.

As discussed previously, the County of San Diego and City have adopted disaster preparedness programs that address response to natural and man-made disasters. As proposed, the Project would neither impair implementation of nor interfere with an emergency response plan or emergency evacuation plan. The Project proposes to redevelop the eastern portion of Project site and develop the western portion of the site, which was recently used for construction staging. The Project would implement vehicular and non-vehicular circulation improvements as described in Chapter 3.0, *Project Description*, including required improvement along Towne Centre Drive adjacent to the Project site. The Project site is located at the current terminus of Towne Center Drive and Project implementation would not preclude access or movement by emergency response vehicles or personnel within the local area. Notably, for the Project site, identified evacuation routes include I-805 to the east and I-5 to the west.

Therefore, the Project would not impair implementation of, or physically interfere with, an emergency response plan or emergency evacuation plan adopted by the County of San Diego or the City. This impact would be less than significant.

3. *Significance of Impact*

Less than Significant Impact. The Project would be designed in accordance with applicable requirements for emergency access and would not involve any components that would hinder emergency response or evacuation. The Project would not impair implementation of, or physically interfere with, an adopted emergency response or emergency evacuation plan. Impacts would be less than significant.

4. *Mitigation Measure*

No mitigation measures are required.

C. Issue 3

Issue 3 *Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or environment?*

1. Impact Threshold

According to the City's CEQA Significance Determination Thresholds, a project would result in impacts to health and safety if one or more of the following criteria apply:

- *Located on or near known contamination sources.*
- *Located within 1,000 feet of a known contamination site.*
- *Located within 2,000 feet of a known "border zone property" (also known as a "Superfund" site) or a hazardous waste property subject to corrective action pursuant to the Health and Safety Code.*
- *Has a DEH site file closed.*
- *Located in Centre City San Diego, Barrio Logan, or other areas known or suspected to contain contamination sites.*
- *Located on or near an active or former landfill.*
- *Properties historically developed with industrial or commercial uses which involved dewatering (the removal of groundwater during excavation), in conjunction with major excavation in an area with high groundwater (such as downtown).*

2. Analysis

According to the Phase I ESA, (Geosyntec, 2020), the Project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Sites identified through review DTSC and San Diego RWQCB records (including sites with DEH files), as discussed in Section 5.8.1, above, are located between 1,400 and 4,825 feet from the Project site, and based on their location have a low potential to adversely affect the Project site.

Further, the Project site is not within 2,000 feet of a known "border zone property"; not within the Centre City San Diego area or Barrio Logan area; and is not on or near an active or former landfill. The nearest location listed on the CalRecycle SWIS is the City of San Diego Public Utilities Department (PUD) Sonico Limited Volume Transfer Operation (LVTO) Transfer Facility, which does not function as a disposal facility. The PUD Sonico LVTO is located approximately 1,000 feet northwest of the Project site. According to CalRecycle, the PUD Sonico LVTO does not have any violations (CalRecycle, 2021). Additionally, according to the Project's Geotechnical Investigation (Geocon, 2021), groundwater or seepage was not encountered on site to the maximum depth explored of 61 feet, and the groundwater table is anticipated to be at least 200 feet below existing grades. Dewatering has not occurred at the Project site.

The Project would not be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and would not create a significant hazard to the public or environment.

3. **Significance of Impact**

Less than Significant Impact. The Project site is not listed as a hazardous materials site, nor is the Project site within proximity to a hazardous materials site that could adversely affect the Project site. As such, the Project would not create a significant hazard to the public or environment. Therefore, impacts would be less than significant.

4. **Mitigation Measure**

No mitigation measures are required.

D. **Issue 4**

Issue 4 *Would the project expose people to toxic substances, such as pesticides and herbicides, some of which have long-lasting ability, applied to the soil during previous agricultural uses?*

1. **Impact Threshold**

According to the City's CEQA Significance Determination Thresholds, a project would result in impacts to health and safety if it would:

- *Be located on a site presently or previously used for agricultural purposes and pesticides are routinely used during agricultural operations.*

2. **Analysis**

According to the Phase I ESA, the Project site was not utilized for agricultural purposes; the nearest agricultural land is located approximately 0.5 miles northeast of the Project site (Geosyntec, 2020). Therefore, the Project site is not anticipated to contain any toxic substances associated with historic use of pesticides or herbicides.

3. **Significance of Impact**

No Impact. The Project site has not been utilized for agricultural purposes. Therefore, the Project would not expose people to pesticides or herbicides associated with previous agricultural uses. No impacts would occur.

4. **Mitigation Measure**

No mitigation measures are required.

E. Issue 5

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

1. *Impact Threshold*

According to the City's CEQA Significance Determination Thresholds, a project would result in impacts to health and safety if it would:

- *Be inconsistent with an Airport's Land Use Compatibility Plan.*
- *Be located in a designated airport influence area and where the Federal Aviation Administration (FAA) has reached a determination of "hazard" through FAA Form 7460-1, "Notice of Proposed Construction or Alteration" as required by FAA regulations in the Code of Federal Regulations (CFR) Title 14577.13.*

2. *Analysis*

As previously discussed, the Project site is within the AIA and Review Area 1 for MCAS Miramar. The Project site is outside the 60 dB CNEL contour identified in the ALUCP; however, as shown in Figure 2-10, MCAS Miramar ALUCP Policy Map: Safety it is within the APZ II and TZ Safety Zones, and within the Overflight Notification Area. Further, as shown in Figure 2-11, *MCAS Miramar AICUZ 2020 CNEL Noise Contours*, the Project site is within the 60-65 dB CNEL noise contour and APZ II for MCAS Miramar as presented in the AICUZ 2020 Update. Additionally, because the Project site is within and APZ II and TZ for MCAS Miramar (refer to Figure 2-10), the Project is subject to limitations on the number of people located at the Project site. The Project includes a Neighborhood Development Permit (NDP) application for an Alternative Method of calculation to demonstrate compliance with maximum intensity (people per acre) in the ALUC Zone. The consistency of the Project with the ALUCP and AICUZ 2020 Update is discussed in detail in Section 5.1, *Land Use*, and Section 5.11, *Noise*, of this EIR. As discussed in these sections and based on a determination from the Airport Authority, which serves as the ALUC, the Project would be consistent with the provisions outlined for development within the AIA for MCAS Miramar and would be consistent with the ALUCP. The ALUC consistency determination is included in Appendix I of this EIR (ALUC, 2022).

The Project site is also within the FAA Notification Area for the MCAS Miramar Airport. As such, the Project Applicant has notified the FAA of the Project's proposed construction as required by Federal Aviation Regulations Part 77. Based on aeronautical studies conducted by the FAA, it was determined that the proposed buildings would not exceed obstruction standards and would not be a hazard to air navigation (FAA, 2021). The FAA determinations of no hazard are included in Appendix H2 of this EIR. Pursuant to FAA standard requirements, the FAA would be notified (via form 7460-2) within five days after construction reaches its greatest height. The FAA would also be notified by Project contractors of any construction equipment that exceeds the allowed height of the building. As required by the FAA, the FAA would need to make a "No Hazard Determination" prior to initiation of these construction activities. The Project would not obstruct airport operations from the MCAS Miramar Airport.

3. *Significance of Impact*

Less than Significant Impact. Although the Project site is within the AIA for the MCAS Miramar Airport, the Project would not result in any conflicts with the MCAS Miramar Airport Land Use Compatibility Plan. Therefore, impacts would be less than significant.

4. *Mitigation Measure*

No mitigation measures are required.

F. Issue 6

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

1. *Impact Threshold*

According to the City's CEQA Significance Determination Thresholds, a project would result in impacts to health and safety if it would:

- *Result in a safety hazard for people residing or working within two miles of a private airstrip by a private helicopter facility that is not covered by an adopted Airport Land Use Compatibility Plan.*

2. *Analysis*

There are no private airstrips or heliports located within a two-mile radius of the Project site; however, as previously discussed in Section 5.8.1, there are numerous roof-top helipads within two miles of the project site. Most of these helipads are private, fire-life-safety additions for tall buildings in the area. The helipads at Scripps Memorial Hospital and UCSD Medical Center (Jacobs Medical Center) are closest to the Project site and are used exclusively by medical helicopters. The Project site is located approximately 0.4 mile east of Scripps Memorial Hospital and approximately 0.8-mile northeast of the UCSD Medical Center. The hospital helicopters are part of a larger air traffic corridor that also includes fixed wing aircraft arriving and departing MCAS Miramar, San Diego International Airport, Montgomery Gibbs Executive Airport, McClellan-Palomar Airport, and Gillespie Field. Helicopters approaching the hospital helipads and other helipads in the vicinity of the Project site would use the freeway corridors to avoid other fixed wing aircraft in the area.

The Project involves redevelopment of the eastern portion of the Project site, which is currently developed with three buildings, and redevelopment of the western portion of the Project site, which was recently used for construction staging. The Project does not involve any uses or activities that would increase the use of existing helipad facilities or otherwise create a hazard for people residing or working within two miles of existing helicopter facilities. Further, operations associated with existing helipads are undertaken in accordance with the applicable State and federal safety and flight regulations, and pursuant to requirements identified in permits by the Caltrans Division of Aeronautics. Impacts related to helicopter activities would be less than significant.

3. *Significance of Impact*

Less than significant. The Project does not involve any uses or activities that would increase the use of existing helipad facilities or otherwise create a hazard for people residing or working within two miles of existing helicopter facilities, which are operated in accordance with applicable regulations. Therefore, impacts would be less than significant.

4. *Mitigation Measure*

No mitigation measures are required.

G. Issue 7

Issue 7 *Would the project expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including when wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?*

1. *Impact Threshold*

According to the City's CEQA Significance Determination Thresholds, a project would result in impacts to health and safety if it would:

- *Expose people or structures to a significant risk of loss, injury, or death involving wildland fires.*

2. *Analysis*

For a discussion of the Project's impacts related to wildfire, refer to Section 5.19, *Wildfire*, of this EIR. The entire Project site is within a VHFHSZ. The proposed structures would be located on areas previously developed/disturbed; however, the site is surrounded by open space areas consisting of steep slopes and native/naturalized vegetation. Therefore, the Project includes implementation of a brush management program, including alternative compliance measures in accordance with the City's requirements. Refer to Subsection 3.2.3.A, *Landscape/Brush Management*, of this EIR for a detailed discussion of the Project's brush management program, alternative compliance measures allowed under the San Diego Municipal Code. Additionally, the Project's buildings would be designed for compliance with the California Building Code Section 7A regulations on materials and construction methods for exterior wildfire exposure. All materials, for example concrete, high performance glazing systems, roof coverings, and finishes, would be required to comply with extended testing requirements and labelling where required for ignition-resistant construction as defined by Chapter 7A. Exterior building elements would be designed to comply with protection requirements listed in Sections 705A through 710A to protect against ignition and intrusion of embers. Additional coordination would continue with the local Fire Marshal to address any further concerns they have regarding brush management and exposure to wildfire. Thus, although the Project site is within a VHFHSZ, the implementation of the Project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires, and this impact would be less than significant.

3. *Significance of Impact*

Less than Significant Impact. The Project would be implemented in accordance with applicable fire protection requirements, and would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires. Therefore, this impact would be less than significant.

4. *Mitigation Measures*

No mitigation measures are required

5.9 HISTORICAL RESOURCES

This section evaluates potential impacts to historical and archaeological resources. Information in this section is based on the *Phase I Cultural Resource Survey for the Towne Centre View Project* (Cultural Resources Survey) prepared by Brian F. Smith & Associates (BFSA) (January 2021), included as Appendix I (BFSA, 2021). Tribal Cultural Resources are addressed in Section 5.16 of this EIR.

As stated in the City's Significance Determination Thresholds, historical resources include all properties (historic, archaeological, landscapes, traditional, etc.) eligible or potentially eligible for the National Register of Historic Places, as well as those that may be significant pursuant to State and local laws and registration programs such as the California Register of Historical Resources or the City of San Diego Historical Resources Register. They include buildings, structures, objects, archaeological sites, districts, or landscapes possessing physical evidence of human activities that are typically over 45 years old, regardless of whether they have been altered or continue to be used. Historical resources also include traditional cultural properties. An "archaeological site" is the location of a significant event, a prehistoric or historic occupation or activity, or a building or structure (whether standing, ruined, or vanished) where the location itself possesses historical, cultural or archaeological value regardless of the value of any existing structure (City of San Diego, 2016).

5.9.1 Existing Conditions

The Project site is situated on a mesa bordering Soledad Canyon, approximately two miles east of the Pacific Ocean. The region surrounding the Project site has yielded substantial cultural remains that document both prehistoric and historic occupation. The eastern portion of the Project site is currently developed with three scientific research buildings, further discussed below under "Built Environment." The western portion of the Project site was recently used as a staging area for the Mid-Coast Trolley construction. The northern portion of the Project site is undeveloped and covered with vegetation. The Project site is surrounded by open space to the north, south, and west and office uses to the southeast and east.

As outlined in this section, no previously recorded cultural resources (historical or archaeological) are located within the Project site; however, Site SDI-4609, also identified as the Village of Ystagua, is recorded to the north of the Project site.

A. Prehistoric Context

The area of San Diego County where the Project is located has a very rich and extensive record of prehistoric activity. The prehistory of the region is divided into four major Periods: Early Man (Prior to 8,500 B.C.), Paleo Indian (8,500 B.C. to 6,000 B.C.), Early Archaic (6,000 B.C. to A.D. 0), and Late Prehistoric (A.D. 0 to 1769). The cultures that have been identified in the general vicinity of the Project site include the Paleo Indian manifestation of the San Dieguito Complex, the Archaic Stage and Early Milling Stone horizons represented by the La Jolla Complex, and the Late Prehistoric

Kumeyaay Native Americans. Additional information regarding prehistoric context is provided in Section 5.16, *Tribal Cultural Resources*.

B. Historic Context

The history of the region is divided into four major Periods: Exploration, Spanish Colonial, Mexican, and Anglo-American. A summary description of each major Period from the Project's Cultural Resource Survey (BFSA, 2021) is provided below.

1. Exploration Period (1530 to 1796)

The historic period around San Diego Bay began with the landing of Juan Rodríguez Cabrillo and his men in 1542. Sixty years after the Cabrillo expeditions (1602 to 1603), Sebastian Vizcaíno made an extensive and thorough exploration of the Pacific coast. Although the voyage did not extend beyond the northern limits of the Cabrillo track, Vizcaíno had the most lasting effect upon the nomenclature of the coast. Many of the names he gave to various locations have survived, whereas nearly every one of Cabrillo's has faded from use. Cabrillo gave the name "San Miguel" to the first port at which he stopped in what is now the United States; 60 years later, Vizcaíno changed it to "San Diego."

2. Spanish Colonial Period (1769 to 1821)

The Spanish occupation of the claimed territory of Alta California took place during the reign of King Carlos III of Spain. José de Gálvez, a powerful representative of the king in Mexico, conceived the plan to colonize Alta California and thereby secure the area for the Spanish. The effort involved both military and religious components, where the overall intent of establishing forts and missions was to gain control of the land and the native inhabitants through conversion. Actual colonization of the San Diego area began on July 16, 1769, when a Spanish exploration party commanded by Gaspar de Portolá (with Father Junípero Serra in charge of religious conversion of the native populations) arrived by the overland route to San Diego to secure California for the Spanish. The natural attraction of the harbor at San Diego and the establishment of a military presence in the area solidified the importance of San Diego to the Spanish colonization of the region and the growth of the civilian population.

Missions were constructed from San Diego to as far north as San Francisco. The mission locations were based upon a number of important territorial, military, and religious considerations. Grants of land were made to those who applied, but many tracts reverted to the government due to lack of use. As an extension of territorial control by the Spanish Empire, each mission was placed to command as much territory and as large a population as possible. While primary access to California during the Spanish Period was by sea, the route of El Camino Real served as the land route for transportation, commercial, and military activities within the colony. This route was considered the most direct path between the missions. As increasing numbers of Spanish and Mexican peoples, as well as the later Americans during the 19th century Gold Rush, settled in the area, the Native American populations diminished as they were displaced or decimated by disease.

3. *Mexican Period (1821 to 1846)*

Father Miguel Hidalgo y Costilla and a group of Native American followers began a revolt against Spanish rule on September 16, 1810. Hidalgo did not succeed in the fight against the Spanish and was ultimately executed. However, the revolt continued and the Spanish were finally defeated in 1821. The revolution also had repercussions in the northern territories, and by 1834, all the mission lands in Alta California had been removed from the control of the Franciscan Order under the Acts of Secularization. Without proper maintenance, the missions quickly began to disintegrate. After 1836, missionaries ceased to make regular visits to the outlying Native American communities to minister their needs. However, large tracts of land continued to be granted to those who applied or who had gained favor with the Mexican government. Grants of land were also made to settle government debts, and the Mexican government was also called upon to reaffirm some older Spanish land grants shortly before the Mexican-American War in 1846.

4. *Anglo-American Period (1846 to Present)*

California was invaded by United States troops during the Mexican-American War from 1846 to 1848. The acquisition of strategic Pacific ports and California land was one of the principal objectives of the war. At the time, the inhabitants of California were practically defenseless, and they quickly surrendered to the United States Navy in July 1847.

The cattle ranchers of the “counties” of southern California prospered during the cattle boom of the early 1850s. However, cattle ranching soon declined, contributing to the expansion of agriculture. With the passage of the “No Fence Act,” San Diego’s economy shifted from stock raising to farming. The act allowed for the expansion of unfenced farms, which was crucial in an area where fencing material was practically unavailable. Five years after its passage, most of the arable lands in San Diego County had been patented as either ranchos or homesteads, and growing grain crops replaced raising cattle in many of the county’s inland valleys.

By 1870, farmers had learned to dry farm and were coping with some of the peculiarities of San Diego County’s climate. Between 1869 and 1871, the amount of cultivated acreage in the county rose from less than 5,000, to more than 20,000 acres. Large-scale farming in San Diego County was limited by a lack of water and the small size of arable valleys. The small urban population and poor roads also restricted commercial crop growing. Meanwhile, cattle continued to be grazed in parts of inland San Diego County.

During the first two decades of the twentieth century, the population of San Diego County continued to grow. The population of the inland portion of the county declined during the 1890s, but between 1900 and 1910, it rose by about 70%. The pioneering efforts were over, the railroads had broken the relative isolation of southern California, and life in San Diego County became similar to other communities throughout the west. After World War I, the history of San Diego County was primarily determined by the growth of San Diego Bay. In 1919, the United States Navy decided to make the bay the home base for the Pacific Fleet, as did the aircraft industry in the 1920s. The establishment of these industries led to the growth of the county as a whole; however, most of the civilian

population growth occurred in the coastal areas in the northern portion of the county where the population almost tripled between 1920 and 1930.

During this time, the history of inland San Diego County was subsidiary to that of the City of San Diego, which had become a Navy center and an industrial city. In inland San Diego County, agriculture became specialized and recreation areas were established in the mountain and desert areas. Just before World War II, urbanization began to spread to the inland parts of the County.

C. Built Environment

The eastern portion of the Project site is currently developed with three scientific research buildings with approximately 192,365 square feet (sf) of building area, 7,370 sf of covered courtyard, and associated facilities and site improvements (surface parking, landscaping, utility infrastructure, recreational amenities, etc.). The existing buildings were constructed between 2001 and 2007. Additionally, the western terminus of Towne Centre Drive, beginning from Westerra Court, extends into the southwest portion of the Project site.

5.9.2 Regulatory Framework

As described in the City's Significance Determination Thresholds, federal, State, and local criteria are established for the determination of historical significance. Some resources that do not meet federal significance criteria may be considered significant under State or local criteria. Refer to Section 5.16 of this EIR for a discussion of regulations relevant to Tribal Cultural Resources.

A. Federal

1. National Historic Preservation Act

The National Historic Preservation Act (NHPA) establishes the federal government policy on historic preservation and the programs – including the National Register of Historic Places (NRHP) – through which this policy is implemented. Under the NHPA, significant cultural resources, referred to as historic properties, include any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in, the NRHP. Historic properties also include resources determined to be National Historic Landmarks (NHL). NHLs are national significant historic places designated by the Secretary of the Interior (SOI) because they possess exceptional value or quality in illustrating or interpreting United States heritage. For a resource to qualify for listing on the NRHP, the quality of significance in American history, architecture, archaeology, engineering and culture must be present in districts, sites, buildings, structures and objects that possess integrity of location, design, setting, materials, workmanship, feeling and association, and:

- That are associated with events that have made a significant contribution to the broad patterns of our history; or
- That are associated with the lives of persons significant in our past; or

- That embody the distinctive characteristics of a type, period, or method of construction. Or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- That have yielded, or may be likely to yield, information important in prehistory or history.

B. State

1. *California Register of Historic Resources and CEQA*

The CRHR was enacted in 1992 and became official January 1, 1993. Similar to the NRHP, the CRHR program encourages public recognition and protection of resources of architectural, historical, archaeological, and cultural significance; identifies resources for planning purposes; determines eligibility of State historic grant funding; and provides certain protections under CEQA. A property is eligible for listing on the State register if it meets one of the following designation criteria.

- It is associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States.
- It is associated with the lives of persons important to local, California or national history.
- It embodies the distinctive characteristics of a type, period, region, or method of construction or represents the work of a master or possesses high artistic values.
- It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

CEQA was amended in 1992 to define “historical resources” as a resource listed in or determined eligible for listing on the California Register, a resource included in a local register of historical resources or identified as significant in a historical resource survey that meets certain requirements, and any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be significant. Some resources that do not meet these criteria may still be historically significant for the purposes of CEQA.

CEQA Sections 15064.5 and 21083.2(g) define the criteria for determining the significance of historical resources. Archaeological resources are considered “historical resources” for the purposes of CEQA. Most archaeological sites which qualify for the CRHR do so under criterion 4 (i.e., research potential). Since resources that are not listed or determined eligible for the State or local registers may still be historically significant, their significance shall be determined if they are affected by a project.

2. *California Health and Safety Code*

Section 7052 of the California Health and Safety Code (H&SC) makes the willful mutilation, disinterment, or removal of human remains a felony. Section 7050.5 requires that construction or excavation be stopped in the vicinity of discovered human remains until the coroner can determine whether the remains are those of a Native American. If determined to be Native American, the coroner must contact the NAHC. H&SC Section 8010-8030 constitutes the California Native American Graves Protection and Repatriation Act of 2001 (CALNAGPRA). CALNAGPRA, similar to the Federal

Native American Graves Protection and Repatriation Act, ensures that Native American human remains and cultural items are treated with respect and dignity during all phases of the archaeological evaluation process in accordance with CEQA and any applicable local regulations. The code provides a process and requirements for the identification and repatriation of collections of human remains or cultural items to the appropriate tribes from any State agency or museum that receives State funding.

C. Local

1. *City of San Diego General Plan*

The Historical Preservation Element of the City of San Diego's General Plan was adopted in 2008. The stated goals of the Historic Preservation Element are:

- Identification of the historical resources of the City.
- Preservation of the City's important historical resources
- Integration of historic preservation planning in the larger planning process.
- Public education about the importance of historical resources.
- Provision of incentives supporting historic preservation.
- Cultural heritage tourism promoted by the tourist industry.

To achieve these goals, the Historic Preservation Element provides nine policies to guide historical resources management activities. Among these are the following:

- HP-A.1 Strengthen historic preservation planning.
- HP-A.2 Fully integrate the consideration of historical and cultural resources in the larger land use planning process.
- HP-A.3 Foster government-to-government relationships with the Kumeyaay/Diegueño tribes of San Diego.
- HP-A.4 Actively pursue a program to identify, document, and evaluate the historical and cultural resources in the City of San Diego.
- HP-A.5 Designate and preserve significant historical and cultural resources for current and future generations.
- HP-B.1 Foster greater public participation and education in historical and cultural resources.
- HP-B.2 Promote the maintenance, restoration, and rehabilitation of historical resources through a variety of financial and development incentives. Continue to use existing programs and develop new approaches as needed. Encourage continued private ownership and utilization of historic structures through a variety of incentives.
- HP-B.3. Develop a historic preservation sponsorship program.
- HP-B.4 Increase opportunities for cultural heritage tourism.

2. *Historical Resources Regulations*

The purpose and intent of the City's Historical Resources Regulations of the Land Development Code (LDC) (Chapter 14, Division 3, and Article 2) is to protect, preserve and, where damaged, restore the historical resources of San Diego, which include historical buildings, historical structures or historical

objects, important archaeological sites, historical districts, historical landscapes, and traditional cultural properties. These regulations are intended to ensure that development occurs in a manner that protects the overall quality of historical resources. The Historic Resources Regulations require that development affecting designated historical resources or historical districts shall mitigate the impact to the resource, in accordance with the Historical Resources Guidelines of the Land Development Manual (LDM), as a condition of approval. If development cannot, to the maximum extent feasible, comply with the development regulations for historical resources, then a project would require a Site Development Permit.

3. *City of San Diego Historical Resources Register*

The City of San Diego also maintains a Historical Resources Register. Per the City, any improvement, building, structure, sign, interior element and fixture, feature, site, place, district, area, or object may be designated as historic by the City of San Diego Historical Resources Board if it meets any of the following criteria:

- Exemplifies or reflects special elements of the City's, a community's, or a neighborhood's historical, archaeological, cultural, social, economic, political, aesthetic, engineering, landscaping, or architectural development;
- Is identified with persons or events significant in local, State, or national history;
- Embodies distinctive characteristics of a style, type, period, or method of construction or is a valuable example of the use of indigenous materials or craftsmanship;
- Is representative of the notable work of a master builder, designer, architect, engineer, landscape architect, interior designer, artist, or craftsman;
- Is listed on or has been determined eligible by the National Park Service for listing on the National Register of Historic Places or is listed or has been determined eligible by the California OHP for listing on the State Register of Historical Resources; or
- Is a finite group of resources related to one another in a clearly distinguishable way; or is a geographically definable area or neighborhood containing improvements which have a special character, historical interest, or aesthetic value; or which represent one or more architectural periods or styles in the history and development of the City

5.9.3 Methodology

To determine if the Project would result in impacts to historical resources, a records search, background research, a literature review of previous fieldwork, and a pedestrian survey were conducted by BFSa. The study area for the Cultural Resource Survey encompasses approximately 56-acres, inclusive of the 33.5-acre Project site. The records search was conducted in June 2020 at the South Coastal Information Center (SCIC) at San Diego State University (SDSU) and included a review of all cultural resource data within one-mile of the study area. In addition to the archaeological records search, BFSa also requested a records search of the Sacred Lands File (SLF) of the Native American Heritage Commission (NAHC).

BFSA archaeologists Clarence Hoff and James Shrieve, under the direction of Principal Investigator Brian F. Smith, conducted an intensive pedestrian survey of the project on June 25, 2020, with the assistance of Addison Murillo, a Kumeyaay Native American representative from the Jamul Indian Village of California. Where possible, the archaeologists employed narrow transect paths to ensure maximum lot coverage. Paved areas were largely excluded from the survey. All exposed ground was inspected for cultural materials, including eroded slopes, disturbed ground, and rodent burrows). A survey form, field notes, and photographs documented the survey work undertaken. Photographs were taken to document field conditions during the investigations.

5.9.4 Impact Analysis

A. Issue 1

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

1. **Impact Threshold**

According to the City's CEQA Significance Determination Threshold, a project would result in impacts to historic resources if it would affect any of the following:

- *A resource listed in, eligible, or potentially eligible for listing in the NRHP.*
- *A resource listed in, eligible, or determined to be eligible, by the State Historical Resources Commission, for listing in the CRHR (Public Resources Code Section 5024.1).*
- *A resource included in a local register of historical resources, as identified in Section 5020.1(k) of the Public Resources Code, or identified as significant in a historical resources survey meeting the requirements of Section 5024.1(g) of the Public Resources Code.*
- *Any object, building, structure, site, area, place, record, manuscript which a lead agency determines to be historically significant or significant in the architectural engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing in the CRHR (Public Resources Code Section 5024.1).*
- *An archaeological site consisting of at least three associated artifacts/ecofacts (within a 40 square meter area) or a single feature.*

The determination of significance of impacts on historical and unique archaeological resources is based on criteria found in Section 15064.5 of the State CEQA Guidelines. Section 15064.5 clarifies the definition of a substantial adverse change in the significance of a historical resource as "physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired."

According to the City Significance Determination Thresholds, the following are not considered significant historic resources:

- *Isolates consisting of less than three artifacts/ecofacts within a 40 square meter area.*
- *Historic buildings, structures, objects, and landscapes are generally not significant if they are less than 45 years old. A non-significant building or structure located within an historic district is by definition not significant.*

Resources found to be non-significant as the result of a survey and assessment will require no further work beyond documentation of the resources (including site records) and inclusion in the survey and assessment report.

2. Analysis

As previously discussed, under existing conditions, the proposed development site, which includes the southern portion of the Project site, is developed or otherwise disturbed as part of previously-approved rough grading activities. Furthermore, the disturbed portion of the site was recently used as a staging area for the Mid-Coast Trolley construction. The northern portion of the Project site (approximately 7 acres) includes open space within the City's Multi-Habitat Planning Area (MHPA) and would remain undeveloped. The existing structures in the eastern portion of the Project were constructed between 2001 and 2007, are not more than 45 years old, and do not meet the historical significance criteria for the NRHP or CRHR. Further, based on review of the City of San Diego California Historical Resources Inventory Database, the existing buildings on site are not on the City's Historical Resources Register (City of San Diego, 2021).

As discussed in the Project's Cultural Resources Survey, the records search conducted at SCIC by SDSU identified 43 cultural resources within one-mile of the study area. The records search also indicated that a 199 cultural resource studies have conducted within a one-mile radius of the study. Although no previously recorded cultural resources are located within the Project site, Site SDI-4609, also identified as the Village of Ystagua, is recorded within the valley immediately north of the Project site, but not within the Project site.

The pedestrian survey was limited only by the constraints of the existing structures and paving in the southern portion of the Project site. Due to the developed nature of the Project site, only areas of exposed soil along the northern, eastern, and western boundaries of the property offered an unobstructed view of the ground. Additionally, no midden soils or cultural resources were observed. Moreover, given the presence of Site SDI-4609, extra attention to the northern portion of the Project site during the site survey. The pedestrian survey did not result in the discovery of any artifacts, cultural ecofacts, or other materials related to the prehistoric or historic land use within the Project site.

Based upon the results of the Cultural Resources Survey, no cultural resources have been identified on the Project site, and no impacts to historic or prehistoric resources would result. No further investigations are necessary.

3. *Significance of Impact*

No Impact. There are no prehistoric or historic buildings (including an architecturally significant building), structures, objects, or sites located within the Project site, and no impact would occur.

4. *Mitigation Measures*

No mitigation measures are required.

B. Issue 2

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

1. *Impact Threshold*

According to the City's Significance Determination Thresholds, a project would result in impacts to historical resources if it would:

- *Result in impacts to a site associated with a burial or cemetery, religious, social, or traditional activities of a discrete ethnic population; an important person or event as defined by a discrete ethnic population; or the belief system of a discrete ethnic population.*

2. *Analysis*

As further discussed in Section 5.16, *Tribal Cultural Resources*, of this EIR, according to the SCIC records search conducted during preparation of the Cultural Resources Study, no existing religious or sacred uses were identified on the Project site. Additionally, the NAHC Sacred Lands File did not identify sacred lands within the Project site. Therefore, no impacts would occur (BFSA, 2021).

3. *Significance of Impact*

No Impact. No existing religious or sacred uses are located within the Project site. As such, no impacts to such resources would occur.

4. *Mitigation Measure*

No mitigation measures are required.

C. Issue 3

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

1. *Impact Threshold*

According to the Appendix G of the CEQA Guidelines, a project would result in a significant impact if it would:

- *Result in the disturbance of any human remains, including those interred outside of a formal cemetery.*

2. Analysis

The proposed development area, which consists of the southern portion of the Project site, was previously developed or is otherwise already disturbed as part of previously-approved rough grading activities. Furthermore, the disturbed portion of the site was recently used as a staging area for the Mid-Coast Trolley construction. As such, human remains are not expected to be located on site. However, should human remains be discovered during the Project's construction, construction activities the protocol identified in Section 7050.5 of the California Health and Safety Code would be implemented in the event of an accidental discovery. Construction would be required to halt until a determination can be made regarding the provenance of the human remains via the County Coroner and Native American representative, as required. Under existing law, the Project would be required to treat human remains uncovered during construction in accordance with the California Public Resources Code (Section 5097.98) and H&SC (Section 7050.5). Additionally, according to California Public Resources Code Section 5097, makes it a misdemeanor punishable by up to a year in jail to deface or destroy an Indian historic or cultural site that is listed or may be eligible for listing in the CRHR.

3. Significance of Impact

No Impact. The proposed development area was previously developed or is otherwise already disturbed and prior activities on the site have not resulted in any recorded discoveries of human remains and because existing law (California Public Resources Code Section 5097.98 and State H&SC Section 7050.5) already provides for specific requirements for the treatment of human remains uncovered during construction. No impact would occur.

5.10 HYDROLOGY

This section evaluates potential hydrology impacts associated with the Project. Unless otherwise noted, information in this section is based on the *Drainage Study for Towne Centre View* (December 2021) and the *Storm Water Quality Management Plan, Towne Centre View (SWQMP)* (July 2021) prepared by Pasco Laret Suiter & Associates, Inc. (PLSA). These reports are included as Appendices J and N, respectively.

5.10.1 Existing Conditions

A. Watershed and Drainage Characteristics

The Project site is located within the Peñasquitos Watershed (Peñasquitos Hydrologic Unit [HU] 906), which is one of 11 HUs in the San Diego Integrated Regional Water Management (IRWM) area. The Peñasquitos Hydrologic Unit encompasses about 162 square miles and is comprised of five Hydrologic Areas (HA); the Project site is within the Miramar Reservoir HA (906.1). The major water bodies (receiving waters) within the Peñasquitos Watershed are Carmel Valley Creek, Los Peñasquitos Creek, Carroll Canyon Creek, Los Peñasquitos Lagoon, Rose Creek, Tecolote Creek, Mission Bay, Miramar Reservoir, and the Pacific Ocean. The northern Peñasquitos Watershed, which includes the Miramar Reservoir HA, drains to the Los Peñasquitos Lagoon and ultimately to the Pacific Ocean. As further discussed in Section 5.18, *Water Quality*, of this EIR, the Los Peñasquitos Lagoon is included on the 303d(d) list of impaired waters for sedimentation/siltation (RWMC, 2019).

The Project site is located on a ridge surrounded by steep canyons and Towne Centre Drive to the south. The western portion of the Project site was recently used as a staging area for the Mid-Coast Trolley construction; however, this area was previously rough graded with building pad sites, retaining walls, large sedimentation basins and drainage infrastructure to accommodate a previously approved project. Drainage infrastructure was installed for each of the five drainage areas which includes sediment 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 locations (PLSA, 2021a). Along the southern boundary, drainage is conveyed from the sediment basins via storm drains to the existing public storm drain within Towne Centre Drive. Drainage from the other sediment basins is conveyed to level spreaders located at discharge points in the canyons around the perimeter of the site (PLSA, 2021b). The existing drainage condition is presented on Figure 5.10-1, *Existing Drainage Condition*.

The eastern portion of the Project site is currently developed with scientific research buildings and consists of three drainage basins. Runoff flows overland and in storm drains to discharge points in the canyons around the perimeter of the Project site. Discharge from the Project site is then conveyed to the Soledad Canyon which flows northerly to the Los Peñasquitos Lagoon and ultimately to the Pacific Ocean (PLSA, 2021b). Under existing conditions, the Project site contains 8.12 acres of impervious area and 12.83 acres of landscaped area. The existing drainage condition is presented on Figure 5.10-1, *Existing Drainage Condition*.

B. Flood Hazards

According to Federal Emergency Management Agency (FEMA), the Project site is located on Flood Insurance Rate Map (FIRM) No. 06073C1339G (dated May 16, 2012) within FEMA Flood Zone X (unshaded). Flood Zone X (unshaded) is correlated with “areas of minimal flood hazard” (FEMA, 2012).

C. Groundwater

The project site is not underlain by any mapped groundwater basin. The closest basin to the Project site is Poway Valley groundwater basin, located approximately 8.6 miles to the northeast (DWR, 2018). According to the Project's Geotechnical Investigation, groundwater or seepage was not encountered on site to the maximum depth explored of 61 feet (Geocon, 2021). The groundwater table is anticipated to be at least 200 feet below existing grades. However, it is not uncommon for seepage conditions to develop where none previously existed when sites are irrigated or infiltration is implemented. Seepage is dependent on seasonal precipitation, irrigation, land use, among other factors, and varies as a result.

5.10.2 Regulatory Framework

Refer to Section 5.18, *Water Quality*, for a discussion of water quality regulations.

A. Federal**1. Federal Emergency Management Agency**

The Federal Emergency Management Agency (FEMA) administers the National Flood Insurance Program to provide subsidized flood insurance to communities that comply with FEMA regulations limiting development in floodplains. FEMA also issues Flood Insurance Rate Maps that identify which land areas are subject to flooding. These maps provide flood information and identify flood hazard zones in the community. The design standard for flood protection is established by FEMA. FEMA's minimum level of flood protection for new development is the 100-year flood event, also described as a flood that has a 1-in-100 chance of occurring in any given year.

B. Local**1. Drainage Design Manual**

This Drainage Design Manual (January 2017) provides policies and procedures to attain reasonable standardization of drainage design throughout the City of San Diego. It establishes design standards and design procedures for storm water conveyance and hydrology analysis for flood management and water quality facilities in the City. These design standards and procedures provide guidance to design engineers, developers, contractors, and others in the selection, design, construction, and maintenance of storm water conveyance facilities.

2. ***Storm Water Standards Manual***

The Storm Water Standards Manual, effective as of October 1, 2018, was developed in response to the National Pollutant Discharge Elimination Systems (NPDES) permits and are divided into three parts:

- **Part 1: BMP Design Manual - For Permanent Site Design, Storm Water Treatment and Hydromodification Management** complies with the Regional Municipal Separate Storm Sewer Systems (MS4) Permit regulating postconstruction storm water discharges on site.
- **Part 2: Construction BMP Standards** complies with the Regional MS4 Permit and the Construction General Permit regulating construction-phase storm water discharges.
- **Part 3: Off-Site Storm Water Alternative Compliance Program For Water Quality and Hydromodification Control** complies with the Regional MS4 Permit regulating post-construction storm water discharges off site.

3. ***Grading Regulations***

The City's Grading Regulations (SDMC Section 142.0101 et seq.) address slope stability, protection of property, erosion control, water quality, landform preservation, and paleontological resources preservation, and protection of the public health, safety, and welfare of persons, property, and the environment. Requirements related to hydrology include implementation of temporary and permanent erosion, sedimentation, and water pollution control measures and shall include measures from those outlined in Chapter 14, Article 2, Division 2 Storm Water Runoff Control and Drainage Regulations of the SDMC.

4. ***City of San Diego General Plan***

The City of San Diego General Plan provides goals and policies related to hydrology in the Public Facilities, Services, and Safety Element (City of San Diego, 2018). This purpose of the element is to provide adequate public facilities and services needed for existing and proposed development. Goals related to storm water infrastructure include (1) the protection of beneficial water resources through pollution prevention and interception efforts and (2) a storm water conveyance system that effectively reduces pollutants in urban runoff and storm water to the maximum extent practicable. Policies related to hydrology that are applicable to the Project include the following; the Project's consistency with these policies is addressed in Section 5.1, *Land Use*, of this EIR:

- **PF-G.1.** Ensure that all storm water conveyance systems, structures, and maintenance practices are consistent with federal Clean Water Act and California Regional Water Quality Control Board NPDES Permit standards.
- **PF-G.2.** Install infrastructure that includes components to capture, minimize, and/or prevent pollutants in urban runoff from reaching receiving waters and potable water supplies

- **PF-G.3.** Meet and preferably exceed regulatory mandates to protect water quality in a cost-effective manner monitored through performance measures.
- **PF-G.5.** Identify and implement BMPs for projects that repair, replace, extend or otherwise affect the storm water conveyance system. These projects should also include design considerations for maintenance, inspection, and, as applicable, water quality monitoring.

5.10.3 Impact Analysis

A. Issue 1 and Issue 2

Issue 1 *Would the project result in an increase in impervious surfaces and associated increased runoff?*

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

1. **Impact Threshold**

According to the City's CEQA Significance Determination Thresholds, a project would result in significant hydrology impacts if it would:

- *Grade, clear, or grub more than 1.0-acre of land, especially into slopes over a 25% grade and would drain into a sensitive water body or stream, and uncontrolled runoff results in erosion and subsequent sedimentation of downstream water bodies.*
- *Result in modifications to existing drainage patterns that cause significant impacts on environmental resources such as biological communities and archaeological resources.*
- *Result in decreased aquifer recharge or result in extraction from an aquifer resulting in a net deficit in the aquifer volume or reduction in the local groundwater table.*

2. **Analysis**

Construction of the Project would include demolition of the existing buildings and on-site improvements, grading, installation of infrastructure, building construction, and associated paving/landscaping. 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).

As shown in Table 5.10-1, *Existing vs. Proposed Impervious & Landscaped Areas*, the Project would result in an increase of approximately 2.5 acres of impervious surfaces as compared to existing conditions. Impervious features would include buildings, parking areas, drive aisles, sidewalks and hardscape. Pervious features would include recreation/sports fields, landscaping, and biofiltration

Table 5.10-1 Existing vs. Proposed Impervious & Landscaped Areas

Existing Conditions		Proposed Project Conditions	
Impervious Area	Landscape Area	Impervious Area	Landscape Area
8.12 ac	12.83 ac	10.62 ac	10.02 ac

basins. As shown on Figure 3-14, *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. The existing discharge points and associated level spreaders would be retained to ensure adequate energy and flow dispersion.

The 100-year flow rates for each basin are as shown in Table 5.10-2, *Summary of 100-Year Flow Rates* and the hydrology condition with implementation of the Project is shown on Figure 5.10-2, *Proposed Condition Drainage Map*. As shown in Table 5.10-2, with the implementation of the proposed modular wetland systems, biofiltration basins, and underground storage vaults, runoff for the 100-year 6-hour storm event would be less than existing conditions. The overall post-development drainage patterns would not result in modifications to existing drainage patterns that cause significant impacts on environmental resources such as biological communities and archaeological resources.

Table 5.10-2 Summary of 100-Year Flow Rates

Control Point	Existing Conditions			Proposed Project Conditions		
	Drainage Management Area	Area (acres)	100-year Flow Rate (cfs)	Drainage Management Area	Area (acres)	100-year Flow Rate (cfs)
1	A1	2.80	12.10	A1	2.42	6.19
	A2	1.16	3.54	A2	1.35	3.06
				A3	1.88	4.3
2	B1	1.95	10.10	B1	0.85	1.87
3	B3	1.04	5.40	B2	0.59	1.30
4	C1	1.21	6.30	C1	1.31	2.88
5	C3	2.51	12.60	C2	4.13	0.77
6	D1	6.75	19.72	D1	3.38	3.64
				D2	3.40	8.81
7	D2	1.29	4.60	D3	0.51	1.12
				D4a	1.14	0.26
				D4b	0.45	0.10
Total		15.91	74.36		21.41	34.3

Source: (PLSA, 2021a)

Moreover, buildout of the Project would be required to comply with the hydromodification management requirements described in the City's Storm Water Standards Manual. These requirements have been developed to comply with the Regional MS4 Permit, which requires implementation of on-site BMPs to manage hydromodification that may be caused by storm water runoff discharged from a project. Details on post-construction BMPs are discussed in Section 5.18, *Water Quality*, of this EIR. By adhering to the requirements of the City's Storm Water Standards

Manual, the Project would not increase the rate or amount of surface runoff in a manner which would result in substantial erosion or siltation on or off-site, and impacts would be less than significant.

Even though the Project would increase the amount of existing impervious surface, groundwater recharge would not be significantly affected due to the groundwater characteristics of the Project site. As previously stated, there is no mapped groundwater aquifer beneath or near the site, and groundwater or seepage was not encountered on site to the maximum depth explored of 61 feet (Geocon, 2021). Since aquifers are not present, associated groundwater recharge capacity would not be substantially decreased and related potential impacts would be less than significant.

3. *Significance of Impact*

Less Than Significant Impact. Construction of the Project would grade more than 1.0 acre of land and result in an increase in impervious surfaces (approximately 10.6 acres compared to 8.1 acres). However, the Project would include the installation of underground storage vaults, modular wetland systems, biofiltration basins, and landscape areas to manage on-site storm water runoff, which would discharge to the same locations as existing conditions, retaining existing drainage patterns. Moreover, the 100-year flow rates would be less than existing conditions. Impacts would be less than significant.

Additionally, the Project site does not currently accommodate groundwater recharge. implementation of the Project would not reduce groundwater recharge capacity and impacts related to groundwater would be less than significant.

4. *Mitigation Measure*

No mitigation measures are required.

B. *Issue 3*

Issue 3 *Would the project develop within a 100-year floodplain as identified on Federal Emergency Management Agency (FEMA) maps or impose flood hazards on other properties?*

1. *Impact Threshold*

According to the City's CEQA Significance Determination Thresholds, a project would result in significant hydrology impacts if it would:

- *Result in increased flooding on- or off-site, that may result in significant impacts on upstream or downstream properties and to environmental resources.*
- *Impose flood hazards on other properties or development or be proposed to develop wholly or partially within the 100-year floodplain identified on the FEMA maps.*

2. Analysis

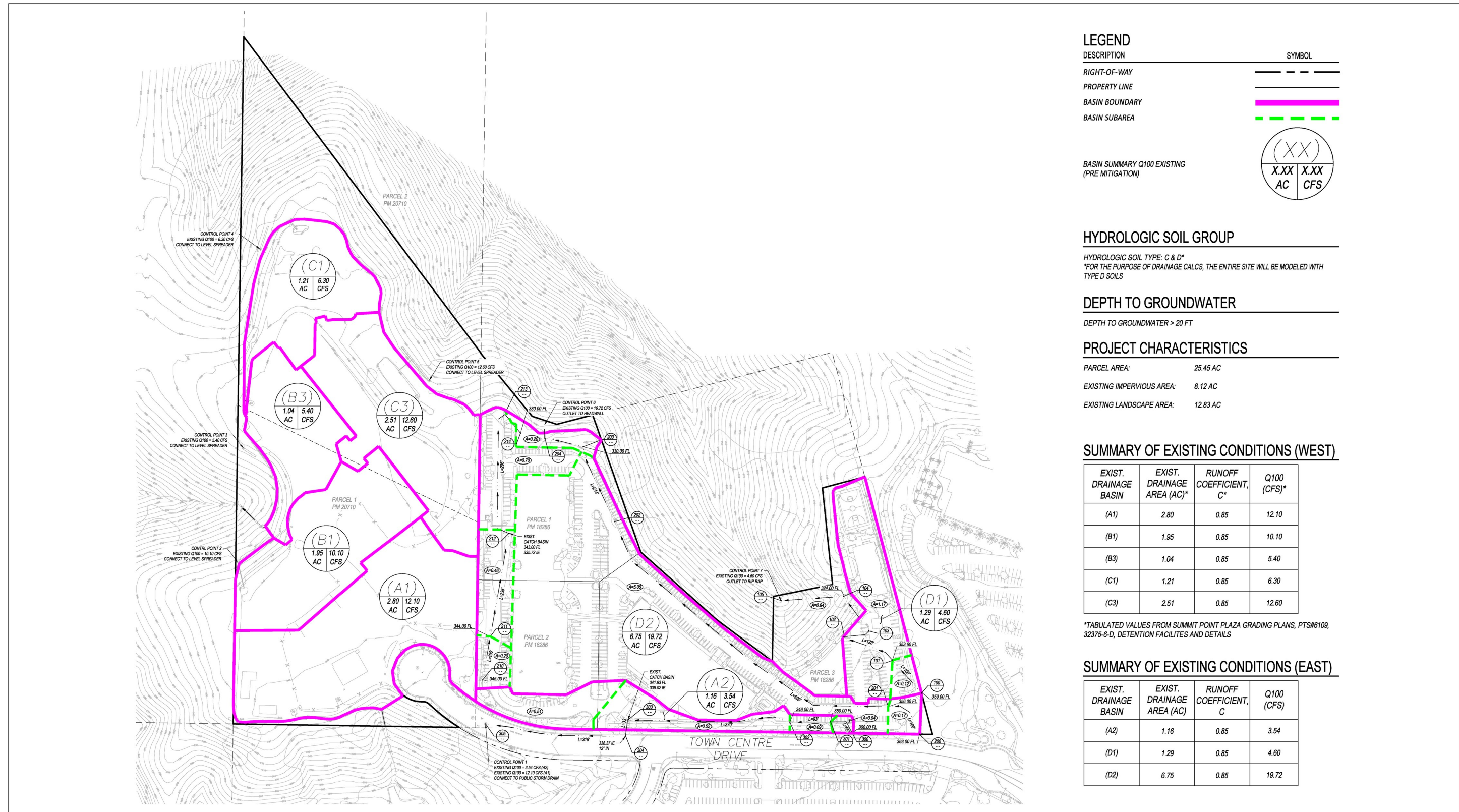
As discussed above, the Project site is located within FEMA Flood Zoned X and entirely outside of identified 100-year floodplains. Therefore, the Project would not result in increased flooding on- or off-site and would not cause significant impacts on upstream or downstream properties or to environmental resources. As a result, Project implementation would not impose any flood-related hazards either within the Project site or on any other properties.

3. Significance of Impact

No Impact. The Project site is not located within a 100-year floodplain as identified by FEMA. No impacts related to flood hazards would occur.

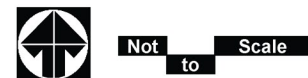
4. Mitigation Measure

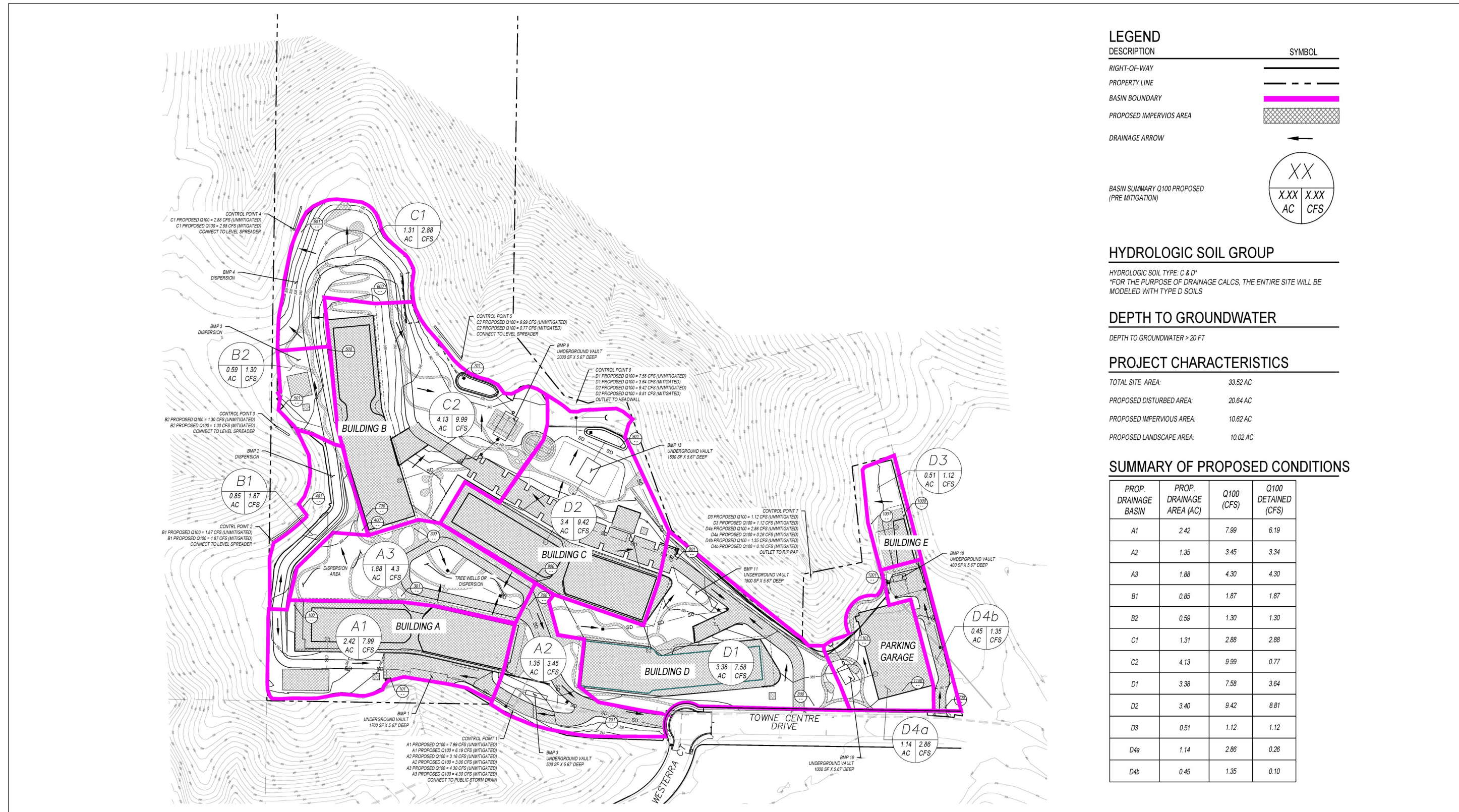
No mitigation measures are required.



Source(s): Pasco Laret Suiter & Associates (July 2021)

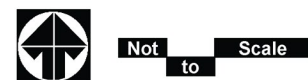
Figure 5.10-1





Source(s): Pasco Laret Suiter & Associates (December 2021)

Figure 5.10-2



5.11 NOISE

This section evaluates potential noise impacts associated with the Project. The following discussion is based on the Towne Centre View Noise Impact Analysis, City of San Diego (Noise Impact Analysis), prepared by Urban Crossroads, Inc. (September 2022) and included as Appendix K of this Environmental Impact Report (EIR).

5.11.1 Noise and Vibration Fundamentals

A complete description of noise and vibration fundamentals is provided in Section 2 of the *Noise Impact Analysis* included in Appendix K of this EIR (Urban Crossroads, 2022b). A summary description is provided herein.

A. Noise

Noise is simply defined as “unwanted sound.” Sound becomes unwanted when it interferes with normal activities, when it causes actual physical harm or when it has adverse effects on health. Noise is measured on a logarithmic scale of sound pressure level known as a decibel (dB). A-weighted decibels (dBA) approximate the subjective response of the human ear to broad frequency noise source by discriminating against very low and very high frequencies of the audible spectrum. They are adjusted to reflect only those frequencies which are audible to the human ear.

Since the range of intensities that the human ear can detect is so large, the scale frequently used to measure intensity is a scale based on multiples of 10, the logarithmic scale. The scale for measuring intensity is the decibel scale. Each interval of 10 decibels indicates a sound energy ten times greater than before, which is perceived by the human ear as being roughly twice as loud. The most common sounds vary between 40 dBA (very quiet) to 100 dBA (very loud). As shown on Exhibit 2-A, *Typical Noise Levels*, of the Noise Impact Analysis, normal conversation at 3 feet is roughly at 60 dBA, while loud jet engine noises equate to 110 dBA at approximately 100 feet, which can cause serious discomfort. Another important aspect of noise is the duration of the sound and the way it is described and distributed in time.

Environmental noise descriptors are generally based on averages, rather than instantaneous, noise levels. The most used figure is the equivalent level (L_{eq}). Equivalent sound levels are not measured directly but are calculated from sound pressure levels typically measured in dBA. L_{eq} represents a steady state sound level containing the same total energy as a time varying signal over a given sample period and is commonly used to describe the “average” noise levels within the environment.

Peak hour or average noise levels, while useful, do not completely describe a given noise environment. Noise levels lower than peak hour may be disturbing if they occur during times when quiet is most desirable, namely evening and nighttime (sleeping) hours. To account for this, the Community Noise Equivalent Level (CNEL), representing a composite 24-hour noise level is utilized. The CNEL is the weighted average of the intensity of a sound, with corrections for time of day, and averaged over 24 hours. The time-of-day corrections require the addition of 5 decibels to dBA L_{eq}

sound levels in the evening from 7:00 p.m. to 10:00 p.m., and the addition of 10 decibels to dBA L_{eq} sound levels at night between 10:00 p.m. and 7:00 a.m. These additions are made to account for the noise sensitive time periods during the evening and night hours when sound appears louder. CNEL does not represent the actual sound level heard at any time, but rather represents the total sound exposure. The City of San Diego relies on the 24-hour CNEL level to assess land use compatibility with transportation related noise sources.

The sound level attenuates (or decreases) at a rate of 6 dB for each doubling of distance from a point source, and at a rate of 3 dB for each doubling of distance from a line source. A large object or barrier in the path between a noise source and a receiver can substantially attenuate noise levels at the receiver. The amount of attenuation provided by shielding depends on the size of the object and the frequency content of the noise source.

Community responses to noise vary depending upon the individual's susceptibility to noise and personal attitudes about noise. Despite this variability in behavior on an individual level, a change of 1 dBA is considered just perceptible, a change of 3 dBA is considered barely perceptible, a change of 5 dBA is considered readily perceptible, and a change of 10 dBA is considered twice as loud.

B. Vibration

The Federal Transit Administration (FTA), *Transit Noise and Vibration Impact Assessment Manual*, provides technical guidance for predicting and assessing noise and vibration impacts. According to the FTA, vibration is the periodic oscillation of a medium or object. The rumbling sound caused by the vibration of room surfaces is called structure-borne noise. Sources of ground-borne vibrations include natural phenomena (e.g., earthquakes, volcanic eruptions, sea waves, landslides) or human-made causes (e.g., explosions, machinery, traffic, trains, construction equipment). As is the case with airborne sound, ground-borne vibrations may be described by amplitude and frequency.

There are several different methods that are used to quantify vibration. The peak particle velocity (PPV) is defined as the maximum instantaneous peak of the vibration signal. The PPV is most frequently used to describe vibration impacts to buildings but is not always suitable for evaluating human response (annoyance) because it takes some time for the human body to respond to vibration signals. Decibel notation (VdB) is commonly used to measure root mean square (RMS).

Typically, ground-borne vibration generated by man-made activities attenuates rapidly with distance from the source of the vibration. Ground-borne vibration is normally perceptible to humans at approximately 65 VdB. For most people, a vibration-velocity level of 75 VdB is the approximate dividing line between barely perceptible and distinctly perceptible levels.

5.11.2 Existing Conditions

A. Existing Noise Levels

To assess the existing noise level environment, Urban Crossroads recorded 24-hour outdoor noise readings at four locations near the Project site on June 24, 2020. The noise measurement locations are identified in Figure 5.11-1, *Noise Measurement Locations*.

- L1: Location L1 was located at the nearest facade of the Pacific Sorrento Technology Park building at 10150 Sorrento Valley Road, approximately 1,508 feet east of the Project site.
- L2: Location L2 was located at an existing multi-family residence in the Playmor La Jolla development at 9669 Caminito Del Feliz, approximately 1,380 feet south of the Project site.
- L3: Location L3 was located at an existing multi-family residence at the end of a Private Drive, called Leeds Street, nearest the Project site within the La Jolla Vista Townhouse community, approximately 1,218 feet south of the Project site.
- L4: Location L4 was located at Scripps Health Campus at 10140 Campus Pointe Drive, approximately 1,259 feet west of the Project site.

Table 5.11-1, *Noise Measurement Results*, identifies the hourly daytime (7:00 a.m. to 10:00 p.m.) and nighttime (10:00 p.m. to 7:00 a.m.) noise levels at each noise level measurement location. Table 5.11-1 also provides the (energy average) noise levels used to describe the daytime and nighttime ambient conditions. These daytime and nighttime energy average noise levels represent the average of all hourly noise levels observed during these time periods expressed as a single number. Refer to Appendix 5.2 of the Noise Impact Analysis for the noise measurement worksheets used to calculate the noise levels, including a summary of the hourly noise levels and the minimum and maximum observed noise levels at each measurement location. It should be noted that these measurements represent the background ambient noise conditions collected during the mandatory State of California stay at home orders due to the COVID-19 pandemic. Based on a comparison of noise level measurements taken in December 2019, existing ambient noise levels are estimated to be 2.5 dBA L_{eq} lower than during non-pandemic times due to the stay-at-home order. Therefore, the noise levels presented below conservatively overstate the relative Project noise level increases to compensate for the lower ambient noise level measurements.

B. Sensitive Receivers

Sensitive receivers (also referred to as sensitive receptors) are generally defined as locations where people reside or where the presence of unwanted sound could otherwise adversely affect the use of the land. Noise-sensitive land uses are generally considered to include schools, hospitals, single-family dwellings, mobile home parks, churches, libraries, and recreation areas. Moderately noise-sensitive land uses typically include multi-family dwellings, hotels, motels, dormitories, out-patient clinics, cemeteries, golf courses, country clubs, athletic/ tennis clubs, and equestrian clubs. Land uses that are considered relatively insensitive to noise include business, commercial, and professional developments. Land uses that are typically not affected by noise include: industrial,

Table 5.11-1 Noise Measurement Results

Location ¹	Description	Energy Average Noise Level (dBA Leq) ²		CNEL
		Daytime	Nighttime	
L1	10150 Sorrento Valley Road	56.6	50.7	59.8
L2	9669 Caminito Del Feliz	52.4	39.5	52.5
L3	Western end of Leeds Street	48.2	39.3	49.6
L4	10140 Campus Point Drive	64.1	55.4	64.8

¹ See Figure 5.11-1 for the noise level measurement locations.

² Energy (logarithmic) average levels. The long-term 24-hour measurement worksheets are included in Appendix 5.2.

"Daytime" = 7:00 a.m. to 10:00 p.m.; "Nighttime" = 10:00 p.m. to 7:00 a.m.

Source: (Urban Crossroads, 2022b, Table 5-1)

manufacturing, utilities, agriculture, undeveloped land, parking lots, warehousing, liquid and solid waste facilities, salvage yards, and transit terminals. (Urban Crossroads, 2022b)

To assess the potential for long-term operational and short-term construction noise impacts, seven receiver locations in the vicinity of the Project site were identified as representative locations for analysis, and are shown on Figure 5.11-2, *Noise Receiver Locations*. Other land uses in the Project study area that are located at greater distances than those identified in this analysis would experience lower noise levels due to the additional attenuation from distance and the shielding of intervening structures. Distance is measured in a straight line from the Project boundary to each receiver location.

- R1: Location R1 was located at an outdoor use area (backyard) at an existing multi-family residence in the Playmor La Jolla development at 9669 Caminito Del Feliz, approximately 1,380 feet south of the Project site. This is also the same location as noise measurement location L2.
- R2: Location R2 represents an outdoor use area (backyard) at a residence located at the western terminus of a private drive, called Leeds Street. R2 is located within the La Jolla Vista Townhouse community, approximately 1,218 feet south of the Project site. This is near noise measurement location L3 and represents the nearest residential use to the Project site.
- R3 to R7: Locations R3 through R-7 represent the nearest property lines to the noise generators, where exceedances are likely to occur, and are used to verify compliance with the City of San Diego noise ordinance. Locations R3 through R7 do not represent noise sensitive receivers or exterior use area. It should be noted the surrounding land uses are open space which do not have a specific noise level limit as shown in Table 5.11-2, *Operational Noise Standards*. Therefore, the industrial noise level limit has been applied at the property line of the Project.

Table 5.11-2 Operational Noise Standards

City	Land Use	Exterior Noise Level Standards (dBA L _{eq}) ³		
		Daytime	Evening	Nighttime
City of San Diego ¹	Single-Family Residential	50	45	40
	Multi-Family Residential	55	50	45
	All Other Residential	60	55	50
	Commercial	65	60	60
	Industrial or Agricultural	75	75	75

¹ City of San Diego Municipal Code Section 59.5.0401 (Appendix 3.1 of Appendix K of this EIR).

² L_{eq} represents a steady state sound level containing the same total energy as a time varying signal over a given period.

"Daytime" = 7:00 a.m. to 7:00 p.m.; "Evening" = 7:00 p.m. to 10:00 p.m.; "Nighttime" = 10:00 p.m. to 7:00 a.m.

Source: (Urban Crossroads, 2022b, Table 3-1)

Construction noise can also affect biological resources, particularly during nesting season for avian species. Special-status species are plant and wildlife species that are protected or recognized as sensitive resources by Federal, State, or local resource agencies or organizations. Special-status species typically have relatively limited distribution and may require specialized habitat conditions. Special-status bird species (including the coastal California gnatcatcher) have been observed within the sensitive MHPA, which is located to the north of the site. For this reason, nesting bird species are considered noise-sensitive resources.

5.11.3 Regulatory Framework

A. State

1. **State of California Noise Requirements**

The State of California regulates freeway noise, sets standards for sound transmission, provides occupational noise control criteria, identifies noise standards, and provides guidance for local land use compatibility. State law requires that each county and city adopt a General Plan that includes a Noise Element which is to be prepared per guidelines adopted by the Governor's Office of Planning and Research. The purpose of the Noise Element is to limit the exposure of the community to excessive noise levels. In addition, the California Environmental Quality Act (CEQA) requires that all known environmental effects of a project be analyzed, including environmental noise impacts.

2. **State of California Building Standards Code**

The State of California's noise insulation standards for non-residential standards are codified in Title 24, Part 11, the California Green Building Standards Code (CalGreen) Section 5.507.4, *Acoustical Control*. These noise standards are applied to new construction in California for controlling interior noise levels resulting from exterior noise sources. The regulations specify that acoustical assemblies must be used when buildings are developed near major transportation noise sources, and where such noise sources create an exterior noise level of 65 CNEL or higher. Acoustical studies that accompany building plans must demonstrate that the structure has been designed to limit interior noise in habitable rooms to acceptable noise levels. For new non-residential buildings, the acceptable interior noise limit in occupied spaces is 50 CNEL. CalGreen exempts "buildings with few

or no occupants or where occupants are not likely to be affected by exterior noise, as determined by the enforcement authority, such as factories, stadiums, storage, enclosed parking structures and utility buildings.”

B. Regional

1. MCAS Miramar Airport Land Use Compatibility Plan

The San Diego County Regional Airport Authority (SDCRAA), serving as the Airport Land Use Commission, is responsible for the management and development of the Airport Land Use Compatibility Plan (ALUCP) for each public use and military airport in San Diego County. Each ALUCP identifies land use and noise level compatibility due to operations at airports as well as forecasted noise level contours based on future operations at each airport. These noise level contours and land use compatibility noise levels are used in determining whether a proposed land use is consistent with forecasted noise levels. Table 3-2 in the Noise Impact Analysis presents the land uses and the compatible noise levels. The ALUCP for the Project Site is the Marine Corps Air Station (MCAS) Miramar ALUCP. As shown, research and development uses are conditionally compatible with noise levels ranging from 70dB CNEL to 80db CNEL. However, the building must be capable of attenuating exterior noise to an indoor CNEL of 50dB; standard construction methods will normally suffice. The 70dB CNEL to 80db CNEL is acceptable for outdoor activities, although some noise interference may occur. The MCAS Miramar ALUCP is discussed in Section 5.1, *Land Use*, of this EIR.

C. Local

1. City of San Diego Noise Element

The noise criteria identified in the City of San Diego Noise Element (Table NE-3) are guidelines to evaluate the land use compatibility of transportation related noise. The compatibility criteria, shown on Table 5.11-3, *Land Use – Noise Compatibility Guidelines*, provides the City with a planning tool to gauge the compatibility of land uses relative to existing and future exterior noise levels. The Land Use Compatibility for Community Noise Exposure matrix describes categories of compatibility and not specific noise standards. For conditionally compatible exterior noise levels, approaching 75 dBA CNEL for office land uses, building structures must attenuate exterior noise to the indoor noise level of 50 CNEL for occupied areas.

2. City of San Diego Noise Ordinance

While the City of San Diego General Plan Noise Element provides guidelines to assess transportation noise on sensitive land uses, the San Diego Municipal Code (SDMC) Section 59.5.0401 has established noise level limits for operational (stationary) and construction related noise sources, as described below.

Table 5.11-3 Land Use – Noise Compatibility Guidelines

Land Use Category	Exterior Noise Exposure (dBA CNEL)			
	60	65	70	75
<i>Open Space and Parks and Recreational</i>				
Community & Neighborhood Parks; Passive Recreation				
Regional Parks; Outdoor Spectator Sports, Golf Courses, Athletic Fields; Outdoor Spectator Sports, Water Recreational Facilities; Horse Stables; Park Maint. Facilities				
<i>Agricultural</i>				
Crop Raising & Farming; Aquaculture, Dairies, Horticulture Nurseries & Greenhouses, Animal Raising, Maintain & Keeping; Commercial Stables				
<i>Residential</i>				
Single Units; Mobile Homes; Senior Housing		45		
Multiple Units; Mixed-Use Commercial/Residential; Live Work; Group Living Accommodations <i>*For uses affected by aircraft noise, refer to Policies NE-D.2. & NE-D.3.</i>		45	45*	
<i>Institutional</i>				
Hospitals; Nursing Facilities; Intermediate Care Facilities; Kindergarten through Grade 12 Educational Facilities; Libraries; Museums; Places of Worship; Child Care Facilities		45		
Vocational or Professional Educational Facilities; Higher Education Institution Facilities (Community or Junior Colleges, Colleges, or Universities)		45	45	
Cemeteries				
<i>Sales</i>				
Building Supplies/Equipment; Food, Beverages & Groceries; Pets & Pet Supplies; Sundries, Pharmaceutical, & Convenience Sales; Wearing Apparel & Accessories			50	50
<i>Commercial Services</i>				
Building Services; Business Support; Eating & Drinking; Financial Institutions; Assembly & Entertainment; Radio & Television Studios; Golf Course Support			50	50
Visitor Accommodations		45	45	45
<i>Offices</i>				
Business & Professional; Government; Medical, Dental & Health Practitioner; Regional & Corporate Headquarters			50	50
<i>Vehicle and Vehicular Equipment Sales and Services Use</i>				
Commercial or Personal Vehicle Repair & Maintenance; Commercial or Personal Vehicle Sales & Rentals; Vehicle Equipment & Supplies Sales & Rentals; Vehicle Parking				
<i>Wholesale, Distribution, Storage Use Category</i>				
Equipment & Materials Storage Yards; Moving & Storage Facilities; Warehouse; Wholesale Distribution				
<i>Industrial</i>				
Heavy Manufacturing; Light Manufacturing; Marine Industry; Trucking & Transportation Terminals; Mining & Extractive Industries				
Research & Development			50	
Compatible	Indoor Uses	Standard construction methods should attenuate exterior noise to an acceptable indoor noise level. Refer to Section I.		
	Outdoor Uses	Activities associated with the land use may be carried out.		
Conditionally Compatible	Indoor Uses	Building structure must attenuate exterior noise to the indoor noise level indicated by the number for occupied areas. Refer to Section I.		
	Outdoor Uses	Feasible noise mitigation techniques should be analyzed and incorporated make the outdoor activities acceptable. Refer to Section I.		
Incompatible	Indoor Uses	New construction should not be undertaken.		
	Outdoor Uses	Severe noise interference makes outdoor activities unacceptable.		

Source: (Urban Crossroads, 2022b, Exhibit 3-A)

Operational Noise Standards

Chapter 5, *Public Safety, Morals, and Welfare-Article 9.5*, of the SDMC, contains the City's Noise Abatement and Control Ordinance. Table 5.11-2, *Operational Noise Standards*, presented above, outlines the operational noise standards in Section 59.5.0401 of the City of San Diego Noise Abatement and Control Ordinance:

- A. It shall be unlawful for any person to cause noise by any means to the extent that the one-hour average sound level exceeds the applicable limit...
- B. The sound level limit at a location on a boundary between two zoning districts is the arithmetic mean of the respective limits for the two districts...

Construction Noise Standards

To control noise impacts associated with construction activities, the City of San Diego has established limits in Section 59.5.0404 to the hours of construction and noise levels. Relevant to the Project, according to of the City's Noise Abatement and Control Ordinance:

- A. It shall be unlawful for any person, between the hours of 7:00 P.M. of any day and 7:00 A.M. of the following day, or on legal holidays as specified in Section 21.0104 of the SDMC, with exception of Columbus Day and Washington's Birthday, or on Sundays, to erect, construct, demolish, excavate for, alter or repair any building or structure in such a manner as to create disturbing, excessive or offensive noise unless a permit has been applied for and granted beforehand by the Noise Abatement and Control Administrator...
- B. It shall be unlawful for any person, including the City of San Diego, to conduct any construction activity so as to cause, at or beyond the property lines of any property zoned residential, an average sound level greater than 75 decibels during the 12-hour period from 7:00 A.M. to 7:00 P.M.

Multi-Species Habitat Conservation Plan

The City of San Diego MSCP Subarea Plan and associated guidelines produced by the U.S. Fish and Wildlife Service requires that noise be limited to a level not to exceed an hourly limit of 60 dBA Leq or the average ambient noise, whichever is greater, at the edge of the MHPA and occupied habitat during the breeding season (i.e., February 1 through September 15) for sensitive species potentially affected by construction and operation of a project.

5.11.4 Impact Analysis

Following is the analysis of: (1) potential noise impacts to sensitive receivers resulting from construction activities, on-site stationary noise sources, and off-site traffic-related noise, and an assessment of the Project's consistency with applicable noise regulations; and, (2) potential construction-related vibration impacts. Potential noise impacts to biological resources are addressed in Section 5.4, *Biological Resources*, of this EIR, and the Project's consistency with noise compatibility levels presented in the MCAS Miramar ALUCP are discussed in Section 5.1, *Land Use*.

A. Issue 1

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

1. Impact Threshold**Construction Noise**

Per the City Significance Determination Guidelines, "construction noise levels measured at or beyond the property lines of any property zoned residential shall not exceed an average sound level greater than 75 dBA L_{eq} during the period of 7:00 a.m. to 7:00 p.m. In addition, construction activity that would create disturbing, excessive, or offensive noise is prohibited between the hours of 7:00 p.m. of any day and 7:00 a.m. of the following day, or on legal holidays as specified in Section 21.04 of the SDMC, with exception of Columbus Day and Washington's Birthday, or on Sundays.

Construction may occur during these periods only if a permit has been applied for and granted beforehand by the Noise Abatement and Control Administrator, in conformance with SDMC Section 59.5.0404. Additionally, where temporary construction noise would substantially interfere with normal business communication, or affect sensitive receptors, such as day care facilities, a significant noise impact may be identified. The City does not specify a noise level increase limit that would be considered significant, therefore, for purposes of this analysis a 10 dBA L_{eq} increase in ambient noise levels at a residential property would be considered significant.

Stationary Noise

Per the City's Significance Determination Guidelines, operational noise levels would be considered significant if they exceed the noise level limits shown in Table 5.11-2 at the property line of the Project site. Further the thresholds state "If a non-residential use, such as a commercial, industrial, or school use, is proposed to abut an existing residential use, the decibel level at the property line should be the arithmetic mean of the decibel levels allowed for each use as set forth in Section 59.5.0401 of the Municipal Code. Although the noise level above could be consistent with the City's Noise Ordinance Standards, a noise level above 65 dB (A) CNEL at the residential property line could be considered a significant environmental impact." Additionally, if stationary sources of noise cause the ambient noise level to increase by 5 dBA or more the impact would be considered significant.

Traffic Noise

Per the City Significance Determination Thresholds, traffic noise impacts would be considered significant if any of the following occur as a direct result of the proposed development.

- Table 5.11-4, *Traffic Noise Significance Criteria*, presents a summary of the City's traffic noise significance criteria. In addition to the criteria in Table 5.11-4, the City considers a 3 dB or greater increase in traffic noise levels significant, where traffic noise levels currently exceed the significance thresholds in Table 5.11-4.

Table 5.11-4 Traffic Noise Significance Criteria

Structure of Proposed Use that would be Impacted by Traffic Noise	Interior Space (CNEL)	Exterior Useable Space (CNEL)	General Indication of Potential Significance
Single-family detached	45 dB	65 dB	Structure or outdoor useable area is <50 feet from the center of the closest (outside) lane on a street with existing or future ADTs >7,500
Multi-family, school, library, hospital, day care center, hotel, motel, park, convalescent home	Development Services Department ensures 45 dB pursuant to Title 24	65 dB	
Office, church, business, professional uses	n/a	70 dB	Structure or outdoor useable area is <50 feet from the center of the closest lane on a street with existing or future ADTs >20,000
Commercial, retail, industrial, outdoor spectator sports uses	n/a	75 dB	Structure or outdoor useable area is <50 feet from the center of the closest lane on a street with existing or future ADTs >40,000

Source: (Urban Crossroads, 2022b, Table 4-1)

- The City does not identify a threshold for traffic noise levels increases when the existing or future noise levels do not exceed the thresholds in Table 5.11-4, therefore, for purposes of this analysis, the County of San Diego traffic noise increase thresholds of 10 dB is used to determine where a significant noise level increase occurs when noise levels do not exceed the thresholds in Table 5.11-4.

Noise/Land Use Compatibility

Per the City Significance Determination Guidelines, noise is one factor to be considered in determining whether a land use is compatible. Land use compatibility noise factors are presented in Table 5.11-3, *Land Use – Noise Compatibility Guidelines*. Based on Table 5.11-3, the Project would be compatible with noise levels up to 65 dBA CNEL, conditionally compatible with noise levels up to 75 dBA CNEL, and incompatible with noise levels over 75 dBA CNEL. Under the conditionally compatible criteria, the structure must be capable of reducing interior noise levels 50 dBA CNEL or less. Refer to Section 5.1, *Land Use*, for additional discussion of the exposure of sensitive receptors to noise levels which exceed standards established in the Noise Element of the General Plan.

2. Analysis

Construction Noise

Noise generated by the Project construction equipment would include a combination of loaders, dozers, excavators, trucks, power tools, concrete mixers, and portable generators that can reach high noise levels. The number and mix of construction equipment are presented in Chapter 3.0, *Project Description*, of this EIR, and is expected to occur in the following stages: 1) demolition; 2) site

preparation; 3) grading; 4) building construction; 5) paving; and 6) architectural coating. To describe the Project construction noise levels, measurements were collected for similar activities at several construction sites. The reference noise level measurements included the types of construction equipment that would be used on the Project site performing similar types of construction activities at a similar level of activity/intensity as is expected to occur on the Project site. Table 11-1, *Construction Reference Noise Levels*, in the Noise Impact Analysis included in Appendix K of this EIR, provides a summary of the reference noise level measurements.

To evaluate whether the Project would generate potentially significant temporary noise levels at nearby sensitive residential receiver locations, the City's construction-related noise level threshold is used. Figure 5.11-3, *Construction Noise Source Locations*, identifies the nearest sensitive receiver locations in relation to the construction impact limits. To assess the worst-case construction noise levels, the Project construction noise analysis relies on the highest noise level impacts when the equipment with the highest reference noise level is operating at the closest point from the edge of primary construction activity to each receiver location. Noise calculations are conservative and do not account for the effects of intervening terrain or obstacles. As shown in Table 11-2, *Construction Equipment Noise Level Summary*, of the Noise Impact Analysis, the construction noise levels are expected to range from 28.1 to 38.9 dBA L_{eq} , and the highest construction levels are expected to be 38.2 and 38.9 dBA L_{eq} at the nearest receiver locations (R1 and R2, respectively). As shown in Table 5.11-5, *Construction Noise Level Compliance*, Project construction activities would not exceed the standards established by the City of San Diego and construction-related noise impacts would be less than significant at the receiver locations.

Table 5.11-5 Construction Noise Level Compliance

Receiver Location ¹	Construction Noise Levels (dBA L_{eq})		
	Highest Construction Noise Levels ²	Threshold	Threshold Exceeded? ³
R1	38.2	75	No
R2	38.9	75	No

¹ Noise receiver locations are shown on Figure 5.11-2.

² Highest construction noise level calculations based on distance from the construction noise source activity to nearby receiver locations as shown on Table 11-2 of Appendix K of this EIR.

³ Do the estimated Project construction noise levels exceed the construction noise level threshold?
Source: (Urban Crossroads, 2022b, Table 11-3)

Additionally, to evaluate the increase in ambient noise levels at a residential property, Project construction noise levels are combined with the existing ambient noise levels measurements for the nearest receiver locations potentially impacted by Project construction noise sources. The difference between the combined Project and ambient noise levels describes the Project noise level increases to the existing ambient noise environment. Noise levels that would be experienced at receiver locations when Project-source noise is added to the daytime ambient conditions are presented in Table 5.11-6, *Project Construction Noise Level Increases*.

Table 5.11-6 Project Construction Noise Level Increases

Receiver Location ¹	Total Project Construction Noise Level ²	Measurement Location	Reference Ambient Noise Levels ³	Combined Project and Ambient ⁴	Project Increase ⁵	Noise Sensitive Land Use?	Increase Criteria ⁶	Increase Criteria Exceeded?
R1	38.2	L2	52.4	52.6	0.2	Yes	10	No
R2	38.9	L3	48.2	48.7	0.5	Yes	10	No

¹ See Figure 5.11-2 for the receiver locations.

² Total Project daytime construction noise levels as shown on Table 5.11-5.

³ Observed daytime ambient noise levels as shown on Table 5.11-1.

⁴ Represents the combined ambient conditions plus the Project activities.

⁵ The noise level increase expected with the addition of the proposed Project activities.

⁶ Significance increase criteria as discussed in Section 4 of Appendix K.

Source: (Urban Crossroads, 2022b, Table 11-4)

As shown, the Project would generate unmitigated construction noise level increases ranging from 0.2 to 0.5 dBA L_{eq} at the nearest receiver locations. Project construction noise levels increases would not exceed the significance criteria and impacts would be less than significant.

Construction Noise Impacts to MHPA

Construction-related noise has the potential to result in significant, indirect, temporary noise-related impacts to other nesting avian species within the adjacent MHPA, should construction occur during the general avian breeding season (January through August). However, the Project would be required to comply with the regulations of the MBTA and California Fish and Game Code for the protection of nesting avian species, as discussed in detail in Section 5.4, *Biological Resources*. As discussed in Section 5.1, *Land Use* and 5.4, *Biological Resources*, the Project would adhere to the requirements outlined in Section 1.4.3 of the City's Subarea Plan (i.e., requirements related to noise), including requirements outlined in the Land Use Adjacency Guidelines (LUAG) and construction noise impacts to the MHPA would therefore be less than significant.

Traffic Noise

The expected roadway noise level increases from vehicular traffic were calculated by Urban Crossroads, Inc. using a computer program that replicates the Federal Highway Administration (FHWA) Traffic Noise Model- FHWA TNM. Table 5.11-7, *Roadway Parameters*, presents the FHWA Model roadway parameters used for each of the 19 roadway segments in the Project's study area.

To quantify transportation-related noise levels, the vehicular trips associated with the Project were assigned to 19 roadway segments in the Project's study area, using the trip distribution and vehicle mix information contained in the Project's traffic impact analysis prepared by Urban Systems Associates, Inc (Urban Systems, 2022). To evaluate off-site noise increases that could result from Project-related traffic, noise levels were modeled for the following scenarios:

- Existing
- Existing Plus Project

Table 5.11-7 Roadway Parameters

ID	Roadway	Segment	Receiving Land Use ¹	Classification ²	Centerline Distance to Receiving Land Use (Feet) ³	Vehicle Speed (mph)
1	Towne Centre Dr.	Westerra Court to Towne Centre Court	Commercial	2-C (w/o TWLTL)	44'	40
2	Towne Centre Dr.	Towne Centre Court to Eastgate Mall	Commercial	2-C (w/o TWLTL)	84'	40
3	Towne Centre Dr.	Eastgate Mall to Executive Drive	Residential	2-C (w/ TWLTL)	76'	40
4	Eastgate Mall	Executive Drive to Towne Centre Driveway	Residential	2-C (w/ TWLTL)	76'	40
5	Eastgate Mall	Towne Centre Driveway to La Jolla Village Drive	Commercial	2-C (w/ TWLTL)	76'	40
6	Eastgate Mall	Eastgate Mall to Executive Drive	Commercial	4-C (w/ TWLTL)	76'	35
7	La Jolla Village Dr.	Executive Drive to Judicial Driveway	Residential	2-C (w/o fronting property)	55'	35
8	La Jolla Village Dr.	Judicial Driveway to Golden Haven Drive / Brook Lane	Residential	2-C (w/ TWLTL)	55'	35
9	Judicial Drive	Golden Haven Drive / Brook Lane to Sydney Court	Residential	2-C (w/ TWLTL)	76'	35
10	Judicial Drive	Sydney Court to Illumina Way	Residential	2-C (w/ TWLTL)	76'	35
11	Judicial Drive	Illumina Way to Nobel Drive	Commercial	6-MA	40'	35
12	Nobel Drive	Judicial Drive to I-805 SB On-Ramp	Commercial	6-MA	40'	45
13	Nobel Drive	I-805 SB On-Ramp to I-805 NB Off-Ramp	Commercial	6-MA	60'	45
14	Eastgate Mall	Regents Road to Genesee Avenue	Institutional	6-MA	60'	45
15	Eastgate Mall	Genesee Avenue to Easter Way	Residential	6-MA	60'	45
16	Eastgate Mall	Easter Way to Towne Center Drive	Residential	6-MA	84'	45
17	Eastgate Mall	Towne Centre Drive to Judicial Drive	Commercial	6-MA	76'	45
18	Eastgate Mall	Judicial Drive to Eastgate Drive	Commercial	6-MA	76'	45
19	Eastgate Mall	Eastgate Drive to Olson Drive	Commercial	7-MA	76'	45

¹ Based on a review of existing aerial imagery.

² Urban Systems Associates, Inc.

7-MA = 7-Lane Major Arterial

6-MA = 6-Lane Major Arterial

4-C (w/ TWLTL) = 4-Lane Collector with Two-Way Left-Turn Lane

2-C (w/ TWLTL) = 2-Lane Collector with Two-Way Left-Turn Lane

2-C (w/o TWLTL) = 2-Lane Collector without Two-Way Left-Turn Lane

2-C (w/o fronting property) = 2-Lane Collector with no fronting property

³ Based upon the right-of-way distances for each roadway classification provided in the General Plan Circulation Element.

Source: (Urban Crossroads, 2022b, Table 6-1)

- Opening Year (2027)
- Opening Year (2027) Plus Project
- Horizon Year (2050)
- Horizon Year (2050) Plus Project

The Existing without/with Project analysis refers to the existing present-day noise conditions without and with the development of the Project. The Opening Year 2027 without/with Project analysis refers to Opening Year 2027 noise conditions without and with the development of the Project. The Horizon Year 2050 without/with Project analysis refers to the Horizon Year 2050 noise conditions without and with the development of the Project.

As summarized in Table 5.11-8, *Existing with Project Traffic Noise Level Increases*, the Existing with Project Buildout conditions range from 61.5 to 72.7 dBA CNEL, which represents a Project off-site traffic noise level increase ranging from 0.1 to 2.3 dBA CNEL on the study area roadway segments. Therefore, Project-generated traffic noise would not exceed the significance criteria of 3 dB where traffic noise levels currently exceed the significance thresholds in Table 5.11-4, or 10 dB where noise levels do not exceed the thresholds in Table 5.11-4 under the existing with Project scenario. Additionally, as presented in Table 5.11-9, *Opening Year 2027 with Project Traffic Noise Level Increases*, the opening year 2027 with Project exterior noise levels range from 61.6 to 73.1 dBA CNEL, with the Project's contribution to off-site traffic noise level increases ranging from 0.0 to 2.2 dBA CNEL. Therefore, Project-generated traffic noise would not exceed the identified significance criteria under the opening year with Project scenario. Additionally, as presented in Table 5.11-10, *Horizon Year 2050 with Project Traffic Noise Level Increases*, the horizon year 2050 with Project exterior noise levels range from 62.1 to 73.1 dBA CNEL, with the Project's contribution to off-site traffic noise level increases ranging from 0.0 to 2.3 dBA CNEL. Therefore, Project-generated traffic noise would not exceed the identified significance criteria under the horizon year with Project scenario. Therefore, the Project's contribution to off-site traffic noise would not result in a substantial permanent increase in ambient noise levels and Project-related impacts would be less than significant.

Due to the Project location at the terminus of Towne Centre Drive, the Project site has limited exposure to local roadways and associated traffic noise. Freeways are located over 1,000 feet away from the Project site well beyond the traffic noise modeling distance recommended by FHWA and thus have limited exposure to noise from either I-5 and I-805. Based on the noise measurements in the surrounding area as shown in Table 5.11-1, the expected maximum future exterior noise levels were estimated to be 65 dBA CNEL or less. Therefore, exterior noise levels at the Project site would be compatible with the City of San Diego standards.

Table 5.11-8 Existing with Project Traffic Noise Level Increases

ID	Road	Segment	CNEL at Receiving Land Use (dBA) ¹			Noise-Sensitive Land Use? ²	Incremental Noise Level Increase Threshold	
			Existing No Project	Existing With Project	Increase		Limit (dBA)	Exceeded?
1	Towne Centre Dr.	Westerra Court to Towne Centre Court	63.1	64.8	1.7	No	10	No
2	Towne Centre Dr.	Towne Centre Court to Eastgate Mall	63.1	65.4	2.3	No	10	No
3	Towne Centre Dr.	Eastgate Mall to Executive Drive	63.1	65.4	2.3	Yes	3	No
4	Eastgate Mall	Executive Drive to Towne Centre Driveway	63.0	65.3	2.3	Yes	3	No
5	Eastgate Mall	Towne Centre Driveway to La Jolla Village Drive	61.0	61.5	0.5	No	10	No
6	Eastgate Mall	Eastgate Mall to Executive Drive	64.6	65.2	0.6	No	10	No
7	La Jolla Village Dr.	Executive Drive to Judicial Driveway	63.6	63.9	0.3	Yes	5	No
8	La Jolla Village Dr.	Judicial Driveway to Golden Haven Drive / Brook Lane	64.5	64.8	0.3	Yes	5	No
9	Judicial Drive	Golden Haven Drive / Brook Lane to Sydney Court	64.5	64.8	0.3	Yes	5	No
10	Judicial Drive	Sydney Court to Illumina Way	64.5	64.8	0.3	Yes	5	No
11	Judicial Drive	Illumina Way to Nobel Drive	72.6	72.7	0.1	No	10	No
12	Nobel Drive	Judicial Drive to I-805 SB On-Ramp	72.6	72.7	0.1	No	10	No
13	Nobel Drive	I-805 SB On-Ramp to I-805 NB Off-Ramp	72.6	72.7	0.1	No	10	No
14	Eastgate Mall	Regents Road to Genesee Avenue	71.7	71.8	0.1	No	10	No
15	Eastgate Mall	Genesee Avenue to Easter Way	71.7	71.8	0.1	Yes	3	No
16	Eastgate Mall	Easter Way to Towne Center Drive	71.3	71.4	0.1	Yes	3	No
17	Eastgate Mall	Towne Centre Drive to Judicial Drive	71.1	71.2	0.1	No	10	No
18	Eastgate Mall	Judicial Drive to Eastgate Drive	71.1	71.2	0.1	No	10	No
19	Eastgate Mall	Eastgate Drive to Olson Drive	72.2	72.4	0.2	No	10	No

¹ The CNEL is calculated at the boundary of the right-of-way of each roadway and the property line of the receiving land use.

² Based on a review of existing aerial imagery. Noise sensitive uses limited to existing residential land uses.

Source: (Urban Crossroads, 2022b, Table 7-7)

Table 5.11-9 Opening Year 2027 with Project Traffic Noise Level Increases

ID	Road	Segment	CNEL at Receiving Land Use (dBA) ¹			Noise-Sensitive Land Use? ²	Incremental Noise Level Increase Threshold	
			2027 No Project	2027 With Project	Increase		Limit (dBA)	Exceeded?
1	Towne Centre Dr.	Westerra Court to Towne Centre Court	63.3	65.0	1.7	No	10	No
2	Towne Centre Dr.	Towne Centre Court to Eastgate Mall	63.3	65.5	2.2	No	10	No
3	Towne Centre Dr.	Eastgate Mall to Executive Drive	63.3	65.5	2.2	Yes	3	No
4	Eastgate Mall	Executive Drive to Towne Centre Driveway	63.3	65.5	2.2	Yes	3	No
5	Eastgate Mall	Towne Centre Driveway to La Jolla Village Drive	61.1	61.6	0.5	No	10	No
6	Eastgate Mall	Eastgate Mall to Executive Drive	65.1	65.6	0.5	No	10	No
7	La Jolla Village Dr.	Executive Drive to Judicial Driveway	64.3	64.6	0.3	Yes	5	No
8	La Jolla Village Dr.	Judicial Driveway to Golden Haven Drive / Brook Lane	65.0	65.2	0.2	Yes	3	No
9	Judicial Drive	Golden Haven Drive / Brook Lane to Sydney Court	64.9	65.2	0.3	Yes	3	No
10	Judicial Drive	Sydney Court to Illumina Way	64.9	65.2	0.3	Yes	3	No
11	Judicial Drive	Illumina Way to Nobel Drive	73.1	73.1	0.0	No	10	No
12	Nobel Drive	Judicial Drive to I-805 SB On-Ramp	73.1	73.1	0.0	No	10	No
13	Nobel Drive	I-805 SB On-Ramp to I-805 NB Off-Ramp	73.1	73.1	0.0	No	10	No
14	Eastgate Mall	Regents Road to Genesee Avenue	71.8	71.8	0.0	No	10	No
15	Eastgate Mall	Genesee Avenue to Easter Way	71.8	71.8	0.0	Yes	3	No
16	Eastgate Mall	Easter Way to Towne Center Drive	71.4	71.4	0.0	Yes	3	No
17	Eastgate Mall	Towne Centre Drive to Judicial Drive	71.2	71.3	0.1	No	10	No
18	Eastgate Mall	Judicial Drive to Eastgate Drive	71.2	71.3	0.1	No	10	No
19	Eastgate Mall	Eastgate Drive to Olson Drive	72.7	72.8	0.1	No	10	No

¹ The CNEL is calculated at the boundary of the right-of-way of each roadway and the property line of the receiving land use.

² Based on a review of existing aerial imagery. Noise sensitive uses limited to existing residential land uses.

Source: (Urban Crossroads, 2022b, Table 7-8)

Table 5.11-10 Horizon Year 2050 with Project Traffic Noise Level Increases

ID	Road	Segment	CNEL at Receiving Land Use (dBA) ¹			Noise-Sensitive Land Use? ²	Incremental Noise Level Increase Threshold	
			2050 No Project	2050 With Project	Increase		Limit (dBA)	Exceeded?
1	Towne Centre Dr.	Westerra Court to Towne Centre Court	64.1	65.5	1.4	No	10	No
2	Towne Centre Dr.	Towne Centre Court to Eastgate Mall	64.1	66.0	1.9	No	10	No
3	Towne Centre Dr.	Eastgate Mall to Executive Drive	64.1	66.0	1.9	Yes	3	No
4	Eastgate Mall	Executive Drive to Towne Centre Driveway	63.1	65.4	2.3	Yes	3	No
5	Eastgate Mall	Towne Centre Driveway to La Jolla Village Drive	62.1	62.5	0.4	No	10	No
6	Eastgate Mall	Eastgate Mall to Executive Drive	65.1	65.6	0.5	No	10	No
7	La Jolla Village Dr.	Executive Drive to Judicial Driveway	64.3	64.6	0.3	Yes	5	No
8	La Jolla Village Dr.	Judicial Driveway to Golden Haven Drive / Brook Lane	65.0	65.2	0.2	Yes	3	No
9	Judicial Drive	Golden Haven Drive / Brook Lane to Sydney Court	65.2	65.5	0.3	Yes	3	No
10	Judicial Drive	Sydney Court to Illumina Way	65.2	65.5	0.3	Yes	3	No
11	Judicial Drive	Illumina Way to Nobel Drive	73.1	73.1	0.0	No	10	No
12	Nobel Drive	Judicial Drive to I-805 SB On-Ramp	73.1	73.1	0.0	No	10	No
13	Nobel Drive	I-805 SB On-Ramp to I-805 NB Off-Ramp	73.1	73.1	0.0	No	10	No
14	Eastgate Mall	Regents Road to Genesee Avenue	71.8	71.8	0.0	No	10	No
15	Eastgate Mall	Genesee Avenue to Easter Way	71.8	71.8	0.0	Yes	3	No
16	Eastgate Mall	Easter Way to Towne Center Drive	71.4	71.4	0.0	Yes	3	No
17	Eastgate Mall	Towne Centre Drive to Judicial Drive	71.2	71.3	0.1	No	10	No
18	Eastgate Mall	Judicial Drive to Eastgate Drive	71.2	71.3	0.1	No	10	No
19	Eastgate Mall	Eastgate Drive to Olson Drive	72.7	72.8	0.1	No	10	No

¹ The CNEL is calculated at the boundary of the right-of-way of each roadway and the property line of the receiving land use.

² Based on a review of existing aerial imagery. Noise sensitive uses limited to existing residential land uses.

Source: (Urban Crossroads, 2022b, Table 7-9)

Operational Stationary Noise

Stationary (on-site) noise sources associated with long-term Project operation are expected to include roof-top air handling units, generators, and surface parking lot activity. Figure 5.11-4, *Operational Noise Source Locations*, depicts the noise source locations used to assess the hourly average L_{eq} operational noise levels resulting from Project operations. For the operational stationary noise analysis, Urban Crossroads relies on reference noise level measurements collected from similar types of activities to represent the noise levels expected with the development of the Project. The reference noise level measurements include the types of equipment and site operations that are expected on the Project site. Table 10-1, *Reference Noise Levels*, presented in the Noise Impact Analysis provides a summary of the reference noise level measurements. To fully describe the exterior operational noise levels from the Project, Urban Crossroads, Inc. developed a noise prediction model using the CadnaA (Computer Aided Noise Abatement) computer program. CadnaA can analyze multiple types of noise sources using the spatially accurate Project site plan, georeferenced Nearmap aerial imagery, topography, buildings, and barriers in its calculations to predict outdoor noise levels.

The operational stationary noise analysis evaluates Project-related noise levels at the nearby receiver locations in the Project study area. The receiver locations used in the stationary noise analysis are the same that are used in the construction analysis. It is not necessary to study every single receiver location surrounding Project site because receivers located at similar distances from the Project site with similar ground elevations, orientation, and intervening physical conditions (e.g., walls, landscaping) as the modeled receptor locations would experience noise levels the same or very similar to those disclosed herein.

The daytime and nighttime Project stationary noise levels at the receiver locations are summarized in Table 5.11-11, *Operational Noise Level Compliance*. The differences between the daytime and nighttime noise levels are largely related to a higher level of activity on site during the day. Consistent with typical air handling operations, it is anticipated that during the nighttime air handlers would operate approximately 15-30 minutes out of an hour in multiple cycles as compared to the daytime where the units would typically operate 20-40 minutes in multiple cycles. To be conservative, for purposes of analysis it was assumed the AHU would operate 60 minutes per hour during the daytime and 30 minutes per hour at night. This is equivalent to the units operating at full capacity. Additionally, it was assumed occasional nighttime activities associated with maintenance would result in limited activity in parking lots. The generators would only be operated outside an emergency during testing and thus are not included in the nighttime operations. As shown in Table 5.11-11, Project stationary noise would not expose nearby receivers to stationary noise levels that exceed the exterior noise level standards established in the City of San Diego and impacts would be less than significant.

Noise levels that would be experienced at receiver locations when unmitigated Project-source noise is added to the ambient daytime, evening, and nighttime conditions are presented in Table 5.11-12, *Daytime Project Operational Noise Level Increases*, and Table 5.11-13, *Nighttime Project Operational Noise Level Increases* respectively. As indicated in these tables, the Project would generate

unmitigated daytime and nighttime operational noise level increases ranging from 0.0 to 4.4 dBA L_{eq} at the nearest receiver location. Project operational stationary-source noise level increases would satisfy the operational noise level increase significance criteria presented previously and the noise level increases at the sensitive receiver locations would be less than significant.

Table 5.11-11 Operational Noise Level Compliance

Receiver Location ¹	Land Use	Project Operational Noise Levels (dBA L_{eq}) ²		Noise Level Standards (dBA L_{eq}) ³		Noise Level Standards Exceeded? ⁴	
		Daytime	Nighttime	Daytime	Nighttime	Daytime	Nighttime
R1	Residential	54.2	27.5	65	60	No	No
R2	Residential	50.6	26.9	65	60	No	No
R3	Industrial/OS	49.8	26.9	75	75	No	No
R4	Industrial/OS	39.3	35.4	75	75	No	No
R5	Industrial/OS	26.1	24.2	75	75	No	No
R6	Industrial/OS	29.2	23.6	75	75	No	No
R7	Industrial/OS	50.3	44.6	75	75	No	No

¹ See Figure 5.11-2 for the receiver locations.

² Proposed Project operational noise levels as shown on Tables 10-2 and 10-3 of Appendix K.

³ Exterior noise level standards for residential land use, as shown on Table 5.11-2. Per the City Significance Determination Thresholds, the limit at a residential and non-residential property is the arithmetic mean of the two zones.

⁴ Do the estimated Project operational noise source activities exceed the noise level standards?

"Daytime" = 7:00 a.m. to 9:00 p.m.; "Nighttime" = 9:00 p.m. to 7:00 a.m.

Source: (Urban Crossroads, 2022b, Table 10-4)

Operational Noise Impacts to MHPA

As discussed in Section 5.1, *Land Use* and 5.4, *Biological Resources*, operation of the Project would adhere to the requirements outlined in Section 1.4.3 of the City's Subarea Plan (i.e., requirements related to noise), including requirements outlined in the LUAG. Additionally, daytime and nighttime operational noise levels at the Project site boundary with adjacent open space would range from resulting from 23.6 dBA L_{eq} to 50.3 dBA L_{eq} 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 this LUAG.

3. Significance of Impact

Construction

Less Than Significant Impact. Construction activities associated with the Project would cause a temporary increase in ambient noise levels. The estimated noise levels would not exceed the established thresholds of significance related to noise levels and noise level increases or thresholds of significance for construction noise near the MHPA. Therefore, construction of the Project would not create a significant increase in the existing ambient noise levels and this impact would be less than significant.

Operation

Less Than Significant Impact. Project traffic-related noise impacts along the identified study area roadway segments would not exceed the established thresholds of significance and the Project's contribution to off-site traffic noise would not result in a substantial permanent increase in ambient noise levels. Additionally, Project stationary noise would not expose nearby receivers or the MHPA to unacceptable daytime or nighttime noise levels during operation. The estimated noise levels during operation would not exceed the established thresholds of significance related to noise levels and noise level increases. Therefore, operation of the Project would not create a significant increase in the existing ambient noise levels and this impact would be less than significant.

4. Mitigation Measure

No mitigation measures are required.

Table 5.11-12 Daytime Project Operational Noise Level Increases

Receiver Location ¹	Total Project Operational Noise Level ²	Measurement Location	Reference Ambient Noise Levels ³	Combined Project and Ambient ⁴	Project Increase ⁵	Noise Sensitive Land Use?	Increase Criteria ⁶	Increase Criteria Exceeded?
R1	54.2	L2	52.4	56.4	4.0	Yes	5	No
R2	50.6	L3	48.2	52.6	4.4	Yes	5	No
R3	49.8	L3	48.2	52.1	3.9	No	n/a	No
R4	39.3	L3	48.2	48.7	0.5	No	n/a	No
R5	26.1	L4	64.1	64.1	0.0	No	n/a	No
R6	29.2	L1	56.6	56.6	0.0	No	n/a	No
R7	50.3	L1	56.6	57.5	0.9	No	n/a	No

¹ See Figure 5.11-2 for the receiver locations.

² Total Project daytime operational noise levels as shown on Table 10-2 of Appendix K.

³ Observed daytime ambient noise levels as shown on Table 5.11-1.

⁴ Represents the combined ambient conditions plus the Project activities.

⁵ The noise level increase expected with the addition of the proposed Project activities.

⁶ Significance increase criteria as shown in Section 4 of Appendix K.

Source: (Urban Crossroads, 2022b, Table 10-5)

Table 5.11-13 Nighttime Project Operational Noise Level Increases

Receiver Location ¹	Total Project Operational Noise Level ²	Measurement Location	Reference Ambient Noise Levels ³	Combined Project and Ambient ⁴	Project Increase ⁵	Noise Sensitive Land Use?	Increase Criteria ⁶	Increase Criteria Exceeded?
R1	27.5	L2	52.4	52.4	0.0	Yes	5	No
R2	26.9	L3	48.2	48.2	0.0	Yes	5	No
R3	26.9	L3	48.2	48.2	0.0	No	n/a	No
R4	35.4	L3	48.2	48.4	0.2	No	n/a	No
R5	24.2	L4	64.1	64.1	0.0	No	n/a	No
R6	23.6	L1	56.6	56.6	0.0	No	n/a	No
R7	44.6	L1	56.6	56.9	0.3	No	n/a	No

¹ See Figure 5.11-2 for the receiver locations.

² Total Project nighttime operational noise levels as shown on Table 10-3 of Appendix K.

³ Observed nighttime ambient noise levels as shown on Table 5.11-1.

⁴ Represents the combined ambient conditions plus the Project activities.

⁵ The noise level increase expected with the addition of the proposed Project activities.

⁶ Significance increase criteria as shown in Section 4 of Appendix K.

Source: (Urban Crossroads, 2022b, Table 10-6)

B. Issue 2**Issue 1 *Would the Project result in the exposure of persons to or generation of excessive ground-borne vibration levels?*****1. *Impact Threshold***

The City has not established thresholds of significance for vibration. For purposes of this analysis, if Project-related construction activities create vibration levels which exceed the Caltrans guidelines for the maximum-acceptable vibration criteria of 0.5 PPV in/sec for older residential structures or 0.25 PPV in/sec for human annoyance, the vibration may be considered significant.

2. *Analysis*

Construction activities at the Project site would use construction equipment that has the potential to generate vibration. Vibration levels resulting from construction activities on the Project site were calculated at the same receiver locations that were evaluated in the construction noise analysis. Table 5.11-14, *Typical Project Construction Vibration Level*, summarizes Project construction vibration levels at the modeled receiver locations and the significance of the vibration levels using the Caltrans guidelines for the maximum-acceptable vibration thresholds.

At distances ranging from 1,218 to 1,380 feet from the Project construction activity, the transient construction vibration velocity levels are estimated to range from 0.00009 to 0.00026 PPV in/sec. Based on maximum acceptable continuous vibration threshold of 0.5 PPV in/sec for older residential structures or commercial buildings, the typical Project construction vibration levels would satisfy the building damage thresholds at the nearest receiver locations. In addition, the construction vibration analysis presented on Table 5.11-14 shows that the estimated vibration levels would satisfy the distinctly perceptible maximum the continuous vibration human annoyance threshold of 0.25 PPV in/sec at all the nearest receiver locations. In addition to the nearest residential structures there are existing office buildings on nearby properties that are as close as 155 feet from the Project site (at 9791 Towne Centre Drive). At this distance, the highest vibration levels would reach 0.006 PPV in/sec. These levels would be well below the level required to adversely affect the structure and would be below the human annoyance thresholds of perception. Therefore, the vibration impacts due to the typical Project construction activities are considered less than significant.

3. *Significance of Impact*

Less Than Significant Impact. The construction-related vibration levels would not exceed vibration levels required to adversely affect structures and would be below the human annoyance thresholds of perception. Therefore, the vibration impacts due to the typical Project construction activities are considered less than significant.

4. *Mitigation Measure*

No mitigation measures are required.

Table 5.11-14 Typical Project Construction Vibration Level

Receiver ¹	Structure Type ²	Distance to Construction Activity (Feet) ³	Typical Construction Vibration Levels PPV (in/sec) ⁴				Thresholds PPV (in/sec) ⁵		Thresholds Exceeded? ⁶	
			Jackhammer	Loaded Trucks	Large bulldozer	Highest Vibration Level	Building Damage	Human Annoyance	Building Damage	Human Annoyance
R1	Residential	1,380	0.00009	0.00019	0.00022	0.00022	0.50	0.25	No	No
R2	Residential	1,218	0.00010	0.00022	0.00026	0.00026	0.05	0.25	No	No

¹ Receiver locations are shown on Figure 5.11-2.

² Caltrans Transportation and Construction Vibration Guidance Manual, April 2020, Table 19, p. 38.

³ Distance from receiver location to Project construction boundary.

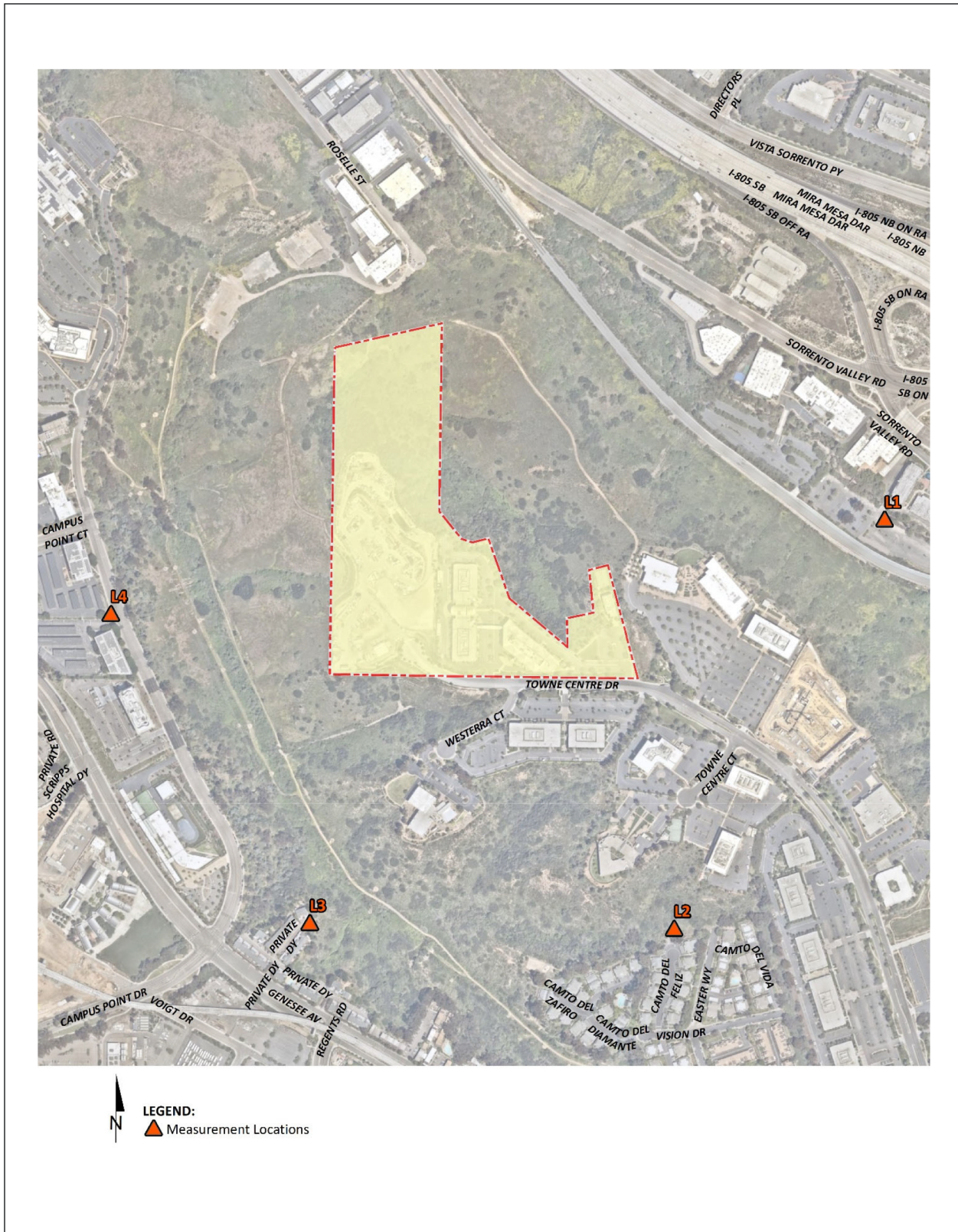
⁴ Based on the Vibration Source Levels for Construction Equipment (Table 11-5 in the Noise Impact Analysis included in Appendix K of this EIR).

⁵ Thresholds for transient sources associated with typical construction activities, Caltrans Transportation and Construction Vibration Manual, April 2020 p.38. (see Tables 3-1 & 3-2).

⁶ Does the peak vibration exceed the acceptable vibration thresholds?

"PPV" = Peak Particle Velocity

Source: (Urban Crossroads, 2022b, Table 11-6)



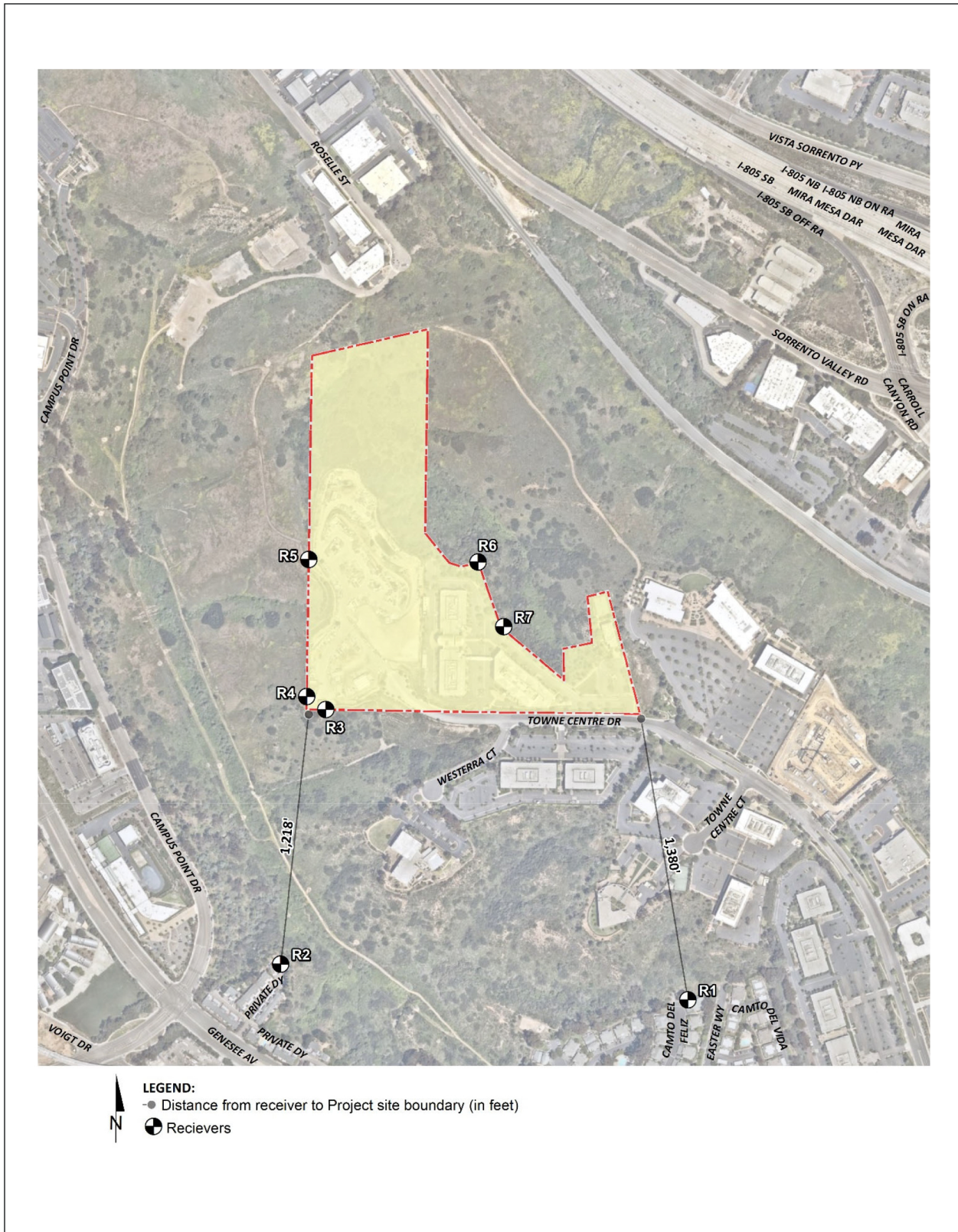
Source(s): Urban Crossroads (02-24-2021)

Figure 5.11-1



Not to Scale

Noise Measurement Locations



Source(s): Urban Crossroads (02-24-2021)

Figure 5.11-2



Not to Scale

Noise Receiver Locations



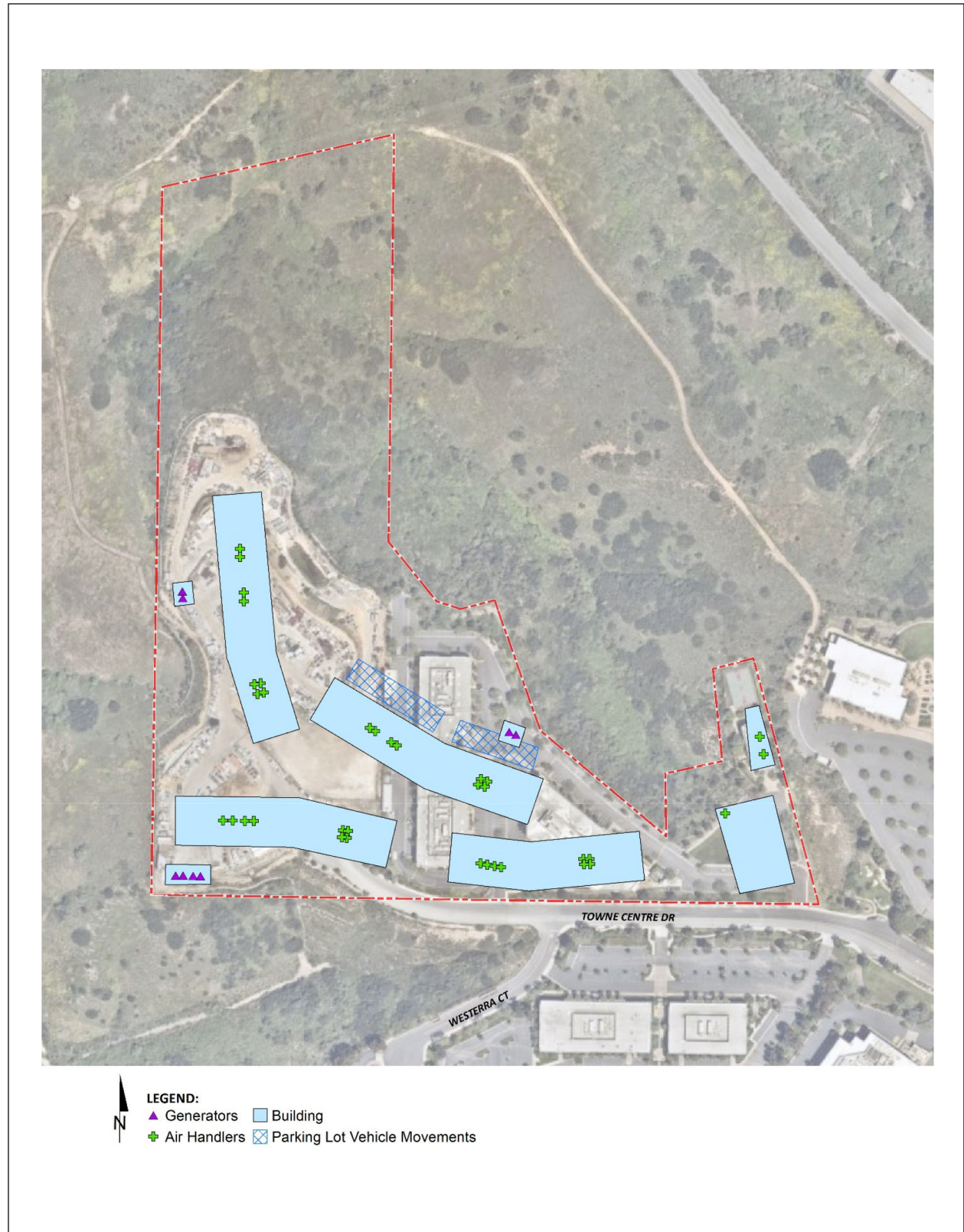
Source(s): Urban Crossroads (02-24-2021)

Figure 5.11-3



Not to Scale

Construction Noise Source Locations



Source(s): Urban Crossroads (02-24-2021)

Figure 5.11-4



Not to Scale

Operational Noise Source Locations

5.12 PALEONTOLOGICAL RESOURCES

This section evaluates potential impacts on Paleontological Resources resulting from the Project. The analysis is based on the *Paleontological Resource Assessment for the Towne Centre View Project 9855, 9875, and 9885 Towne Centre Drive, San Diego, California* (Paleontological Resource Assessment), prepared by Brian F. Smith and Associates (BFSA) (January 29, 2021), included as Appendix L of this Environmental Impact Report (EIR).

Paleontological resources are the remains of prehistoric life that are preserved in geologic strata. These remains are called fossils and include bones, shells, teeth, and plant remains (including their impressions, casts, and molds) in the sedimentary matrix, as well as trace fossils such as footprints and burrows. Fossils are considered older than 5,000 years of age but may include younger remains (subfossils) when viewed in the context of local extinction of the organism or habitat. Fossils are considered a nonrenewable resource.

5.12.1 Existing Conditions

The Project site is situated on a mesa bordering Soledad Canyon, approximately two miles east of the Pacific Ocean. 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. The northern portion of the Project site is undeveloped. The Project site is surrounded by open space to the north, south, and west and office uses to the southeast and east.

A. Geology and Paleontological Sensitivity

According to the Paleontological Resource Assessment, the Project site is mapped as being underlain by the following three rock units, which are depicted on Figure 5.12-1, *Geologic Map*, and described below: Quaternary, Eocene-aged Scripps Formation, and Eocene-aged Ardath Shale.

- **Quaternary** terrace deposits (mapped as the Lindavista Formation, Qln) cover the surface of the southern and eastern area of the Project site and are described as Quaternary very old paralic deposits, equivalent to deposits of the Lindavista and Tecolote marine terraces (approximately 855,000 and 800,000 years old, respectively). These deposits are composed of indurated, very fine to coarse-grained sands with lenses of gravels of cobbles derived from eastern sources of Eocene -aged conglomerates. Fossils from the Lindavista formation are generally rare.
- **Eocene-aged Scripps Formations** underlie the Quaternary terrace deposits and represent shallow to moderately deep marine sediments deposited approximately 47 million years ago. The Scripps Formation (Tsc) is found in the northern portion of the Project site. Eocene-aged Scripps Formation is composed of sandstone with discontinuous basal conglomerates. Fossils from the Eocene-aged Scripps Formation are locally common.

- **Eocene-aged Ardath Shale** underlies and is slightly older than the Scripps formation and is composed of siltstones and shales, with minor sandstone. Ardath Shale (Ta) is found in the northern and western portions of the Project site and fossils from this formation are locally common.

The City of San Diego applies a paleontological sensitivity rating system for all rock formations within City limits. Ratings of “high,” “moderate,” and “low” sensitivity are based on a formation’s past proclivity to yield fossils and potential for grading activities to significantly impact paleontological resources that a formation may contain. Based on their potential to yield significant paleontological resources, the Lindavista Formation is assigned a moderate paleontological sensitivity, while the Scripps Formation and the Ardath Shale are assigned a high paleontological sensitivity by the City of San Diego, in agreement with Society of Vertebrate Paleontology guidelines (further discussed in the Paleontological Resources Assessment included in Appendix L of this EIR).

B. Paleontological Resources

A Project-specific paleontological records search was conducted by the San Diego Natural History Museum (SDNHM), which included review of records of fossil localities held by the museum within one-mile of the Project paleontological resources study area boundaries. The results of the search indicated that 84 fossil localities exist within one-mile of the Project site, including two within the proposed development area boundaries, all from the Eocene-aged marine formations. Figure 5.12-1, *Geologic Map*, identifies the specific locations of the fossil localities within one-mile of the Project site and the localities on site.

As shown in Figure 5.12-1, one of the on-site fossil localities is in the southeast portion of the proposed development area (SDSNH loc. 4316) and was recovered during the Eastgate Acres development project in 1999; this locality is from The Scripps Formation. This locality is reported to consist of various bivalve and gastropod mollusks, as well as crustacean burrows and terrestrial plant remains. The second on-site fossil locality (SDSNH loc. 6126) is in the southwest portion of the Project site and was recovered during the grading for the existing building pads in the western portion of the Project site in 2008. This locality is reported to consist of bivalve and gastropod mollusks, as well as ghost shrimp and hear urchin remains; this locality is from the Ardath Shale. Fossils from both on-site localities occurred in the form of molds and casts, as the shell material composing the organisms had dissolved.

The records search indicated that the SDNHM does not have any fossil localities from the Lindavista Formation within one-mile of the Project site. The closest known fossils from the Lindavista Formation are SDSNH locs. 4290 and 4291, located approximately 1.5 miles northwest of the Project site. These fossils consist of impressions of common shallow marine and tidal environment bivalve species.

In addition to the records search, a field survey was conducted by BFSa on June 25, 2020. No fossils were observed during the field survey.

5.12.2 Regulatory Framework

A. Local

1. **City of San Diego Municipal Code Chapter 14: General Regulations**

The purpose of Chapter 14 of the City of San Diego Municipal Code (City of San Diego, 2021) is to address slope stability, protection of property, erosion control, water quality, landform preservation, and paleontological resources preservation, and to protect the public health, safety, and welfare of persons, property, and the environment. Specifically, Section 142.0151, *Paleontological Resources Requirements for Grading Activities*, requires paleontological monitoring for grading that extends 10 feet or greater in depth, and involves 1,000 cubic yards or more in a High Resource Potential Geologic Deposit/Formation/ Rock Unit and/or 2,000 cubic yards or more in a Moderate Resource Potential Geologic Deposit/ Formation/Rock Unit.

5.12.3 Methodology

To determine if the Project would result in impacts to paleontological resources, a Project-specific paleontological records search was performed by the SDNHM and a field survey was conducted by Todd A. Wirths, a qualified City of San Diego paleontologist and Principal Investigator with BFS&A. The records search included a review of published geological maps covering the Project site and surrounding area within one-mile of the Project site to determine the specific geologic units underlying the Project site. Each geologic unit was subsequently assigned a paleontological resource sensitivity following City of San Diego guidelines. In addition, a search of the paleontological collection records housed at the SDNHM was conducted in order to determine if any documented fossil collection localities occur at the Project site or within one-mile of the Project site.

5.12.4 Impact Analysis

A. Issue 1

Issue 1 *Would the project require over 1,000 cubic yards of excavation in a high resource potential geologic deposit/formation/rock unit or over 2,000 cubic yards of excavation in a moderate resource potential geologic deposit/formation/rock unit?*

1. **Impact Thresholds**

According to the City's CEQA Significance Determination Thresholds, a significant impact to paleontological resources would occur if the project would:

- *Require over 1,000 cubic yards of excavation, and at depths over 10 feet within a high sensitivity area.*
- *Require over 2,000 cubic yards of excavation, and at depths over 10 feet within a moderate sensitivity area.*

2. *Analysis*

The rock formations that underlie the Project site have a moderate to high potential to yield paleontological resources. The Project's geotechnical exploratory borings, which are discussed in Section 5.6, *Geologic Conditions*, of this EIR, indicated the presence of previously placed and undocumented fill to depths as shallow as 5 feet. Furthermore, some geotechnical boring encountered formational sediments at grade-level.

The conceptual grading plan for the Project (refer to Figure 3-17) estimates that there would be approximately 285,000 cubic yards of cut (excavation). The depth of excavation would vary for the Project components; however, the maximum depth of cut/excavation is anticipated to be up to 50 feet. The proposed grading activities would include excavation within each of the three geologic units exhibiting "high" or "moderate" potential to yield paleontological resources. As such, the Project would require over 1,000 cy of excavation and at depth over 10 feet within a high sensitivity area and would require over 2,000 cy of excavation and at depths over 10 feet within a moderate sensitivity area. Based on the described site geology and proposed grading quantities and depths, earthwork associated with the Project has the potential to unearth paleontological resources resulting in a significant impact. Full-time monitoring for paleontological resources in undisturbed formations is required, starting at the surface as outlined in the City's Land Development Manual, General Grading Guidelines for Paleontological Resources standard monitoring requirement required pursuant to Section 142.0151. The standard requirement follows the guidelines established by the City of San Diego and outlines requirements for before, during, and after construction and would be applied to the Project as a condition of approval.

3. *Significance of Impacts*

Less than Significant Impact. Based on the nature of the Project's proposed construction activities and the presence of geologic formations exhibiting moderate to high potential for paleontological sensitivity within the Project site, the Project's potential impacts to paleontological resources resulting from grading activities would be significant. The Project would be required to implement the standard requirement outlined in the City's Land Development Manual, General Grading Guidelines for Paleontological Resources pursuant to Section 142.0151, and applied to the Project as a condition of approval. The implementation of this standard requirement as a condition of approval would reduce the Project's impacts on paleontological resources to a less than significant level.

4. *Mitigation Measures*

No mitigation measures are required.

Figure 5.12-1 Geologic Map

Figure 4 from the Paleo report (page 10 of the PDF)

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Figure 5.12-2 Fossil Localities

Figure 1 on page 25 or the Paleo report PDF

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5.13 POPULATION AND HOUSING

This section presents population, employment, and housing data for the City of San Diego and evaluates the potential for the Project to directly or indirectly induce unplanned growth.

5.13.1 Existing Conditions

A. City of San Diego

1. **Population and Housing**

The estimated population in the City of San Diego as of January 1, 2020 is 1,430,489 people (DOF, 2020). Table 5.13-1, *SANDAG City wide Population, Housing, & Employment Forecast (2016 -2050)*, outlines the San Diego Association of Governments' (SANDAG's) regional forecasts for the City, as presented in the Series 14 2050 Regional Growth Forecast (included in *2019 Federal Regional Transportation Plan [RTP]*). As shown, the City of San Diego had a population of 1,406,318 in 2016 and is forecast to grow by approximately 24% (336,334 people) between 2016 and 2050, with an estimated population of 1,742,652 people by 2050. The City's housing stock is also forecasted to grow by approximately 42% (223,421 units) during the same period.

Table 5.13-1 SANDAG City wide Population, Housing, & Employment Forecast (2016 - 2050)

Population and Housing	2016	2025	2035	2050	2016 to 2050 Change	
					Numeric	Percent
Total Employment	915,295	957,496	1,036,088	1,125,661	210,366	23
Total Population	1,406,318	1,533,992	1,652,833	1,742,652	336,334	24
Total Housing Units	532,195	594,110	698,741	755,616	223,421	42

Source: (SANDAG, 2019)

2. **Employment**

According to the California Employment Development Department, in February 2021, the City of San Diego's civilian labor force was 702,200 persons with 653,500 people employed and an unemployment rate of 6.9% (or 48,700 persons) (EDD, 2021). It should be noted that the novel Coronavirus disease (COVID-19) caused a global pandemic, which resulted in shelter-in-place orders and closing of business operations throughout California beginning in March 2020 and notable fluctuations in labor and employment statistics. During March 2020, the City's civilian labor force was 713,300 persons with 687,500 people employed and an unemployment rate of 3.6% (or 25,800 persons), which represents a 3.3% increase in the unemployment rate in the City from March 2020 to February 2021 (EDD, 2021).

As shown in Table 5.13-1, according to SANDAG's regional growth forecasts, the City's employment base is forecast to grow by 23% (210,366 jobs) between 2016 and 2050, with 1,125,661 jobs by 2050.

B. University Community Planning Area

The Project is located within University Community Plan Area of the City of San Diego. Table 5.13-2, *SANDAG University Community Plan Area Population, Housing, & Employment Forecast (2012 -2050)*, summarizes the growth forecast for the University Community Plan Area provided in the Series 14 Regional Growth Forecast (2022). As shown, the University Community Plan Area is also forecast to experience growth in population, housing, and employment. Notably, the Series 14 forecast estimates an increase of 22,131 jobs in the University Community Plan Area between 2016 and 2050.

Table 5.13-2 SANDAG University Community Plan Area Population, Housing, & Employment Forecast (2012 -2050)

Population and Housing	2016	2025	2035	2050	2016 to 2050 Change	
					Numeric	Percent
Total Population	70,768	79,446	78,153	80,618	9,850	13.9
Total Housing Units	26,375	28,092	28,578	28,646	2,271	8.6
Total Employment	81,230	85,151	90,767	103,361	22,131	27.2

Source: (SANDAG, 2022)

5.13.2 Regulatory Framework**A. Regional****1. San Diego Association of Government (SANDAG)**

SANDAG is the metropolitan planning organization (MPO) for San Diego County governed by a Board of Directors composed of mayors, councilmembers, and county supervisors from each of the region's 19 local governments. Supplementing these voting members are advisory representatives from Imperial County, the U.S. Department of Defense, Caltrans, San Diego Unified Port District, Metropolitan Transit System, North County Transit District, San Diego County Water Authority, Southern California Tribal Chairmen's Association, Mexico, and the San Diego County Regional Airport Authority. In its role as the MPO, SANDAG determines regional housing needs and the share of the regional needs to be addressed by the San Diego County and its constituent cities, develops annual demographic estimates and long-range forecasts, and maintains information from the U.S. Census Bureau.

As previously discussed in Section 5.1, *Land Use*, SANDAG 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 City'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. SANDAG prepared the 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 (Series 14) regional growth forecast (Appendix J of the 2019 Federal RTP); the regional growth forecast data is discussed above and was also utilized in the 2021 Regional Plan. In the 2019 Federal RTP, SANDAG indicates that the Sorrento Valley employment center, which includes University Towne Centre, as well as the area around the University of California at San Diego, will remain the largest job center in the region, with almost 175,000 jobs expected in this area by 2050; this represents an increase in projected jobs compared to the Series 13 forecast (from 2013).

B. Local

1. City of San Diego General Plan

The Economic Prosperity Element of the City's General Plan was adopted in June 2015 and includes goals and policies to support a diverse, innovative, competitive, entrepreneurial, and sustainable local economy. As shown on Figure EP-1, *Industrial and Prime Industrial Land Identification*, of the Economic Prosperity Element, the Project site is in an area designated as Prime Industrial Land. Prime Industrial Land includes areas that support export-oriented base sector activities such as warehouse distribution, heavy or light manufacturing, research and development uses. Additionally, as identified on Figure EP-2, *Regional Center and Subregional Employment Areas*, the Project site is within the University/Sorrento Mesa Subregional Employment Area. Regional Centers and Subregional Employment Areas are intended to provide the appropriately designated land and infrastructure needed to support business development and a variety of employment opportunities.

As the City approaches full build-out, the establishment of Subregional Employment Areas is intended to target new growth of regional and other employment uses in fewer locations to facilitate connections via an improved transportation and transit system. (City of San Diego , 2015)

Goals and policies from the Economic Prosperity Element particularly relevant to employment generation include:

Industrial Land Use

Goals:

- A diversified economy with a focus on providing quality employment opportunities and self-sufficient wages for all San Diegans.
- A city with sufficient land capacity for base sector industries to sustain a strong economic base.
- Efficient use of existing employment lands.

Policies for Base Sector Industrial Uses:

- **EP-A.1.** Protect base sector uses that provide quality job opportunities including middle-income jobs; provide for secondary employment and supporting uses; and maintain areas where smaller emerging industrial uses can locate in a multi-tenant setting. When updating community plans or considering plan amendments, the industrial land use designations contained in the Land Use and Community Planning Element should be appropriately applied to protect viable sites for base sector and related employment uses.
- **EP-A.2.** Encourage a broader geographic distribution of high technology businesses throughout the City.
- **EP-A.3.** Encourage large regional employers to locate and expand in the Regional Center or Subregional Employment Areas.

Regional Center and Subregional Employment Areas

Goal:

- A city where new employment growth is encouraged in the existing regional center and subregional employment areas connected by transit to minimize the economic, social, and environmental costs of growth.

Policy:

- **EP-C.1:** Guide the development of the areas in the City identified on Figure EP-2 as regional and citywide employment nodes as described in Appendix C, EP3, guidelines for the Regional Center and the Subregional Employment Areas.

Employment Development

Goals:

- A broad distribution of economic opportunity throughout the City.
- A higher standard of living through self-sufficient wages and an increase in citywide real median income per capita.
- A city with an increase in the number of quality jobs for local residents, including middle-income employment opportunities and jobs with career ladders.

Policy:

- **EP-E.1.** Encourage the retention and creation of middle-income employment by:
 - Preserving employment land and capacity for base sector export industries that generate opportunities for middle-income wage earners as discussed in Section A.
 - Investing in infrastructure, educational and skill development, and quality of life assets that support middle-income employment development.
 - Encouraging the development of measures that facilitate expansion of high technology business facilities that have the potential to create middle-income jobs likely to be filled by local residents.

- Supporting the creation of higher quality jobs in low-paying industries (such as visitor, entertainment and amusement).

2. **University Community Plan**

The University Community Plan was adopted by the City Council on July 7, 1987. Employment goals in the University Community Plan include: (1) Promote job opportunities within the University community; (2) Encourage the development of life sciences-research facilities which maximize the resources of the University of California, San Diego.

The City is currently in the process of updating the University Community Plan. The updated Community Plan will consider current conditions, citywide goals in the Climate Action Plan and the General Plan, and community specific goals to provide direction for the long-term development of the community. The *Existing Conditions Community Atlas* prepared as part of the University Community Plan update process indicates that while the University Community Plan Area occupies only 4% of the City's land area, companies within University Community Plan Area provide about 12.3% of the private jobs within the City. The 3,300 businesses that exist in University Community Plan Area employ about 92,000 people. Approximately 93% of the workers in the University Community Plan Area commute for employment; the top five origin census tracts are: Carmel Valley/Torrey Hills; 4S Ranch, Rancho Bernardo, and Black Mountain Ranch; Carmel Valley/Pacific Highland Ranch; Carmel Valley; and Torrey Highlands. Additionally, according to the *Draft Land Use Buildout Report* also prepared through the University Community Plan update process, the Project site is within the area identified as Focus Area 2; this area is defined as an employment center with opportunity for employee amenities, increased connectivity to transit (trolley stations), and increased residential density or residential mixed use along Genesee Avenue. (City of San Diego, 2020)

5.13.3 Impact Analysis

A. **Issue 1**

Issue 1 *Would the project 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)?*

1. **Impact Threshold**

According to Appendix G of the CEQA Guidelines, a project would have a significant impact related to population and housing if it 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).*

2. Analysis

The Project involves the development of a five-building campus which would include scientific research and development, laboratory, technology, and corporate office uses. Existing scientific research buildings in the eastern portion of the Project site would be removed. The Project would not involve the development of residential uses; therefore, there would be no direct increase in the City's population. Thus, the following analysis focuses on impacts related to employment growth and the potential for indirect population growth during construction and operation.

The Project would employ construction workers in various trades over the estimated 68-month construction phase. Construction jobs are temporary and construction workers move from job to job based on their specialty trade. The San Diego-Carlsbad region has 61,830 workers employed in the construction field (BLS, 2020). Given the number of existing construction employees in the region, the construction jobs for the Project would likely be filled by existing residents of the region and would not induce housing demand near the construction site due to their temporary nature. Therefore, the Project would not induce substantial unplanned population growth during construction, resulting in a less than significant impact.

At the time this EIR was prepared, the specific tenants of the proposed buildings were unknown; therefore, no specific employee generation number is available. It is anticipated the buildings would be occupied by scientific research and development, laboratory, technology, and/or corporate office tenants. For purposes of analysis in this EIR, it is anticipated that the Project would generate employment opportunities for approximately 3,000 individuals (based on the Project Applicant's estimate of 3 employees per 1,000 square feet for the proposed type of use). This 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). As previously shown in Table 5.13-1 and Table 5.13-2, SANDAG estimates the City of San Diego will have an increase of 210,366 jobs between 2016 and 2050 (based on the Series 14 Regional Growth Forecast), and an increase of 21,699 jobs in the University Community Plan Area between 2020 and 2050 (based on the Series 14 Regional Growth Forecast). The Project's net increase of 2,400 jobs represents approximately 11% of the anticipated employment growth in the University Community Plan Area by 2050 and approximately 1.0% of the anticipated employment growth in the City by 2050.

Population growth in the City is projected to continue into the future, and by the year 2050 the City is expected to have a population of 1,742,652 people, which represents a 24% increase from 2016 (an increase of 336,334 people). Consistent with existing conditions, for purposes of this analysis it is anticipated that employees would commute to the Project site from locations within the City or nearby jurisdictions in the county. There is an existing employee base in the region under existing conditions, and the Project's land use type and size would not be expected draw substantial numbers of new, unplanned residents to the City. As identified in the SANDAG's Series 14 2050 Regional Growth Forecast, future population growth is expected to be largely homegrown and most of the region's population growth will come from growing families that already live here today (SANDAG, 2019).

As previously discussed, the Project site is located in an area designated as Prime Industrial Land and within the University/Sorrento Mesa Subregional Employment Area, and is within a focus area identified as part of the University Community Plan update process considered an employment center with opportunity for employment growth. Therefore, while the Project would increase the number of employment opportunities in the City and would foster economic growth, this growth is anticipated and encouraged through local and regional planning programs discussed previously, and would not induce substantial unplanned indirect population growth in the area.

There are no components of the Project that would remove obstacles to development in the local area (and result in indirect unplanned population growth) because the surrounding area is already developed or planned for development, and the Project would be served by existing roadways and utility infrastructure.

Based on the foregoing analysis, neither the Project nor any Project-related component would directly or indirectly result in substantial unplanned population growth. Impacts would be less than significant.

3. Significance of Impacts

Less than Significant Impact. The Project involves the development of an office campus and would not include residential uses. The estimated net increase of approximately 2,400 jobs would not directly or indirectly result in substantial unplanned population growth. As such, impacts would be less than significant.

4. Mitigation Measures

No mitigation measures are required.

B. Issue 2

Issue 2 *Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?*

1. Impact Threshold

According to Appendix G of the CEQA Guidelines, a project would have a significant impact related to population and housing if it would:

- *Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.*

2. Analysis

The Project site is currently developed with three scientific research buildings and does not contain any residential structures under existing conditions; therefore, no people live at the Project site. Accordingly, implementation of the Project would not displace substantial numbers of existing

housing or people and would not necessitate the construction of replacement housing elsewhere. No impact would occur.

3. *Significance of Impacts*

No Impact. No existing housing is located within the Project site and no displacement of existing housing or people would occur.

4. *Mitigation Measures*

No mitigation measures are required.

5.14 PUBLIC SERVICES AND FACILITIES

This section evaluates potential public services and facilities impacts resulting from the Project. Public services are those functions and associated facilities that serve residents on a community-wide basis. The following public services and associated facilities are addressed in this section: police protection, fire rescue, libraries, parks and recreation, and schools.

5.14.1 Existing Conditions

A. Police Protection

The San Diego Police Department (SDPD) provides police services, including patrol, traffic, investigative, records, laboratory, and support services to the City (City of San Diego, 2018). The SDPD divides the neighborhoods of the City of San Diego into nine divisions. The Project site is served by the Northern Division (Beat 115), which serves a population of 225,234 and encompasses an area of 41.3 square miles. The Northern Division station is located south of the Project site at 4275 Eastgate Mall (approximately 1.3 roadway miles). In addition to the University City community, the Northern Division provides police services to the communities of Clairemont Mesa East, Clairemont Mesa West, Bay Ho, North Clairemont, Bay Park, Mission Beach, Pacific Beach, Mission Bay Park, La Jolla and Torrey Pines (City of San Diego, 2021b). Resources such as special weapons and tactics (SWAT), canine units, etc. respond to the Northern Division, as needed. The SDPD also has mutual aid agreements with all other law enforcement agencies in San Diego County, which provide additional police protection services to assist the Northern Division.

The Northern Division is currently staffed with 116 sworn personnel. The current patrol strength at the Northern Division is 97 uniformed patrol officers. Officers work ten-hour shifts and staffing is comprised of three shifts which operate from 6:00 a.m. to 4:00 p.m. (First Watch), 2:00 p.m. to Midnight (Second Watch), and from 9:00 p.m. to 7:00 a.m. (Third Watch). Using the SDPD's minimum staffing guidelines, the Northern Division currently deploys a minimum of 14 patrol officers on First Watch, 16 patrol officers on Second Watch, and 14 patrol officers on Third Watch. (Schimpf, 2021)

The Citywide goal is to maintain the ratio of 1.48 officers per 1,000 population. The SDPD's currently reported staffing ratio of 1.34 officers per 1,000 residents is based on the 2014 estimated residential population of 1,311,882. The ratio is calculated to take into account all support and investigative positions within the department, but does not include the population increase resulting from employees who commute to work from outside the City or those visiting. (Schimpf, 2021)

The SDPD currently utilizes a multi-level priority dispatch system, with different response time guidelines for different call types. Call for service range from Emergency (E) to Priority 4. The priority system is designed as a guide, allowing the phone dispatcher and the radio dispatcher discretion to raise or lower the call priority as necessary based on the information received. The SDPD strives to maintain identified response time goals as one of various other measures used to assess the level of service to the community. As identified in Table 5.14-1, *Call Priority Response Times*, the average

Table 5.14-1 Call Priority Response Times

Call Priority	SDPD Response Time Goal	Citywide Average Response Time (2020)	Northwestern Division Beat 115 Average Response Time (2020)
Priority E Calls – serious crimes in progress or those with a potential for injury	Within 7 minutes	7.0 minutes	7.5 minutes
Priority 1 Calls – serious crimes in progress or those with a potential for injury	Within 14 minutes	16.0 minutes	28.6 minutes
Priority 2 Calls – less serious crimes with no threat to life (vandalism, disturbances and property crimes)	Within 27 minutes	42.5 minutes	75.9 minutes
Priority 3 Calls – minor crimes/requests that are not urgent (calls after a crime has been committed)	Within 80 minutes	100.9 minutes	115.3 minutes
Priority 4 Calls – minor requests for police services (parking complaints or lost and found reports)	Within 90 minutes	150.6 minutes	94.1 minutes

(Schimpf, 2021)

response times for all priority level calls within the boundaries of police beat 115 of the Northern Division station exceed the General Plan response time goals. (Schimpf, 2021)

B. Fire/Life Safety Protection

Fire protection and emergency medical services (EMS) are provided to the Project site by the San Diego Fire-Rescue Department (SDFD). The SDFD serves a total area of approximately 343 square miles, and serves a population of approximately 1,419,845 persons. The SDFD currently has 52 fire stations and 9 permanent lifeguard stations (31 seasonal stations during peak period), and employs 892 uniformed fire personnel, 98 permanent uniformed lifeguard personnel, and 246 civilian personnel. The SDFD uses a wide variety of equipment/apparatus to provide its services (SDFD, 2021a).

The General Plan identifies that fire stations should be sited on lots that are at least three-quarters of an acre with room for expansion, three miles apart, and be staffed and equipped to respond to calls within their established standards. The Fire-Rescue Department’s staffing goal is one firefighter per 1,000 citizens (City of San Deigo, 2018).

The nearest SDFD Station to the Project site is Station No. 35 located at 4285 Eastgate Mall south of the Project site (approximately 1.3 roadway miles). Station No. 35 serves a 11.32-square mile area

and has the following apparatuses: Battalion Chief’s Vehicle No. 5, Fire Engine No. 35, Aerial Truck No. 35, Chemical Pickup Rig No. 35, and Brush Engine (Type III) No. 35. (SDFD, 2021c). The other nearby fire station is the newly constructed Station 50 at 7177 Shoreline Drive (2.3 roadway miles south), which opened in November 2020. Additionally, the new Torrey Pines (University of California San Diego [UCSD]) fire station is under construction east of North Torrey Pines Road between its intersections with Genesee Avenue and North Point Drive on the UCSD West Campus, approximately 1.4 miles west of the Project site. The operation of Station 50 and the new station on the UCSD campus is anticipated to improve response times in the University City community.

The City’s EMS also has ambulances, paramedics, and emergency medical technicians (EMTs) who respond to emergency calls. San Diego County EMS Policy requires two paramedics respond to all 911 life threatening calls. Ambulances are staffed with one EMT and one paramedic and first responders have a minimum of one firefighter/paramedic on board. As the City’s EMS contractor, AMR provides the City with 911 services and non-emergency transportation services (SDFD, 2021b).

The City of San Diego has established a first-due unit response time of 7.5 minutes for medical emergencies and small fires, 90% of the time from the receipt of the 911 call in fire dispatch. This equates to a one-minute dispatch time, 1.5-minute company turnout time, and five-minute travel time in the most populated areas of the City (Citygate, 2017). Table 5.14-2, *Station No. 35 Response Times*, identifies the 90 percentile response times for the year 2020 for Station No. 35.

Table 5.14-2 Station No. 35 Response Times (2020)

Apparatus	Response Time
Battalion No. 5	13.5 minutes
Fire Engine No. 35	9.5 minutes
Truck No. 35	11.8 minutes
Brush Unit No. 35	19.8 minutes

Source: (SDFD, 2020)

C. Libraries

Library services for the Project site and surrounding areas are primarily provided by the City Library System. The planned service area for a library is generally two miles, although the area served depends on the proximity and access to residential, commercial, and civic uses, as well as roadways and transit. There are two San Diego Public Library branch libraries within two miles of the Project site, including the 16,020 sf North University Community Branch Library at 8820 Judicial Drive, and the 10,000-SF South University Community Branch Library at 4155 Governor Drive. The South University Community Branch Library is planned to expand to approximately 15,000 sf to meet increased demand (City of San Diego, 2021c).

The City’s General Plan establishes a minimum size of 15,000 sf of dedicated library space for branch libraries and a target resident population of 30,000 people per library. The current household population in the University City community is approximately 60,921, excluding group quarters

(SANDAG, 2020). Therefore, two branch libraries (serving about 30,000 people per library) is sufficient to meet the City's General Plan standard for library services.

D. Parks and Recreation Facilities

The closest park to the Project site is Doyle Community Park and Recreation Center, located approximately 1.5 miles southwest of the site at 8175 Regents Road. The 32-acre Community Park contains a gymnasium, weight room, game room, tot lots, outdoor basketball courts, sand volleyball court, ball fields, barbecue areas, and meeting rooms (City of San Diego, 2021a). . The General Plan standard for parks is following the park standard identified in the Parks Master Plan, which is 100 points per 1,000 residents, which can be achieved through a combination of local recreational value (park size), amenities/recreation opportunities, and access/connectivity, activation, and engagement.

E. Schools

The Project area is within the San Diego Unified School District (SDUSD). Three public schools within the SDUSD serve the Project area and are identified below:

- Doyle Elementary School located at 3950 Berino Court, approximately 1.5 miles southwest of the Project site.
- Standley Middle School located at 6298 Radcliffe Drive, approximately 2.3 miles south of the Project site.
- University City High school located at 6949 Genesee Avenue, approximately 1.8 miles south of the Project site.

5.14.2 Regulatory Framework***A. State******1. California Mutual Aid Plan***

The California Mutual Aid Plan establishes policies, procedures, and responsibilities for requesting and providing inter- and intra-agency assistance in emergencies. The plan directs local agencies to develop automatic or mutual aid agreements, or to enter into agreements for assistance by hire (e.g., Schedule A contracts) where local needs are not met by the framework established by the Mutual Aid Plan.

2. Senate Bill 50

SB 50, the Leroy F. Greene School Facilities Act of 1998, restricts the ability of local agencies to deny project approvals on the basis that public school facilities (classrooms, auditoriums, etc.) are inadequate. School impact fees are payments to offset capital cost impacts associated with new developments, which result primarily from costs of additional facilities, related furnishings and

equipment, and projected capital maintenance requirements. As such, agencies cannot require additional mitigation for any school impacts (Chapter 407, Statutes of 1998).

B. Local

1. *City of San Diego General Plan*

The City's General Plan contains a Public Facilities, Services, and Safety Element to address publicly managed and provided facilities and services. This element provides policies for financing, prioritization, developer, and City funding responsibilities for public facilities in San Diego, with service targets for services. General Plan policies relevant to the Project, and the Project's consistency with these policies, are addressed in Section 5.1, *Land Use*, of this EIR.

2. *Fire Hazard Severity Zones*

As further discussed in Section 5.19, *Wildfire*, wildland fire protection in California is the responsibility of the state, local government, or the federal government. The California Department of Forestry and Fire Protection (CAL FIRE) adopted Fire Hazard Severity Zone maps for State Responsibility Areas in 2007, as well as recommended maps for Very High Fire Hazard Severity Zones in Local Responsibility Areas. Local Responsibility Areas include incorporated cities, cultivated agriculture lands, and portions of the desert. The CAL FIRE recommendations are not the same as actual zones, which do not go into effect unless adopted by local agencies. In San Diego County, CAL FIRE has made recommendations on 18 cities, including the City of San Diego. Fire Hazard Severity Zones are based on increasing fire hazard and are designated as "No Designation," "Moderate," "High," or "Very High." The entire Project site is designated as "Very High Fire Hazard Severity Zone" (CAL FIRE, 2009).

The San Diego Municipal Code (SDMC) contains the FHSZ maps and identifies the fire protection VHFHSZ and local agency VHFHSZ for the City area of responsibility. The VHFHSZs are located throughout the City, including the Project site. San Diego Municipal Code Section 142.0412 regulates brush management in VHFHSZs and is discussed in Section 5.19, *Wildfire*, of this EIR.

5.14.3 Impact Analysis

A. Issue 1

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

1. *Impact Threshold*

According to the City's Significance Determination Thresholds, a project would result in impacts to public services and utilities if it would:

- *Conflict with the community plan in terms of the number, size, and location of public service facilities and if so, would it result in the need for new or expanded public service facilities, the construction of which would cause direct, adverse physical environmental impacts in order to maintain acceptable service ratios, response times, or other performance objectives.*

For police and fire-rescue services the following should also be considered and referred to the Police and/or Fire-Rescue Departments if the project exceeds the threshold of 75 dwelling units or 100,000 square feet (sf) of non-residential construction.

- *Is the project located in a brush fire hazard area, hillside, or an area with inadequate fire hydrant services or street access? (Also see Section 5.19, Wildfire.)*
- *Does the project involve the use, manufacture or storage of toxic, readily-combustible, or otherwise hazardous materials? (Also see Section 5.8, Health and Safety.)*
- *Would the project's location provide for adequate SDFD access as determined by Fire and Life safety staff to be in conformance with the California Fire Code and Fire and Hazard Prevention Services Policy A-00-1?*
- *Would the project substantially affect Police or Fire-Rescue response times (i.e., increase the existing response times in the project area)?*

2. Analysis

Implementation of the Project, which would increase the amount of non-residential development at the Project site to accommodate a cohesive approximately 1,000,000 square foot scientific research and development campus. This would result in an increase of approximately 807,021 square feet (sf) of new building area compared to existing conditions (192,365 sf of building area associated with three existing buildings), and an associated net increase of 2,400 employees at the Project site. As further discussed in Section 5.13, *Population and Housing*, of this EIR, consistent with existing conditions, it is anticipated that employees would commute to the Project site from locations within the City or nearby jurisdictions in the county. The Project does not involve the development of any residential uses and there would be no direct increase in the City's population. The increase in non-residential building area would increase the demand for public services and facilities, as described below.

Police Protection

The implementation of the Project would potentially result in an increased demand for police services due to the development of additional scientific research and development uses, and associated increase in the number of employees, at the Project site. The types of incidents that may occur at the Project site requiring police services would be similar to the existing development at the Project site and the surrounding areas as the Project does not propose residential units and would not result in a direct increase in the existing population. The increased demand on police services would be minimized by consistency with the City's Crime Prevention Through Environmental Design

concepts and measures for land development. The Project would include exterior lighting that would provide lighting during the evening and nighttime hours. Additionally, buildings would be oriented to provide good visibility within the site and/or from the adjacent public streets. Nonetheless, the implementation of the Project would result in an increased demand for police protection services and has the potential to increase police response times.

Ongoing funding for police services is provided by the City's General Fund. Police protection is ordinarily extended to newly developed areas and funded as a function of the increased tax base. The SDPD has reviewed the Project and determined that no new or expanded facilities would be required to provide adequate police protection services to the Project (Schimpf, 2021). As such, no physical impacts would result, and Project impacts on police protection services would be less than significant.

Fire and Life Protection

The implementation of the Project would potentially result in an increase in demand for fire protection services due to the development of additional scientific research and development uses, and associated increase in the number of employees, at the Project site. The type of fire protection services required at the Project would be similar to the existing development at the Project site and the surrounding areas as the Project does not propose residential units and would not result in a direct increase in the existing population. The Project would be constructed in accordance with applicable California and local building and fire codes and National Fire Protection Association (NFPA) codes (e.g., for fire access, sprinklers, fire flow, etc.), and City requirements for brush management in VHFHSZs (refer to Section 5.19, *Wildfire*, of this EIR). As discussed in Section 5.8, *Health and Safety*, of this EIR, it is possible that operations at the proposed buildings would involve the use of hazardous materials and generation of hazardous waste, including biohazardous materials. However, on-site operations would be conducted in accordance with applicable local and state regulations. Additionally, the Project would be required to pay applicable Facilities Benefit Assessment (FBA) fees in effect at the time buildings permits are issued, which ensure that public facilities are phased according to the level of development in the community.

The SDFD has reviewed the Project and determined that with existing and planned future fire protection facilities in the University City community, no new or expanded facilities would be required to provide adequate fire and life protection services to the Project (Gaboury, 2021). As such, no physical impacts would result, and Project impacts related to fire and life protection services would be less than significant.

Parks and Recreation/Schools/Libraries

The Project does not propose new residential development and, thus, would not create a direct increase in demand for parks and recreation facilities, schools, or libraries and would not create a need for new facilities. Additionally, the Project is not anticipated to displace or result in the deterioration of existing facilities. Moreover, in compliance with SB 50, the Project would pay

applicable school impact fees for non-residential development to the SDUSD. As such, Project impacts on parks and recreational facilities, school, and libraries would be less than significant.

3. *Significance of Impact*

Police Protection

Less Than Significant Impact. Any changes to police staffing or facilities would be dependent on Division and Citywide needs as determined by the SDPD. The Project would result in an increase in demand for police protection services; however, no new facilities or improvements to existing facilities are required due to the Project, and no physical environmental impacts would result. Impacts to police protection services would be less than significant.

Fire and Life Protection

Less Than Significant Impact. The Project would result in an increase in demand for fire protection services; however, no new facilities or improvements to existing facilities are required due to the Project, and no physical environmental impacts would result. Impacts to fire and life protection services would be less than significant.

Parks and Recreation/Schools/Libraries

Less Than Significant Impact. The Project does not include uses that would result in a direct increase in the Project area's population. As such, the Project would not introduce a new population that would require new or expanded parks and recreation facilities, schools, or libraries. Additionally, the Project would pay applicable school impacts fees to the SDUSD in accordance with SB 50. Impacts related to these public services would be less than significant.

4. *Mitigation Measure*

No mitigation measures are required.

5.15 PUBLIC UTILITIES

This section addresses potential impacts to public utilities. Information in this section is based on the following technical reports prepared for the Project, which are included in Appendices M1 through M4 of this EIR:

- *Sewer Study for Towne Centre View* (Sewer Study) prepared by Pasco Laret Suiter & Associates, Inc. (PLSA) (September 2022) and included as Appendix M1 (PLSA, 2022).
- *Water Study for the Towne Centre View Project* (Water Study) prepared by Dexter Wilson Engineering, Inc. (DWE) (July 2021) and included as Appendix M2 (DWE, 2021).
- *Water Supply Assessment Report, Towne Centre View* (WSA) prepared by the City of San Diego Utilities Department (PUD) (September 2021) and included as Appendix M3 (PUD, 2021).
- *Preliminary Waste Management Plan for the Towne Centre View Project* (WMP) prepared by T&B Planning, Inc. (December 2020) and included as Appendix M4 (T&B Planning, 2021).

5.15.1 Existing Conditions

The City serves the Project site with water, wastewater, and solid waste management services, as described below.

A. Water

1. **Potable and Recycled Water Facilities**

Water service to the Project site is provided by the City's Public Utilities Department (PUD). The PUD serves nearly 1.5 million people populating over approximately 400 square miles, with deliveries of approximately 170,000 acre-feet per year (AFY). The PUD maintains a complex water system that includes nine surface reservoirs, three water treatment plants (WTP) (discussed under "Wastewater" below), 29 treated water reservoirs (steel tanks, standpipes, concrete tanks and rectangular concrete reservoirs), pump stations, and approximately 3,300 miles of water transmission and distribution pipelines. The Project site is within the North City 2 (610) Zone distribution system supplied by the Miramar Water Treatment Plant (WTP). (PUD, 2021)

The PUD has developed a separate recycled water system to offset the demand for potable water. The goal is to reduce the City's dependence on imported water and increase reliability by providing non-potable water supplies. The City's recycled water system consists of two water reclamation plants with a combined total wastewater treatment capacity of 50,406 AFY (45 million gallons per day [MGD]), three recycled water reservoirs with over 12 million gallons of storage capacity, and more than 97 miles of transmission and distribution lines. Recycled water service is available through the North City Water Reclamation Plant (NCWRP) (northern service area), which is located in the Miramar WTP service area, and the South Bay Water Reclamation Plant (southern service area). The North City Water Reclamation Plant (NCWRP) treats an average of 17,698 AFY (15.8 MGD) for non-potable uses. The City maintains and operates the recycled water distribution system in the

north City. Under the Pure Water Program, the City is currently expanding the NCWRP to a capacity of 50 MGD (56,011 AFY) and adding the Pure Water Phase 1 Advanced Water Purification facility. Upon completion, Pure Water Phase 1 will supply 30 MGD (33,607 AFY) of purified recycled water to augment the City's raw water supplies to the Miramar WTP. By 2035, Phase II of the Pure Water Program will add a second Advanced Water Purification facility in the central part of the City to treat up to 53 MGD (59,372 AFY) of purified recycled water and augment the City's raw water supplies to the Alvarado WTP. (PUD, 2021)

Recycled water is approved for use in some construction activities, recreational water bodies, irrigation dual-plumbed uses, and cooling towers. Customers can purchase recycled water for approved uses if they are fronting an existing recycled water distribution pipeline.

The Project site is located within the northern service area and is served by dual 12-inch water lines in Towne Centre Drive adjacent to the Project site, and an existing 8-inch recycled water line also in Towne Centre Drive. It is estimated that the existing water demand from current development at the Project site is approximately 15.67 AFY (PUD, 2021).

2. **Water Supplies**

The City currently purchases most of its potable water (fresh water) from San Diego County Water Authority (SDCWA), a wholesale water agency that provides imported water to its 24 member agencies in San Diego County. The SDCWA maintains a diverse portfolio of water supplies including purchases of imported water from the Metropolitan Water District of Southern California (Metropolitan). Each agency must update its Urban Water Management Plan (UWMP) every five years. The 2020 UWMPs for the respective wholesale agencies were submitted to the State by July 1, 2021 and are the latest references available for wholesale supplies. The PUD relied on the long-term water resources planning documents of Metropolitan and the SDCWA to support preparation of the Water Supply Assessment (WSA). Below is a summary of these water supply sources.

The Metropolitan Water District of Southern California

Metropolitan Water District of Southern California (Metropolitan) is a consortium of 26 cities and water districts that provides imported water to nearly 21.2 million people in its 38,155-square-mile service area, which includes parts of Los Angeles, Orange, San Diego, Riverside, San Bernardino, and Ventura counties. Metropolitan's primary purpose is to provide a supplemental supply of water for domestic and municipal uses at wholesale rates to its member public agencies. From 2010 through 2019, Metropolitan's provided 40% to 50% of the water needs in its service area from the Colorado River via the Colorado River Aqueduct (CRA), and from the Sacramento-San Joaquin River Watershed via the State Water Project (SWP). Approximately 50% of the region's water supplies come from resources separately controlled or operated by local water agencies (i.e., water extracted from local groundwater basins; recycling, groundwater recovery, and seawater desalination; surface water, and the Los Angeles Aqueduct). Based on Metropolitan's 2021 UWMP, Metropolitan has supply capabilities sufficient to meet expected demands from 2025 through 2045 under a single dry-year condition and a period of drought lasting five consecutive water years, as well as in a normal water year hydrologic condition. (MWD, 2021)

San Diego County Water Authority

The San Diego County Water Authority (SDCWA) is an independent public agency that serves as a wholesale water supplier to its 24 member agencies. The SDCWA is San Diego County's predominant source of water, supplying from 75% to 95% of the region's needs to the member agencies that purchase water for retail distribution in the SDCWA service territories. The population within the Water Authority's service area was approximately 3.3 million people in 2020 and is projected to increase to approximately 3.8 million people by 2045. In fiscal year 2020, total water demand in the SDCWA's service area was 463,128 AFY, of which 92% was for municipal and industrial (M&I) use and 8% was for agricultural water use. By 2045, the Water Authority's total water demands are projected to reach 630,771 AFY. This projection accounts for planned future water conservation savings. (SDCWA, 2021).

Historically, SDCWA relied solely on imported water supplies purchased from the Metropolitan, but SDCWA has pursued strategies over the last two decades to diversify San Diego's regional water supply portfolio and reduce the region's dependence on water deliveries from Metropolitan. In addition to water deliveries from Metropolitan, SDCWA currently receives water from the Imperial Irrigation District (IID) (through a water conservation and transfer agreement), the Carlsbad Desalination Plant, and dry year carryover storage supplies (in-regional surface water storage and out-of-region groundwater storage in the Central Valley.) The 2020 UWMP presents the SDCWA's water reliability assessments from 2025 through 2045. Each assessment compares total projected water supply and demands over the next 20 years in five-year increments under normal water year, single dry-year, and multiple dry-year scenarios. The reliability assessment results demonstrate that, even when making conservative assumptions about the availability of dry year supplies from Metropolitan, the San Diego region's water resource mix is drought resilient. (SDCWA, 2021)

City of San Diego Public Utilities Department

In June 2021, the City PUD issued its most recent UWMP (2020 UWMP) (City of San Diego, 2021a), which outlines current and future water supplies and demands in the City's service area. The City is engaged in several strategies to increase water reliability, including the development of local groundwater supplies; increased utilization of recycled water, or potable reuse; continued conservation efforts; and ongoing strategic water resources planning. The 2020 UWMP projects water supply reliability for average years, single dry years, and multiple dry years, and concludes that the PUD will have sufficient water supplies to serve the City through the year 2045. In 2016, the City of San Diego's Pure Water Program was approved as a verifiable water supply source. The Pure Water San Diego Program is a phased (Phase 1 and Phase 2), multi-year program that is intended to provide more than 40% of San Diego's water supply locally by the end of 2035 (City of San Diego, 2021b).

B. Water Conservation

San Diego adopted a Water Conservation Program in 1985 to address water scarcity concerns. In addition, since 1998 the City has progressively updated its municipal code requiring increased

drought-level actions. To further water conservation in San Diego, ordinances were drafted to mandate year-round permanent water restrictions and the replacement of non-compliant water use efficiency (WUE) devices upon resale of a property. The PUD Water Conservation Section provides community assistance and education regarding WUE programs and education. Innovative programs such as turf replacement, rain harvesting, and residential/commercial surveys have provided customers direct participation in water conservation efforts. San Diego Municipal Code (SDMC) 67.38 describes the permanent water waste restriction and various levels of drought response requiring progressively increased levels of water use restrictions, and SDMC 147.04 describes the retrofit upon resale requiring noncompliant WUE device be replaced. (City of San Diego, 2021a)

C. Wastewater

The City's Metropolitan Wastewater System treats the wastewater from the City and 15 other cities and districts within its service area, three Water Treatment Plants (WTP) with a combined total rated capacity of 333,826 AFY (approximately 298 MGD). The Miramar WTP, originally constructed in 1962, has a rated capacity of 161,300 AFY (144 MGD). The Miramar WTP generally serves the City's geographical area north of the San Diego River, including the Project site. (PUD, 2021)

The Project site generates wastewater from its existing uses and is currently served by public 10-inch sewer mains in Towne Centre Drive with lateral connections to the site. There is a public 10-inch sewer main at the end of the Towne Centre Drive in the cul-de-sac that runs southwest down into the adjacent canyon. Another 10-inch sewer main runs northwest within Towne Centre Drive from Towne Centre Court to Westerra Court, turns down Westerra Court, then extends down into the canyon to converge with the sewer main from the Towne Centre Drive cul-de-sac. The combined sewage is conveyed through an existing public 10-inch sewer main that extends southwest before tying into an existing 10-inch main located in the bottom of the canyon, west of the Project site (PLSA, 2022).

D. Solid Waste Management

Solid waste management in the Project area is provided by the City's Environmental Services Department (ESD) and private collectors. The City provides refuse collection for residences that are located on dedicated public streets, provide adequate safe space and access for storage and collection, and comply with regulations set forth in the Municipal Code and Waste Management Guidelines. Other customers pay for service by private hauling companies that are franchised by the City. Based on the City's solid waste generation rate for Commercial Office¹, 0.0017 tons per square foot (sf), the existing buildings at the Project site are estimated to generate approximately 340 tons of solid waste per year under existing conditions (T&B Planning, 2021).

Refuse collected from the Project site is disposed of at either the Sycamore Landfill, Miramar Landfill, or the Otay Landfill. According to the Solid Waste Management Information System (SWIS) database maintained by the California Department of Resources Recycling and Recovery

¹ The City of San Diego does not have a waste generation factor of scientific research and development and headquarters use. The use that most closely matches the characteristics of the existing use and proposed use is the "Commercial Office."

(CalRecycle), the Sycamore Landfill is located at 8514 Mast Boulevard at West Hills Parkway in the City of San Diego, east of MCAS Miramar. The Sycamore Landfill is owned and operated by Sycamore Landfill, Inc. The Miramar Landfill is located at 5180 Convoy Street in the City of San Diego, south of MCAS Miramar. The Miramar Landfill is owned and operated by the City of San Diego. The Otay Landfill is located at 1700 Maxwell Road within an unincorporated island within the City of Chula Vista. The Otay Landfill is owned by Republic Services and is operated by Otay Landfill, Inc. The SWIS database indicates that the Sycamore Landfill has a remaining capacity of 113,972,637 cubic yards (cy) as of December 31, 2016, and is expected to close December 31, 2042. The Miramar Landfill has a remaining capacity of 11,080,871 cy as of January 30, 2020 and is expected to close on January 1, 2031. The Otay Landfill has a remaining capacity of 21,194,008 cy as of March 31, 2016, and is expected to close February 28, 2030. (CalRecycle, 2021)

E. Electric and Gas

The Project site is within the service area of San Diego Gas & Electric (SDG&E). 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. Additionally, there are existing 12KV underground electric facilities and gas facilities that enter the existing development from the entrance of Towne Centre Drive just west of Westerra Court. These existing facilities route throughout the Project site and serve the existing buildings.

F. Communications

AT&T and Spectrum (Charter Communications) have franchise rights to operate communication systems in the area. There are currently existing underground AT&T and Spectrum facilities that route throughout the Project site serving the existing buildings. AT&T and Spectrum have existing underground facilities that run along Towne Centre drive.

5.15.2 Regulatory Framework

A number of State and local regulations focus on sustainable water use and the reduction of solid waste generation. These regulations are summarized below.

A. State

1. Senate Bill 610

For certain types of large projects, SB 610 requires that the associated environmental document include a discussion of the availability of water to meet the projected water demands of a project for a 20-year planning horizon, including single and multiple dry years. A foundational document for compliance with SB 610 is the UWMP, a requirement of the Urban Water Management Act and the California Water Code. The types of projects subject to SB 610 are the following:

- Residential developments of more than 500 units;

- Shopping centers or businesses employing more than 1,000 people or having more than 500,000 sf of floor space;
- Commercial office buildings employing more than 1,000 people or having more than 250,000 sf of floor space;
- Hotels or motels having more than 500 rooms;
- Industrial, manufacturing, or processing plants or industrial parks planned to house more than 1,000 people or having more than 650,000 sf of floor space;
- Mixed-use projects that include one or more of the above types of projects; and
- Projects that would demand an amount of water equivalent to, or greater than, the amount of water required by a 500-DU project.

The Project includes the development of a five-building scientific research and development campus with a net increase in gross floor area of over 807,000 sf for a total net area of 999,386 sf. Therefore, the Project is subject to SB 610.

2. California Assembly Bill 1881

AB 1881, the Water Conservation in Landscaping Act of 2006, requires the Department of Waste Resources to prepare an updated Model Water Efficient Landscaping Ordinance (Model Ordinance) in accordance with specified requirements to conserve water through efficient irrigation and landscaping. By January 1, 2010, local agencies were to adopt either the updated Model Ordinance or a local landscape ordinance that is at least as effective in conserving water as the Model Ordinance. Pursuant to state law, the City amended its Landscape Regulations (SDMC Chapter 14, Article 2, Division 4) and Landscape Standards in April 2016 to expand water conservation in landscaping. The Landscape Standards implement the requirements of the Landscape Regulations. All landscape plans and installations are required to be in compliance with the Landscape Standards.

3. Integrated Waste Management Act

The California Integrated Waste Management Act was enacted by the California Legislature in 1989 with the goal of reducing dependence on landfills for the disposal of solid waste and to ensure an effective and coordinated system for the safe management of all solid waste generated within the state. Assembly Bill (AB) 939 mandated a reduction in the amount of solid waste disposed of by jurisdictions and required diversion goals of 25% by 1995 and 50% by the year 2000. The Integrated Waste Management Act established a hierarchy of preferred waste management practices, which include (1) source reduction, (2) recycling and composting, and (3) environmentally safe disposal by transformation or landfilling. It addresses all aspects related to solid waste regulation, including the details regarding the lead enforcement agency's requirements and responsibilities; the permit process, including inspections and denials of permits; enforcement; and site clean-up and maintenance. It requires that each county prepare a countywide integrated waste management plan that is reviewed at least once every 5 years to assure that waste management practices remain consistent with the practices defined in the California Public Resources Code (PRC). In 2013, AB 341 increased the waste diversion target to 75% by 2020.

4. Waste Reuse and Recycling Act

The Waste Reuse and Recycling Act (WRRRA) required the California Integrated Waste Management Board to approve a model ordinance for adoption by any local government for the transfer, receipt, storage, and loading of recyclable materials in development projects by March 1, 1993. The WRRRA also required local agencies to adopt a local ordinance by September 1, 1993 or allow the model ordinance to take effect. The WRRRA requires all development projects that are commercial, industrial, institutional, or marina in nature and where solid waste is collected and loaded, to provide an adequate area for collecting and loading recyclable materials over the lifetime of the Project. The area is required to be provided before building permits are issued.

5. Mandatory Commercial Recycling Program

AB 341, enacted in 2011, amended AB 939 by making a legislative declaration that it is the policy goal of the State of California that not less than 75% of solid waste generated be reduced, recycled, or composted by the year 2020. While a policy goal may not be legally enforceable, city and/or county ordinances and other mechanisms make AB 341 provisions enforceable within their jurisdictions. AB 341 also required a business (defined to include a commercial or public entity) that generates more than 8 cubic yards of commercial solid waste per week or is a multifamily residential dwelling of five units or more to arrange for recycling services, starting July 1, 2012.

6. 2019 California Green Building Standards Code

California Code of Regulations, Title 24, Part 11 is referred to as the California Green Building Standards Code (CALGreen Code) went into effect in January 2011. The most recently approved update to CALGreen became effective January 1, 2020, and is applicable to the planning, design, operation, construction, use, and occupancy of newly constructed buildings and structures throughout the State of California. Section 5.408.1 of the CALGreen Code requires that 65% of construction and demolition waste be diverted from landfills and that 100% of trees, stumps, rocks, and associated vegetation and soils resulting from land clearing shall be reused or recycled.

7. Short-Lived Climate Pollutants (SLCP): Organic Waste Methane Emissions Reductions (SB 1383)

In September 2016, Governor Brown signed into law SB 1383 (Lara, Chapter 395, Statutes of 2016), establishing methane emissions reduction targets in a statewide effort to reduce emissions of short-lived climate pollutants (SLCP) in various sectors of California's economy. As it pertains to CalRecycle, SB 1383 establishes targets to achieve a 50% reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75% reduction by 2025. The law grants CalRecycle the regulatory authority required to achieve the organic waste disposal reduction targets and establishes an additional target that not less than 20% of currently disposed edible food is recovered for human consumption by 2025. The provisions of SB 1383 went into effect on January 1, 2022.

B. Local**1. *City of San Diego Ordinance O-17327 (Mandatory Water Reuse Ordinance)***

This ordinance, adopted by the City Council in 1985, requires that “recycled water shall be used within the City where feasible and consistent with the legal requirements, preservation of public health, safety, and welfare, and the environment.” All development projects are required to install an additional water pipeline reserved for reclaimed water. Compliance with this ordinance for new development is made a condition of tentative maps, land use permits, etc., based on the project’s location within an existing or proposed recycled water service area.

2. *Water Waste Restrictions*

The City encourages its residents to use water wisely at all times, and the SDMC formalizes its Water Shortage Contingency Plan (WSCP) in its Emergency Water Regulations in Chapter 6, Article 7, Division 38. These Emergency Water Regulations specify water use restrictions that are in effect at all times (Water Waste Prohibitions under SDMC Section 67.3803) and authorize the City to determine and declare water shortages and water shortage emergencies in its service area.

3. *City of San Diego Zero Waste Plan: Road to Zero Waste, Next Step 75%*

State of California regulations for solid waste (PRC, Section 41700 et seq.) require that each region have a plan with adequate capacity to manage or dispose of solid waste for at least 15 years into the future. The City of San Diego's Zero Waste Plan (City of San Diego 2015) establishes goals to target 75% diversion by 2020, 90% diversion by 2035, and "zero" waste by 2040 and outlines potential diversion strategies to help the City achieve these goals.

4. *City of San Diego Ordinance No. O-19678 (SDMC Chapter 6, Article 6, Division 7)*

Effective December 20, 2007, commercial facilities which receive solid waste collection service from a Franchisee shall participate in a recycling program by separating recyclable materials from other solid waste and depositing the recyclable materials in the recycling container provided by the Franchisee or Recyclable Materials Collector. Additionally, for commercial facilities, the responsible person shall ensure that occupants are educated about recycling services.

5. *City of San Diego Ordinance No. O-19420 & O-19694 (SDMC Chapter 6, Article 6, Division 6)*

Effective July 1, 2008, this ordinance requires the applicant to: submit a properly completed Waste Management Form Part I with the Building Permit or Demolition/Removal Permit application, in accordance with the requirements set forth in the Land Development Manual; and, pay a refundable deposit at the time the Building Permit or Demolition/Removal Permit is issued.

6. *SDMC Chapter 14, Article 2, Division 8*

Municipal Code Chapter 14 Article 2 Division 8 sets forth the general regulations for refuse and recyclable materials storage for residential and commercial development. These sections include

guidelines for the size of material storage areas based on the number of residential dwelling units and non-residential commercial square footage; location of material storages areas; and screening of material storage areas.

5.15.3 Impact Analysis

A. Issue 1

Issue 1 *Would the project result in a need for new systems, or require substantial alterations to existing utilities, the construction of which would create physical impacts with regard to the following utilities: electric power, natural gas, water, sewer, communication systems, and solid waste disposal?*

1. **Impact Threshold**

According to the City's CEQA Significance Determination Thresholds, a project would result in impacts to public utilities if it would:

- *Result in direct impacts from the construction of new or expanded public utilities needed to serve the project.*
- *Construct, demolish, or renovate 1,000,000 square feet or more of building space, which would generate approximately 1,500 tons of waste. For projects over 1,000,000 square feet, a significant solid waste impact would result if compliance with the City's ordinances, and the Waste Management Plan fail to reduce the impacts of such project to below a level of significance and/or if a Waste Management Plan for the project is not prepared and conceptually approved by the Environmental Services Department prior to distribution of the draft environmental document for public review.*

Additionally, the City's Significance Determination Thresholds note the following guidance should be considered in determining whether the utility work could have significant environmental impacts.

- *Would removal, construction, and/or relocation of the utility:*
 - *Be compatible with existing and adjacent land uses?*
 - *Change drainage or affect water quality/runoff?*
 - *Affect air quality?*
 - *Affect biological resources including habitat? Consider access road locations.*
 - *Have a negative aesthetic effect? Visual simulations might be necessary.*
 - *Impact historical resources?*
 - *Increase noise levels to sensitive receptors?*

2. Analysis

Water

According to the Project-specific water study included in Appendix M2 of this EIR, the existing parallel 12-inch potable water lines beneath Towne Centre Drive would provide sufficient, redundant water supply to the Project for all demand scenarios, including a scenario where one of the existing 12-inch water lines is out of service. Additionally, the Project-specific water study concluded that the required fire flow for the Project is 1,500 gallons per minute (gpm) and as modeled in the Project-specific water study, the Project would maintain the required fire flow, even under a pipe break scenario. (DWE, 2021) The Project would not result in the need for new off-site water systems nor require substantial alterations to the existing facilities that would result in adverse physical impacts.

The Project would remove the existing private onsite water infrastructure system at the Project site and within the terminus of Towne Centre Drive. There would be two separate private onsite (potable) water systems to meet domestic water and fire flow requirements. A looped private fire protection system would be constructed as part of the onsite water system and connected to the existing City public water system in Towne Centre Drive. Each building would have its own domestic water meter and building supply piping. Recycled water lines would also be installed onsite for landscape irrigation and would connect to an existing 8-inch public recycled water line in Towne Centre Drive. Installation of the required onsite utility infrastructure would occur within the physical area analyzed throughout this EIR and impacts would be less than significant. Construction of these improvements would be subject standard industry measures and the SDMC.

Sewer

Sewer Infrastructure

The Project would install a new wastewater conveyance system onsite that would connect to the existing 10-inch sewer lines beneath Towne Centre Drive. As identified in the Project-specific sewer study included in Appendix M1 of this EIR, the wastewater flows generated by the Project would not exceed the design capacity of the existing sewer lines, per Section 1.3.3.3 of the City's Sewer Design Guide. (PLSA, 2022) Therefore, the Project would not result in the need for new off-site sewer systems nor require substantial alterations to existing off-site facilities that would result in adverse physical impacts. Additionally, the removal of the existing sewer lines onsite, and installation of new onsite sewer lines would occur within the physical area analyzed throughout this EIR and impacts would be less than significant.

Wastewater Treatment

As identified in Appendix 1 of the Project-specific sewer study included in Appendix M1 of this EIR, existing development at the Project site currently generates 1,636,288 gallons of wastewater per day (gpd) or 1.64 MGD. The Project would increase the wastewater generated, resulting in a net increase

of 307,293 gallons per day (gpd) or 0.31 MGD. As such, upon Project build-out, approximately 1.9 MGD of wastewater would require treatment. The Miramar WTP has a daily permitted capacity of 144 MDG. Project generated wastewater would account for less than 1% of the daily permitted treatment capacity of the Miramar WTP. Therefore, there is sufficient existing capacity at the Miramar WTP to accommodate the Project's proposed net increase in wastewater generation and no new or expanded wastewater treatment facilities would be required and impacts would be less than significant.

Electric and Gas Utility

Existing onsite electric and gas facilities would be removed and replaced with new underground electric and gas facilities that would extend into the development from sources beneath Towne Centre Drive. New electric transformers, switches, and handholes would be installed as required by the building electric loads. Additionally, new gas lines and gas meters would be installed based on building gas loads and required serving pressures. Furthermore, the Project would include a minimum of 12,500 sf of photovoltaic panels be installed on the parking garage to produce solar energy. SDG&E has provided a Will Serve Letter (SDG&E, 2021); therefore, the capacity of the existing electric and gas facilities along Towne Centre Drive is adequate to serve the Project. Therefore, the Project would not result in the need for new off-site electric or natural gas systems nor require substantial alterations to existing off-site facilities that would result in adverse physical impacts. Additionally, the removal of the existing electric and natural gas infrastructure onsite, and installation of new onsite electric and natural gas infrastructure would occur within the physical area analyzed throughout this EIR. Impacts would be less than significant. The extension of SDG&E electric distribution and service facilities would be provided in accordance with the rules and regulations on file with an approved by the California Public Utilities Commission (CPUC) and 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.

Communication

As part of the Project's construction phase, the existing onsite communications system would be removed and a new communication system would be installed, in a Joint Trench with SDG&E to provide service to the individual buildings as proposed by the Project Applicant. The existing communication facilities serving the Project site are adequate to serve the Project. Therefore, the Project would not result in the need for new off-site communication systems nor require substantial alterations to existing off-site systems that would result in adverse physical impacts. Additionally, the removal of the existing communications systems onsite, and installation of new onsite communications system would occur within the physical area analyzed throughout this EIR, and impacts would be less than significant.

Solid Waste

The Project would include construction, demolition, or renovation of 1,000,000 sf or more and would generate more than 1,500 tons of solid waste materials during demolition and construction;

therefore, the Project would exceed the City's threshold for direct solid waste impacts. Further, the Project proposes construction, demolition, and/or renovation of more than 40,000 sf, thereby also exceeding the City's threshold for cumulative solid waste impacts (Discussed in Section 8.0, *Cumulative Impacts*). Pursuant to the City's Significance Determination Thresholds, a Project specific Waste Management Plan (WMP) (Appendix M4) to identify waste reduction, recycling, and waste diversion measures (WDMs) as follows:

Pre-Construction Demolition Clearing/Grubbing and Grading

All existing structures on-site would be demolished to accommodate the Project. The implementation of the Project would result in the demolition of 200,000 s.f. of building space and approximately 107,000 s.f. of landscaping. The WMP estimates that the demolition of the on-site structures and landscaping would generate 20,000 cy (15,944 tons) of solid waste. All green waste materials would be sent to Miramar Greenery located at 5180 Convoy Street for 100% diversion.

In all, pre-construction demolition activities would generate 16,105.5 tons of solid waste and divert 14,334.5 tons of solid waste to an appropriate facility on the City's 2020 Certified Construction & Demolition Recycling Facility Directory or the Miramar Greenery/Landfill facility. Depending on the material type, 0 to 100% of waste generated during demolition, clearing/ grubbing, and grading would be diverted, for a total diversion rate of 95.8%.

The grading phase for the Project would generate waste. Approximately 173,000 cy (224,900 tons) of soil is anticipated to be exported from the Project site. The excavated soil is anticipated to be diverted at a rate of 100% at a suitable facility certified by the City of San Diego.

Construction Waste Management

Solid waste requiring disposal during the Project's construction phase would primarily consist of discarded materials and packaging. The types of construction waste anticipated to be generated include asphalt/concrete, brick/masonry/tile, cabinets/doors/fixtures, cardboard, carpet and padding/foam, ceiling tile, drywall, landscape debris, mixed C&D material, roofing materials, scrape metal, stucco, unpainted wood and pallets, and garbage/trash.

Construction of the Project would occur in one phase. The Project would involve the construction of 999,386 sf of building area and 1,027,650 sf of areas are considered exempt from the Project's square footage under the City of San Diego Municipal Code Chapter 11, Article 3, Division 2. As such, construction of the building area and exempt features (i.e., below-grade parking and tenant space, above-grade open parking structures, balconies, and roof decks) would involve a total of 2,027,036 sf of construction and generate approximately 3,041 tons of building construction waste. Depending on the type and material, 0 to 100% of waste generated during building construction would be diverted for a total diversion rate of 84.3% (2,813 tons). Approximately 228 tons of solid waste would be disposed of at the Sycamore Landfill, Otay Landfill, or Miramar Landfill.

Occupancy Waste Management

Under existing conditions, the eastern portion of the Project site is developed with two scientific research building with a building area of approximately 200,000 sf, which generates approximately 340 tons of operational waste per year. The Project includes the redevelopment and operation of a five-building campus totaling 1,027,650 sf of building area that would generate operational solid waste, which is anticipated to generate 1,842 tons of operational waste per year. As such, the Project is anticipated to result in a net increase of 1,502 tons of operational solid waste per year. Source-separated recycling efforts would be expected to divert 50%, or 751 tons of waste per year, to an appropriate recycling facility and 751 tons of waste per year would go to the landfill.

On-site recycling and organic waste collection services would be provided to the Project. Future tenants of the Project that receive solid waste collection services shall participate in a recycling program by separating recyclable materials from other solid waste and depositing the recyclable materials in the recycling container provided on-site. Additionally, future tenants of the Project that receive solid waste collection services shall participate in an organic waste collection program by separating organic waste from other solid waste and depositing the organic waste in the organic waste container provided on-site.

Solid Waste Conclusion

The Project exceeds the City's significance threshold for solid waste disposal. In the absence of mitigation, impacts related to solid waste services are potentially significant. However, the Project-specific WMP identifies measures to ensure impacts related to solid waste services are below a level of significance. As shown in Table 5.15-1, *Summary of Solid Waste Generation with WMP Implementation*, implementation of the WMP would reduce impacts to solid waste services to below a level of significance.

3. Significance of Impact

Water

Less Than Significant Impact. The Project would connect to existing potable and recycled water lines beneath Towne Centre Drive and would not require the need for new or expanded off-site water facilities. Existing onsite water infrastructure would be removed and new onsite water infrastructure installed to serve the proposed uses would be designed and sized to meet the Project's water needs in conformance with City standards. Onsite infrastructure would be installed within the physical impact area evaluated in this EIR. Therefore, Project impacts related to water infrastructure would be less than significant.

Table 5.15-1 Summary of Solid Waste Generation with WMP Implementation

Phase/Type	Estimated Tons Generated	Handling	Diversion Rate	Estimated Tons Diverted	Estimated Tons Disposed
Demolition:					
Mixed Demolition Waste	16,105.5	Facilities Identified per Material in WMP	95.8%	14,334.5	1,170
Construction:					
New Construction	3,042	Source Separation/Recycling as Identified per Material in WMP	84.3%	2,813	228
Total for Demolition/Construction Phases:	19,147.5		90%	17,147.5	1,398
Occupancy:					
Net Solid Waste Generation	1,502	Compliance with Recycling Ordinance	50%	751	751
Total for Occupancy Phase:	1,502		50%	751	751

(T&B Planning, 2021)

WastewaterSewer Infrastructure

Less Than Significant Impact. Based on the available capacity of PUD wastewater conveyance facilities and the analysis contained in the Project-specific sewer study prepared by PLSA (Appendix M1), the Project would not exceed the design capacity of the existing sewer mains. As such, the Project would not result in the need for new or expanded off-site wastewater conveyance/sewer facilities. Existing onsite sewer facilities would be removed and new onsite sewer facilities installed to serve the proposed uses would be designed and sized to meet the City design standards. Onsite infrastructure would be installed within the physical impact area evaluated in this EIR. Therefore, impacts related to sewer facilities would be less than significant.

Wastewater Treatment

Less Than Significant Impact. According to the Project-specific sewer study prepared by PLSA (Appendix M1), the Project would result in a net increase in wastewater generated at the Project site. The implementation of the Project would result in an approximately 19% increase in wastewater generated as compared to existing conditions. Following the build-out of the Project, wastewater generated at the Project site would represent less than 1% of the permitted daily treatment capacity at the Miramar WTP. The Miramar WTP has sufficient existing treatment capacity to accommodate the Project and no new or expanded wastewater treatment facilities would be required. Therefore, impacts related to wastewater treatment facilities would be less than significant.

Electric, Natural Gas and Communications

Less Than Significant Impact. The Project would connect to existing gas, electric, and communication lines beneath Towne Centre Drive and would not require upsizing or new dry utility facilities. Onsite dry utility infrastructure would be designed and sized to meet the Project's need. The Project's dry utility infrastructure would be installed in conformance with the dry utility provider standards. Onsite infrastructure would be installed within the physical impact area evaluated in this EIR. Therefore, Project impacts to dry utilities would be less than significant.

Solid Waste

Less Than Significant Impact. The Project would generate solid waste during both the construction and operational phases. The Project would exceed the threshold of 1,500 tons of solid waste materials generated during demolition and construction and would construct, demolish, or renovate 1,000,000 square feet or more of building space. Therefore, the Project would be considered to have a direct impact on solid waste facilities. While projects are required to comply with the City's waste management ordinance, direct impacts are addressed by implementation of the Project-specific WMP (Appendix M4). Implementation of the WMP would be made a condition of Project approval. With implementation of the strategies identified in the WMP and compliance with local and State regulations, direct impacts would be less than significant.

4. *Mitigation Measures*

Water

No mitigation measures are required.

Wastewater

No mitigation measures are required.

Dry Utilities

No mitigation measures are required.

Solid Waste

No mitigation measures are required.

B. Issue 2

Issue 2 ***Would the project result in the use of excessive amounts of water?***

1. *Impact Threshold*

According to the City's CEQA Significance Determination Thresholds, a project would result in impacts to public utilities related to water supply if it would:

- *Result in the need to comply with Senate Bill 610 to determine the availability of water to meet the projected water demands of the project for a 20-year planning horizon, including single and multiple dry years. The types of projects subject to Senate Bill 610 include, but are not limited to:*
 - *Commercial office buildings employing more than 1,000 people or having more than 250,000 square feet of floor space;*
 - *Projects that would demand an amount of water equivalent to, or greater than, the amount of water required by a 500-dwelling unit project.*

2. *Analysis*

Water Supply

The Project-specific WSA, prepared by the City's PUD (dated September 21, 2021) (PUD, 2021) was based on the City's 2020 UWMP and concludes that the City has sufficient water supplies available during normal, single-dry year, and multiple-dry water years over a 20-year projection to meet the anticipated demands of the Project, as shown below in Table 5.15-2, *Water Demand Estimate (2045)*.

As shown in Table 5.15-2, based on the demand data supplied in the WSA, the Project's estimated net water demand is 86,117 gallons per day (gpd) or 96.47 AFY. The WSA determined that this estimated net increase in water demand is fully accounted for in the 2020 Water Demand Forecast of the City's 2020 UWMP. The North City 2 (610) Pressure Zone is supplied within the City's Miramar WTP service area. The Project represents just under 2% of the forecasted demand growth for the Miramar WTP service area between 2025 and 2045. Further, the City's 2020 UWMP demonstrates there will be sufficient water supplies available to meet demands for existing and planned future developments anticipated for the plan area through 2045.

The Project-specific WSA concluded there is sufficient water to serve the Project. The Project would not result in the use of excessive amounts of water and this impact would be less than significant.

Water Conservation Devices

The Project proposes the use of non-potable recycled water, in accordance with the City's Mandatory Water Reuse Ordinance (O-17327), to supply onsite low-water landscape irrigation. The Project's recycled water use is estimated to be 15 AFY and is conditional on the Project Applicant obtaining the applicable recycled water permits. The Project site has existing recycled water distribution mains available adjacent to the site.

Table 5.15-2 Water Demand Estimate (2045)

City Planned Water Demand for Pressure Zone (2020 UWMP)			
Category	Quantity	Estimated Potable Water Demand Growth	
		Gallons per Day (gpd)	Acre-Foot per Year (AFY)
Forecasted Demand Growth 2025 – 2040			
North City 2 (610) Pressure Zone	Plan Area		
Projected Water Demand Increase for Project View by year 2045			
Category	Quantity (Units/Square Feet/Acres)	gpd	AFY
Industrial Floor Space (net Additional)	781,704 sf	86,117	96.47
Net Demands			
Project Demand		86,117	96.47
City – Planned Supply for North City (610) Zone		480,000	537.71
Net Unanticipated Demands		0	0

Source: (PUD, 2021, Figure 3)

The Project would connect to the available recycled water lines to reduce the Project's potable water demand. The WSA acknowledged the potential for the Project to rely on recycled water; however, to provide a conservative "worst-case" analysis, the WSA assumed that the Project would not include recycled water and would rely solely on potable water supplies. Furthermore, as required, the Project would include water conservation devices such as low-flush toilets, low-flow faucets, and intelligent irrigation systems. Impacts would be less than significant.

3. *Significance of Impact*

Water Supply

Less Than Significant Impact. The Project would be consistent with regional water resource planning and there would be sufficient water supply to meet the projected demands of the Project. Impacts related to potable water supplies and demand from Project implementation would be less than significant.

Water Conservation Devices

Less Than Significant Impact. The Project would incorporate water sustainability design features, techniques, and materials that would reduce water consumption. Project implementation would be less than significant.

4. *Mitigation Measures*

No mitigation measures are required.

C. Issue 3

Issue 3 *Does the project propose landscaping which is predominantly non-drought resistant vegetation?*

1. Impact Threshold

According to the City's CEQA Significance Determination Thresholds, a project would result in impacts to public utilities related to water conservation if it would:

- *Use an excessive amount of potable water*
- *A project proposes predominantly non-drought resistant landscaping and excessive water usage for irrigation and other persons.*

2. Analysis

The landscape plan for the Project includes the use of drought-tolerant ornamental, native, and naturalized plants in accordance with the City's LDC (Chapter 14, Article 2, Division 4) and the State of California's Model Water Efficient Landscape Ordinance (MWELo) (California Assembly Bill 1881). All planting areas, unless otherwise noted, would be irrigated with recycled water and 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.

Landscaping would be planted in hydrozones to place like-water users together and minimize over-watering. The perimeter of the of the site would be planted with a palette including native California tree and shrub species that are fire resistant including giant chalk dudleya (*Dudleya edulis*), fingertips (*Duleya 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*), alkli scaton (*Sporobolus airoides*), creeping wild rye (*Leymus triticoides*), San Diego sedge (*Carex spissa*), California meadow sedge (*Carex pansa*), canyon grey (*Artemisia californica*), coyotebrush (*Baccharis pilularis*), Cleveland sage (*Salvia clevelandii*), hollyleaf cherry (*Prunus illicifolia*), San Diego mahogany (*Cercocarpus minutiflorus*), and mellifera (*Salvia mellifera*). Landscaping would be established in disturbed areas outside of the building lines to give a seamless appearance throughout the Project.

The use of drought-tolerant plants in accordance with the City's LDC, and incorporation of smart irrigation technology and hardscape elements would avoid the need for excessive irrigation. The Project would be required to comply with the mandatory measures associated with the City's Mandatory Water Reuse Ordinance. Impact would be less than significant.

3. *Significance of Impact*

Less Than Significant Impact. The Project would include landscaping consisting of native and drought-tolerant species consistent with the LDC. Recycled water would be used for landscape irrigation. Impacts related to the use of predominantly non-drought resistant landscaping and excess potable water use for irrigation would be less than significant.

4. *Mitigation Measures*

No mitigation measures are required.

5.16 TRIBAL CULTURAL RESOURCES

This section evaluates potential impacts on Tribal Cultural Resources associated with the Project. The analysis is based on the Project's *Phase I Cultural Resource Survey for the Towne Centre View Project* (Cultural Resources Survey) prepared by BFSA (January 29, 2021), included as Appendix H of this Environment Impact Report (EIR). Additionally, the analysis is based on consultation with Native American tribes traditionally and culturally affiliated with the Project area and who have requested consultation pursuant to California Public Resources Code Section 21080.3.1.

5.16.1 Existing Conditions

The Project site is situated on a mesa bordering Soledad Canyon, approximately two miles east of the Pacific Ocean. 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. The northern portion of the Project site is undeveloped in a natural condition. The Project site is surrounded by open space to the north, south, and west and office uses to the southeast and east.

Portions of the general area of San Diego County where the Project is located have a very rich and extensive record of prehistoric human activity. The cultures that have been identified in the general vicinity of the Project site include the Paleo Indian manifestation of the San Dieguito Complex, the Archaic Stage and Early Milling Stone horizons represented by the La Jolla Complex, and the Late Prehistoric Kumeyaay Native Americans.

As discussed below, no previously recorded Tribal Cultural Resources are located within the Project site; however, Site SDI-4609, which has been established as a portion of the Village of Ystagua, is recorded immediately to the north of the Project site boundary.

A. Prehistoric Context

The prehistory of the region is divided into four major Periods: Early Man, Paleo Indian, Early Archaic, and Late Prehistoric. A summary description of each major Period from the Project's Cultural Resources Survey (BFSA, 2021) is provided below.

1. Early Man Period (Prior to 8500 B.C.)

There currently is no concrete archaeological evidence to support the occupation of San Diego County prior to 10,500 years before present (YBP). Some archeologists are proponents of Native American occupation of the region as early as 100,000 YBP. However, their evidence for such claims is sparse and has lost much support over the years as more precise dating techniques are available for skeletal remains thought to represent early man in San Diego. Additionally, many of the "artifacts" initially identified as products of early man in the region have since been rejected as natural products of geologic activity.

2. *Paleo Indian Period (8500 to 6000 B.C.)*

For the region, it is generally accepted that the earliest identified culture in the archaeological record is represented by the material remains of the Paleo Indian Period San Dieguito Complex. The San Dieguito Complex was thought to represent the remains of a group of people who occupied sites in this region between 10,500 and 8,000 YBP, and who were related to or contemporaneous with groups in the Great Basin. As of yet, no absolute dates have been forthcoming to support the great age attributed to this cultural phenomenon. The artifacts recovered from San Dieguito sites duplicate the typology attributed to the Western Pluvial Lakes Tradition. These artifacts generally include scrapers, choppers, large bifaces, and large projectile points, with few milling tools. Tools recovered from sites of the San Dieguito Complex, along with the general pattern of their site locations, led early researchers to believe that the San Dieguito were a wandering, hunting, and gathering society.

The San Dieguito Complex is the least understood of the cultures that have inhabited the San Diego County region. This is due to an overall lack of stratigraphic information and/or datable materials recovered from sites identified as San Dieguito. Currently, controversy exists among researchers that centers upon the relationship of the San Dieguito and the subsequent cultural manifestation in the area, the La Jolla Complex. Firm evidence has not yet been discovered to indicate whether the San Dieguito “evolved” into the La Jolla Complex, if the La Jolla Complex moved into the area and assimilated the San Dieguito people, or if the San Dieguito retreated from the area due to environmental or cultural pressures.

3. *Early Archaic Period (6000 B.C. to A.D. 0)*

Based upon evidence suggesting climatic shifts and archaeologically observable changes in subsistence strategies, a new cultural pattern is believed to have emerged in the San Diego region around 6000 B.C. Archaeologists believe that this Archaic Period pattern evolved from or replaced the San Dieguito Complex culture, resulting in a pattern referred to as the Encinitas Tradition. In San Diego, the Encinitas Tradition is believed to be represented by the coastal La Jolla Complex and its inland manifestation, the Pauma Complex. The La Jolla Complex is best recognized for its pattern of shell middens and grinding tools closely associated with marine resources and flexed burials. Increasing numbers of inland sites have been identified as dating to the Archaic Period, focusing upon terrestrial subsistence.

The tool typology of the La Jolla Complex displays a wide range of sophistication in the lithic manufacturing techniques used to create the tools found at their sites. Scrapers, the dominant flaked tool type, were created by either splitting cobbles or by finely flaking quarried material. Evidence suggests that after about 8,200 YBP, milling tools began to appear at La Jolla Complex sites. Inland sites of the Encinitas Tradition (Pauma Complex) exhibit a reduced quantity of marine-related food refuse and contain large quantities of milling tools and food bone. The lithic tool assemblage shifts slightly to encompass the procurement and processing of terrestrial resources, suggesting seasonal migration from the coast to the inland valleys. At the present time, the transition from the Archaic Period to the Late Prehistoric Period is not well understood and many questions remain

concerning cultural transformation between periods, possibilities of ethnic replacement, and/or a possible hiatus from the western portion of the county.

4. *Late Prehistoric Period (A.D. 0 to 1769)*

The transition into the Late Prehistoric Period in the area is primarily represented by a marked change in archaeological patterning known as the Yuman Tradition. This tradition is primarily represented by the Cuyamaca Complex that is believed to have derived from the mountains of southern San Diego County. The people of the Cuyamaca complex are considered as ancestral to the ethnohistoric Kumeyaay (also known as Ipai, Tipai, or Diegueño). Although several archaeologists consider the local Native American tribes to be relatively latecomers, the traditional stories and histories passed down through oral tradition by the local Native American groups both presently and ethnographically speak to their presence here as since the time of the creation of all things.

The Kumeyaay Native Americans were a seasonal hunting and gathering people with cultural elements that were very distinct from the people of the La Jolla Complex. Noted variations in material culture include cremation, the use of the bow and arrow, and adaptation to the use of acorns as a main food staple. Along the coast, the Kumeyaay made use of marine resources by fishing and collecting shellfish for food. Seasonally available plant food resources (including acorns) and game were sources of nourishment for the Kumeyaay. By far the most important food resource for these people were acorns, which represented a storable surplus and in turn allowed for seasonal sedentism and its attendant expansion of social phenomena.

Firm evidence has not been recovered to indicate whether the people of the La Jolla Complex were present when the Kumeyaay Native Americans migrated into the coastal zone. However, stratigraphic information recovered from Site SDI-4609, north of the Project site, may suggest a hiatus of 650 ± 100 years between the occupation of the coastal area by the La Jolla Complex and Late Prehistoric cultures. More recently, a reevaluation of two prone burials at the Spindrift Site excavated by Moriarty and radiocarbon dates of a pre-ceramic phase of Yuman occupation near Santee suggest a comingling of the latest La Jolla Complex inhabitants and the earliest Yuman inhabitants about 2,000 YBP.

5.16.2 Regulatory Framework

A. State

1. *California Environmental Quality Act*

CEQA defines Tribal Cultural Resources as follows (California Public Resources Code Section 21074):

(a) "Tribal cultural resources" are either of the following:

(1) Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:

(A) Included or determined to be eligible for inclusion in the California Register of Historical Resources.

(B) Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.

(2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.

(b) A cultural landscape that meets the criteria of subdivision (a) is a tribal cultural resource to the extent that the landscape is geographically defined in terms of the size and scope of the landscape.

(c) A historical resource described in Section 21084.1, a unique archaeological resource as defined in subdivision (g) of Section 21083.2, or a "nonunique archaeological resource" as defined in subdivision (h) of Section 21083.2 may also be a tribal cultural resource if it conforms with the criteria of subdivision (a)."

Where, criteria set forth in Section 15064.5(a)(3) of the CEQA Guidelines state that:

"...Generally, a resource shall be considered by the lead agency to be 'historically significant' if the resource meets the criteria for listing on the California Register of Historical Resources (Public Resources Code § 5024.1, Title 14 CCR, Section 4852) including the following:

- (A) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;*
- (B) Is associated with the lives of persons important in our past;*
- (C) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values;*
or
- (D) Has yielded, or may be likely to yield, information important in prehistory or history."*

"Unique archaeological resources" and "nonunique archaeological resources" are defined in CEQA as follows (Public Resources Code Section 21083.2, *Archaeological Resources*; Determination of Effect of Project EIR or Negative Declaration; Mitigation Measures):

"(g) As used in this section, "unique archaeological resource" means an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

- (1) Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.*
- (2) Has a special and particular quality such as being the oldest of its type or the best available example of its type.*
- (3) Is directly associated with a scientifically recognized important prehistoric or historic event or person.*

(h) As used in this section, "nonunique archaeological resource" means an archaeological artifact, object, or site which does not meet the criteria in subdivision (g). A nonunique archaeological

resource need be given no further consideration, other than the simple recording of its existence by the lead agency if it so elects.”

2. California Public Resources Code (Section 5097.98)

Section 5097.98 of the California Public Resources Code addresses the disposition of Native American burials in archaeological sites and protects such remains from disturbance, vandalism, or inadvertent destruction. This section also establishes procedures to be implemented if Native American skeletal remains are discovered during the construction of a project and establishes the NAHC to resolve disputes regarding the disposition of such remains. It has been incorporated into Section 15064.5(e) of the State CEQA Guidelines.

3. California Public Resources Code (Section 7050.5, 7051, and 7054)

These sections collectively address the illegality of interference with human burial remains (except as allowed under applicable sections of the California Public Resources Code). These sections also address the disposition of Native American burials in archaeological sites and protect such remains from disturbance, vandalism, or inadvertent destruction. Procedures to be implemented are established for: (1) the discovery of Native American skeletal remains during construction of a project; (2) the treatment of the remains prior to, during, and after evaluation; and (3) reburial.

4. Assembly Bill 52

AB 52, which created the new category of “Tribal Cultural Resources” that must be considered under CEQA, applies to all projects that file a Notice of Preparation or Notice of Intent to Adopt a Negative Declaration (ND) or Mitigated Negative Declaration (MND) on or after July 1, 2015. As defined in California Public Resources Code Section 21074, Tribal Cultural Resources are sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either eligible or listed in the California Register of Historical Resources or local register of historical resources. AB 52 requires lead agencies to provide notice to and begin consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of a project if that tribe has requested, in writing, to be kept informed of projects by the lead agency prior to the determination whether a ND, MND, or EIR will be prepared. If a tribe requests consultation within 30 days upon receipt of the notice, the lead agency must consult with the tribe. The bill also specifies mitigation measures that may be considered to avoid or minimize impacts on Tribal Cultural Resources.

5. Senate Bill 18

Signed into law in September 2004, and effective March 1, 2005, Senate Bill (SB) 18 permits California Native American tribes recognized by the Native American Heritage Commission (NAHC) to hold conservation easements on terms mutually satisfactory to the tribe and the landowner. The term “California Native American tribe” is defined as “a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC.” The bill also requires that, prior to the adoption or amendment of a city or county’s general plan, the city or county consult with California Native American tribes for the

purpose of preserving specified places, features, and objects located within the city or county's jurisdiction. SB 18 also applies to the adoption or amendment of specific plans. This bill requires the planning agency to refer to the California Native American tribes specified by the NAHC and to provide them with opportunities for involvement. Although Native American consultation pursuant to SB 18 is not a CEQA requirement, because the Project involves a Community Plan Amendment has been completed. The results of the consultation are confidential. Thus, there will not be any further discussion of the SB 18 consultation process for this Project in this EIR section.

5.16.3 Impact Analysis

A. Issue 1

Issue 1 *Would the project cause a substantial adverse change in the significance of a Tribal Cultural Resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place or object with cultural value to a California Native American tribe, and that is:*

- a) *Listed or eligible for listing in the California Register of Historic Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or*
- b) *A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.*

1. **Impact Threshold**

The City of San Diego has not yet prepared thresholds of significance for potential impacts to Tribal Cultural Resources. Therefore, for purposes of this EIR, guidance provided by issue questions listed in Appendix G of the CEQA Guidelines are utilized to evaluate the potential for significant impacts to Tribal Cultural Resources. According to Appendix G of the CEQA Guidelines, a project would have a significant impact if would impact a Tribal Cultural Resource:

- *Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or*
- *Determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.*

2. *Analysis*

The Project site is located within an area identified as sensitive on the City of San Diego Historical Resources Sensitivity Maps; furthermore, there are recorded tribal cultural resources within a one-mile buffer of the site. Therefore, qualified City staff conducted a records search of the CHRIS digital database; although the search identified that no previously recorded tribal cultural resources are located within the Project boundaries, the search confirmed numerous previously recorded historic and prehistoric sites in the Project vicinity.

A Sacred Lands File (SLF) search was requested from the NAHC during preparation of the Cultural Resources Survey and the results of the SLF search did not indicate the presence of any sacred sites or locations of religious or ceremonial importance within the search radius.

Site SDI-4609, which has been established as portion of the Village of Ystagua, is recorded north of the Project site. The Village of Ystagua was recommended as a Multiple Resource Area on the National Register of Historic Places. Due to the steep slopes along the site's northern perimeter, SDI-4906 is located within the valley below the Project site and not directly abutting the Project site or within the limit of physical impact associated with the Project. The Project would not impact Site SDI-4609 or any other known Tribal Cultural Resources. Further, should any Native American human remains be encountered during construction, they would be handled in accordance with requirements outlined in California PRC Sections 5097.98, 7050.5, 7051, and 7054, discussed in Section 5.16.2, above.

In accordance with AB 52, the City of San Diego provided formal consultation notification to the Lipay Nation of Santa Isabel, the Jamul Indian Village, and the San Pasqual tribe, who are traditionally and culturally affiliated with the Project area, in November 2020 and no response was received within the 30-day formal notification period. Therefore, consultation pursuant to AB 52 is complete.

3. *Significance of Impact*

No Impact. Implementation of the Project would result in no impacts to Tribal Cultural Resources that are listed or eligible for listing in the CRHR or local register of historical resources or pursuant to subdivision (c) of California Public Resources Code Section 5024.1.

4. *Mitigation Measures*

No mitigation measures are required.

5.17 VISUAL EFFECTS AND NEIGHBORHOOD CHARACTER

This section describes the existing visual setting of the Project site and vicinity within the context of the surrounding community, identifies applicable guidelines and regulations related to visual resources, and evaluates potential visual impacts related to implementation of the Project.

5.17.1 Existing Conditions

A. Environmental Setting

1. Community and Neighborhood Character

The visual character of an area is defined by many elements, including landforms, natural elements, scenic resources, and land use patterns. Land use patterns vary in development intensities, bulk or scale of built structures, massing of those structures and presence of retained open space, associated circulation elements, and architectural style, colors and distinct identity and contribute to a sense of place. The community and neighborhood character of the Project site and surrounding community are described below.

University Community

The University Community encompasses approximately 8,500 acres and is bounded by Los Peñasquitos Lagoon and the toe of the east-facing slopes of Sorrento Valley on the north; the railroad tracks, MCAS Miramar, and Interstate (I)-805 on the east; State Route (SR)-52 on the south; and I-5, Gilman Drive, North Torrey Pines Road, La Jolla Farms, and the Pacific Ocean on the west (refer to Figure 5.1-1). The University Community is divided into four major subareas, including Torrey Pines, Miramar, South University, and Central. The Project site is located within the Central subarea of the University Community Plan area, which includes a combination of commercial, office, and residential uses at higher development intensities. The discussion of existing community and neighborhood character in this section is focused within the context of the Central subarea of the University Community.

Central Subarea

The Central subarea generally encompasses the area west of I-805, north of Rose Canyon, and south of the railroad tracks. The western boundary of the Central Subarea varies and is formed by Gilman Drive (south of La Jolla Village Drive), Regents Road (between La Jolla Village Drive and Genesee Avenue), and I-5 (north of Genesee Avenue). This subarea is traversed by various regional freeways and major roadways that are heavily traveled (e.g., I-805, I-5, La Jolla Village Drive, Genesee Avenue, Nobel Drive, Regents Road, and Eastgate Mall), and contains the most intensive development and diversity of uses within the overall University Community. Most residential uses consist of multi-family developments in the southern portion of the Central subarea south of La Jolla Village Drive, although there are a few multi-family residential developments located along Eastgate Mall and

Genesee Avenue. Building forms of these multi-family developments generally entail large-scale complexes consisting of multiple blocks of several homogenous rectilinear buildings grouped together in generally symmetrical patterns and single or multiple moderate and high-rise residential towers. Some housing consists of smaller scale condominium and apartment complexes, but overall residential visual patterns in the Central subarea consist of higher density, large-scale buildings characterized by a mix of architectural styles, with no common style or theme.

Moderate and high-rise commercial, office, and hotels occur generally north of La Jolla Village Drive, with the largest and tallest along La Jolla Village Drive. The height and scale of these structures, which are the tallest within the community, create a highly urbanized core. Industrial and research buildings are prevalent along Towne Centre Drive (north of La Jolla Village Drive) and Judicial Drive, creating two north-south curvilinear spines characterized by multi-story office buildings with varying styles and form. Some of these buildings are two-story utilitarian block structures with glass windows and one-dimensional façades, while others are multi-story, modern office campuses with more stylized forms.

2. Existing Landforms

The University Community includes landforms from both the natural and built environments. Natural landforms consist of major topographic features such as coastal bluffs, canyon systems, areas of rolling topography, and mesa tops. The coastal bluffs within the University Community Plan area boundaries occur in the northwestern portion of the community within the Torrey Pines State Reserve and the Torrey Pines Gliderport. Major canyon systems in the community include Sorrento Valley, Soledad Canyon, Rose Canyon, and San Clemente Canyon. The community also contains a series of smaller canyons. Development generally occurs on the mesa tops formed by these canyons. Within the central portion of the University Community Plan, the land is relatively level with little topographic variation within the built environment.

The Project site is located on a graded mesa. The eastern portion of the Project site is developed and the western portion of the Project site was previously rough graded. There are no steep slopes within the developed and previously graded portions of the Project site; however, the northern portion of the Project site, which is within the City's Multi-Habitat Planning Area (MHPA) is characterized by steep slopes. Additionally, the open space areas that surround the site, also within the MHPA, consist of steep slopes.

3. Visual Setting and Site Characteristics

The Project site is on the boundary of the urbanized center of the University Community and is developed with existing offices located at the terminus of Towne Centre Drive. This portion of the University Community area is developed with two- and three-level office uses in the Eastgate Technology Park along Towne Centre Drive and Westerra Court east and south-southeast of the Project site. Additionally, the Project site is surrounded by undeveloped open space in the City's Multi-Habitat Planning Area (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 provides a physical buffer between the Project site and office and commercial uses along Sorrento Valley Road and Roselle Street to the north, office uses west of Campus Point Drive west of the Project site, and residential uses to the south (north of Genesee Avenue between Campus Point Drive and Eastgate Mall). Please refer to Figure 2-3, *Aerial Photograph*, which depicts the Project site and surrounding development.

The developed areas in the vicinity of the Project site do not have a single or common architectural theme but rather represent a combination of characteristics shaped by the individual building types that occur in the vicinity. According to the Urban Design Element of the University Community Plan, “variety without chaos”, will be the theme for the Central Subarea. There are a variety of building types, shapes, sizes, colors, and materials as shown in the site photos presented in this section.

The eastern portion of the Project site (approximately 11.3 acres) is currently developed with three, two-level, scientific research buildings owned by the Project Applicant with approximately 192,365 square feet (sf) of building area and 7,370 sf of covered courtyard, and associated facilities and site improvements. The existing buildings are approximately 35 feet high with typical building elevations ranging from approximately 379 to 389 feet above mean sea level (AMSL). The existing buildings were constructed between 2001 and 2007 and exhibit a contemporary architectural design. Surface parking lots surround the buildings. A pedestrian bridge connects two of the buildings and spans the surface parking area in the center of the developed area. 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 undeveloped. This area was mass graded in 2009 and building pad sites were established to support the previously approved development. The western portion of the Project site was most recently used as a staging area for the Mid-Coast Trolley construction. The construction staging activities ended in 2021 and associated materials, equipment and site improvements have been removed. The northern approximately 7.0-acre parcel of the Project site is within the MHPA and is undeveloped.

Topographically, the Project site is located on a graded mesa and much of proposed development area is covered by fill material. Elevations on-site ranges from approximately 330 and 360 feet AMSL. The northern portion of the Project site is characterized by steep slopes located within the MHPA. There are existing retaining walls that extended along the perimeter of the graded mesa. The exposed portion of the retaining walls range in height from 0 to 12 feet, and the retaining walls were installed when the site was initially graded during the period between 2008 to 2011.

The proposed development area consists primarily of ornamental landscaping, disturbed land, and developed area. The remaining portion of the proposed development area and the open space areas surrounding the Project site within the MHPA include 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. Streetscape landscaping along the Project’s frontage on Towne Centre Drive is comprised of street trees, and grass areas. Additional landscaping occurs on site within parking lots, along internal roadways, and adjacent to

buildings. The entrance to the existing scientific research buildings in the eastern portions of the site includes monument signage along Towne Centre Drive.

4. **Public Views**

Designated Views

There are no scenic views or routes designated in the University Community Plan within the Central Subarea, including near the Project site. No designated State scenic highways are located within the Project area. I-5 is identified as eligible for listing as a State scenic highway, but it is not officially designated. I-5 is located approximately 0.5 mile to the west, and the Project site is visible from I-5; however, these distant views are limited due to intervening topography and development and where visible, are momentary views for motorists.

Public Views

Existing public views of the Project site are primarily available from portions of public roadways in the immediate vicinity, including Towne Centre Drive, Westerra Court, Genesee Avenue, and Campus Point Drive. Existing streetscapes and development along these roadways partially obstruct views into the site from vantage points along these roadways. The primary viewers of the Project site include travelers on the surrounding roadways (temporary/short-term public views),¹ and visitors to the on site and surrounding office developments (temporary views). Based on review of the University Community Plan, the General Plan, and Local Coastal Program, there are no designated scenic view corridors within the Project area. The University Community Plan acknowledges scenic resources and views within the Community Plan Area and focuses on the opportunities for public appreciation of panoramic vistas of Sorrento Valley, the coastal bluffs and Pacific Ocean from the Torrey Pines Subarea.

Figures 5.17-1 through 5.17-4 include photographs of the Project site from various public vantage points and these views are described below.

Towne Centre Drive

Views of the Project site from Towne Centre Drive are available from most vantage points along the site frontage. View 1 in Figure 5.17-1, *Site Photographs – Towne Centre Drive*, depicts the view looking east from the west side of Towne Centre Drive with the existing building in the eastern portion of the Project site visible on the left side of the photograph. This photo also depicts the existing streetscape along Towne Centre Drive and mature trees visible in the background. View 2 in Figure 5.17-1, *Site Photographs – Towne Centre Drive*, depicts the view looking northwest into western portion of the Project site from a vantage point near the western terminus of Towne Centre Drive.

¹ Temporary, or short-term, views are those experienced by motorists, pedestrians, site visitors, or anyone who is temporarily in the vicinity.

The previous staging area for the Mid-Coast Trolley construction is visible in the foreground as well as existing landscaping along Towne Centre Drive. Views 3 and 4 in Figure 5.17-2, *Site Photographs – Towne Centre Drive*, depict the view looking northwest from Towne Centre Drive toward the eastern portion of the Project site. These photographs depict the distant views afforded by the existing canyon that extends generally in a northwest-southeast direction north of the Project site. Although on clear days there are limited distant views of the Pacific Ocean for pedestrians along the north side of the roadway, there are no designated scenic vistas in the area. Additionally, these views are in the same viewshed as 10 lanes of freeway. From the southern side of the roadway the distant views, along with views of existing buildings on site, are partially obstructed by existing trees along Towne Centre Drive. View 5 in Figure 5.17-3, *Site Photographs – Towne Centre Drive and Westerra Court*, depicts the view looking east along Towne Centre Drive from the same vantage point as View 2, near the western terminus of Towne Centre Drive. Mature vegetation along Towne Centre Drive obstructs views of existing development on the north side of Towne Centre Drive (left side of photo), and existing low-rise office buildings at the corner of Towne Centre Drive and Westerra Court are visible in the background.

Westerra Court

There are public views of the Project site from Westerra Court, which intersection with Towne Centre View south of the Project site. View 6 in Figure 5.17-3, *Site Photographs – Towne Centre Drive and Westerra Court*, depicts the view looking northwest into the existing development on the Project site from the intersection of Towne Centre Drive and Westerra Court. One of the existing buildings on site is visible in foreground on the right side of the photograph, and the previous construction staging activities on site are visible in the middle of the photograph. The building on the left side of the photograph is affiliated with Scripps Hospital west of the Project site, and west of Campus Point Drive. While it is not evident from this photograph, these buildings are more than 0.2 mile from the Project site and there is open space in the MHPA between the Project site and these buildings. There are distant views of sports field lighting and high-rise buildings on the UCSD campus atop the hillside south of Genesee Avenue west of I-5.

Genesee Avenue

Limited background views of the Project site are available from Genesee Avenue are limited and only available in the background. Views of the existing buildings on site are either fully or partially obstructed by existing development or mature vegetation. View 7 in Figure 5.17-4, *Site Photographs – Genesee Avenue and Campus Point Drive*, depicts the view looking north toward Project site from the west side of the Genesee Avenue and Campus Point Drive intersection. An existing building is visible in the center background of the of the photograph through a small viewshed between trees.

Campus Point Drive

The Project site is visible from certain vantage points along Campus Point Drive, which extends along the western boundary of the open space area between the Project site and development to

the west, that are not obstructed by mature vegetation along the roadway. View 8 in Figure 5.17-4, *Site Photographs – Genesee Avenue and Campus Point Drive*, depicts the view looking northeast toward the Project site from a vantage point just north of the intersection of Campus Point Drive and Genesee. The open space area is prominent in the foreground, and the existing buildings at and surrounding the Project site are prominent in the background of this photograph.

Interstate 805

There are limited views of the Project site from a relatively short distance along southbound I-805 near the interchange with I-5. The Project site and surrounding development are located on the mesas south of I-805, and I-805 is in the valley below. Thus, views are limited and the focal point is the adjacent hillsides in the surrounding open space areas.

5.17.2 Regulatory Framework

The planning context presented in Chapter 2.0, *Environmental Setting*, of this Environmental Impact Report (EIR), describes the land use plans and development regulations that apply to the development of the Project. The following provides a summary of the pertinent planning documents that address visual and scenic quality issues applicable to the Project. Section 5.1, *Land Use*, provides a complete analysis of the consistency of the Project with the Urban Design Elements included in the City's General Plan and the University Community Plan. Summarized below are some of the more notable adopted policies related to visual and scenic quality, as well as applicable regulation contained in the San Diego Municipal Code (SDMC).

A. Local

1. *San Diego General Plan Urban Design Element*

The Urban Design Element of the General Plan contains the goals, recommendations, and urban design objectives that relate to visual issues and community and neighborhood character. The stated purpose of the Urban Design Element is to guide physical development toward a desired scale and character that is consistent with the social, economic, and aesthetic values of the City. The Urban Design Element identifies several goals and policies to help guide patterns of development, as identified below.

General Goals and Policies

- A built environment that respects San Diego's natural environmental and climate.
- Utilization of landscape as an important aesthetic and unifying element throughout the City.
 - Policy UD-A.1: Preserve and protect natural landforms and features.

- Policy UD-A.3. Design development adjacent to natural features in a sensitive manner to highlight and complement the natural environment in areas designated for development.
- Policy UD-A.5: Design buildings that contribute to a positive neighborhood character and relate to neighborhood and community context.

Office and Business Park Development Goals and Policies

- Promote the enhanced visual quality of office and industrial development.
 - Policy UD-D.2: Assure high quality design of buildings and structures. The design and orientation of buildings within projects affect the pedestrian- and transit-orientation.
 - Policy UD-D.3: Assure high-quality design in parking areas, which often provide the first impression and identification of a project to a client, employee, or resident.

2. University Community Plan Urban Design Element

The Urban Design Element of the University Community Plan contains goals, objectives and recommendations to guide the form of development within the University Community by providing the basis for reviewing proposed projects. It focuses on defining the relationship of buildings and spaces and provides direction for public street improvements to create a distinctive community identity and character. Goals and recommendations related to visual effects and neighborhood character that are particularly relevant to the Project are identified below.

Overall Urban Design Goals

- Ensure that San Diego's climate and the community's unique topography and vegetation influence the planning and design of new projects.
- Ensure that every new development contributes to the public realm and street livability by providing visual amenities and a sense of place.

Recommendations – Center Subarea

- Improve the central community's urban form and cohesiveness as new construction activity continues.

3. San Diego Municipal Code**Development Standards**

SDMC Section 131.0630, and specifically Table 131.06C, provides development regulations for the City's industrial zones. Particularly relevant to visual and scenic quality, this includes regulations related to setback requirements, maximum structure height, and maximum floor area ratio (FAR). There are no height requirements for Industrial zones; however, the site is subject to height

restrictions established due to proximity to the MCAS Miramar as discussed in Section 5.8, *Health and Safety*, of this EIR. Table 131.06C also refers to screening requirements for loading docks and material storage areas, which are outlined in the SDMC General Development Regulations (Chapter 14, Article 2).

Light and Glare Regulations

Lighting within the City is regulated by the City's Outdoor Lighting Regulations contained in SDMC Section 142.0740 (Outdoor Light Regulations). The City's Outdoor Lighting Regulations are intended to protect surrounding land uses from light pollution; including light trespass, glare, and urban sky glow in order to preserve enjoyment of the night sky and minimize conflict caused by unnecessary illumination. General regulations limit illumination intensities and times of operation; require shielding and directional controls; and mandate compliance with applicable regulatory standards (i.e., CBC and Electric Code, FAA).

Glare within the City is controlled by SDMC Section 142.0730, (Glare Regulations), which include the following proscriptions:

- A maximum of 50% of the exterior of a building may be comprised of reflective material that has a light-reflectivity factor greater than 30% (Section 142.0730 [a]).
- Reflective building materials shall not be permitted where the City Manager determines that their use would contribute to potential traffic hazards, diminished quality of riparian habitat, or reduced enjoyment of public open space (Section 142.0730 [b]).

5.17.3 Impact Analysis

A. Issue 1

Issue 1 *Would the project result in a substantial obstruction of any vista or scenic view from a public viewing area as identified in the community plan?*

1. **Impact Thresholds**

According to the City's CEQA Significance Determination Thresholds, projects that would block public views from designated open space areas, roads, or parks, or to significant visual landmarks or scenic vistas (Pacific Ocean, downtown skyline, mountains, canyons, waterways) may result in a significant impact. Views from private property are not protected by CEQA or the City of San Diego. To meet this significance threshold, one or more of the following conditions must apply:

- *The project would substantially block a view through a designated public view corridor as shown in an adopted community plan, the General Plan, or the Local Coastal Program. Minor view blockages would not be considered to meet this condition. In order to determine whether this condition has been met, consider the level of effort required by the viewer to retain the view.*

- *The project would cause substantial view blockage from a public viewing area of a public resource (such as the ocean) that is considered significant by the applicable community plan. Unless the project is moderate to large in scale, condition "c" would typically have to be met for view blockage to be considered substantial.*
- *The project exceeds the allowed height or bulk regulations, and this excess results in a substantial view blockage from a public viewing area.*

2. **Analysis**

As noted above under the discussion of existing conditions, there are no designated viewpoints, view corridors, scenic routes, or scenic vistas identified in the University Community Plan, General Plan, or Local Coastal Program on site or in the vicinity of the Project site. There are limited distant views of the Pacific Ocean from a vantage point along Towne Centre Drive when looking over four miles northwest through an open space canyon north of the Project site. This view is accessible primarily on very clear days. Public views from Towne Centre Drive are not designated as a public view corridors or public viewing areas, and the primary viewers would be pedestrians traveling along the north side of Towne Centre Drive. Therefore, the Project would not result in a substantial obstruction of any vista or scenic view from a public viewing area as identified in the community plan. No impact would occur and no mitigation is required.

While there are views of the Project site, including the proposed development area, from various public roadways (refer to the site photographs presented in Figures 5.17-1 through 5.17-4), none of these are considered scenic roadways with sensitive viewsheds that include the Project site. There are no designated State scenic highways located within the Project area. Although I-5 is identified as eligible for listing as a State scenic highway (in large part due to views toward the west and the Pacific Ocean), it is not officially designated. The Project site is barely visible from I-5 and views are momentary and distant due to distance (approximately 0.5 mile to the west) and intervening development and topography, and thus, views to the Project from I-5 would not be affected. Therefore, implementation of the Project would not result in significant impacts related to obstruction of views from a scenic highway.

3. **Significance of Impact**

No Impact. The Project would not substantially obstruct a designated public view or result in substantial view blockage from a designated public viewing area to a public resource identified as significant in the University Community Plan. No significant impacts would occur.

4. **Mitigation Measure**

No mitigation would be required.

B. **Issue 2**

Issue 2 *Would the project result in the creation of a negative aesthetic site or project?*

1. *Impact Thresholds*

According to the City's CEQA Significance Determination Thresholds, a project may have a negative visual appearance if one or more of the following conditions occur:

- *The project would create a disorganized appearance and would substantially conflict with City codes (e.g., a sign plan which proposes extensive signage beyond the City's sign ordinance allowance).*
- *The project significantly conflicts with the height, bulk, or coverage regulations of the zone and does not provide architectural interest (e.g., a tilt-up concrete building with no offsets or varying window treatment).*
- *The project includes crib, retaining or noise walls greater than six feet in height and 50 feet in length with minimal landscape screening or berming where the walls would be visible to the public.*
- *The project is large and would result in an exceeding monotonous visual environment (e.g., a large subdivision in which all the units are virtually identical).*

2. *Analysis*

Potential for Disorganized Appearance

The Project would involve removal of the three existing building on site, which are located in the eastern portion of the Project site, and development of a five-building, scientific research and development (R&D) campus that can accommodate approximately 1,000,000 sf of building area in the Central Subarea of the University Community Plan. The Project would also include 1,027,650 sf of exempt areas² including a 155,333-sf parking garage. As shown on the conceptual site plan provided on Figure 3-1, the buildings are strategically distributed throughout the southern portion of the Project site, including the currently graded but undeveloped western area of the site. As shown on the conceptual site plan and conceptual building elevations presented in Figures 3-2 through 3-6, the proposed buildings would have varied forms, sizes, and heights that would create a diverse but cohesive visual environment within the Project site. The architectural style of proposed buildings would provide a consistent design with articulation and various design elements to provide visual diversity and interest. Additionally, landscaping would be provided around the site perimeter and within the Project site, including along proposed access drives, parking lots, and streetscapes. The proposed landscape palette includes a variety of drought-tolerant canopy and accent trees, accent and ornamental shrubs, groundcovers, and turf to provide a unified theme throughout the site (refer to Figure 3-10). The configuration and types of proposed street trees along the Towne Centre Drive roadway frontage would be compatible with existing streetscape landscaping in the community.

² Area excluded from gross floor area and floor-to-area (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.

As discussed in Section 5.1, *Land Use*, of this EIR, the Project does require zoning deviations related to rear setbacks from residentially zone lands, the number of loading berths, driveway width at the main site entrance, the radius of the Towne Centre Drive cul-de-sac, and the height of retaining walls. None of these deviations would result in a potential for a disorganized appearance and only the deviations related to rear setbacks and retaining wall heights have the potential to adversely affect visual quality. These deviations are discussed below.

The site planning and design considerations would provide for an organized and visually compatible development that would not create a disorganized visual appearance and would not conflict with City codes, resulting in a less than significant impact.

Height, Bulk and Coverage Regulations

As shown on Figure 2-8, the proposed development area in the southern portion of the Project site is zoned IP-1-1 (Industrial Park) and the northern portion of the Project site is zoned RS-1-14 (Residential – Single Unit). No development is proposed in the RS-1-14 zone, which would remain as open space in the MHPA; therefore, the Project would not conflict with bulk, height, or coverage regulations applicable to this zone.

As identified in SDMC Table 131-06C, *Development Regulations for Industrial Zones*, there are no height limits for structures in the City's industrial zones except as limited by applicable overlay zones. Relevant to this analysis of height regulations, the Project site is located in the Airport Land Use Compatibility Overlay Zone, which requires review for consistency with the MCAS Miramar Airport Land Use Compatibility Plan (ALUCP), including whether the height of proposed buildings would affect navigable airspace (refer to discussion in Section 5.8, *Health and Safety*, of this EIR). Buildings A – D would have an overall building height ranging from 107.3 to 131.5 feet; Building D would be five levels and Buildings A-C would be six levels. Existing elevations on-site range from approximately 330 to 360 feet AMSL. 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 AMSL, and the building elevation at top of parapet for Building D would be 450.6 feet AMSL.³ Building E would be two levels and would have a building elevation of 389.0 feet AMSL at top of parapet. The parking garage would be seven parking levels and 76 feet above grade. While the proposed buildings would exceed the height of the existing buildings to be removed, 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 due to building height. Therefore, the Project would not conflict with any height regulations applicable to development at the Project site.

SDMC Table 131-06C, *Development Regulations for Industrial Zones*, identifies setback requirements and the maximum FAR for the IP-1-1 zone. The IP-1-1 zone requires a 50-foot rear setback from

³ The building height is calculated as the overall building height in relation to the lowest adjacent grade.

residentially zoned land. 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. A deviation for Building D, where a standard rear building setback of 25 feet would be applied, is being requested for the Project, which is appropriate given that there are no single-family homes present in the MHPA open space and none may be developed in the future.

The maximum FAR for the IP-1-1 zone is 2.0, excluding the 7.0-acre northern open space parcel, the proposed development area encompasses approximately 26.55 acres. Based on a FAR of 2.0, this would represent allowed coverage of over 2.3 million square feet (msf).. However, in light of maximum density restrictions because the Project site is within an Accident Potential Zone (APZ) II, and a Transition Zone for MCAS Miramar, the maximum allowed building area is approximately 1.5 msf. The Project would include 999,386 sf of gross floor area and would not exceed the coverage regulations applicable to the Project site. The coverage would be less than half what is allowed per the site zoning regulations.

As indicated under the discussion of “Potential for Disorganized Appearance” above, and “Monotonous Appearance” below, the proposed buildings would have a variety of architectural treatments, colors, and other design elements to provide visual interest, while maintaining a cohesive design aesthetic for the Project.

Therefore, the Project would not conflict with bulk, height, or coverage regulations applicable to the Project site and would provide architectural interest. This impact would be less than significant.

Walls

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 previously graded area in the western portion of the Project site. Existing retaining walls with a height ranging from 0 to 12 feet would remain and new retaining walls would be installed as shown on Exhibit 3-16. New retaining walls ranging from 5 to 20 feet high and ranging from 50 to 480 feet long would be installed, as needed for grading, brush management, or proposed development features (e.g., generator pad, loading docks, and parking garage entry). Additionally, the existing 4-foot-high retaining wall north of Building D would be modified to 9 feet high as part of the proposed brush management plan. Most of the walls occur internal to the Projects site and would not be visible to the public. Additionally, walls that are visible at the perimeter of the Project site would incorporate architectural treatments in terms of surfaces, texture, and color that would integrate them into the appearance of the adjoining or adjacent buildings and walls, and landscaping would be installed to screen views of the walls. The Project, therefore, would not have a negative visual appearance associated with proposed walls. Associated visual impacts would be less than significant.

Potential for Monotonous Appearance

Although designed to present a harmonious and visually unified Project, the Project would provide several different building forms with different sizes, shapes, and heights that would create a diverse (as opposed to monotonous or repetitive) visual environment within the Project site. The architectural style of proposed buildings would provide articulation and various design elements to provide visual diversity and interest, as well as to reduce massing. Facades would be articulated with consideration given to both energy efficiency and interior/exterior occupant experience. Exterior 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. Landscape elements, which would unify the Project through consistency of plant types and presentation of “green” elements trending through the Project, also would provide visual relief from the built environment.

The Project would not provide a single mass monotonous development. It would provide an identifiable scientific R&D campus that would be consistent with the character of the University Community. Associated visual impacts would be less than significant.

3. *Significance of Impact*

Less than Significant Impact. Proposed buildings, Project design features, and the overall Project layout would provide for an organized and visually cohesive development, and would adhere to established regulations related to visual quality. Architectural treatments, design elements, and landscaping would be incorporated into the Project that would provide visual interest. Proposed retaining walls would not be highly visible from public viewpoints and would be largely screened by landscaping. Therefore, the Project would not have a negative visual appearance and no significant visual impacts would occur. This impact would be less than significant.

4. *Mitigation Measure*

No mitigation measures are required.

C. *Issue 3 and Issue 4*

Issue 3 *Would the project result in bulk, scale, materials, or style which would be incompatible with surrounding development?*

Issue 4 *Would the project result in substantial alteration to the existing or planned character of the area, such as could occur with the construction of a subdivision in a previously undeveloped area?*

1. *Impact Thresholds*

According to the City's CEQA Significance Determination Thresholds, a project is considered to have a significant impact if the following could occur:

- *The project exceeds the allowable height or bulk regulations and the height and bulk of the existing patterns of development in the vicinity of the project by a substantial margin.*
- *The project would have an architectural style or use building materials in stark contrast to adjacent development where the adjacent development follows a single or common architectural theme (e.g., Gaslamp Quarter, Old Town).*
- *The project would result in the physical loss, isolation or degradation of a community identification symbol or landmark (e.g., a stand of trees, coastal buff, historic landmark), which is identified in the General Plan, applicable community plan or local coastal program.*
- *The project is located in a highly visible area (e.g., on a canyon edge, hilltop or adjacent to an interstate highway) and would strongly contrast with the surrounding development or natural topography through excessive height, bulk, signage, or architectural projections.*

2. *Analysis*

Height and Bulk

The Project involves development of a five-building scientific R&D campus and a parking garage. As identified under the analysis for Issue 2, the proposed building heights would not exceed allowable height or bulk regulations relevant to development at the Project site. The Project occurs within the Central Subarea, which is intended for combination of commercial, office, and residential uses at higher development intensities. Consistent with this, the proposed buildings would be two, five, and six levels with building elevations ranging from 389 feet AMSL to 466.5 feet AMSL, which can be compared to the existing on-site buildings that would be removed, which are two levels with building elevations ranging from 379 to 389 feet. Existing elevations on-site range from approximately 330 to 360 feet AMSL. The Project site is on a graded and developed mesa at the terminus of Towne Centre Drive and is surrounded by open space in the MHPA to the north, west, and south. Therefore, existing development in the vicinity of the Project site includes primarily two- and three-level buildings to the east and southeast along Towne Centre Drive. The proposed buildings would not exceed the build and height of the existing buildings by a substantial margin. The Project would have a less than significant impact.

Architectural Styles

The University Community, and specifically the Central Subarea, includes a diversity of architectural styles, building materials and colors, landscaping, lighting, and signage, rather than a single dominant theme that is implemented throughout the community. Therefore, the project would not have an architectural style or use building materials in stark contrast to adjacent development

where the adjacent development follows a single or common architectural theme. No impact would occur.

Community Landmarks

No landmarks, community identification symbols, or unique visual features such as prominent stands of trees, are located on the Project site or within the surrounding area. Furthermore, the Project site is not located such that Project features would block views toward, isolate, or cause the loss or degradation of any community identification symbols or landmarks. No impact would occur.

Project Visibility and Contrast

The Project site is located on a mesa surrounded by steep slopes in the open space areas located north, northeast, west, and south of the site. Public views into the Project site are provided from adjacent and nearby roadways including, but not limited to, Towne Centre Drive, Westerra Court, Genesee Avenue, Campus Point Drive, and I-805.

While the Project would be highly visible from vantage points along Towne Centre Drive and Westerra Court, the views of the Project site from these roadways, which are adjacent to the Project site, are not in a "highly visible area" as identified for this threshold. The Project site is located at the terminus of Towne Centre Drive at its intersection with Westerra Court and the viewers from these roadways are limited to people traveling to the site or nearby businesses. Because Towne Centre Drive is generally at the same elevation as the Project site, on top of the graded mesa, the hillsides surrounding the Project site are not prominent in the viewshed from this roadway; however, the canyon area south of Towne Centre Drive, which is not within the Project site, is visible at the terminus of the roadway. Existing vegetation along Towne Centre Drive also obstructs views into the Project site. Notwithstanding, as discussed below and under the analysis for Issue 2, the Project would not have excessive height or bulk and the architecture would not contrast with nearby or other buildings within the viewshed from Towne Centre Drive or Westerra Court.

The Project site is also visible from vantage points further away from the Project site, beyond the adjacent open space areas that provide a buffer between the Project site and existing uses. While views from Genesee Avenue, the closest major roadway to the Project site, are largely obstructed by landscaping and existing development, the Project site is highly visible from Campus Point Drive, which is the nearest roadway west of the Project site (refer to the site photographs provided in Exhibit 5.17-4). It is anticipated that similar distant views are available from other locations in the area. There are also views of the site from limited vantage points along the I-5 and the southbound I-805 near the I-5 interchange. The natural slopes and open space areas that surround the site are a prominent focal point for views looking toward the site. In some instances, such as views from vantage point to the north, the hillsides north of the Project site obstruct direct views of the Project site.

The Project would introduce development in the western portion of the Project site that is currently undeveloped and would involve redevelopment of the eastern portion of the Project site. The proposed buildings would be up to six levels and taller overall than the existing two-level buildings on site. As with existing conditions, development at the Project site would be visible from certain distant vantage points; however, the proposed development would be more visible in the viewshed compared to existing condition. There is not a common architectural theme in the Central Subarea; however, the proposed buildings would not contrast with the existing development surrounding the Project site that is also visible on the mesa. The surrounding development consists two- and three-level office buildings with various architectural styles. The proposed buildings 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. Exterior shading devices at south and west-facing facades 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 further reduce the scale of the buildings as the massing is carved away at these exterior niches. Landscaping consisting of native plants, and in excess of that required, would be planted on site and would serve to screen the proposed buildings. Landscaping would also be established in disturbed areas outside of the building lines to give a seamless appearance throughout the Project.

While the Project site and on-site development would continue to be highly visible, as discussed under the analysis for Issue 5 below, the proposed development would occur on the existing graded mesa. The steep hillsides in the open space areas surrounding the Project site, and the northern open space parcel on the Project site, would be retained with implementation of the Project, and remain a prominent focal point of views looking toward the site.

Therefore, although the Project site is located on mesa on top a steep hillside area, and is highly visible from certain vantage points, there would not be changes to the hillside area, and the proposed development would not strongly contrast with the surrounding development or natural topography due to excessive height, bulk, signage, or architectural projection.

3. *Significance of Impact*

Less than Significant Impact. The Project would introduce additional buildings and site features that would result in additional development on site compared to existing conditions. The Project would not exceed height, bulk, and coverage regulations and would not exceed the height and bulk of existing surrounding development by a substantial margin. There is not a common architectural theme in the Central Subarea and the buildings would include architectural features and treatments that would not contrast with existing development. The Project also would not result in the loss, isolation, or degradation of a landmark or community identification feature as no such features are located on the Project site. Views of the site from public vantage points would not substantially change such that the Project would be out of character with surrounding development. While the site, as seen from certain view locations, would exhibit increased development intensity, the proposed buildings would be at a similar scale and mass as surrounding development. The Project

would not contrast with existing surrounding development or natural topography through excessive height, bulk, signage, or architectural projections. Therefore, impacts to visual quality and neighborhood character would be less than significant.

4. **Mitigation Measure**

No mitigation measures would be required.

D. **Issue 5**

Issue 5 *Would the Project result in a substantial change in the existing landform?*

1. **Impact Threshold**

According to the City's CEQA Significance Determination Thresholds, a project is considered to have a significant impact if a project would result in more than 2,000 cy of earth per graded acre by either excavation or fill. In addition, one or more of the following conditions must apply to meet this significance threshold:

- *The project would disturb steep hillsides in excess of the encroachment allowances of the Environmentally Sensitive Lands regulations (LDC Chapter 14, Article 3, Division 1). In evaluating this issue, environmental staff should consult with permit staff.*
- *The project would create manufactured slopes higher than ten feet or steeper than 2:1 (50%).*
- *The project would result in a change in elevation of steep hillsides as defined by the SDMC Section 113.0103 from existing grade to proposed grade of more than five feet by either excavation or fill, unless the area over which excavation or fill would exceed five feet is only at isolated points on the site. (A continuous elevation change of five feet may be noticeable in relation to surrounding areas. In addition, such a change may require retaining walls and other features to stabilize slopes, potentially resulting in a manufactured appearance.)*
- *The project design includes mass terracing of natural slopes with cut or fill slopes in order to construct flat-pad structures.*

However, the above listed conditions may not be considered significant if one or more of the following apply:

- *The grading plans clearly demonstrate, with both spot elevations and contours, that the proposed landforms will very closely imitate the existing on-site landform and/or the undisturbed, pre-existing surrounding neighborhood landforms. This may be achieved through "naturalized" variable slopes.*
- *The grading plans clearly demonstrate, with both spot elevations and contours, that the proposed slopes follow the natural existing landform and at no point vary substantially from the natural landform elevations.*

- *The proposed excavation or fill is necessary to permit installation of alternative design features such as step-down or detached buildings, non-typical roadway or parking lot designs, and alternative retaining wall designs which reduce the project's overall grading requirements.*

2. Analysis

The Project site has been subject to previous grading activities in association with development of the existing scientific R&D buildings in the eastern portion of the Project site, and grading of building pad sites to support the previously approved development in the western portion of the site. As shown on the conceptual grading plan and associated site sections (refer to Figures 3-16 and 3-17), the Project requires additional grading and excavation, including for the subterranean parking. There would be approximately 285,000 cy of cut and approximately 158,500 cy of fill. While approximately 30% of the Project site includes natural slopes greater than 25%, these steep hillsides would not be impacted by the Project (refer to Figure 5.1-1). The northern portion of the Project site, which is within the MHPA and contains the majority of the on-site steep hillsides, would remain undeveloped with implementation of the Project. The proposed development and redevelopment would be limited to previously developed and disturbed areas that do not occur in steep hillside areas on site.

With respect to the identified thresholds of significance above, the Project would not create manufactured slopes steeper than 2:1; however, some of the manufactured slopes would exceed 10 feet in height. The manufactured slopes would include slope stabilizing planting and landscaping. The majority of the manufactured slopes would not be visible from any public vantage points. One manufactured slope proposed at the terminus of Towne Centre Drive would be visible from public vantage points; however, the manufactured slope would be landscaped. As shown on the conceptual grading plan provided on Figure 3-16, the proposed grading would emulate the surrounding natural landforms adjacent to the Project site (2:1 slopes higher than 10 feet) in the surrounding canyons. Additionally, the quantity of earthwork for the Project is primarily driven by the proposed subterranean parking for the majority of the Project site, which would be considered an alternative design feature because the proposed subterranean parking provides opportunities on site for significant landscaping areas and a reduction in heat island effects compared to a traditional surface parking lot. Therefore, impacts related to landform alteration would be less than significant.

3. Significance of Impact

Less than Significant Impact. The Project would not disturb steep hillsides; however, the proposed grading would result in manufactured slopes higher than 10 feet. The manufactured slopes would emulate surrounding natural slopes, and the grading approach accommodates subterranean parking to reduce the need for surface parking areas. Impacts related to landform alteration would be less than significant.

4. Mitigation Measure

No mitigation measures would be required.

E. Issue 6

Issue 6 *Would the project result in the loss of any distinctive or landmark tree(s), or stand of mature trees as identified in the community plan?*

1. Impact Threshold

According to the City's CEQA Significance Determination Thresholds, a project is considered to have a significant impact if the project would:

- *Result in the physical loss, isolation, or degradation of a community identification symbol or landmark (e.g., a stand of trees, coastal bluff, historic landmark) that is identified in the General Plan, applicable community plan, or local coastal program.*

2. Analysis

There are no distinctive or landmark trees, or stand of mature trees designated on the Project site in the City's General Plan, or University Community Plan. Therefore, implementation of the Project would not result in the loss of distinctive or landmark trees.

3. Significance of Impacts

No Impact. No impacts to distinctive or landmark trees would occur.

4. Mitigation Measure

No mitigation measures are required.

F. Issue 7

Issue 7 *Would the project result in substantial light or glare which would adversely affect daytime or nighttime views in the area?*

1. Impact Threshold

According to the City's CEQA Significance Determination Thresholds, a project is considered to emit or reflect a significant amount of light and glare if one or more of the following apply:

- *The project would shed substantial light onto adjacent, light-sensitive property or land use, or would emit a substantial amount of ambient light into the nighttime sky. Uses considered sensitive to nighttime light include, but are not limited to, residential, some commercial and industrial uses, and natural areas.*
- *The project would be moderate to large in scale, more than 50% of any single elevation of a building's exterior is built with a material with a light reflectivity greater than 30% (see LDC Section 142.07330(a)), and the project is adjacent to a major public roadway or public area.*

2. *Analysis*

Light

The Project site is in an urbanized area that contains existing sources of light from the existing on-site buildings, surrounding commercial office buildings, and streetlights. Consistent with existing condition, lighting for the Project would be provided in parking areas, on buildings, and along internal roadways. Proposed outdoor lighting would be in compliance with the City's Outdoor Lighting Regulations pursuant to SDMC Section 142.07330(a) and the MHPA Land Use Adjacency Guidelines (LUAG). Project lighting would include spill control features to direct lighting to on-site areas such that light would not trespass, beyond allowable levels, onto adjacent properties, including areas within the MHPA, or into the nighttime sky. There are no residential uses adjacent to the Project site. Compliance with regulatory lighting requirements would avoid emission of substantial amounts of ambient light onto adjacent properties, and into the nighttime sky. Project impacts related to light would be less than significant.

Glare

Each building would be clad in a curtain wall system composed of vision glazing, spandrel glazing, and metal panel. The Project would use a maximum 30% light reflectivity factor (low emissivity or Low-E) for glazing and exterior coating performance requirements. Additionally, the Project would include extensive perforated metal panel sun shading on the building facades. The facades would also be partially self-shading due to the building configuration that includes overhangs, and a scrim and shading structure. Both of these approaches reduce potential glare, in addition to the Project complying with a maximum 50% of facade materials having a maximum 30% light reflectivity factor. Therefore, no substantial glare effects would occur to motorists along adjacent roadways, on- and off-site public spaces, and off-site residents.

3. *Significance of Impact*

Less than Significant Impact. The Project would not result in any significant light, or glare, impacts. Outdoor lighting would keep in the character of the area that surrounds the Project site. In addition, the Project would be required to comply with the City's Outdoor Lighting Regulations. The Project would not result in any significant glare impacts because glass used on the proposed buildings would be non-reflective. Thus, impacts would be less than significant.

4. *Mitigation Measure*

As no significant impacts would occur, no mitigation measures would be required.

View 1



View 1: Looking east from the west side of Towne Centre Drive with the Project site visible in the left portion of the image

View 2



View 2: Looking northwest into western portion of the Project site from a vantage point near the western terminus of Towne Centre Drive

Key Map 



Figure 5.17-1

Not to Scale

View 3



View 3: Looking northwest from the southern side of Towne Centre Drive toward the eastern portion of the Project site

View 4



View 4: Looking northwest from the northern side of Towne Centre Drive toward the eastern portion of the Project site

Key Map 

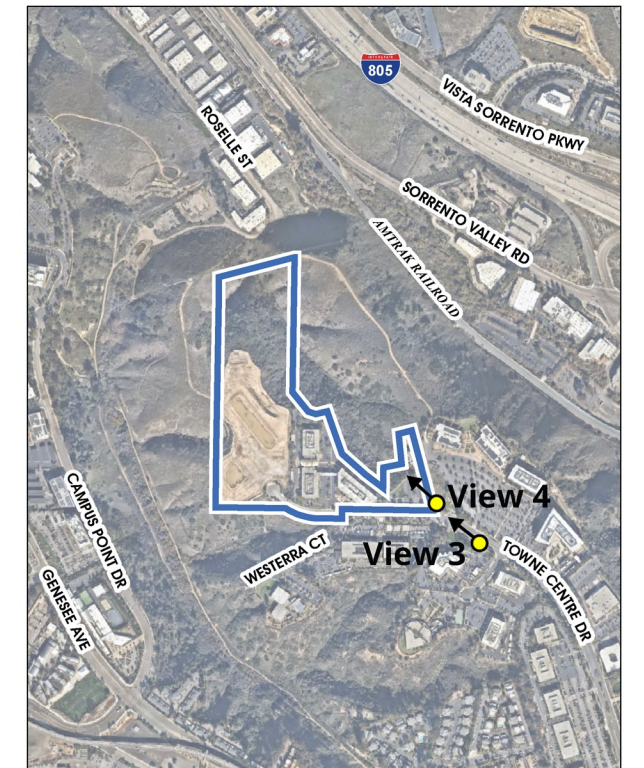


Figure 5.17-2

Not to Scale

View 5



View 5: Looking east along Towne Centre Drive

View 6



View 6: Looking northwest into the existing development on the Project site from the intersection of Towne Centre Drive and Westerra Court

Key Map 



Figure 5.17-3

Not to Scale

View 7



View 7: Looking north toward Project site from the west side of the Genesee Avenue and Campus Point Drive intersection

View 8



View 8: Looking northeast toward the Project site from a vantage point just north of the intersection of Campus Point Drive and Genesee Avenue intersection

Key Map 



Figure 5.17-4

Not to Scale

5.18 WATER QUALITY

This section evaluates potential water quality impacts associated with the Project. Unless otherwise noted, information in this section is based the *Storm Water Quality Management Plan, Towne Centre View (SWQMP)* prepared by Pasco Laret Suiter & Associates, Inc. (PLSA) in December 2021 and is included as Appendix N, of this Environmental Impact Report (EIR).

5.18.1 Existing Conditions

A. Receiving Waters and Water Quality Contaminants

The Project site is located within the Miramar Reservoir Hydrologic Area (906.1) within the Peñasquitos Watershed (Peñasquitos Hydrologic Unit). 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. Discharge from the Project site is then conveyed to the following receiving waters: Soledad Canyon Creek (0.2 miles from the Project site and flow northerly), Los Peñasquitos Lagoon (1.5 miles from the Project site), and Pacific Ocean Shoreline at Los Peñasquitos River mouth (4 miles from the Project site) (PLSA, 2021b).

Storm water runoff from urban areas can contain significant concentrations of harmful pollutants that can contribute to adverse water quality impacts in receiving streams. Major sources include contaminants from residential, commercial, and industrial uses, construction activities, streets and parking lots, and atmospheric deposition. Contaminants typically found in storm water runoff and their likely sources are summarized in Table 5.18-1, *Sources of Contaminants in Urban Storm Water Runoff*.

Table 5.18-1 Sources of Contaminants in Urban Storm Water Runoff

Contaminant	Contaminant Sources
Sediment and Floatables	Streets, lawns, driveways, roads, construction activities, atmospheric deposition, drainage channel erosion
Pesticides and Herbicides	Residential lawns and gardens, roadsides, utility right-of-ways, commercial and industrial landscaped areas, soil wash-off
Organic Materials	Residential lawns and gardens, commercial landscaping, animal wastes
Metals	Automobiles, bridges, atmospheric deposition, industrial areas, soil erosion, corroding metal surfaces, combustion processes
Oil and Grease/ Hydrocarbons	Roads, driveways, parking lots, vehicle maintenance areas, gas stations, illicit dumping to storm drains
Bacteria and Viruses	Lawns, roads, leaky sanitary sewer lines, sanitary sewer cross-connections, animal waste, septic systems
Nitrogen and Phosphorus	Lawn fertilizers, atmospheric deposition, automobile exhaust, soil erosion, animal waste, detergents

Source: (EPA, 1999, Table 4-2)

B. Beneficial Uses

The Water Quality Control Plan for the San Diego Basin (Basin Plan) (RWQCB, 1994) designates beneficial uses for water bodies in the San Diego Region, and establishes water quality objectives and implementation plans to protect these beneficial uses. Beneficial uses for Soledad Canyon Creek include AGR, IND, REC-2, WARM, COLD, and WILD while beneficial uses for the Los Peñasquitos Lagoon include REC-1; REC-2; BIOL; EST; WILD; RARE; MAR; MIGR; SPWN; and SHELL. There are no areas of special biological significance receiving waters downstream of the Project discharge locations (PLSA, 2021b). Description of these beneficial uses as presented in the Basin Plan are as follows:

- **AGR (Agricultural Supply)** - Includes uses of water for farming, horticulture, or ranching including, but not limited to, irrigation, stock watering, or support of vegetation for range grazing.
- **BIOL (Preservation of Biological Habitats of Special Significance)** - Includes uses of water that support designated areas or habitats, such as established refuges, parks, sanctuaries, ecological reserves, or Areas of Special Biological Significance (ASBS), where the preservation or enhancement of natural resources requires special protection.
- **COLD (Cold Freshwater Habitat)** - Includes uses of water that support cold water ecosystems including, but not limited to, preservation or enhancement of aquatic habitats, vegetation, fish or wildlife, including invertebrates.
- **EST (Estuarine Habitat)** - Includes uses of water that support estuarine ecosystems including, but not limited to, preservation or enhancement of estuarine habitats, vegetation, fish, shellfish, or wildlife (e.g., estuarine mammals, waterfowl, shorebirds).
- **IND (Industrial Service Supply)** - Includes uses of water for industrial activities that do not depend primarily on water quality including, but not limited to, mining, cooling water supply, hydraulic conveyance, gravel washing, fire protection, or oil well re-pressurization.
- **MAR (Marine Habitat)** - Includes uses of water that support marine ecosystems including, but not limited to, preservation or enhancement of marine habitats, vegetation such as kelp, fish, shellfish, or wildlife (e.g., marine mammals, shorebirds).
- **MIGR (Migration of Aquatic Organisms)** - Includes uses of water that support habitats necessary for migration, acclimatization between fresh and salt water, or other temporary activities by aquatic organisms, such as anadromous fish.
- **RARE (Preservation of Rare, Threatened, or Endangered Species)** - Includes uses of water that support habitats necessary, at least in part, for the survival and successful maintenance of plant or animal species established under state or federal law as rare, threatened or endangered.

- **REC-1 (Contact Water Recreation)** - Includes uses of water for recreational activities involving body contact with water, where ingestion of water is reasonably possible. These uses include, but are not limited to, swimming, wading, water-skiing, skin and SCUBA diving, surfing, white water activities, fishing, or use of natural hot springs.
- **REC-2 (Non-contact Water Recreation)** - Includes the uses of water for recreational activities involving proximity to water, but not normally involving body contact with water, where ingestion of water is reasonably possible. These uses include, but are not limited to, picnicking, sunbathing, hiking, beachcombing, camping, boating, tidepool and marine life study, hunting, sightseeing, or aesthetic enjoyment in conjunction with the above activities.
- **SPWN (Spawning, Reproduction, and/or Early Development)** - Includes uses of water that support high quality habitats suitable for reproduction, early development and sustenance of marine fish and/or cold freshwater fish.
- **SHELL (Shellfish Harvesting)** - Includes uses of water that support habitats suitable for the collection of filter-feeding shellfish (e.g., clams, oysters and mussels) for human consumption, commercial, or sport purposes.
- **WARM (Warm Freshwater Habitat)** - Includes uses of water that support warm water ecosystems including, but not limited to, preservation or enhancement of aquatic habitats, vegetation, fish or wildlife, including invertebrates.
- **WILD (Wildlife Habitat)** - Includes uses of water that support terrestrial ecosystems including, but not limited to, preservation and enhancement of terrestrial habitats, vegetation, wildlife (e.g., mammals, birds, reptiles, amphibians, invertebrates), or wildlife water and food sources.

C. Clean Water Act Section 303(d): Impaired Water Bodies and Total Maximum Daily Loads

Section 303(d) of the Clean Water Act assists states, territories and authorized tribes in listing impaired waters and developing Total Maximum Daily Loads (TMDLs) for these waterbodies. TMDL establishes the maximum amount of a pollutant allowed in a waterbody and serves as the starting point or planning tool for restoring water quality. The Soledad Canyon Creek is listed as an impaired water body for sediment toxicity and selenium, while the Los Peñasquitos Lagoon is listed for toxicity and siltation/sedimentation. The Pacific Ocean Shoreline at Los Peñasquitos River Mouth is listed for indicator bacteria, siltation/sedimentation, hydromodification and freshwater discharges, which are Water Quality Improvement Plan (WQIP) highest priority (PLSA, 2021b).

5.18.2 Regulatory Framework

Refer to Section 5.10, *Hydrology*, for a discussion of regulations addressing hydrology/drainage conditions.

A. Federal**1. *Clean Water Act/National Pollutant Discharge Elimination System Requirements***

The Clean Water Act establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters. Under the Clean Water Act, the Environmental Protection Agency (EPA) has implemented pollution control programs, and also has set water quality standards for all contaminants in surface waters. The Clean Water Act made it unlawful to discharge any pollutant from a point source into navigable waters, unless a permit was obtained. EPA's National Pollutant Discharge Elimination System (NPDES) permit program controls discharges. Point sources are discrete conveyances such as pipes or man-made ditches. Individual homes that are connected to a municipal system, use a septic system, or do not have a surface discharge do not need an NPDES permit; however, industrial, municipal, and other facilities must obtain permits if their discharges go directly to surface waters.

B. State**1. *Porter-Cologne Water Control Act***

The Porter-Cologne Act is the principal law governing water quality regulation in California. It establishes a comprehensive program to protect water quality and the beneficial uses of water. The Porter-Cologne Act applies to surface waters, wetlands, and ground water and to both point and nonpoint sources of pollution. The Porter-Cologne Act established nine Regional Water Quality Control Boards (RWQCBs) (based on hydrogeologic barriers) and the SWRCB, which are charged with implementing its provisions and which have primary responsibility for protecting water quality in California. The SWRCB provides program guidance and oversight, allocates funds, and reviews RWQCB decisions. In addition, the SWRCB allocates rights to the use of surface water. The RWQCBs have primary responsibility for individual permitting, inspection, and enforcement actions within each of nine hydrologic regions. The SWRCB and RWQCBs have numerous non-point source (NPS) related responsibilities, including monitoring and assessment, planning, financial assistance, and management.

The RWQCBs regulate discharges under the Porter-Cologne Act primarily through issuance of NPDES permits for point source discharges and waste discharge requirements (WDRs) for NPS discharges. Anyone discharging or proposing to discharge materials that could affect water quality (other than to a community sanitary sewer system regulated by an NPDES permit) must file a report of waste discharge. The SWRCB and the RWQCBs can make their own investigations or may require dischargers to carry out water quality investigations and report on water quality issues. The Porter-Cologne Act provides several options for enforcing WDRs and other orders, including cease and desist orders, cleanup and abatement orders, administrative civil liability orders, civil court actions, and criminal prosecutions.

The Porter-Cologne Act also implements many provisions of the Clean Water Act, such as the NPDES permitting program. The Porter-Cologne Act also requires adoption of water quality control plans

that contain the guiding policies of water pollution management in California. In addition, regional water quality control plans (basin plans) have been adopted by each of the RWQCBs and get updated as necessary and practical. These plans identify the existing and potential beneficial uses of waters of the State and establish water quality objectives to protect these uses. The basin plans also contain implementation, surveillance, and monitoring plans.

2. NPDES Construction General Permit

Pursuant to Section 402(p) of the Clean Water Act, which requires regulations for permitting of certain storm water discharges, the State Water Resources Control Board (SWRCB) has issued a General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities discussed below (Construction General Permit, NPDES No. CAS000002, SWRCB Order 2009-0009-DWQ¹). Under the Construction General Permit, storm water discharges from construction sites with a disturbed area of one acre or more are required to either obtain individual NPDES permits for storm water discharges or to be covered by the Construction General Permit. Coverage under the Construction General Permit is accomplished by determining the risk level of the construction site and by preparing a Storm Water Pollution Prevention Plan (SWPPP) that includes a site evaluation and assessment, Best Management Practices (BMPs) to be implemented at the construction site, and an inspection program. The SWPPP should also outline the monitoring and sampling program to verify compliance with discharge Numeric Action Levels (NALs) according to the Risk Level for the site, as set by the Construction General Permit. The primary objective of the SWPPP is to ensure that the responsible party properly construct, implement, and maintain BMPs to reduce or eliminate pollutants in storm water discharges and authorized non-storm water discharges from the construction site. Permit Registration Documents (SWPPP, Notice of Intent, and other documents), as well as annual reports, Notice of Terminations, and NAL exceedance reports, must be electronically submitted to the SWRCB and the permit fee mailed to the SWRCB for Construction General Permit coverage.

3. NPDES Municipal Permit

The Municipal permit implements a regional strategy for water quality and related concerns and mandates a watershed-based approach that often encompasses multiple jurisdictions. The overall permit goals include: (1) providing a consistent set of requirements for all co-permittees; and (2) allowing the co-permittees to focus their efforts and resources on achieving identified goals and improving water quality, rather than just completing individual actions (which may not adequately reflect identified goals). Under this approach, the co-permittees are tasked with prioritizing their individual water quality concerns, as well as providing implementation strategies and schedules to address those priorities.

¹ NPDES No. CAS000002, Water Quality Order 2009 0009 DWQ, SWRCB NPDES General Permit for Storm Water Discharges Associated with Construction Activity (adopted by the SWRCB on September 2, 2009, and effective on July 1, 2010). This order was amended by 2010-0014-DWQ, which became effective on February 14, 2011, and 2012-0006-DWQ, which became effective on July 17, 2012. In accordance with the language set forth in Order No. 2009-0009-DWQ, this permit has been administratively extended indefinitely.

Municipal Permit conformance entails considerations such as receiving water limitations (e.g., Basin Plan criteria as outlined below), waste load allocations (WLAs), and numeric water quality based effluent limitations (WQBELs). Specific efforts to provide permit conformance and reduce runoff and pollutant discharges to the maximum extent practicable (MEP) involve methods such as: (1) using jurisdictional planning efforts (e.g., discretionary General Plan approvals) to provide water quality protection; (2) requiring coordination between individual jurisdictions to provide watershed-based water quality protection; (3) implementing appropriate BMPs, including low impact development (LID) measures, to avoid, minimize, and/or mitigate effects such as increased erosion and off-site sediment transport (sedimentation), hydromodification and the discharge of pollutants in urban runoff; and (4) using appropriate monitoring/assessment, reporting, and enforcement efforts to ensure proper implementation, documentation, and (as appropriate) modification of permit requirements. The City has implemented a number of regulations to ensure conformance with these requirements, as outlined below under local standards.

C. Local

1. Water Quality Control Plan for the San Diego Basin

The San Diego Basin encompasses approximately 3,900 square miles and is divided into 11 major hydrologic units, 54 hydrologic areas, and 147 hydrologic subareas. The San Diego RWQCB Basin Plan has been designed to preserve and enhance water quality and protect the beneficial uses of all regional waters. Specifically, the Basin Plan: (1) designates beneficial uses for surface and ground waters; (2) sets narrative and numerical objectives that must be attained or maintained to protect the designated beneficial uses and conform to the state's antidegradation policy; (3) describes implementation programs to protect the beneficial uses of all waters in the Region; and (4) describes surveillance and monitoring activities to evaluate the effectiveness of the Basin Plan. Additionally, the Basin Plan incorporates by reference all applicable State and Regional Board plans and policies.

2. NPDES MS4 Permit

The San Diego RWQCB regulates discharges from Phase I municipal separate storm sewer systems (MS4s) in the San Diego Region under the Regional MS4 Permit. The Regional MS4 Permit covers 39 municipal, county government, and special district entities (referred to jointly as Co-permittees) located in San Diego County, southern Orange County, and southwestern Riverside County who own and operate large MS4s, which discharge storm water (wet weather) runoff and non-storm water (dry weather) runoff to surface waters throughout the San Diego Region. The Regional MS4 Permit No. CAS 0109266, Order No. R9-2013-0001, was adopted on May 8, 2013 and initially covered the San Diego County Co-permittees. Order No. R9-2015-0001 was adopted on February 11, 2015, amending the Regional MS4 Permit to extend coverage to the Orange County Co-permittees. Finally, Order No. R9-2015-0100 was adopted on November 18, 2015, amending the Regional MS4 Permit to extend coverage to the Riverside County Co-permittees. The current MS4 Permit was scheduled to expire June 27, 2018, but remains in effect under an administrative extension until it is reissued by the San Diego RWQCB.

3. ***City of San Diego Jurisdictional Urban Runoff Management Plan***

The City's Jurisdictional Runoff Management Plan (JRMP) identifies the City's approach to improving water quality in its rivers, bays, lakes, and ocean through reducing discharges of pollutants to the municipal separate storm sewer system. The City implements or requires its residents and land owners to implement BMPs for residential, industrial, commercial and municipal sites/sources. Some examples of BMPs include covering potential pollutant sources to prevent contact with rain, employing erosion reduction techniques at construction sites, adjusting sprinklers to eliminate irrigation runoff, sweeping streets and parking lots, and building green infrastructures.

4. ***Storm Water Standards Manual***

The Storm Water Standards Manual, effective as of October 1, 2018, was developed in response to the National Pollutant Discharge Elimination Systems (NPDES) permits and are divided into three parts:

- **Part 1: BMP Design Manual - For Permanent Site Design, Storm Water Treatment and Hydromodification Management** complies with the Regional Municipal Separate Storm Sewer Systems (MS4) Permit regulating postconstruction storm water discharges on site.
- **Part 2: Construction BMP Standards** complies with the Regional MS4 Permit and the Construction General Permit regulating construction-phase storm water discharges.
- **Part 3: Off-Site Storm Water Alternative Compliance Program for Water Quality and Hydromodification Control** complies with the Regional MS4 Permit regulating post-construction storm water discharges off site.

5. ***Grading Regulations***

The City's Grading Regulations (SDMC Section 142.0101 et seq.) is to address slope stability, protection of property, erosion control, water quality, landform preservation, and paleontological resources preservation, and to protect the public health, safety, and welfare of persons, property, and the environment. Requirements related to hydrology include implementation of temporary and permanent erosion, sedimentation, and water pollution control measures and shall include measures from those outlined in Chapter 14, Article 2, Division 2 Storm Water Runoff Control and Drainage Regulations of the SDMC.

6. ***City of San Diego General Plan***

The City of San Diego General Plan provides goals and policies related to water quality in the Conservation Element (City of San Deigo, 2008). Water quality-related goals and policies from the Conservation Element particularly relevant to the Project are listed below; the Project's consistency with these policies evaluated in Section 5.1, *Land Use*, of this EIR.

Urban Runoff Management

Goals:

- Protection and restoration of water bodies, including reservoirs, coastal waters, creeks, bays, and wetlands.

Policies

- **CE-E.2.** Apply water quality protection measures to land development projects early in the process-during project design, permitting, construction, and operations-in order to minimize the quantity of runoff generated on site, the disruption of natural water flow and the contamination of storm water runoff.
- **CE-E.3** Require contractors to comply with accepted storm water pollution prevention planning practices for all projects.

5.18.3 Impact Analysis

A. Issue 1 and Issue 2

Issue 1 *Would the project result in an increase in pollutant discharge to receiving waters during or following construction? Would the proposed project discharge identified pollutants to an already impair water body?*

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

1. Impact Threshold

According to the City's Significance Determination Thresholds, compliance with the Water Quality Standards is assured through permit conditions provided by LDR Engineering. Adherence to the City's Storm Water Standards is considered adequate to preclude surface water quality impacts.

2. Analysis

Potential Project-related pollutant discharge and water quality impacts are associated with both short-term construction activities and long-term operation and maintenance, as described below.

Short-term Construction Impacts

Construction of the Project would include demolition of the existing buildings and on-site improvements, grading, installation of utility infrastructure, building construction, paving/landscaping improvements, and architectural coatings, which have the potential to generate water quality pollutants such as silt, debris, organic waste, chemicals, paints, and other solvents with the potential to adversely affect water quality. As such, short-term water quality impacts have the

potential to occur during Project construction in the absence of any protective or avoidance measures.

Pursuant to the requirements of the San Diego RWQCB, the Project Applicant would be required to obtain a NPDES Municipal Stormwater Permit for construction activities. The NPDES permit is required for all development projects that include construction activities, such as clearing, grading, and/or excavation, and disturb at least one (1) acre of total land area. In addition, the Project Applicant would be required to comply with the City of San Diego Storm Water Standards and Grading Regulations. Compliance with the NPDES permit and the City's Storm Water Standards and Grading Regulations involves the preparation and implementation of a SWPPP for construction-related activities. The SWPPP specifies the BMPs that would be required to be implemented during construction activities to ensure that potential pollutants of concern are prevented, minimized, and/or otherwise appropriately treated prior to being discharged from the subject property. Examples of BMPs that may be utilized during construction include, but are not limited to, sandbag barriers, geotextiles, storm drain inlet protection, sediment traps, rip rap soil stabilizers, and hydro-seeding. Mandatory compliance with the SWPPP would ensure that implementation of the Project would not result in a violation of any water quality standards or waste discharge requirements during construction activities. Therefore, water quality impacts associated with construction activities would be less than significant.

Long-term Operational Impacts

The Project would result in an increase in impervious surfaces which would increase storm flows and provide a source for sediment and other pollutants to enter receiving waters. However, the Project Applicant would be required to prepare and implement a Storm Water Quality Management Plan (SWQMP), which is a Project site-specific post-construction water quality management program designed to minimize the release of potential waterborne pollutants, including pollutants of concern for downstream receiving waters, under long-term conditions via BMPs. Implementation of the SWQMP ensures on-going, long-term protection of the watershed basin. The Project's SWQMP, prepared by Pasco Laret Suiter & Associates, Inc., is included as *Appendix N*. Project design would conform to the applicable City and NPDES storm water standards to address potential long-term pollutant generation from proposed development, including the use of appropriate post-construction LID site design, source control, structural/pollutant control, and hydromodification management BMPs. These measures are summarized below, followed by a discussion of post-construction BMP monitoring/maintenance schedules and responsibilities.

LID Site Design BMPs

LID site design BMPs are intended to avoid, minimize, and/or control post-development runoff, erosion potential, and pollutant generation. Specific LID site design BMPs are identified in the Project's SWQMP (PLSA, 2021b), based on requirements in the City's Storm Water Standards Manual. These strategies/measures include conserving natural areas, soils, and vegetation in adjacent Multi-Habitat Planning Areas (MHPA); minimize impervious area and soil compaction; disperse impervious areas throughout the site; collect and convey runoff to detention/water quality basins; and use

native and/or drought-tolerant landscaping. The proposed site design BMPs are depicted on Figure 5.18-1, *Site Design BMP Layout*, and would help reduce long-term urban pollutant generation by minimizing runoff rates and amounts, retaining permeable areas, increasing on-site filtering, and reducing erosion/sedimentation potential.

Source Control BMPs

Source control BMPs are intended to avoid or minimize the introduction of pollutants into storm drains and natural by reducing on-site pollutant generation and off-site pollutant transport. Specific source control BMPs are identified in the Project's SWQMP (PLSA, 2021b), based on requirements in the City's Storm Water Standards Manual. These include efforts to prevent illicit discharges into the MS4; provide storm drain system stenciling or signage; and protect trash storage areas from rainfall, run-on, runoff and wind dispersal. Additional BMPs are required to address the following potential sources of runoff pollutants from the Project: on-site storm drain inlets; interior floor drains and elevator shaft sump pumps; interior parking garages; landscape/outdoor pesticide use; food service; refuse areas; loading docks; miscellaneous drain or wash water; and, plazas, sidewalks, and parking lots. These proposed source control BMPs are depicted on Figure 5.18-2, *Post-Construction BMP Layout*, and would help to improve long-term water quality within and downstream from the Project site by avoiding or minimizing pollutant generation and exposure to storm flows at the source.

Structural/Pollutant Control BMPs

Pollutant control (or structural) BMPs are designed to remove pollutants from urban runoff for a design storm event through means such as filtering or treatment. Descending natural and fill slopes surround the Project site. In accordance with the City's Storm Water Standards, full or partial infiltration BMPs shall not be proposed within 50 feet of a natural slope or within a distance of $1.5H$ from fill slopes (where H is the height of the fill slope). As a result, infiltration is not feasible. Additionally, harvest and use BMPs are not required because the Project site has access to a recycled water main in Towne Centre and the municipal recycled water supply be used for onsite irrigation. Therefore, pursuant to Chapter 5 of the City's Storm Water Standards Manual, pollutant control BMPs identified in the Project's SWQMP includes biofiltration basins, underground storage vaults and modular wetland systems, for eight of the on-site drainage management areas (DMAs) as shown on Figure 5.18-2. The selection and design of the proposed BMPs was based on applicable site-specific conditions and City requirements. The proposed biofiltration basins, underground storage vaults and modular wetland systems have been sized per the design criteria to meet the pollutant control and hydromodification management flow requirements. Additionally, four DMAs (DMAs A3, B1, B2, C1, and D3) would utilize impervious area dispersion to satisfy the pollutant control and hydromodification management flow requirements (PLSA, 2021b).

Hydromodification Management Facilities

As discussed above, the proposed biofiltration basins, underground storage vaults and modular wetland systems would be sized per the design criteria to meet the pollutant control and hydromodification

management flow requirements (PLSA, 2021b). As a result, the Project would comply with applicable hydromodification requirements.

Post-Construction BMP Monitoring/Maintenance Schedules and Responsibilities

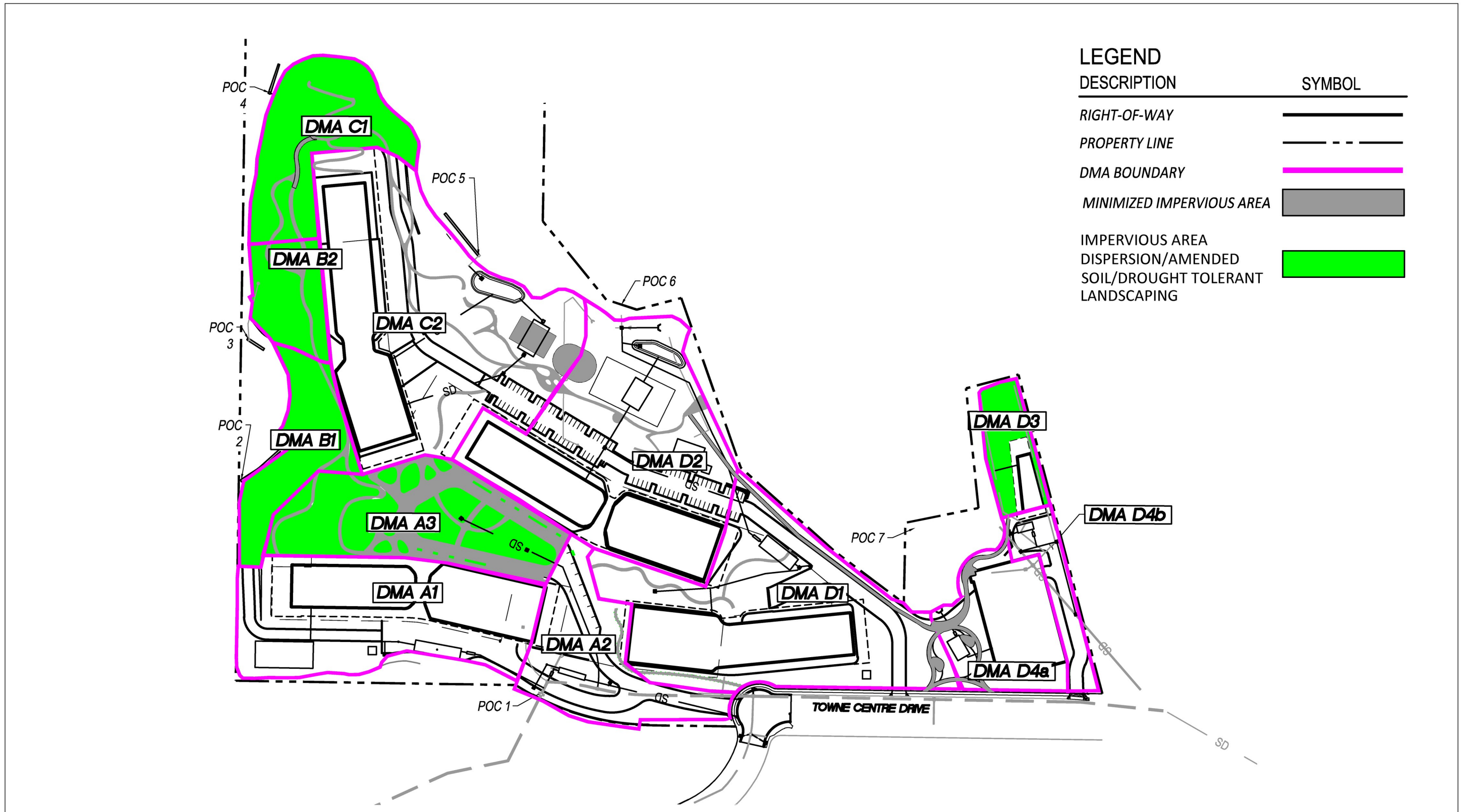
Identified BMPs include physical structures such as detention/biofiltration basins and signs/stencils that require ongoing monitoring and maintenance. Pursuant to requirements in the City Storm Water Standards Manual and the related NPDES Municipal Permit, the Project Applicant would be required to enter into a written Maintenance Agreement with the City for applicable facilities and implement an associated Operation and Maintenance Plan. Specifically, this process would entail identifying and documenting maintenance responsibilities, funding sources, activities, and schedules to ensure proper BMP function in perpetuity.

3. *Significance of Impact*

Less Than Significant Impact. Based on the implementation of the Project design elements, including construction and post-construction BMPs, related maintenance efforts, and compliance with City's standards and regulations, the Project would not result in an increase in pollutant discharges to receiving waters during or following construction, would not discharge identified pollutants to an already impair water body. Potential construction and long-term project-related pollutant discharge and water quality impacts would be less than significant.

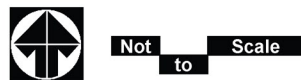
4. *Mitigation Measure*

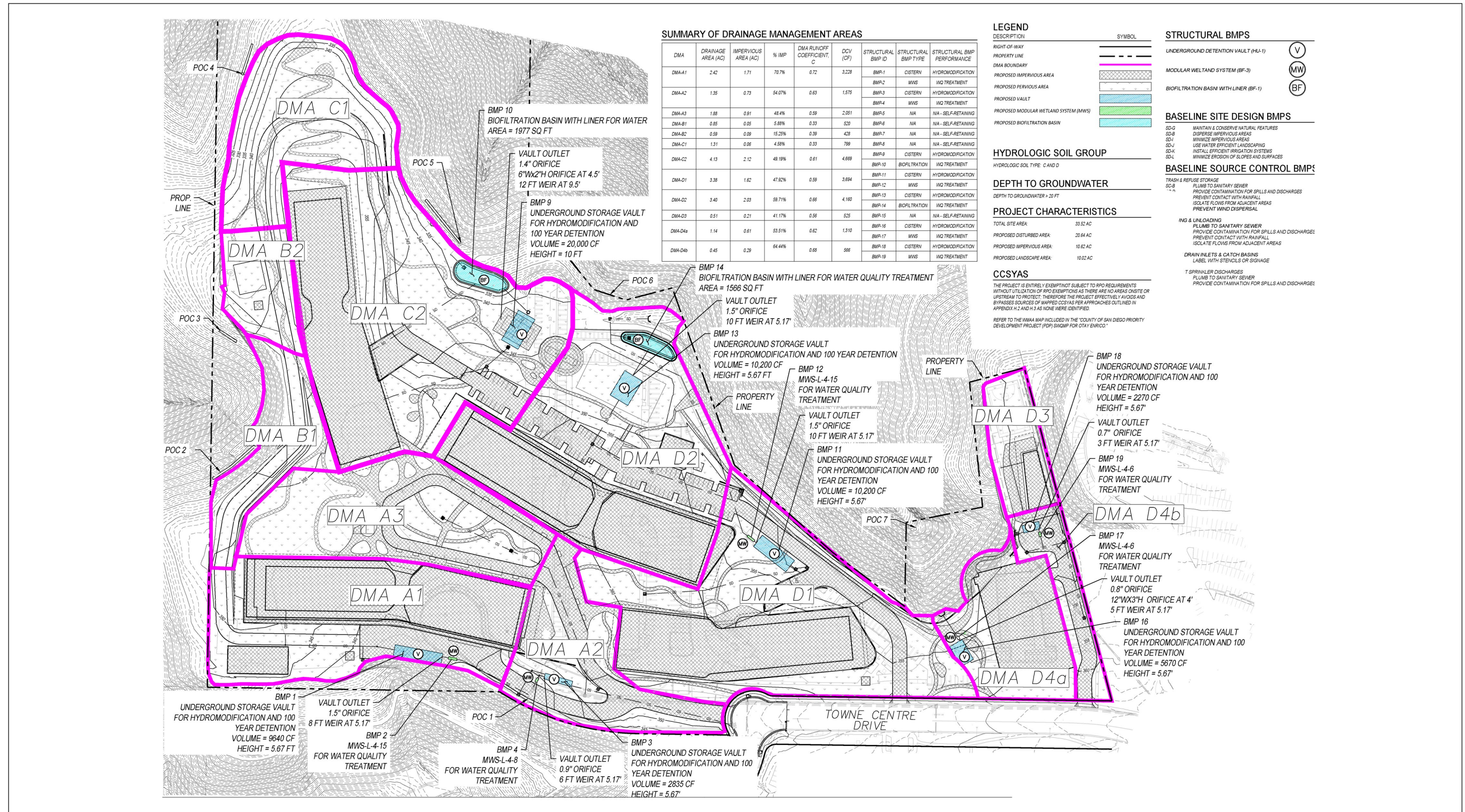
No mitigation measures are required.



Source(s): Pasco Laret Suiter & Associates (July 2021)

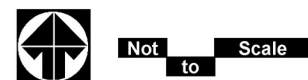
Figure 5.18-1





Source(s): Perkins&Will (December 2021)

Figure 5.18-2



5.19 WILDFIRE

This section describes the existing wildfire conditions at the Project site, identifies regulatory requirements, and evaluates potential wildfire impacts associated with the Project.

5.19.1 Existing Conditions

Wildfire¹ is a continuous threat in Southern California and is particularly concerning in the wildland-urban interface, the geographic area where urban development either abuts or intermingles with wildland or vegetative fuels. Due to climate, vegetation, and topography, the City of San Diego (City) is subject to both wildland and urban fires. The region's climate and increasingly severe dry periods result in large areas of dry vegetation that provides fuel for wildland fires. Late summer and fall are the most critical seasons for wildland fires when Santa Ana winds bring hot, dry desert air from the east into the region. When the high air temperature, low humidity, and powerful winds combine with dry vegetation, the result can be largescale fire events. Since these winds push wildland fires westward toward denser development, Santa Ana wind-driven fires have the potential to result in a greater risk of property damage. The City contains over 900 linear miles of wildland-urban interface due to established development along the open space areas and canyons within urban and suburban areas (City of San Diego, 2018).

The Project site is situated on a mesa bordering Soledad Canyon, approximately two miles east of the Pacific Ocean. As further discussed in Section 5.4, *Biological Resources*, of this Environmental Impact Report (EIR), the eastern portion of the Project site is developed and the western portion of the Project site was recently used for construction staging. The northern portion of the Project site is undeveloped and covered with vegetation consisting of Diegan coastal sage scrub. Portions of the perimeter of the Project site are covered with Diegan coastal sage scrub, southern willow scrub, scrub oak chaparral, and non-native grassland. The Project site is surrounded by open space consisting of these same vegetation types.

The Project site and surrounding areas are under the jurisdiction of the City of San Diego Fire-Rescue Department (SDFD). As further discussed in Section 5.14, *Public Services and Facilities*, of this EIR, the nearest SDFRD Station to the Project site is Station No. 35 at 4285 Eastgate Mall, approximately 1.1 roadway miles to the south. Station No. 35 serves an approximately 11.32-square mile area and has the following apparatus: Battalion Chief vehicle, engine, aerial truck, chemical pick-up rig, and a brush engine (Type III). Brush engines are pumper units used on grass fires and are specially adapted to fire fighting in rough (wildland) terrain where access is a problem and fire hydrants are few or non-existent. Brush Rigs carry from 600-1500 gallons of water and are designed for off-road areas and brush fire fighting. (City of San Diego, 2021)

The California Department of Forestry and Fire Protection (CAL FIRE) Fire and Resource Assessment Program database includes map data documenting areas of significant fire hazards in the state.

¹ A wildfire is an uncontrolled fire spreading through vegetative fuels and exposing or possibly consuming structures.

These maps categorize geographic areas of the state into different Fire Hazard Severity Zones (FHSZs) (moderate, high and very high). CAL FIRE uses FHSZs to classify anticipated fire-related hazards for the entire state, and includes classifications for State Responsibility Areas, Local Responsibility Areas, and Federal Responsibility Areas.² Fire hazard severity classifications take into account fuel (vegetation), slope and fire weather. As shown in Figure 5.19-1, *Very High Fire Hazard Severity Zones*, the entire Project site is mapped by CAL FIRE as being within a Very High Fire Hazard Severity Zone (VHFHSZ) (CAL FIRE, 2009). The adopted FHSZ maps from CAL FIRE are maintained and codified under San Diego Municipal Code (SDMC) Section 55.9401 and Section 145.0703(a)(2), and the SDFRD Official VHFHSZ Map identifies the Project site as being within a VHFHSZ and 300-foot brush buffer (SDFD, 2009).

CAL FIRE has also estimated the “fire threat” for the State. Fire threat provides a measure of fuel conditions and fire potential in the ecosystem, representing the relative likelihood of “damaging” or difficult to control wildfire occurring for a given area. Fire threat is not a risk assessment by itself, but can be used to assess the potential for impacts on various assets and values susceptible to fire. Impacts are more likely to occur and/or be of increased severity for the higher threat classes. Fire threat is a combination of two factors: 1) fire probability, or the likelihood of a given area burning, and 2) potential fire behavior (hazard). These two factors are combined to create five threat classes ranging from low to extreme. As shown on Figure 5.19-2, *CalFire Threat*, the southern portion of the Project site that includes developed areas and vacant property is identified as having no fire threat; however, the northern portion of the Project site is identified as having primarily a “high” fire threat. The open space areas surrounding the Project site are identified as having “moderate” and “high” fire threats. There are no areas of “very high” or “extreme” fire threat near the Project site.

The *Multi-Jurisdictional Hazard Mitigation Plan* for San Diego County provides information on wildfires that have occurred in San Diego County and indicates that significant development in San Diego County is located along canyon ridges at the wildland/urban interface. Areas that have experienced prolonged droughts or are excessively dry are at risk of wildfires. Based on review of the *Multi-Jurisdictional Hazard Mitigation Plan*, there have been no recent wildfires in the open space surrounding the Project site (San Diego County, 2017a). Similarly, in its mapping of wildfire perimeters between 1950 and 2019, CAL FIRE does not identify any wildfires occurring in the open space area surrounding the Project site (CAL FIRE, 2019). Fires closest to the Project site between 1999 and 2019 are depicted on Figure 5.19-3, *Fire Perimeters 1999-2019*. As shown, the nearest fire occurred approximately 3.2 miles southeast of the Project site and is the only fire that has occurred within five miles of the Project site (the 2003 Cedar Fire).

² The State Responsibility Area (SRA) is the area of the state where the State of California is financially responsible for the prevention and suppression of wildfires. SRA does not include lands within city boundaries or in federal ownership, which are Local Responsibility Areas (LRAs) and Federal Responsibility Areas (FRAs), respectively.

5.19.2 Regulatory Framework

A. Federal

1. **International Fire Code**

Created by the International Code Council, the International Fire Code addresses a wide array of conditions hazardous to life and property, including fire, explosions, and hazardous materials handling or usage. The International Fire Code places an emphasis on prescriptive and performance-based approaches to fire prevention and fire protection systems. Updated every three years, the International Fire Code uses a hazards classification system to determine the appropriate measures to be incorporated to protect life and property (often times these measures include construction standards and specialized equipment). The International Fire Code uses a permit system (based on hazard classification) to ensure that required measures are instituted.

B. State

1. **California Government Code**

California Government Code, Sections 51175 through 51189, provide guidance for classifying lands in California as fire hazard areas and requirements for management of property within those lands. As identified above, CAL FIRE is responsible for classifying FHSZs based on statewide criteria, and makes the information available for public review. Further, local agencies must designate, by ordinance, VHFHSZs within their jurisdiction based on the recommendations of CAL FIRE.

Section 51182 sets forth requirements for maintaining property within fire hazard areas, such as defensible space, vegetative fuels management, and building materials and standards. Defensible space around structures in fire hazard areas must consist of 100 feet of fuel modification on each side of a structure, but not beyond the property line unless findings conclude that the clearing is necessary to significantly reduce the risk of structure ignition in the event of a wildfire. Clearance on adjacent property shall only be conducted following written consent by the adjacent owner. Further, trees must be trimmed from within 10 feet of the outlet of a chimney or stovepipe, vegetation near buildings must be maintained, and roofs of structures must be cleared of vegetative materials. Exemptions may apply for buildings with an exterior constructed entirely of nonflammable materials.

2. **California Code of Regulations**

Title 14, Natural Resources

The California Code of Regulation (CCR) Title 14, Division 1.5, Chapter 7, Subchapter 3, *Fire Hazard*, also sets forth requirements for defensible space if the distances specified above cannot be met. For example, options that have similar practical effects include noncombustible block walls or fences, 5-foot of noncombustible material horizontally around the structure, installing hardscape landscaping or reducing exposed windows on the side of the structure with a less-than-30-foot setback, or additional structure hardening such as those required in the California Building Code (CBC).

Title 24, California Building Standards Code

Part 9 of Title 24 contains the California Fire Code (CFC), which incorporates by adoption the International Fire Code with necessary California amendments. The purpose of the CFC is to establish the minimum requirements to safeguard the public health, safety, and general welfare from the hazards of fire, explosion, or dangerous conditions in new and existing buildings, structures, and premises, and to provide safety and assistance to firefighters and emergency responders during emergency operations. Chapter 49 of the CFC contains minimum standards for development in the wildland-urban interface and fire hazard areas.

The CFC and Office of the State Fire Marshal provide regulations and guidance for local agencies in the development and enforcement of fire safety standards. The CFC is updated and published every three years by the California Building Standards Commission. The 2019 CFC took effect on January 1, 2020. Provisions of the CFC have been adopted by the City and incorporated into the SDMC, as appropriate, and in some cases modified.

3. California Health and Safety Code

State fire regulations are set forth in Sections 13000 et seq. of the California Health and Safety Code, and include regulations concerning building standards (as also set forth in the CBC), fire protection and notification systems, fire protection devices such as extinguishers and smoke alarms, high-rise building and childcare facility standards, and fire suppression training. The state fire marshal enforces these regulations and building standards in all state-owned buildings, state-occupied buildings, and state institutions throughout California.

4. California Public Resources Code

California Public Resources Code (PRC), Section 4290, requires minimum fire safety standards related to defensible space that are applicable to residential, commercial, and industrial building construction in State Responsibility Area lands and lands classified and designated as VHFHSZs. These regulations include road standards for fire apparatus access, standards for signs identifying roads and buildings, fuel breaks and green belts, and minimum water supply requirements. It should be noted that these regulations do not supersede local regulations that equal or exceed minimum regulations required by the State.

PRC Section 4291 requires a reduction of fire hazards around buildings located adjacent to a mountainous area, forest-covered lands, brush-covered lands, grass-covered lands, or land that is covered in flammable material. Section 4291 requires 100 feet of defensible space around all sides of a structure, but not beyond the property line unless required by state law, local ordinance, rule, or regulations. Further, PRC Section 4291 requires the removal of dead or dying vegetative materials from the roof of a structure, and trees and shrubs must be trimmed from within 10 feet of the outlet of a chimney or stovepipe. Exemptions may apply for buildings with an exterior constructed entirely of nonflammable materials.

5. ***Fire Hazards Severity Zones***

CAL FIRE maps FHSZs based on fuel loading, slope, fire history, weather, and other relevant factors as directed by California Public Resources Code, Sections 4201–4204, and California Government Code sections 51175–51189. As discussed previously and shown on Figure 5.19-1, *Very High Fire Hazard Severity Zones*, the entire Project site, as well as the surrounding properties are designated as a VHFHSZ within a Local Responsibility Area. (SDFD, 2009; CAL FIRE, 2021)

C. **Regional**

1. ***County of San Diego Office of Emergency Services***

As further discussed in Section 5.8, *Health and Safety*, of this EIR, the Unified San Diego County Emergency Services Organization has primary responsibility for preparedness and response activities in the County of San Diego (County). The County Office of Emergency Services serves as staff to the Unified Disaster Council, the governing body of the Unified San Diego County Emergency Services Organization. Emergency response and preparedness plans include the *Operational Area Emergency Response Plan* and the *County Multi-Jurisdictional Hazard Mitigation Plan*.

D. **Local**

1. ***Multi-Jurisdictional Hazard Mitigation Plan***

As further discussed in Section 5.8, *Health and Safety*, of this EIR, the City is a participating jurisdiction in the *Multi-Jurisdictional Hazard Mitigation Plan*, a Countywide plan that identifies risks, minimizes damage from natural and human-made disasters, and is generally intended to provide compliance with regulatory requirements associated with emergency response efforts. The *Multi-Jurisdictional Hazard Mitigation Plan* includes an overview of the risk assessment process, vulnerability assessments, and identifies hazards present in each jurisdiction of the County. Among other hazards profiled in the plan, wildfire and structure fires are addressed. The plan sets forth a variety of objectives and actions based on a set of broad goals including the following: (1) promoting disaster-resistant future development; (2) increased public understanding and support for effective hazard mitigation; (3) building support of local capacity and commitment to become less vulnerable to hazards; (4) enhancement of hazard mitigation coordination and communication with federal, state, local and tribal governments; and (5) reducing the possibility of damage and losses to existing assets, particularly people, critical facilities or infrastructure, and County-owned facilities, due to various hazards, including structural fire/wildfire.

As part of the emergency response efforts, the City of San Diego Office of Health and Safety oversees emergency preparedness and response services for disaster-related measures, including administration of the City Emergency Operations Center and alternate Emergency Operations Center (San Diego County, 2018a)

2. *City of San Diego General Plan*

Multiple elements of City's General Plan, which was originally adopted in 2008, address wildfire safety and risk within the City. The General Plan provides policies for protecting communities from unreasonable risk of wildfire, including the following policies applicable to the Project; the Project's consistency with these policies is addressed in Section 5.1, *Land Use*, of this EIR.

- **Conservation Element**
 - CE-B.6 – Provide an appropriate defensible space between open space and urban areas through the management of brush, the use of transitional landscaping, and the design of structures (see also Urban Design Element, Policy UD-A.3.o). Continue to implement a Citywide brush management system.
- **Urban Design Element**
 - UD-A.3.h – Use building and landscape materials that blend with and do not create visual or other conflicts with the natural environment in instances where new buildings abut natural areas. This guideline must be balanced with a need to clear natural vegetation for fire protection to ensure public safety in some areas
 - UD-A.3p – Design structures to be ignition and fire-resistant in fire prone areas or at-risk areas as appropriate. Incorporate fire-resistant exterior building materials and architectural design features to minimize the risk of structure damage or loss due to wildfires.
- **Public Facilities, Services, and Safety Element (Updated June 2018)**
 - PF-D.12 – Protect communities from unreasonable risk of wildfire within very high fire hazard severity zones.
 - a. Assess site constraints when considering land use designations near wildlands to avoid or minimize wildfire hazards as part of a community plan update or amendment. (see also LU-C.2.a.4)
 - b. Identify building and site design methods or other methods to minimize damage if new structures are located in very high fire hazard severity zones on undeveloped land and when rebuilding after a fire.
 - c. Require ongoing brush management to minimize the risk of structural damage or loss due to wildfires.
 - d. Provide and maintain water supply systems to supplies for structural fire suppression.
 - e. Provide adequate fire protection. (see also PF-D.1 and PF-D.2)
 - PF-D.13 – Incorporate fire safe design into development within very high fire hazard severity zones to have fire-resistant building and site design, materials, and landscaping as part of the development review process.

- a. Locate, design and construct development to provide adequate defensibility and minimize the risk of structural loss from wildland fires.
- b. Design development on hillsides and canyons to reduce the increased risk of fires from topography features (i.e., steep slopes, ridge saddles).
- c. Minimize flammable vegetation and implement brush management best practices in accordance with the Land Development Code.
- d. Design and maintain public and private streets for adequate fire apparatus vehicles access (ingress and egress), and install visible street signs and necessary water supply and flow for structural fire suppression.
- e. Coordinate with the Fire-Rescue Department to provide and maintain adequate fire breaks where feasible or identify other methods to slow the movement of a wildfire in very high fire hazard severity zones.
 - o PF-D.14 – Implement brush management along City maintained roads in very high fire hazard severity zones adjacent to open space and canyon areas.
 - o PF-D.15 – Maintain access for fire apparatus vehicles along public streets in very high fire hazard severity zones for emergency equipment and evacuation.

3. City of San Diego Municipal Code

The San Diego Municipal Code (SDMC) contains the FHSZ maps and identifies the fire protection VHFHSZs and local agency VHFHSZ for the City area of responsibility. The VHFHSZs are located throughout the City. Inclusion within these zones is based on five factors: density of vegetation, slope severity, 5-minute fire department response time, road class/proximity and proximity to fire hydrants, and CAL FIRE's vegetation cover and fire behavior/fuel spread model. Based on these factors, the VHFHSZs encompass a large portion of the City, including most land use designations, major freeways and roads, various structures, and major utilities and essential public facilities.

The City's Wildland Management and Enforcement program provides information and guidelines on brush management and weed abatement in FHSZs. The City's Fire Safety and Brush Management Guide summarizes guidelines for brush management in canyon areas and landscape standards. San Diego Municipal Code Section 142.0412 regulates brush management and requires 100 feet of defensible space between structures and native wildlands, consistent with State requirements. The City's Landscape Standards acknowledge fire safety is achieved by reducing flammable fuel adjacent to structures. Requirements of the landscape standards are included for pruning and thinning native and naturalized vegetation, and revegetation with low-fuel-volume plantings.

The City's brush management regulations (SDMC Section 142.0412) are intended to minimize wildland fire hazards through prevention activities and programs. These regulations require the provision of mandatory setbacks, irrigation systems, regulated planting areas, and plant maintenance in specific zones, and are implemented at the project level through the grading and building permit process.

Brush management is required in all base zones on publicly or privately owned premises that are within 100 feet of a structure and contain native or naturalized vegetation. The City requires brush management plans for all new development. These plans are intended to reduce the risk of significant loss, injury, or death involving wildland fires. 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. Unless otherwise approved by the City fire marshal, the brush management plans for all future development would consist of two separate and distinct zones, as follows:

- **Zone One:** Brush Management Zone One typically extends 35 feet out from the habitable structure, shall be least flammable, and shall typically consist of pavement and permanently irrigated ornamental planting. Brush management Zone One is not allowed on slopes with gradient greater than 4:1 (4 horizontal feet to 1 vertical foot). Key considerations in Zone One include:
 - Must be maintained on a regular basis by thinning and pruning trees and plants, controlling weeds, and maintaining irrigation systems.
 - No habitable structures are permitted. New construction must be non-combustible and/or have a minimum 1-hour fire resistance rating.
 - Plants should be primarily low-growing (less than 4 feet in height), low-fuel, and fire-resistant.
 - All portions of trees, other than the trunk, which extend within ten feet of a structure or the outlet of any chimney, must be cut back.
- **Zone Two:** Brush Management Zone Two is typically 65 feet and includes the area between Zone One and any area of native or naturalized vegetation and typically consists of thinned, native or naturalized non-irrigated vegetation. Key consideration in Zone Two include:
 - Must be maintained on a regular basis by controlling weeds and removing invasive species.
 - Selective thinning and pruning of native and non-native plants is required to reduce the fuel-load.
 - No structures or permanent irrigation are allowed in Zone Two.

4. City of San Diego Fire Department Policies

The City of San Diego Fire Department includes policies that clarify and provide alternative compliance strategies to the SDMC brush management requirements. Policy B-08-1 provides clarification of brush management regulations and landscape standards as detailed in SDMC Section 142.0412. The policy clarifies existing SDMC requirements and standards for creating defensible space and brush management zones between development and wildland-urban interface areas.

Policy B-18-01 provides “mitigation” for reduced brush management zones and clarifies requirements and alternative compliance strategies when 100 feet of defensible space as required by SDMC Section 142.0412 cannot be provided on a development site.

5.19.3 Impact Analysis

As identified above, the Project site is not within a State Responsibility Area; however, as shown on Figure 5.19-1, the Project site is within a Very High Fire Hazard Severity Zone; therefore, analysis of potential impacts from wildfire is required. The City of San Diego relies on the guidance provided in Appendix G of the CEQA Guidelines for wildfire thresholds and are utilized to evaluate the potential for significant impacts related to wildfire.

Issue 1 Would the Project substantially impair an adopted emergency response plan or emergency evacuation plan?

1. Impact Threshold

According to CEQA Guidelines Appendix G, a project would result in a significant wildfire impact if the project is located in or near state responsibility areas or lands classified as VHFHSZ, and it would:

- *Substantially impair an adopted emergency response plan or emergency evacuation plan.*

2. Analysis

For a discussion of emergency response plan and emergency evacuation plan, refer to the discussion under Issue 2 in Section 5.8, *Health and Safety*, of this EIR. The Project, which would comply with applicable requirements for access and is located at the terminus of Towne Centre Drive, would not physically impair emergency evacuation plans. Additionally, the Project site does not serve as an emergency operations center (EOC) (a central facility which provides regional coordinated emergency response). Impacts would be less than significant.

3. Significance of Impacts

Less than Significant Impact. The Project would be designed in accordance with applicable requirements for emergency access and would not involve any components that would hinder emergency response evacuation. The Project would not impair implementation of, or physically interfere with, an adopted emergency response or emergency evacuation plan. Impacts would be less than significant.

4. Mitigation Measures

No mitigation measures are required.

B. Issue 2

Issue 2 *Would the Project, due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire?*

1. Impact Threshold

According to CEQA Guidelines Appendix G, a project would result in a significant wildfire impact if the project is located in or near state responsibility areas or lands classified as VHFHSZ, and it would:

- *Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire.*

2. Analysis

The Project site and surrounding properties are within the VHFHSZ in an Local Responsibility Area. The northern, undeveloped portion of the Project site and areas surrounding the Project site are considered to have a moderate to high fire threat, as determined by CAL FIRE. The SDMC requires brush management in all base zones on publicly or privately owned premises that are within 100 feet of a structure and contain native or naturalized vegetation. The standard brush management requirements consist of a 35-foot Zone One with a corresponding 65-foot Zone Two as measured from the facade of structures. Modification of these standard zone widths is allowed as outlined in SDMC Section 142.0412 and San Diego Fire Department Policy B-18-01. Additionally, clarification of the brush management regulations and standards are outlined in San Diego Fire Department Policy B-08-01.

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 in Chapter 3.0, *Project Description*, of this EIR, and 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.

The City's Landscape and Fire Review staff have reviewed the proposed brush management plan to confirm compliance with the City's requirements. Further, the Project has been reviewed by the City's Fire and Rescue Department for compliance with local and State fire code requirements, including provision of fire hydrants, fire flow requirements, street/aerial access for emergency vehicles (refer to Figure 3-9, *Fire Access Plan*), and sprinkler systems within the proposed buildings. The fire access plan and brush management plan proposed as part of the Project are more stringent than what currently exists at the Project site, which is currently developed by three buildings occupied by existing employees. Furthermore, the Project's buildings would be designed for

compliance with the California Building Code Section 7A regulations on materials and construction methods for exterior wildfire exposure. All materials, for example concrete, high performance glazing systems, roof coverings, and finishes, would be required to comply with extended testing requirements and labelling where required for ignition-resistant construction as defined by Chapter 7A. Exterior building elements would be designed to comply with protection requirements listed in Sections 705A through 710A to protect against ignition and intrusion of embers. Additional coordination would continue with the local Fire Marshal to address any further concerns they have regarding brush management and exposure to wildfire. Therefore, the Project would not exacerbate wildfire risks, and would not expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire. This impact would be less than significant.

3. ***Significance of Impacts***

Less than Significant Impact. The Project's proposed buildings would be constructed in accordance with applicable fire code requirements. Additionally, the implementation of the Project's brush management plan in accordance with the City's requirements would ensure that the Project does not exacerbate wildfire risks and the exposure of Project occupants to pollutant concentrations or the uncontrolled spread of a wildfire due to slope, prevailing winds, or other factors. Impacts would be less than significant.

4. ***Mitigation Measures***

No mitigation measures are required.

C. ***Issue 3***

Issue 3 *Would the Project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?*

1. ***Impact Threshold***

According to CEQA Guidelines Appendix G, a project would result in a significant wildfire impact if the project is located in or near state responsibility areas or lands classified as VHFHSZ, and it would:

- *Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.*

2. ***Analysis***

The Project would involve the redevelopment of the Project site with a five-building campus (Buildings A through E), which would include scientific research and development, laboratory, technology, and corporate office uses with supporting parking structures and surface parking areas, internal circulation, landscaping, amenities, and utility infrastructure.

The Project does not require the implementation of fuel breaks or emergency water sources. As shown on Figure 3-9, *Fire Access Plan*, fire access roads, which are designed in compliance with applicable Fire Code requirements,³ would extend along the perimeter of the proposed development area. The intersection of Towne Centre Drive and Westerra Court would be modified, as necessary to comply with the City requirements for roadway design and emergency access. Additionally, the Project is subject to review by the San Diego Fire-Rescue and the SDPD to ensure compliance with applicable safety standards.

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 and to meet required fire flow requirements. As described in Chapter 3.0, *Project Description*, the on-site (underground) infrastructure would connect to existing facilities along Towne Centre Drive. 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. Existing stormwater discharge points along the perimeter of the Project site that discharge to the surrounding canyons would be retained.

As further discussed in Section 5.4, *Biological Resources*, of this EIR, the physical impact area for the Project, including for the construction of roadway/access improvements and utility infrastructure installation, is primarily limited to previously developed and disturbed areas on-site, and not the open space areas that surround the Project site. These improvements would not exacerbate fire risk. The proposed roadway and fire access improvements and other features of the fire access plan, including brush management described previously, would improve safety against wildfires. Temporary construction impacts are addressed throughout the topical sections in Chapter 5 *Mitigation Measures*, where needed, are incorporated to reduce the Project's construction impacts. Construction impacts would be less than significant. There would not be any environmental impacts associated with the operation of on-site roadways and utility infrastructure required for fire protection services.

3. **Significance of Impacts**

Less than Significant Impact. The Project's roadway and utility infrastructure, including that needed for fire protection, would not exacerbate wildfire risk. Construction impacts associated with implementation of the roadway and utility infrastructure are evaluated throughout Chapter 5 of this EIR and would be less than significant. Impacts would be less than significant.

4. **Mitigation Measures**

No mitigation measures are required.

³ SDMC Section 55.8701, Fire Apparatus Access Roads, indicates that provisions of the California Fire Code relative to fire apparatus access roads (Sections D101.1 through D103.4) have been adopted without change.

D. Issue 4

Issue 4 *Would the Project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?*

1. Impact Threshold

According to CEQA Guidelines Appendix G, a project would result in a significant wildfire impact if the project is located in or near state responsibility areas or lands classified as VHFHSZ, and it would:

- *Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.*

2. Analysis

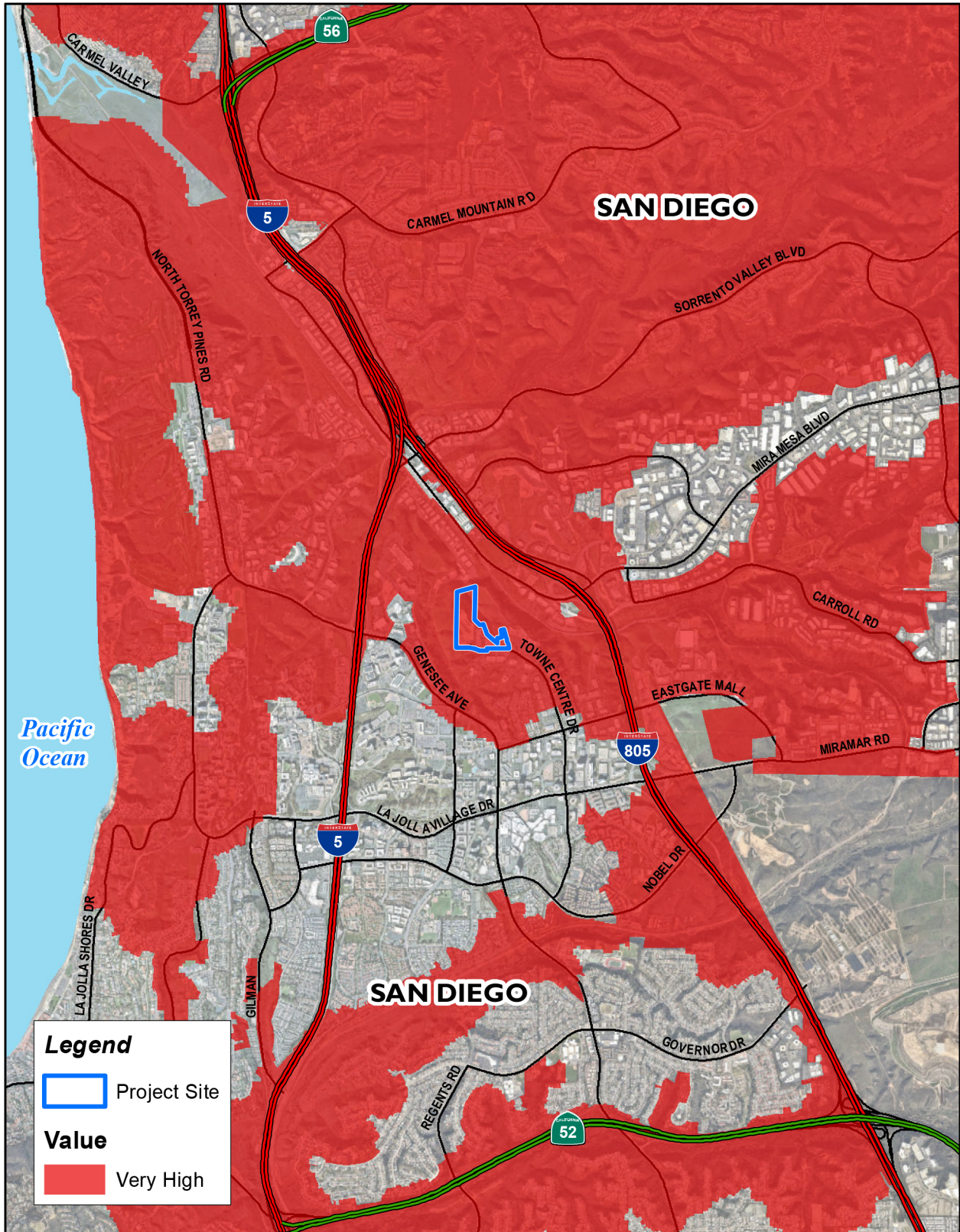
As discussed in Section 5.6, *Geologic Conditions*, of this EIR, the Project site is not susceptible to landslides. Compliance with building and land development code requirements for any existing or manufactured slope would minimize potential slope instability. Further, as evaluated in Section 5.10, *Hydrology*, of this EIR, the Project would not result in increased risk associated with flooding. While the Project may change drainage patterns, as discussed in Section 5.10, and Section 5.18, *Water Quality*, the proposed underground storage vaults, modular wetland systems, and biofiltration basins would provide hydromodification management flow control and pollutant control treatment, and would accommodate the 100-year storm event peak discharge. The peak flow rate with a 100-year storm event would be less than existing conditions. Therefore, the Project would not expose people or structure to a significant risk of flooding as a result of runoff or drainage changes under post-fire conditions.

3. Significance of Impacts

Less than Significant Impact. The Project would not expose people or structures to significant risks, including downslope or downstream flooding due to runoff, post-fire slope instability, or drainage changes. Impacts would be less than significant.

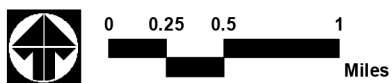
4. Mitigation Measures

No mitigation measures are required.

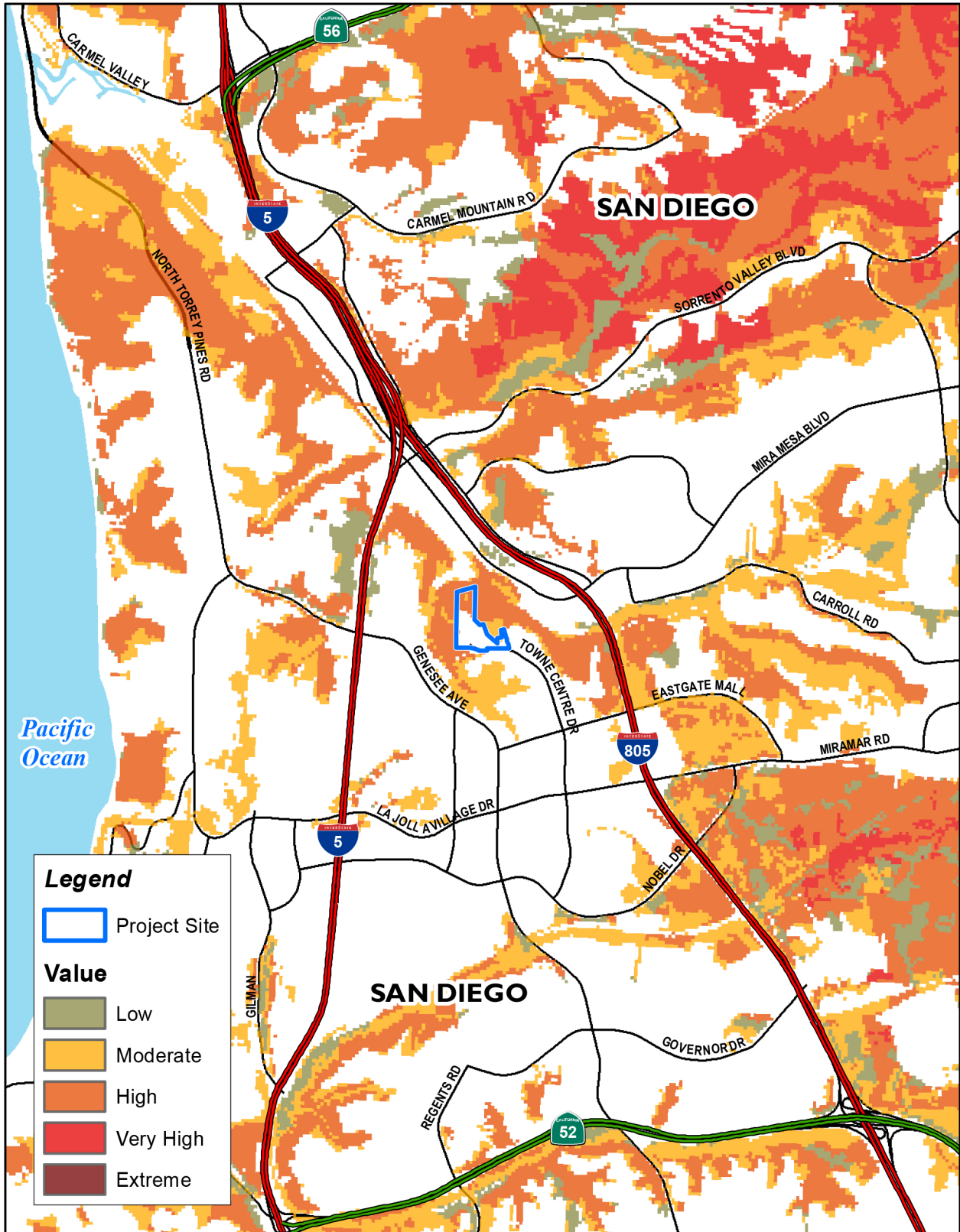


Source(s): Cal Fire (2019), ESRI, Nearmap Imagery (2021), SANGIS (2021)

Figure 5.19-1

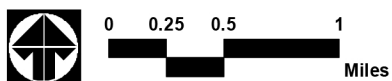


Very High Fire Hazard Severity Zones

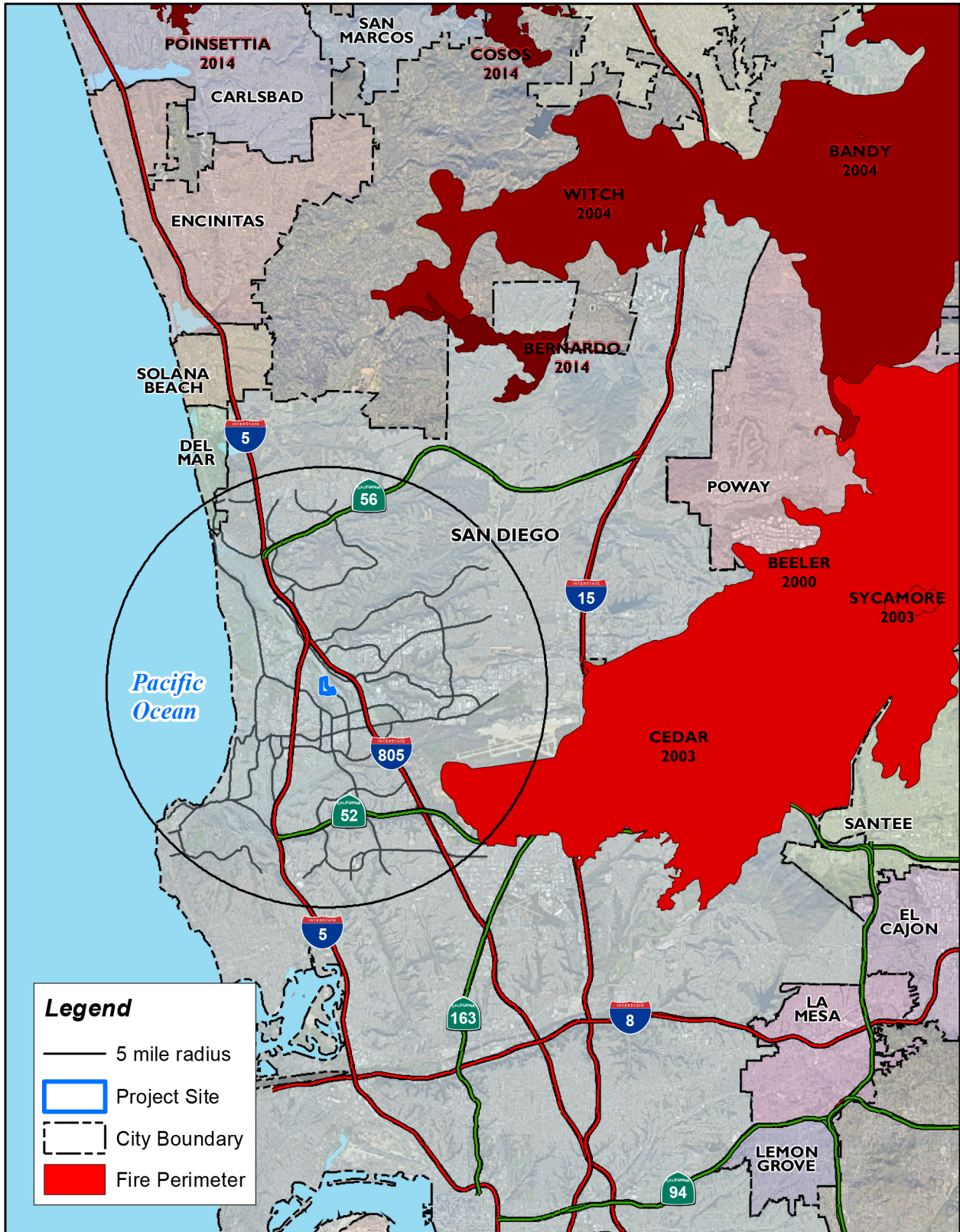


Source(s): Cal Fire (2019), ESRI, Nearmap Imagery (2021), SANGIS (2021)

Figure 5.19-2

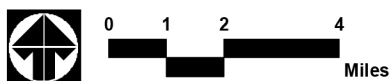


CalFire Threat Designation



Source(s): Cal Fire (2019), ESRI, Nearmap Imagery (2021), SANGIS (2021)

Figure 5.19-3



Fire Perimeters 1999-2019

6.0 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

This section addresses significant environmental impacts that cannot be avoided if the proposed Towne Centre View Project (Project) is implemented and significant irreversible environmental changes that would be involved should the Project be implemented.

6.1 SIGNIFICANT ENVIRONMENTAL EFFECTS THAT CANNOT BE AVOIDED IF THE PROJECT IS IMPLEMENTED

Section 15126.2(c) of the California Environmental Quality Act (CEQA) Guidelines requires an environmental impact report (EIR) to identify significant environmental effects that cannot be avoided if a project is implemented (14 CCR 15000 et seq.). As discussed in Chapter 5.0, *Environmental Analysis*, of this EIR, with adherence to the City's standard requirements, implementation of the Project would not result in significant impacts related to the following issue areas: land use, air quality, biological resources, energy, geologic conditions, 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. Incorporation of regulatory requirements and standard conditions of approval, and incorporation of Project-specific mitigation measures to reduce impacts associated with vehicle miles traveled (VMT), would reduce the Project's potentially significant impacts to a less than significant level. The Project was determined not to result in any significant and unavoidable impacts related to any of the environmental resources areas evaluated.

6.2 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

CEQA Guidelines Section 15126.2(c) requires the evaluation of significant irreversible environmental changes that would occur should a project be implemented, as follows:

- (1) Primary impacts, such as the use of nonrenewable resources (ie., biological habitat, agricultural land, mineral deposits, water bodies, energy resources, and cultural resources);
- (2) secondary impacts, such as road improvements, which provide access to previously inaccessible areas; and (3) environmental accidents potentially associated with the project.

Furthermore, CEQA Guidelines Section 15126.2(c) of the states that irretrievable commitments of resources should be evaluated to ensure that current consumption of such resources is justified. Implementation of the Project would not result in significant irreversible impacts to agricultural land, mineral resources, water bodies, historical resources, paleontological resources, or tribal cultural resources.

6.0 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

As the proposed development area for the Project is currently developed or has been subject to previous grading activities, implementation of the Project would not result in significant irreversible impacts to biological resources, as described in Chapter 5.0, *Environmental Analysis* and Chapter 9.0, *Effects Found Not to be Significant*. In addition, no historical resources, agricultural or forestry lands, mineral resources, or water bodies are located on or adjacent to the site that would be impacted by the Project.

The Project would require the commitment of energy and non-renewable resources, such as electricity, fossil fuels, natural gas, construction materials (e.g., concrete, asphalt, sand and gravel, steel, petrochemicals, and lumber), potable water, and labor during construction. New development within the Project site would be required to comply with the California Energy Code (Title 24) and California Green Building Standards Code. The Project features several sustainable elements (e.g., rooftop photovoltaic solar panels on the above grade parking garage; control scheduled and energy-efficient lighting and appliances; and energy-efficient roof, building envelope, and HVAC components) to minimize its consumption of energy and non-renewable resources (see Section 5.7, *Greenhouse Gas Emissions* and Section 5.5, *Energy*, for further details). However, use of these resources on any level would have an incremental effect regionally and would, therefore, result in long-term irretrievable losses of non-renewable resources, such as fuel and energy.

Implementation of the Project would not disturb historical or prehistoric resources, or tribal cultural resources (refer to Section 5.9, *Historical Resources*, and Section 5.16, *Tribal Cultural Resources*); therefore, there would not be irreversible impacts to these resources. If human remains are encountered, they would be handled in accordance with state law ensuring no impact would occur.

Paleontological resources could be disturbed but would be collected and recorded in compliance with existing regulations. Impacts to paleontological resources would result in a significant irreversible change to a non-renewable resource. However, compliance with the Appendix P to the City's Land Development Manual and the City's grading ordinance (San Diego Municipal Code Section 142.0151) would preclude any significant impacts to paleontological resources, as described in Section 5.12, *Paleontological Resources*.

Implementation of the Project has the potential to result in health and safety impacts during construction activities associated with could the exposure people or workers to hazardous materials. However, impacts would be less than significant with adherence to applicable local and state regulations as described in Section 5.8, *Health and Safety*.

The Project would not involve a roadway or highway improvement that would provide access to previously inaccessible areas. The Project's circulation system is designed to interconnect with the existing adjacent public street system. Therefore, the Project would not result in significant impacts and there would not be irreversible impacts to transportation, as described in Section 5.2, *Transportation*.

Section 15126.2(d) of the CEQA Guidelines requires an EIR to identify significant environmental effects which would be caused by the proposed project should it be implemented (14 CCR 15000 et

6.0 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

seq.). As discussed in Chapter 5.0, *Environmental Analysis*, of this EIR, with adherence to the City's standard requirements, implementation of the Project would not cause significant impacts related to the following issue areas: land use, air quality, biological resources, energy, geologic conditions, 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. Incorporation of regulatory requirements and standard conditions of approval, and incorporation of Project-specific mitigation measures to reduce impacts associated with vehicle miles traveled (VMT), would reduce the Project's potentially significant impacts to a less than significant level. The Project was determined not to cause any significant and unavoidable impacts related to any of the environmental resources areas evaluated.

7.0 GROWTH INDUCEMENT

In accordance with Section 15126(d) of the State CEQA Guidelines, an EIR must include an analysis of the growth-inducing impacts of the Project. The growth inducement analysis must address: (1) the ways in which the Project could foster economic or population growth, or the construction of additional housing, either directly or indirectly in the surrounding environment; and (2) the potential for the project to encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. This second issue involves the potential for the project to induce further growth by the expansion or extension of existing services, utilities, or infrastructure. The State CEQA Guidelines further state that *[i]t must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment* (Section 15126.2[d]). The City of San Diego's CEQA Significance Determination Thresholds state that a project would have a significant impact related to growth inducement if it would:

1. *Induce substantial population growth in an area;*
2. *Substantially alter the planned location, distribution, density, or growth rate of the population of an area; or*
3. *Induce extensions of roads or other infrastructure not assumed in the community plan or adopted Capital Improvement Project list, when such infrastructure exceeds the needs of the project and could accommodate future development.*

Relative to growth inducement and based on the CEQA Significance Determination Thresholds (July 2016), the EIR must analyze the consequences of growth. According to Section 15126.2 (d) of the CEQA Guidelines, *It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment.* In general, the analysis must avoid speculation and focus on probable growth patterns or projections. Conclusions must also be presented that determine whether this impact is significant and/or unavoidable, and provide for mitigation or avoidance, as necessary.

7.1 SHORT-TERM EFFECTS

During construction activities associated with the Project, demand for various construction trade skills and labor would increase. The Project's construction period would occur over 68 months. The San Diego-Carlsbad region has 61,830 workers employed in the construction field. As such, given the number of existing construction employees in the region, the construction jobs for the Project would likely be filled by the existing residents in the region. The Project's construction phase would not lead to an increase in employment on site that would stimulate the need for additional housing or services. Therefore, no associated substantial short-term growth-inducing effects would result.

7.2 LONG-TERM EFFECTS

The eastern portion Project site is developed with three scientific research buildings owned by the Project Applicant and the western portion of the Project site is vacant. The Project Applicant proposes to redevelop the Project site with a state-of-the-industry scientific R&D campus that would accommodate approximately 1,000,000 gross square feet (sf) of building space between five buildings (Building A through Building E). The completed development would result in a net increase of 2,400 jobs. As discussed in EIR Section 5.13, *Population and Housing*, SANDAG estimates the City of San Diego will have an increase of 210,366 jobs between 2016 and 2050, and an increase of 17,952 jobs in the University Community Planning Area between 2020 and 2050. The Project's estimated job generation accounts for approximately 13% of the anticipated employment growth in the University Community Planning Area by 2050 and approximately 1% of the anticipated growth in the City by 2050. It is anticipated that future Project employees would commute to the Project site from locations within the City. There is an existing employee base and the implementation of the Project land use type and size is not anticipated to directly induce substantial unplanned population growth, as the Project is an infill redevelopment project.

The Project site is within an area designated as Prime Industrial Land and is surrounded by properties that are developed or planned for development. Existing roads and utility infrastructure surround the Project site. The Project does not include the extension of roads or utility infrastructure that was not assumed in the community plan or adopted Capital Improvement Project list. Furthermore, the San Diego Metropolitan Transit System (MTS) provides bus and trolley transit services within the Project area and would be compatible with transit improvements included in SANDAG's San Diego Forward: The 2021 Regional Plan, including the Mid-Coast Trolley project, which started service in November 2021. As such, the Project is not anticipated to result in indirect substantial unplanned population growth in the City.

Based on the foregoing analysis, neither the Project nor any Project-related component would directly or indirectly result in substantial unplanned growth. Therefore, the Project's impacts related to growth inducement would be less than significant.

8.0 CUMULATIVE IMPACTS

Section 15355 of the State CEQA Guidelines defines “cumulative impacts” as two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts. These individual effects may be changes resulting from a single project or a number of separate projects and can result from individually minor but collectively significant projects taking place over a period of time.

The CEQA Guidelines Section 15130 provides guidance for analyzing cumulative impacts and requires that an EIR address cumulative impacts of a project when the project’s incremental effect would be cumulatively considerable. Cumulatively considerable, as defined in Section 15065(a)(3), means that the incremental effects of the individual project are considerable when viewed in connection with the effects of past projects, other current projects, and the effects of probable future projects. Where a lead agency determines the project’s incremental effect would not be cumulatively considerable, a brief description of the basis for such a conclusion must be included. In addition, the CEQA Guidelines allow for a project’s contribution to be rendered less than cumulatively considerable with implementation of appropriate mitigation.

According to Section 15130(b) of the CEQA Guidelines, the discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided for the effects attributable to the project alone. The discussion should be guided by the standards of practicality and reasonableness, and should focus on the cumulative impact to which the identified other projects contribute rather than the attributes of other projects which do not contribute to the cumulative impact. The evaluation of cumulative impacts is to be based on either:

- *A list of past, present, and probable future projects producing related or cumulative impacts including, if necessary, those projects outside the control of the agency; or*
- *A summary of projections contained in an adopted general plan or related planning document, or in a prior environmental document which has been adopted or certified, which described or evaluated region- or area-wide conditions contributing to the impacts, including, if necessary, those projects outside the control of the agency; or cumulative impact. Any such planning document shall be referenced and made available to the public at a location specified by the lead agency.*

The cumulative impact analyses contained in this EIR use both methods. A description of the basis for the cumulative impact analysis for individual topical issues is provided within each cumulative analysis discussion. The analysis of cumulative impacts associated with regional issues (i.e., air quality) is based on regional plans and policies, such as the Elements of the Community and General Plans and the Regional Air Quality Strategy (RAQS). Also, this EIR considers regional programs directed at mitigating cumulative impacts of development such as those instituted for urban runoff.

8.0 CUMULATIVE IMPACTS

For the analysis of cumulative impacts which are localized (e.g., visual changes and noise), a list of past, approved, and pending (i.e., active applications) projects within the Project area was identified during preparation of the Project's Local Mobility Analysis, in coordination with City staff. The location of these cumulative projects is illustrated on Figure 8-1, *Location of Cumulative Projects*. Table 8-1, *Cumulative Projects*, contains a brief description of the development associated with these projects (the numbers in the list correspond to the locations on the figure).

Table 8-1 Cumulative Projects

Project Name	Type of Development	Project Statistics	Status
1. Spectrum III & IV	R&D/Office	61,559 SF	Under Construction
2. The Scripps Research Institute (TSRI)	Research Facility	204,000SF	Approved
3. 9775 Towne Centre Dr. (Apex)	R&D/Hi-Tech Office	156,500 SF	Under Construction
4. 9455 Towne Centre Dr.	Corporate Headquarters	150,000 SF	Under Construction
5. 9514 Towne Centre Dr.	Corporate Office	100,000 SF	Approved
6. Costa Verde Revitalization	Commercial Office Hotel Office/Research	40,000 SF 200 rooms 360,000 SF	Approved
7. Salk Institute	Scientific Complex	239,182 SF	Approved
8. Monte Verde	High Density Residential	560 dwelling units	First Building – Operational; Second Building - Under Construction
9. Scripps Hospital La Jolla (Amend. 8)	Medical Office	115,900 SF	Approved
10. 4555 Executive Drive - ARE Scripps Health NDP	Commercial Office	131,183 SF Corporate HQ 25,522 SF Basement 119,500 SF parking structure	Under Review
11. Campus Point Master Plan Update	R&D	621,032 SF R&D 5,000 SF Accessory	Under Review
12. Science Village	R&D	369,878 SF R&D 24,256 SF Retail/Strip Commercial	Under Review
13. UTC Hotel/Apts	Hotel/Apartments	217 Hotel Rooms 81 Apartments	Under Review
14. One Alexandria Square	R&D	269,674 SF R&D 15,500 SF Retail/Restaurant	Approved
15. One Alexandria North	R&D	256,500 SF R&D	Under Review

8.0 CUMULATIVE IMPACTS

16. 3Roots	Mixed Use Residential Commercial	1,800 Homes 140,000 SF Commercial	Approved
17. Stone Creek	Mixed Use Residential Commercial Business Park Light Industrial High Technology Uses	4,445 Homes 175 Hotel Rooms 374,000 SF Commercial 850,000 SF Business Park/Light Industrial/High Technology	Under Review

(Urban Systems, 2022b)

8.1 CUMULATIVE EFFECTS FOUND NOT TO BE SIGNIFICANT

8.1.1 Land Use

The geographic scope for the land use cumulative analysis includes the University Community Plan area. Land uses and development patterns are typically established in local land use planning documents specific to jurisdictions, but can have implications on surrounding areas.

As discussed in Section 5.1, *Land Use*, the Project site, which is within the Central Subarea of the University Community Plan area, is within a designated Subregional Employment Area and planned for additional development. Although the Project is consistent with the current zoning and Community Plan designation for the development area, the Project requires a Community Plan Amendment to change the development intensity table to allow for the proposed intensity (up to 1,000,000 sf of development in Subarea 11). The Project is consistent with the goals and policies outlined in the City of San Diego General Plan and the University Community Plan (refer to the consistency analysis presented in Tables 5.1-1 and 5.1-2 in Section 5.1), and the regional goals outlined in San Diego Forward: The Regional Plan. The Project would also be consistent with the Marine Corps Air Station (MCAS) Miramar Airport Land Use Compatibility Plan and requirements related to noise, safety, and airspace protection. In addition to being within the Airport Land Use Compatibility (ALUC) Overlay Zone, the Project site is within the Community Plan Implementation Overlay Zone (CPIOZ) Type A, and the Project would encroach into Environmentally Sensitive Lands (ESLs), including steep hillsides and sensitive biological resources. However, a Site Development Permit (SDP) is being processed for the Project to address these planning considerations. Additionally, a Coastal Development Permit (CDP) is being processed to allow for non-vertical development in the coastal zone; a Planned Development Permit is being processed for proposed deviations to the San Diego Municipal Code (SDMC); and a Neighborhood Development Permit is being processed for the use of alternative method of calculation for the ALUC Overlay Zone.

With the proposed CPA and processing of required permits further described in Section 3.5, *Discretionary Actions*, of this EIR, as well as the proposed Tentative Map and street vacation, the Project would not result in land use impacts related to consistency with land use plans and

regulations. Previously approved and future development within the City and specifically the University Community Plan area would also be required to comply with the adopted land use standards, policies and regulations set forth in the General Plan, Community Plan, Land Development Code, and the MCAS Miramar Airport Land Use Compatibility Plan (ALUCP), among others related to land use type, height, and intensity.

The Central Subarea of the University Community is developed with a variety of urban uses including office, high density residential, hotel, and commercial. The Project, which involves development/redevelopment of the Project site with a research and development (R&D) campus of approximately 1,000,000 square feet (sf), in conjunction with cumulative projects in the University Community Plan Area, provide a mix of land uses and concentrate new development and employment uses near existing and planned transit facilities in the General Plan-designated Subregional Employment Area. Further, any proposed future land uses would be required to be compatible with existing, surrounding land uses.

It should also be noted that the City is in the process of updating the University Community Plan. The Project reflects the level of development intensity for the Community Plan area in the University Community Plan update. In addition, the Project reflects the City's determination to keep the Prime Industrial Lands designation for the Project area along Towne Centre Drive.

As the Project would not result in a significant impact related to consistency with applicable planning documents, the Project would not result in a cumulatively considerable contribution to a land use compatibility impact.

8.1.2 Transportation

The Project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities, as identified through the analysis presented Section 5.2.3.A. Therefore, the Project would not contribute to a cumulative impact.

Further, the VMT analysis included in Section 5.2.3.B determined that implementation of Mitigation Measure 5.2-1 would reduce its transportation VMT impact to a less than significant level. As such, cumulative transportation VMT impacts would be less than significant as they would not be distinct from the project impact.

The Project would have less than significant impacts related to hazards from design or incompatible uses during construction and operation, and with respect to emergency access, with adherence to applicable regulations. Thus, the Project would not result in cumulative impacts to transportation hazard or emergency access.

8.1.3 Air Quality and Odors

The geographic scope for the analysis of cumulative air quality impacts is the San Diego Air Basin (SDAB). It is appropriate to consider the entire air basin as air emissions can travel substantial distances and are not confined by jurisdictional boundaries; rather, they are influenced by large-scale climatic and topographical features. While some air quality emissions can be localized, such as a carbon monoxide (CO) hotspots or odor, the overall consideration of cumulative air quality is typically more regional. By its very nature, air pollution is largely a cumulative impact.

The California Ambient Air Quality Standards (CAAQS) designate the Project site as nonattainment for ozone (O₃), particulate matter 10 microns in diameter or less (PM₁₀), and particulate matter 2.5 microns in diameter or less (PM_{2.5}) while the National Ambient Air Quality Standards (NAAQS) designate the Project site as nonattainment for O₃. However, neither the City of San Diego, nor the San Diego Air Pollution Control District (SDAPCD) has provided guidance on assessing impact from air quality. On the other hand, the South Coast Air Quality Management District (SCAQMD) has published a report on how to address cumulative impacts from air pollution: *White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution*. While the South Coast air basin is different than the SDAB and has different attainment status for criteria pollutants, the method of developing the thresholds for pollutants of concern in both regions are similar and based on the respective attainment statuses. Therefore, the methodology used by the SCAQMD in assessing cumulative impacts is applicable to the SDAB and the City of San Diego. Thus, this analysis assumes that individual projects that do not generate operational or construction emissions that exceed the City of San Diego recommended daily thresholds for project-specific impacts would also not cause a cumulatively considerable increase in emissions for those pollutants for which the SDAB is in nonattainment, and, therefore, would not be considered to have a significant, adverse air quality impact. Alternatively, individual project-related construction and operational emissions that exceed City of San Diego thresholds for project-specific impacts would be considered cumulatively considerable.

As shown in Table 5.3-5, *Overall Construction Emission Summary*, of Section 5.3, *Air Quality and Odor*, construction activities associated with the Project would not result in exceedances of regional thresholds. Emissions during Project construction would not violate any air quality standard or contribute substantially to an existing or projected air quality violation. Therefore, the Project's construction emissions would not be cumulatively considerable, and the impact would be less than significant. Similarly, as shown in Table 5.3-6, *Summary of Maximum Daily Operation Emissions*, of Section 5.3, Project operational-source air pollutant emissions would not result in exceedances of regional thresholds. Emissions would be consistent with assumptions in the Regional Air Quality Strategy (RAQS) and State Implementation Plan (SIP). Thus, long-term emissions be less than significant and not cumulatively considerable.

Moreover, no exceedances of the CO standard or substantial generation of TACs would occur. The Project also would not result in the creation of objectionable odors affecting a substantial number of people. These impacts would be less than significant and not cumulatively considerable.

8.1.4 Biological Resources

The geographic scope for consideration of cumulative impacts to biological resources is the area covered by the City of San Diego Final Multiple Species Conservation Program (MSCP) Plan. The City's Multi-Habitat Planning Area (MHPA) was developed by the City in cooperation with the United States Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (CDFW), property owners, developers, and environmental groups using the Preserve Design Criteria contained in the MSCP Plan. The MSCP was designed to compensate for the cumulative loss of biological resources throughout the San Diego region. Projects that conform to the MSCP as specified by the City's Subarea Plan and implementing ordinances, (i.e., Biology Guidelines and ESL Regulations) are not expected to result in a significant cumulative impact for those biological resources adequately covered by the MSCP. As discussed in Section 5.4, *Biological Resources*, the approximately 7.0-acre northern parcel of the Project site is within the City's MHPA and would remain undeveloped, and the undeveloped open space to the north/northeast/northwest, west, and south (west of Westerra Court) of the Project site is also within the MHPA.

The project would impact less than 0.10 acre of sensitive (Tier II) habitats but would preserve 3.98 acres in 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. The project would have no direct impacts on sensitive plant species; would have no direct impacts on the coastal California gnatcatcher; and would not have direct impacts on sensitive animal species with moderate potential to occur. Direct impacts would be less than significant. Potential indirect impacts would also be less than significant through consistency with the MHPA Land Use Adjacent Guidelines, City-prescribed measures, and Project design. No jurisdictional areas would be impacted by the Project. The Project would comply with the City's Subarea Plan by conforming to the MHPA LUAGs and by mitigating for significant impacts in accordance with ESL Regulations and the City's Biology Guidelines. Other projects in the City, including cumulative development Projects in the University Community Plan area, would also be required to comply with the City's Subarea Plan. Therefore, the Project would not contribute considerably to cumulatively significant impacts on sensitive biological resources in the City.

8.1.5 Energy

The geographic scope for consideration of cumulative energy impacts is the San Diego region. Development throughout the region influences the demand for energy supply and can drive the location and need for new or additional energy production and transmission infrastructure. Energy service providers and their distribution systems generally cover large areas and are not necessarily associated with or restricted to specific governmental jurisdictions. Generally, most typical development or redevelopment projects, such as those included in the cumulative project list, do not independently create substantial impacts on energy production or infrastructure. Rather, the demand for energy is influenced by regionwide development. Thus, many planning documents that forecast energy demand and determine adequate supply and appropriate infrastructure needs and strategies are also on regional scales.

While all development projects would result in the demand for additional energy, they also would be subject to federal, state, and local energy conservation and/or alternative energy policies, such as those within the Conservation Element of the City's General Plan, which would minimize the potential for unnecessary or wasteful energy use associated with cumulative development or the demand for energy beyond that accounted for in regional supply forecasts and production.

Similar to other cumulative development projects, implementation of the Project would result in the consumption of energy during both project construction and operation. The Project design features and conservation strategies are intended to ensure that the Project's energy consumption would not be wasteful, inefficient, and unnecessary. Based on the estimated Project energy demand, it also would not be anticipated to require the construction of new energy facilities or require improvements to local infrastructure. Therefore, the Project would not result in a cumulatively considerable contribution to a significant impact on energy resources.

8.1.6 Geologic Conditions

Impacts related to geologic conditions are generally site-specific and there is typically little, if any, cumulative relationship between the development of an individual project and development within a larger cumulative area, such as City-wide development. For example, development within the Project site would not alter geologic events or soil features/characteristics (such as groundshaking, seismic intensity, or soil expansion); therefore, the Project would not affect the level of intensity at which a seismic event on an adjacent site is experienced.

Throughout the University Community Plan area, cumulative projects would be susceptible to similar geographic hazards as the Project. The specific geologic condition of each individual project site, soil type, and project excavation requirements would dictate the severity of the potential geologic risks. Potential impacts resulting from seismic and geologic hazards associated the Project and cumulative development would be minimized on a project-by-project basis through the use of standard construction methods and adherence to applicable code requirements, such as the California Building Code (CBC) and San Diego Land Development Code.

As discussed in Section 5.6, *Geologic Conditions*, all potential site-specific geotechnical impacts from the Project would be avoided or reduced below a level of significance through adherence with the geotechnical recommendations identified in the Project's Geotechnical Investigation and established regulatory requirements. Apart from erosion, potential geologic effects are inherently restricted to the areas proposed for development and would not contribute to cumulative impacts associated with other planned or proposed development. As such, due to the site-specific nature of potential geologic hazards and the measures to address them, as well as the fact that cumulative project would be subject to the same standards, associated potential impacts related to geologic conditions would be less than significant and would not be cumulatively considerable.

As discussed in Section 5.10, *Hydrology*, and Section 5.18, *Water Quality*, erosion, and sedimentation are not considered to be significant short-term or long-term concerns at the Project-site. The Project and cumulative development would be required to adhere to applicable federal, State, and local

regulatory standards related to erosion and sedimentation, including requirements of the City's Storm Water Standards Manual. Compliance with these mandatory regulatory requirements would ensure that development projects within the watershed, including the Project and cumulative projects, would have a less than significant cumulative impact related to erosion. Construction and operation of the Project would not contribute to cumulatively considerable erosion impacts.

Cumulative projects would be subject to the same regulations and engineering practices as the Project, such as the CBC, City's Land Development Code, and storm water regulations and associated BMPs. Therefore, the Project would not result in a cumulatively considerable contribution to a significant cumulative geology and soils impact.

8.1.7 Greenhouse Gas Emissions

The geographic scope of consideration for greenhouse gas (GHG) emissions is global, and as such emissions contribute, on a cumulative basis, to global climate change. By nature, GHG impacts are cumulative as they are the result of combined worldwide emissions over many years, and additional development would incrementally contribute to this cumulative impact. The discussion presented in Section 5.7, *Greenhouse Gas Emissions*, also serves as the Project's cumulative impact analysis.

As detailed in Section 5.7, plans, policies, and regulations have been adopted for the purpose of reducing cumulative GHG emissions. The Project has incorporated sustainable features into its design to reduce overall emissions, reflecting the types of emissions reduction measures recommended by public agencies to reduce the magnitude of GHG emissions and help California achieve its statewide goals. The Project would be consistent with the GHG reduction measures contained in the City's 2015 CAP and 2022 CAP Update, and would not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions. As a result, the Project would not result in a cumulatively considerable contribution to cumulative GHG emissions impacts.

8.1.8 Health and Safety

The cumulative study area associated with hazardous materials is typically site-specific except where past, present, or proposed land uses would impact off-site land uses and persons or where past, present, or foreseeable future development in the surrounding area would cumulatively expose a greater number of persons to hazards (e.g., hazardous materials and/or waste contamination).

As discussed in Section 5.8, *Health and Safety*, of this EIR, although potentially hazardous materials would be used during construction activities, the types of substances that would be used would not pose a significant hazard to workers or the general public. The nature of future operations of the proposed office buildings and associated parking facilities would not involve the use, handling, or storage of toxic substances, and maintenance activities would not pose a significant hazard. Any hazardous materials used for construction or operation of the Project would be handled, treated, or disposed of in accordance with applicable regulations or requirements. The Project would not result in a cumulative exposure of a greater number of persons to hazards. Cumulative development

would also be required to comply with applicable local, State, and federal requirements concerning hazardous materials. The Project's impact related to use, handling and storage of hazardous materials would be less than significant and the Project would not result in a cumulatively considerable contribution to a significant cumulative impact.

The Project site is not within 0.25-mile of an existing or proposed school; therefore, the Project would not result in hazardous emission or the handling of hazardous or acutely hazardous materials within 0.25-mile of an existing or proposed school. Additionally, the Project would not interfere with the implementation or physically interfere with an adopted emergency response or evacuation plan. Moreover, while the Project site is within the AIA for the MCAS Miramar Airport, the Project would be consistent with the ALUCP for the MCAS Miramar Airport and would not expose people working or residing in the area to excessive noise levels associated with air travel. The Project, and other potential cumulative project would adhere to regulations that ensure site-specific significant impacts associated with hazards and hazardous materials would be avoided or reduced to less than significant levels. Therefore, the Project would not result in a cumulatively considerable contribution to a significant cumulative impact.

8.1.9 Historical Resources

For historical resources, the geographic scope is the University Community Plan area. Direct impacts to historical resources would be site-specific. Cumulative projects that require substantial excavation have the potential to result in disturbance to historical resources. These projects would be subject to State and local regulations requiring the recovery and curation of historical resources. As such, significant historical resource impacts resulting from future development would be mitigated on a project-by-project basis.

As discussed in Section 5.9, *Historical Resources*, the Project is not anticipated to result in direct impacts to subsurface archaeological resources due to the Project's construction activities because the Project site was previously excavated and graded. Additionally, the Project site's existing buildings do not meet the criteria established for identifying historical resources. The implementation of the Project would not result in impacts to historical resources and the Project would not result in a cumulatively considerable contribution to a significant cumulative impact to historical resources.

8.1.10 Hydrology

The geographic scope for hydrology is the Peñasquitos Watershed (Peñasquitos Hydrologic Unit [HU] 906). Lands and water bodies within the watershed are part of an interrelated hydrologic system, such that modifications to a portion of a waters produced by development in one location may result in hydrology impacts that affect other water bodies in the watershed.

As discussed in Section 5.10, *Hydrology*, with the implementation of the proposed modular wetland systems, biofiltration basins, and underground storage vaults, runoff for the 100-year 6-hour storm event would be less than existing conditions. The overall post-development drainage patterns would

not result in modifications to existing drainage patterns and storm water would discharge to the same locations as existing conditions. Additionally, the Project site is not within a 100-year flood plain and no impacts related to flooding would occur. Compliance with federal, State, and local regulations and applicable drainage plans would require development sites to be protected from flooding during peak storm events (i.e., 100-year storm) and would not allow development projects to expose downstream properties to increased flooding risks during peak storm events. Also, future development proposals within the Peñasquitos Watershed would be required to prepare hydrologic and hydraulic calculations, subject to review and approval by the City and other jurisdictions, to demonstrate that substantial on- and/or off-site flood hazards would not occur.

Because the Project and all other developments throughout the Peñasquitos Watershed, would need to comply with federal, State, and local regulations to ensure that storm water discharges do not substantially exceed existing volumes or exceed the volume of available conveyance infrastructure, a cumulative impact related to flood hazards would not occur. The Project would not result in a cumulatively considerable contribution to a significant cumulative impact associated with flooding.

The Project site does not currently accommodate groundwater recharge and implementation of the Project would not reduce groundwater recharge capacity. The Project would not contribute to cumulative groundwater impacts.

8.1.11 Noise

The geographic scope for this analysis is the area immediately surrounding the Project site and University Community Plan area roadways that would be used by Project vehicles. Generally, noise impacts are limited to the area directly surrounding the noise generator, as noise attenuates with distance and only has the potential to combine with other noise sources in the immediate vicinity.

Construction activities associated with the Project, especially activities involving heavy construction equipment would create intermittent periods of noise when construction equipment is in operation and cause a short-term increase in ambient noise levels. The peak noise level anticipated during construction activities would occur during earthmoving activities. The Project's daytime construction activities would reach up to 38.9 dBA L_{eq} at the nearest sensitive receivers. As shown on Figure 8-1, *Location of Cumulative Projects*, there are cumulative projects in the vicinity of the Project site that could be under construction at the same time as the Project. In the event that construction activities occur on properties in the vicinity of the Project site simultaneously with Project-related construction activities and that also contribute construction noise to the sensitive receptors located in the Project vicinity, the construction activities associated with the Project would result in a cumulative contribution of increased noise levels at the nearest sensitive receptors. However, the Project and cumulative development projects would be constructed within the hours identified in the City's noise ordinance that are exempt from noise standards. Additionally, the Project would result in less than significant impacts associated with construction-related noise impacts; therefore, the Project would not result in a cumulatively considerable contribution of construction noise that would result in a

significant cumulative impact. Accordingly, the Project's short-term construction-related noise impacts would not result in a cumulatively considerable short-term noise impact.

The implementation of Project and cumulative development projects would have the potential to increase ambient noise from operational noise sources (such as roof-top air handling units, generators, and surface parking lot activity). As identified in Section 5.11, *Noise*, the Project would not generate operational noise levels that exceed the City's exterior daytime or nighttime standards included in the SDMC. Noise sources would be similar to existing condition and other uses in the area, and impacts from stationary noise sources would be less than significant. Other development projects in the Project area would also be subject the same noise standards as the Project. With adherence to SDMC noise standards, the Project and cumulative development project would have less than significant operational noise impacts. The Project's contribution to ambient noise would not be cumulatively considerable

The analysis of Project-related traffic noise impacts provided in Section 5.11 includes traffic from existing and projected future traffic on study area roadways. The cumulative year 2035 with Project exterior noise levels range from 68.7 to 76.8 dBA CNEL, with the Project's contribution to off-site traffic noise level increases ranging from 0.0 to 0.4 dBA CNEL, which would not exceed the identified significance criteria under the cumulative year with Project scenario. Therefore, the Project's contribution to off-site traffic noise would not result in a substantial permanent increase in ambient noise levels and Project-related impacts would be less than significant. Thus, Project-related traffic noise increases would not be cumulatively considerable.

8.1.12 Paleontological Resources

As described in Section 5.12, *Paleontological Resources*, regulatory compliance would preclude impacts on paleontological resources, thus Project impacts would be less than significant. Cumulative projects in the Project area that require excavation that would exceed the City's Significance Determination Thresholds for paleontological resources would be subject to similar requirements pertaining to State and local regulations requiring the recovery and curation of paleontological resources. As such, potentially significant impacts on paleontological resources resulting from future development also would not occur. Adherence to applicable regulations would preclude impacts on paleontological resources potentially on-site and other cumulative project sites. Therefore, the Project's contribution to cumulative impacts on paleontological resources would be less than significant.

8.1.13 Population and Housing

The Project site is currently developed with three scientific research buildings and does not contain any residential structures under existing conditions; therefore, the Project would not remove any housing that would require the construction of replacement housing elsewhere. The Project does not involve the development of new housing units and would not result in direct increase in population growth. As such, the Project would not contribute to a cumulatively significant impact associated with the need to construct housing units.

As discussed in Section 5.13, *Population and Housing*, the Project would generate employment opportunities for approximately 3,000 individuals, which represents a net increase of 2,400 employment opportunities. As identified in the SANDAG's Series 14 Regional Growth Forecast, future population growth is expected to be largely homegrown and most of the region's population growth will come from growing families that already live here today and thus the Project would not contribute to new population growth due to an increase in employment opportunities (SANDAG, 2022). Additionally, the Project would not result in an extension of infrastructure that would result in unplanned induced or cumulatively considerable development. As such, the Project would not cause a cumulatively considerable impact related to population.

8.1.14 Public Services and Facilities

Public services and facilities generally serve residents on a community-wide basis. Thus, the geographic scope of analysis of public services and facilities in the University Community Plan area. The provision of public services and facilities is often specific to jurisdictional providers or confined by set service boundaries. Typically, changes in development influence the demand for public services and related facilities to be provided within a local city, county, or service district.

As presented in Section 5.14, *Public Services and Facilities*, the Project does not involve the development of residential uses and would not result in a direct increase in demand for public services, including school, libraries and park/recreational facilities. There would be an increase in non-residential development intensity at the Project site, which would result in incremental increase in the demand for police and fire protection services; however, no new facilities or improvements to existing facilities are planned, which would result in physical environmental impacts would occur.

The Project and cumulative development would be developed in accordance with applicable requirements, including California and local building and fire codes and National Fire Protection Association (NFPA) codes, and consistent with the City's Crime Prevention Through Environmental Design concepts and measures for land development. Additionally, as with all development in the City, the Project Applicant would be required to pay required school impact fees for non-residential development, and Facilities Benefit Assessment (FBA) fees, which ensure that public facilities are phased according to the level of development in the community. The Project would result in less than significant impacts related to public services, and would not cause a cumulatively considerable contribution to cumulative public service impacts.

8.1.15 Public Utilities

The geographic scope for public utilities cumulative analysis is the San Diego region. Public utilities can be specific to jurisdictions; however, some service providers offer service throughout a region and across multiple jurisdictions. Thus, changes in development influence the demand for utilities across the region and can drive the need for new or expanded utility infrastructure. Pending and future projects would be required to analyze public utilities demand and supply to avoid conflicts,

and provide upgrades or development impact fees toward new infrastructure facilities, as needed. The analysis of the Project impacts related to public utilities is provided in Section 5.15 of this EIR.

The Project's water demand was considered in conjunction with other past, present, and reasonably foreseeable future development in the City through preparation of the Project-specific Water Supply Assessment (WSA) included in Appendix M3 of this EIR. The WSA determined that there are sufficient existing water supplies available to serve the Project in conjunction with other development. Cumulative impacts to water supply would be less than significant. The Project and cumulative projects would also adhere to City landscaping and irrigation requirements and would not result in excess water use. The Project would also use recycled water, not potable water, for low-water landscape irrigation. As such, the Project would not have a cumulatively considerable contribution to a significant cumulative water supply impact.

As with the Project, individual cumulative development projects would require the construction of necessary infrastructure (water and wastewater lines, storm drain facilities, dry utility infrastructure, and others) to serve the projects. However, the infrastructure needed for the Project would be limited to distribution and collection lines, which would occur within the Project's identified construction impact area (on-site and adjacent to the site). No new or expanded off-site infrastructure is required to be implemented as part of the Project, beyond the utility line connections to existing utilities adjacent to the Project site. The Project's proposed utility line connections would only serve the Project site and would not facilitate additional development in the area. The environmental impacts associated with construction utility infrastructure to be installed as part of the Project have been addressed throughout this EIR and would be less than significant. The Project and all new development would have to coordinate with service providers to obtain services, and connections to existing utility lines would be made in accordance with the applicable requirements of the utility provider and City, as applicable. Further, the payment of service fees to the respective service providers is expected to ensure adequate services to individual developments. The Project in conjunction with cumulative development would not result in significant impacts related to the construction and installation of utility infrastructure and would not result in a cumulative impact. Therefore, the Project would not have a cumulatively considerable contribution to a significant cumulative impact associated with construction of utility infrastructure.

The Miramar Wastewater Treatment Plan (WTP) has a wastewater treatment capacity of 144 million gallons per day (MGD) and Project generated wastewater would account for less than 1% of the daily permitted treatment capacity of the Miramar WTP, and 2% of the forecasted demand growth for the Miramar WTP service area between 2025 and 2045. The City's wastewater treatment infrastructure would be adequate to serve the Project and cumulative development projects and the Project would not have a cumulatively considerable contribution to a significant cumulative impact associated with wastewater treatment.

According to the City's Significance Determination Thresholds, cumulative impacts to solid waste facilities would be significant if a project includes the construction, demolition, and/or renovation of 40,000 SF or more of building space. Therefore, based on the size of the Project, preparation, and implementation of a Waste Management Plan (WMP) (Appendix M4 of this EIR) was required to

address potential cumulative impacts related to solid waste generation and any other similarly sized cumulative projects would be required to prepare a WMP as well. Moreover, cumulative projects would be required to comply with the City's Recycling Ordinance. The WMP includes required waste diversion measures to ensure that the Project's contribution to a cumulative solid waste impact would be less than significant.

8.1.16 Tribal Cultural Resources

The geographic scope of consideration for the cumulative analysis of tribal cultural resources includes the University Community Plan area. As discussed in Section 5.16, *Tribal Cultural Resources*, no previously recorded tribal cultural resources are located within the Project boundaries. There are numerous previously recorded historic and prehistoric sites in the Project vicinity, including in the open space area north of the Project site; however, implementation of the Project would result in no impacts to Tribal Cultural Resources that are listed or eligible for listing in the California Register of Historic Resources (CRHR) or local register of historical resources, or pursuant to subdivision (c) of Public Resources Code Section 5024.1. Required Native American tribal outreach efforts were conducted for the Project and no tribes requested consultation. Due to the Project site's previously disturbed/developed nature, the Project's construction activities are not anticipated to result in direct impacts to subsurface tribal cultural resources.

Cumulative projects that require substantial excavation have the potential to result in disturbance to previously unidentified subterranean tribal cultural resources. Significant tribal cultural resource impacts resulting from cumulative development would be mitigated on a project-by-project basis with the implementation of protective actions developed in consultation with Native American tribes during the required consultation process. Neither the Project nor other cumulative developments are expected to result in significant impacts to tribal cultural resources provided site-specific review and required Native American consultation is conducted, if warranted, and required measures to protect the tribal cultural resources, should they be encountered, are implemented. As such, the Project would not result in a cumulatively considerable contribution to a significant cumulative impact on tribal cultural resources.

8.1.17 Visual Effects and Neighborhood Character

The geographic scope for the land use cumulative analysis includes the University Community Plan area, primarily focused on the Central subarea and specifically areas within the same viewshed as the Project. The Project site is on the boundary of the urbanized center of the City's University Community. This portion of the University Community area is developed with two- and three-level office uses in the Eastgate Technology Park along Towne Centre Drive and Westerra Court to the south. Additional urban development is likely in the surrounding area due to forecasted population and economic growth. Known cumulative Projects are shown on Figure 9-1. The Project site is surrounded by undeveloped open space in the MHPA to the north/northeast, west, and south (west of Westerra Court). These open space areas are characterized by steep canyon slopes and are a prominent focal point in views toward the Project site. Implementation of the Project and identified cumulative projects would continue to add to the sense of an urban community along Towne Centre

Drive within the Central subarea; however, this development would be required to be visually compatible with the surrounding neighborhood character and utilize appropriate architecture, materials, and development patterns as necessary for consistency with the aesthetic goals, principles, and objectives of the Urban Design Elements of the City's General Plan and University Community Plan.

A potential cumulative view impact may result from a project opening up a new area for development, which would ultimately cause extensive view blockage, especially from designated public view corridors and of public resources. As discussed in Section 5.17, *Visual Effects and Neighborhood Character*, the Project involves development on a graded mesa, which includes existing development in the eastern portion of the Project site. The Project and cumulative development would not obstruct a designated public view or result in substantial view blockage from a designated public viewing area to a public resource identified as significant in the University Community Plan, as no such designated views exist in the Central Subarea. The Project would not result in a cumulatively considerable contribution to a significant cumulative impact to scenic views.

There are no distinctive or landmark trees, or stand of mature trees designated on the Project site in the City's General Plan, or University Community Plan. Therefore, implementation of the Project would not result in the loss of distinctive or landmark trees and would not contribute to significant cumulative impacts related to the loss of such trees.

As detailed in Section 5.17, *Visual Effects and Neighborhood Character*, there is not a consistent architectural theme in the Central Subarea, which includes office development in the vicinity of the Project site. The proposed buildings would comply with applicable development standards, would have height and bulk compatible with existing development patterns within the Central subarea of the University Community, and would provide architectural features and treatments that would not contrast with existing development. The cumulative projects located in the same viewshed as the Project site would also be required to comply with the same development standards as the Project. Therefore, the Project would not combine with other cumulative projects or existing developments to result in significant aesthetic impacts. The Project would not result in a cumulatively considerable contribution to a significant cumulative impact related to scenic quality.

With regard to lighting and glare, the Central subarea, including the Project site, already contains lighting sources, including exterior lighting for existing development, and street lighting along major roadways. Lighting associated with the Project would be similar to the existing lighting and would comply with the City's Outdoor Lighting Regulations. In addition, due to the Project's location adjacent to the MHPA, the Project will be required to adhere to MHPA adjacency standards which require reduced light which is focused away from the MHPA. As such, the Project, combined with other reasonably foreseeable projects in the immediate vicinity, would not result in a cumulatively considerable impact relative to light pollution. The Project would include non- or low-reflective building materials and would not create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area. Therefore, when considered with other reasonably foreseeable projects in the vicinity, would not result in a cumulatively considerable contribution to a light and glare impact in the community.

The Project would involve excavation in previously graded/disturbed areas, primarily associated with the subterranean parking structure. However, there would be no direct impacts to steep hillsides in the open space areas in the MHPA surrounding the Project site, and in the northern portion of the Project site, which are prominent in views of the Project site. The Project would require creation of manufactured slopes in excess of 10 feet within the proposed development area; however, the slopes would not exceed a 2:1 inclination and would emulate the surrounding natural landforms adjacent to the Project site. Therefore, the landform changes resulting from the Project would be less than significant. Because the open space area in the northern portion of the Project site and surrounding the site are within the MHPA, and the Project site is located at the terminus of the developable area of the existing mesa, these hillsides would not be impacted by cumulative development. Further, as with the Project, cumulative development would be required to comply with City requirements related to landform changes and protection of steep hillsides. Therefore, the Project would not combine with other cumulative projects to result in significant impacts related to landform change. The Project would not result in a cumulatively considerable contribution to a significant cumulative impact related to landforms.

8.1.18 Water Quality

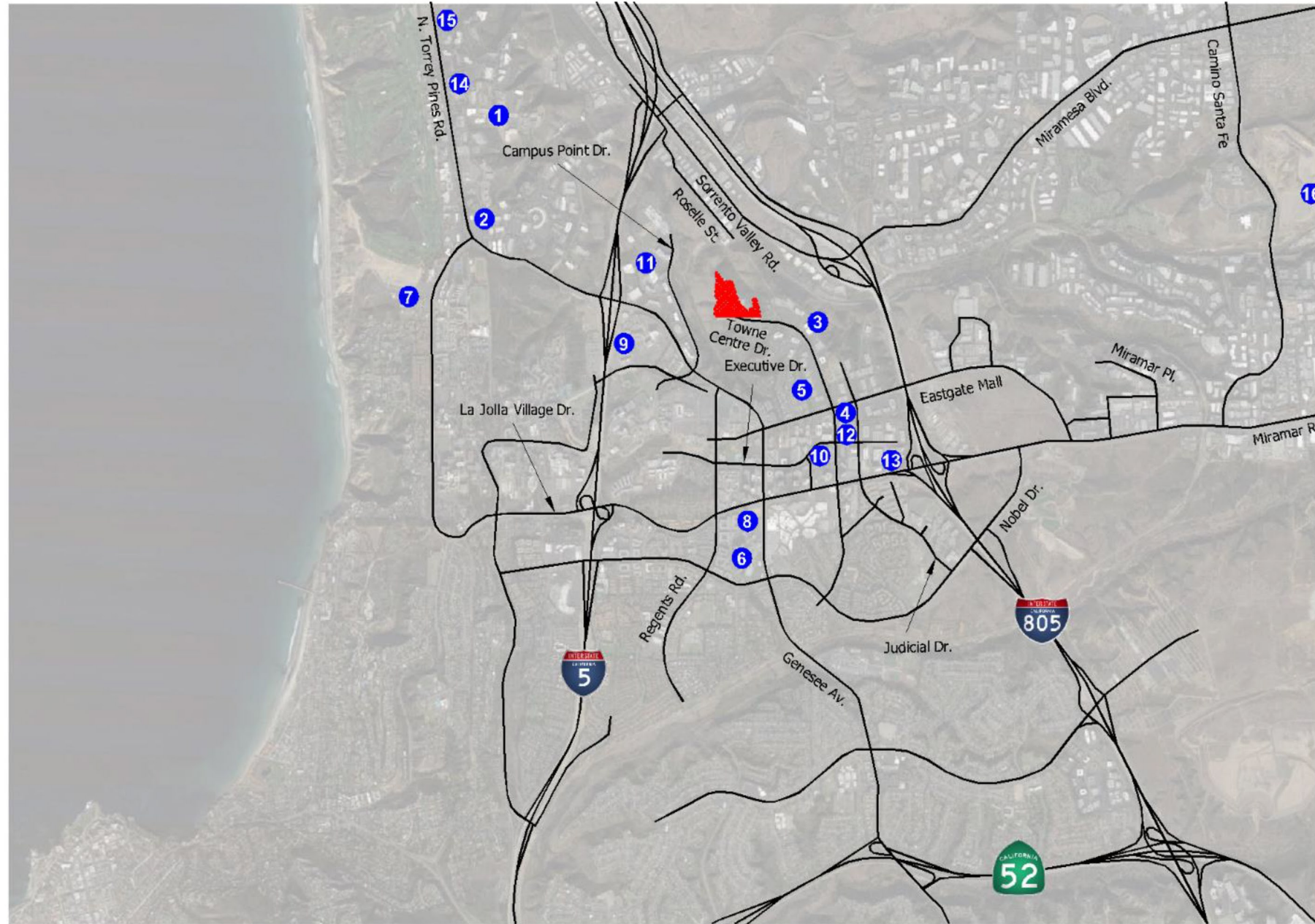
Project construction and the construction of cumulative development would have the potential to contribute to waterborne pollution, including erosion and siltation, in the Peñasquitos Watershed. As identified in the City's Significance Determination Thresholds, compliance with applicable City and state water quality standards is assured through adherence required permit conditions. Adherence to the City storm water standards is thus considered adequate to preclude surface water quality impacts. Accordingly, conformance with the City storm water standards would preclude potential water quality impacts from occurring. As discussed in Section 5.18, *Water Quality*, the Project would implement various construction and post-construction BMPs developed through preparation of a storm water pollution prevention plan (SWPPP) (implemented during construction), and preparation of a Project-specific storm water quality management plan (implemented during operation), which would preclude potentially significant water quality impacts from occurring to receiving waters as a result of the Project. All cumulative projects would also be required to demonstrate compliance with state and local water quality regulations. If projects are not compliant, mitigation measures would be required in order to ensure water quality impacts do not occur. Construction and operation of the Project would not contribute to cumulatively considerable water quality effects.

8.1.19 Wildfire

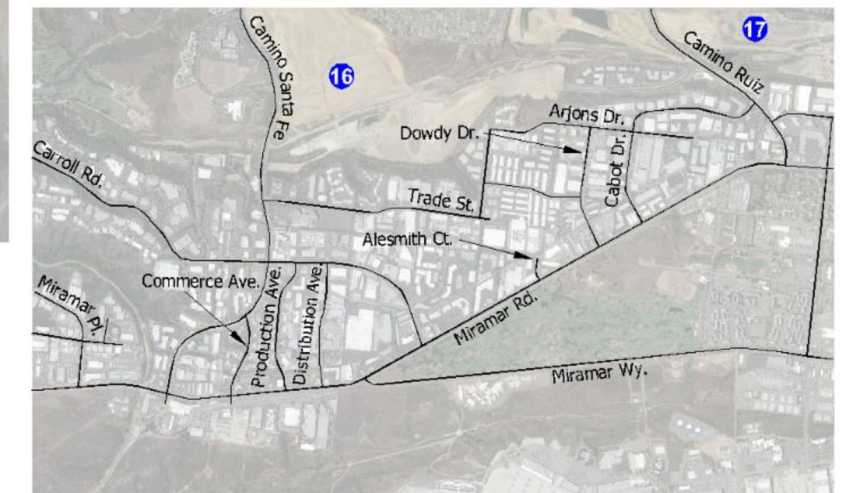
The Project site and surrounding areas are within a designated Very High Fire Hazard Severity zone (VHFHSZ) within a local responsibility area (refer to Figure 5.19-1, *Fire Hazard Safety Zones*, in Section 5.19, *Wildfire*). Various cumulative development projects shown on Figure 9-1 are also within the VHFHSZ. However, all projects proposed within VHFHSZs would be required to meet minimum fire fuel modification and/or clearing requirements in addition to meeting the standards of the various fire codes in effect at the time of building permit issuance, including but not limited to the state fire code, CBC, and SDMC. Brush management is required by the SDMC, and the CBC outlines building

design requirements related to building materials and construction methods for exterior wildfire exposure. With adherence to applicable requirements, the Project and cumulative development within the VHFHSZ would not increase hazards to on-site structures from wildland fires and hazards to adjacent properties.

The Project site does not contain any emergency facilities nor does it serve as an emergency evacuation route. Further, the Project would involve implementation of site access improvements and would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan area. Similarly, cumulative development in proximity to the Project area would be required to adhere to emergency access requirements. The Project would not contribute to any cumulative impacts associated with an adopted emergency response plan or emergency evacuation plan.




ID	Cumulative Project	PTS#
1	Spectrum III & IV	566056
2	TSRI	632137
3	9775 Campus Point Dr.	527644
4	9455 Towne Centre Dr.	291342
5	9514 Towne Centre Dr.	218594
6	Costa Verde Revitalization	477943
7	Salk Institute	54535
8	Monte Verde	6563
9	Scripps Hospital La Jolla (Amend. 8)	127564
10	ARE Scripps Health NDP	686158
11	Campus Point Master Plan Update	651935
12	Science Village	647676
13	UTC Hotel/Apartments	667592
14	One Alexandria Square	660043
15	One Alexandria North	691942
16	3Roots	587128
17	Stone Creek	67943



Legend

 = Project Location

 = Cumulative Project Location ID

Source(s): Urban Systems Associates, Inc. (11-14-2022)

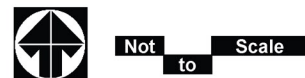


Figure 8-1

9.0 EFFECTS FOUND NOT TO BE SIGNIFICANT

Section 15128 of the State California Environmental Quality Act (CEQA) Guidelines requires an Environmental Impact Report (EIR) to briefly describe potential environmental effects determined not to be significant and that were, therefore, not discussed in detail in the EIR. Based upon initial environmental review, and as presented in the Notice of Preparation (NOP) included in Appendix A, the Project was determined not to have the potential to cause adverse effects for agricultural and forestry resources and mineral resources, as discussed below. Therefore, these issues have not been addressed in detail in this EIR.

9.1 AGRICULTURAL AND FORESTRY RESOURCES

As described in Section 2.0, *Environmental Setting*, of this EIR, the Project site is currently developed with three scientific research buildings, being used as a construction staging area, or remains undeveloped. The undeveloped area and areas surrounding the Project site are within the City of San Diego's Multi-Habitat Planning Area (MHPA). The Project site and surrounding areas are classified as "Urban and Built-Up Land" and "Other Land" by the California Department of Conservation Farmland Mapping and Monitoring Program (California Department of Conservation, 2018). There is no Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (collectively referred to as Farmland) near the Project site. The site is not subject to, nor is it near, a Williamson Act contract site pursuant to Sections 51200-51207 of the California Government Code, and is not zoned for agricultural uses. Therefore, the Project would not impact agricultural resources.

The proposed development area consists primarily of ornamental landscaping, disturbed land and developed area. 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, 2022). There is no timberland or forest land on or near the Project site, and the Project site is not zoned for forest land, timberland or Timberland Production. Therefore, the Project would not impact forestry resources.

9.2 MINERAL RESOURCES

The Project site is not designated as a mineral resource area. The Project would not result in the loss of availability of any mineral resources that would be of value to the region. Therefore, there would be no impact on mineral resources with the implementation of the Project.

10.0 ALTERNATIVES

10.1 INTRODUCTION

Section 15126.6(a) of the CEQA Guidelines requires that EIRs describe "...a reasonable range of alternatives to a project, or the location of a project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives." Section 15126.6(f) of the CEQA Guidelines further states that "the range of alternatives in an EIR is governed by the 'rule of reason' that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice." The CEQA Guidelines provide several factors that should be considered with regard to the feasibility of an alternative. Those factors include: (1) site suitability; (2) economic viability; (3) availability of infrastructure; (4) general plan consistency; (5) other plans or regulatory limitations; (6) jurisdictional boundaries; and (7) whether the project applicant can reasonably acquire, control, or otherwise have access to the alternative site.

10.2 SUMMARY OF PROJECT OBJECTIVES AND SIGNIFICANT EFFECTS

In accordance with CEQA Guidelines Section 15126.6(a), the Project alternatives are assessed relative to their ability to (1) meet the basic objectives of the Project and (2) avoid or substantially lessen the significant effects of the Project.

10.2.1 Project Objectives

As described in Section 3.1, *Project Goals and Objectives*, the following are the primary goals and objectives of the Project:

1. 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.
2. 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.
3. Encourage the retention and creation of middle-income employment by facilitating the expansion of high technology business facilities in the Subregional Employment Area.
4. 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.

5. Implement energy-efficient and sustainable building practices and landscape practices, including efficient use of reclaimed water available from existing City infrastructure.
6. Develop a Project that reduces 100-year storm event peak discharge rates.

10.2.2 Significant Impacts of the Proposed Project

Based on the evaluations in Chapter 5.0, *Environmental Analysis*, with implementation of regulatory requirements and standard City conditions of approval, and implementation of Project-specific mitigation measure MM 5.2-1 to reduce its transportation impacts associated with vehicle miles traveled (VMT), the Project was determined not to result in any significant and unavoidable impacts related to any of the environmental resources areas evaluated.

10.3 ALTERNATIVES CONSIDERED BUT REJECTED

Section 15126.6(c) of the CEQA Guidelines requires that an EIR identify alternatives that were considered and rejected as infeasible, and briefly explain the reasons for their rejection. Alternatives considered but rejected from further study for the Project are discussed below and include: Alternative Site; Reduced Development Area Alternative; Mixed Use Project or Housing Project; as well as alternatives suggested in the Notice of Preparation (NOP) comments included the Public Access to Views Alternative, Reduced Parking Alternative, and Bird Strike/Biological Resources Avoidance Alternative.

10.3.1 Alternative Site

CEQA requires that the discussion of alternatives focus on alternatives to the project or its location, which are capable of avoiding or substantially lessening any significant effects of the project. The key question and first step in the analysis is determining whether any of the significant effects of the project would be avoided or substantially lessened by developing the project at another location. Only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR (CEQA Guidelines, Section 15126.6[f][2][B]).

To meet a key Project objective to maximize base sector employment uses in the Subregional Employment Area consistent the General Plan's Economic Prosperity Element policies, the Alternative site must be located within the Subregional Employment Area of the University Community on a site that allows for a large, regional, base-sector employer. Further, in order to accommodate the development of land uses allowed by the Scientific Research land use designation, the Alternative Site must be located within the University Community Plan area on a site designated for Scientific Research uses. Sites designated for Scientific Research uses are limited to the area shown on Figure 2-7, *Existing University Community Plan Land Use Designations*. The sites designated for Scientific Research uses include currently developed sites and vacant land that has not been previously disturbed.

As identified in the analysis presented in Chapter 5 of this EIR, with implementation of the City's standard conditions of approval and regulatory requirements, the Project would result in less than significant impacts for construction-related, operational, and cumulative impacts related to land use, air quality, biological resources, energy, geologic conditions, 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. With incorporation of Project-specific mitigation measures, potentially significant Project impacts related to VMT would be reduced to a level considered less than significant.

If removal of existing uses was required to implement the Project at an alternative site, construction-related impacts (including air quality emissions) associated with demolition would be similar to those evaluated for the Project since the Project site is currently developed and the Project involves demolition of existing buildings. However, development of the Project at a currently undeveloped site with a Scientific Research designation would likely involve greater construction-related impacts than the Project since the proposed development area for the Project is currently developed or disturbed through existing grading the use of the site as the construction stage yard for the Mid-Coast Trolley. Development of the Project at a site that has not been subject to previous disturbance would involve the removal of biological resources, modification of natural landforms, increased grading, etc.

Development of a Scientific Research campus similar to the size proposed by the Project at an alternative site within the University Community would also be expected to have similar or greater environmental impacts during operation. The extent of the operational impacts would potentially be greater if development at an alternative site does not involve removal of existing uses, which are taken into consideration as part of the Project's impacts analysis (e.g., the net increase in building area and associated trip generation, air quality emissions, water consumption, etc., are the basis for analysis). With the respect to the Project's potentially significant VMT impacts, the VMT per employee at an alternative site in the University Community Plan area that has a land use designation of Scientific Research would likely be similar to the Project, and similar mitigation measures would be applied to implementation of the Project at an alternative site, reducing the impact to a level considered less than significant, as with the Project.

Therefore, development of the Project on an alternative site in the University Community area designated for Scientific Research uses would not avoid any of the Project's less than significant direct or cumulative impacts and would have the potential to increase environmental impacts, depending on the characteristics of that alternative site.

The Project Applicant does not own any other land in the area that would accommodate the Project and meet the Project objectives. CEQA does not require the consideration of sites not owned by the landowner or which could not be reasonably acquired by the landowner as alternatives to the proposed project (CEQA Guidelines, Section 15126.6[f][1]).

In summary, implementation of the Project at an alternative site in the University Community Plan area that is designated for Scientific Research uses, and with similar developable area, would likely

meet the Project objectives, but would not substantially reduce or avoid significant and unavoidable environmental impacts, as such impacts would not occur with the Project, and would not reduce or avoidable the Project's less than significant environmental impacts. Therefore, further analysis of an alternative site(s) in this EIR is not required.

10.3.2 Reduced Development Area Alternative

A Reduced Development Area Alternative would involve development of the Project site within a reduced impact area. It is typical to consider a reduced development area/physical impact area for a Project when identifying potential alternatives to avoid or reduce potential significant impacts resulting from construction of a project to a less than significant level. As previously identified, and as demonstrated through the analysis presented in Chapter 5 of this EIR, the Project would not result in any significant and unavoidable impacts during construction. As described in Chapter 2.0, *Environmental Setting*, the Project's development area is already developed or disturbed under existing conditions. The Project has been designed to ensure that the physical impact area remains within the area that has already been disturbed. Therefore, a reduced development area would not avoid impacts to resources that typically would occur with development of a previously undisturbed site (e.g., removal of biological resources, changes in topography, etc.). Any development at the Project site would result in similar less than significant construction-related impacts as the Project. The Project's construction-related impacts are less than significant and do not require any mitigation. Thus, the Reduced Development Alternative would not reduce any significant environmental impacts. The Reduced Development Alternative could have the potential to incrementally decrease the Project's less-than-significant impacts. As previously identified, and as demonstrated through the analysis presented in Chapter 5 of this EIR, the Project would not result in any significant and unavoidable impacts during operation. The Project would have a potentially significant impact prior to mitigation related to VMT. The Reduced Density Alternative could have the potential to reduce the Project's potentially significant impact prior to mitigation if a substantially smaller site design were implemented. However, it should be noted that the Project would not result in any significant and unavoidable impacts related to VMT and application of the Reduced Development Alternative would not reduce any significant environmental impacts.

As noted previously, an alternative can be eliminated from detailed consideration in an EIR based on failure to meet most of the basic project objectives and the inability to avoid significant environmental impacts. The Reduced Development Area Alternative would still involve development of a portion of the Project site; however, the amount of development would be reduced based on the reduced development area. Therefore, while the Reduced Development Area Alternative would meet most of the Project objectives, it would not meet the objectives to the same extent as the Project. Notably, this alternative would not meet the objectives of maximizing employment uses on the Project site, and developing a 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.

Further analysis of a Reduced Development Area Alternative is not required in this EIR. Additionally, the CEQA-required “No Project” alternatives evaluated in Section 11.4 below would reduce the overall development area associated with implementation of the Project.

10.3.3 Mixed-Use Project or Housing Project

As described in Chapter 2.0, *Environmental Setting*, and shown on Figure 2-8, *Zoning Map*, the northern portion of the Project site (approximately 7.0-acres) is zoned Residential Single Unit (RS-1-7). The purpose of the RS zones is to provide appropriate regulations for the development of single dwelling units that accommodate a variety of lot sizes and residential dwelling types and which promote neighborhood quality, character, and livability. Based on the current zoning, it is appropriate to consider an alternative that involves residential development at the Project site. Therefore, a Mixed-Use Project or Housing Alternative would involve development of the Project site with residential and commercial mixed uses or only with residential uses.

As shown on Figure 2-9, *MCAS Miramar ALUCP Compatibility Policy Map: Safety*, of this EIR, the Project site is located in the Accident Potential Zone II (APZ II), and Transition Zone (TZ) of the ALUCP. These zones are further described in Section 5.8, *Health and Safety*, of this EIR. To minimize risks to people and property on the ground and to people on board aircraft, the safety compatibility criteria in the ALUCP set limits on the intensity of residential uses within APZ II to less than 2.0 dwelling units per acre. Due to operations at Marine Corps Air Station (MCAS) Miramar and the safety compatibility criteria in the ALUCP, mixed use or residential uses would not be viable on the Project site. Further, the northern parcel is within the City’s Multi-Habitat Planning Area (MHPA), and includes environmentally sensitive lands ESLs (sensitive biological resources and steep hillsides), which would further prevent the ability to develop this parcel with residential, or any other type of land use. This parcel would remain undeveloped as part of the Project.

As noted previously, an alternative can be eliminated from detailed consideration in an EIR based on failure to meet most of the basic project objectives and the inability to avoid significant environmental impacts. The Mixed-Use Project or Housing Project Alternative would not meet any of the Project’s objectives and would not avoid any significant environmental impacts, as the Project’s impacts would be less than significant.

Further analysis of a Mixed-Use Project or Housing Project Alternative is not required in this EIR.

10.3.4 Public View Access Alternative

Comments on the NOP suggested evaluation of an alternative that would provide protection of public views from Towne Centre Drive, including ocean views. As noted in Section 5.17, *Visual Effects and Neighborhood Character*, of this EIR, there are no designated public view locations within or near the Project site, public access to the site is not permitted, and impacts to public viewpoints were determined to be less than significant. Further, there are only limited distant views of the Pacific Ocean from a vantage point along Towne Centre Drive when looking over four miles northwest

through an open space canyon north of the Project site. This view is accessible primarily on very clear days.

Additionally, an NOP comment suggested consideration of an alternative that includes publicly accessible trails, overlooks, and vistas. As previously noted, under existing conditions the Project site does not include any designated public view points, the site is not publicly accessible, and the provision of publicly accessible view location is not required. Notwithstanding, viewpoints within the Project site would be available for employees and guests. Additionally, the Project would not change or otherwise impact existing and planned public trails in the areas surrounding the Project site, which would provide public access to scenic views.

Evaluation of a Public View Access Alternative would not reduce any significant environmental impacts and would not meet the Project's objectives as effectively as the Project. Additionally, the No Project/No Development - Reuse of Existing Buildings Alternative, discussed in detail below, addresses an alternative that would maintain existing viewsheds.

Further analysis of a Public View Access Alternative is not required in this EIR.

10.3.5 Reduced Parking Alternative

A comment on the NOP suggested evaluating an alternative with alternative parking ratios designed to encourage alternative (non-automobile) modes of transportation and reduce GHG emissions and VMT, and alternatives that involve subterranean parking, and do not include the proposed parking garage. As discussed in Section 5.7, *Greenhouse Gas Emissions*, 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 impacts would be less than significant with implementation of identified mitigation measures. 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 serves to reduce VMT and associated GHG emissions, as requested in the NOP comment. These measures include, but are not limited to: provision of bicycle parking in exceedance of the required amount, designated parking for on-site car-share vehicles and micro-mobility travel, and price workplace parking. Therefore, alternatives that reduce GHG emissions and VMT are not required.

With respect to subterranean parking, the majority of the on-site 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 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.

Further analysis of a Reduced Parking Alternative is not required in this EIR.

10.3.6 Bird Strike/Biological Resources Avoidance Alternative

A comment on the NOP suggested evaluation of an alternative that addresses the potential for bird strikes and potential impacts to biological resources. As discussed in Chapter 3.0, *Project Description*, the Project would include the application of “bird friendly” finishes to minimize bird-strike including specialized frit on glazing at areas prone to bird strikes. As identified in Section 5.4, *Biological Resources*, the Project would be developed on previously disturbed areas, largely avoiding direct impacts to sensitive biological resources that occur in the MHPA areas adjacent to the Project site. Further, with adherence to the City’s Multiple Species Conservation Plan (MSCP) requirements, direct and indirect impacts to biological resources, potential impacts associated with lighting impacts, brush management activities, landscaping, and storm water runoff would be less than significant, and no mitigation is required.

Although a Bird Strike/Biological Resources Avoidance Alternative would meet most of the Project’s objectives, further analysis of a Bird Strike/Biological Resources Avoidance Alternative is not required in this EIR as the Project would not result in any significant impacts to biological resources.

10.4 PROPOSED PROJECT ALTERNATIVES

As described in Chapter 5 of this EIR, and summarized above, while an EIR was prepared, the Project’s impacts are less than significant without mitigation for each topical issues, 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. When considering potential alternatives to the Project, the City focuses 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”. None of the alternatives discussed below would meet the Project objectives.

Therefore, although not required to reduce or avoid a significant Project impact, this alternatives analysis focuses on the CEQA-required No Project alternatives and a Reduced Building Area alternative as suggested in NOP comments. The following three alternatives are evaluated in this analysis:

- No Project/No Development - Reuse of Existing Buildings Alternative;
- No Project/Development Pursuant to Existing Entitlements; and
- Reduced Building Area Alternative.

The following rationale was considered when developing this range of alternatives:

- The **No Project/No Development - Reuse of Existing Buildings Alternative** is required per CEQA Guidelines Section 15126.6(e). It provides a basis for comparing the impacts that would occur if the Project were approved, relative to what would occur if the Project were not approved.
- The **No Project/Development Pursuant to Existing Entitlements Alternative** reflects development of the site pursuant to existing entitlements, and consistent with the existing land use and zoning designations. It provides a basis for comparison between existing approved entitlements and the proposed Project. This Alternative also addresses comments raised in NOP comments requesting consideration of alternatives that involve reduced density and massing on the Project site, as well as VMT impacts of the Project.
- The **Reduced Building Area Alternative** is included in order to evaluate reducing the intensity of development on the site relative to the Project, but at a greater intensity than what is allowed under existing entitlements. This Alternative also addresses NOP comments requesting consideration of alternatives that involve reduced density and massing on the Project site.

The potential impacts associated with these alternatives are compared to those identified for the Project in the following analysis, and the alternatives are assessed relative to their ability to meet the basic objectives of the Project (with an overview of Project and alternative impacts provided in Table 11-1, *Comparison of Project Alternative Impacts to Project Impacts*) located at the end of this chapter.

10.4.1 No Project/No Development - Reuse of Existing Buildings Alternative

A. Description

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 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.)

B. Environmental Analysis

1. Land Use

Under the No Project/No Development - Reuse of Existing Buildings Alternative, the existing uses on site would remain and would be consistent with the existing University Community Plan (UCP) land use designations and zoning for the site. However, this alternative would potentially increase land

use inconsistencies by not realizing the full vision for the area as outlined in the General Plan and UCP. This would occur because the alternative would not effectively fulfill policies for intensification and employment growth in this area of the UCP as compared to the Project. As with the Project, operation of existing buildings on site that would remain in use under this alternative would not conflict with local and regional planning programs relevant to development at the Project site (e.g., North City Local Coastal Program, the City's Zoning Code, ESL regulations, regional planning programs, MSCP, and the MCAS Miramar Airport Land Use Compatibility Plan [ALUCP]). No significant land use impacts are anticipated with the Project, and none would occur under this alternative.

2. *Transportation*

As no development or redevelopment is proposed under the No Project/No Development - Reuse of Existing Buildings Alternative, there would be no increase in VMT compared to existing conditions and no VMT impact would result. As discussed in Section 5.2 of this EIR, even though the Project is within a Transit Priority Area (TPA), the Project's transportation VMT impact would be significant. However, this impact would be reduced to a level considered less than significant with implementation of the identified mitigation measure MM 5.2-1. Therefore, both the Project and this alternative would avoid any significant impact related to VMT. As with the Project, there would be no conflict with transportation-related plans or policies, and no traffic hazards would occur under this alternative. Therefore, this alternative would not avoid any significant unmitigated transportation impacts.

3. *Air Quality and Odors*

No construction, development, or additional operations would occur under the No Project/No Development - Reuse of Existing Buildings Alternative. Therefore, this alternative would not have the potential to increase air pollutant emissions from the site during construction or operations as would occur with the Project. Although the Project's air quality impacts would be less than significant, this alternative would have reduced air quality impacts compared to the Project. Additionally, as with Project, with continued operation in compliance with applicable air quality regulations, there would be no significant impacts to sensitive receptors. Therefore, this alternative would have reduced air quality impacts as compared to the Project; however, this alternative would not avoid any significant air quality impacts since the Project's impacts are less than significant.

4. *Biological Resources*

Under the No Project/No Development - Reuse of Existing Buildings Alternative, construction activities associated with the proposed development would not occur, and no other activities resulting in indirect or direct impacts to biological resources would occur. As described in Section 5.4, the Project would impact less than 0.10 acre of sensitive (Tier II) habitats but would preserve 3.98 acres in open space that supports Tier I habit. Impacts to biological resources associated with implementation of the Project would be less than significant with adherence to regulatory requirements, including compliance with the City's MSCP. Therefore, this alternative would have reduced impacts as compared to the Project; however, impacts to biological resources under both

the Project and this alternative would be less than significant. Therefore, this alternative would not avoid any significant impacts to biological resources, since the Project's impacts are less than significant.

5. Energy

The No Project/No Development - Reuse of Existing Buildings Alternative would continue to consume the same amount of energy as the existing condition and would not require additional energy associated with construction activities, increased on-site development intensity, and increased automobile traffic. Site-specific energy usage associated with this alternative would be less than required for the Project; however, the existing buildings are not required to meet current, more stringent energy requirements. Additionally, this alternative would not implement energy-saving features incorporated into the Project. Thus, because the Project would be subject to current more stringent energy requirements, this alternative would have potentially greater energy impacts related to energy efficiency compared to the Project, although the impacts would be less than significant, consistent with the Project.

6. Geologic Conditions

The No Project/No Development - Reuse of Existing Buildings Alternative would not result in additional development or related grading, and there would be no associated impacts related to geology and soils. However, the Project site and existing buildings would remain subject to existing geologic hazards under this alternative (e.g., seismic ground shaking). The potential geology and soils impacts resulting from the Project in Section 5.6 would be avoided with this alternative; however, these Project impacts would be less than significant with adherence to applicable regulatory/industry standards and recommendations in the site-specific geotechnical investigation. Therefore, this alternative would not avoid any significant impacts related to geology and soils, since the Project's impacts are less than significant.

7. Greenhouse Gas Emissions

Similar to air quality, the No Project/No Development - Reuse of Existing Buildings Alternative would not involve any construction and operations at the Project site that would increase greenhouse gas (GHG) emissions. However, the net increase in GHG emissions with the Project would be less than significant. Therefore, this alternative would not avoid any significant impacts related to GHG emissions. The reuse of buildings under this alternative would not be required to comply with any current regulations related to efficient use of energy under Title 24 as the existing buildings were built under prior energy codes. Therefore, this alternative also would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs, resulting in a less than significant impact, consistent with the Project. Therefore, this alternative would not avoid any significant impacts related to GHG emissions, since the Project's impacts are less than significant.

8. Health and Safety

As the No Project/No Development - Reuse of Existing Buildings Alternative would not result in additional development on site, and existing buildings would continue to be operated in compliance with applicable regulations, the alternative would not result in potential impacts related to health and safety. With adherence to applicable regulatory requirements, the Project would pose a less than significant hazard to the public or the environment related to health and safety. Therefore, this alternative would not avoid any significant impacts related to health and safety since the Project's impacts are less than significant.

9. Historical Resources

Under the No Project/No Development - Reuse of Existing Buildings Alternative, no development/disturbance activities would occur at the Project site. However, there are no historical resources on site and no impacts to historical resources would result from implementation of the Project. Therefore, no impacts to historical resources would occur under this alternative or the Project. This alternative has no potential to impact unknown human remains; however, the Project's impact is less than significant with adherence to regulatory requirements. Therefore, this alternative would not avoid any significant impacts related to encountering human remains, since the Project's impacts are less than significant.

10. Hydrology

As the No Project/No Development - Reuse of Existing Buildings Alternative would not result in additional development, existing hydrology and drainage patterns of the Project site would remain the same. The Project would include the installation of a storm drain and water quality system which would discharge to the same locations as existing conditions, retaining existing drainage patterns. Moreover, the 100-year flow rates with the Project would be less than existing conditions and hydrology impacts would be less than significant. Therefore, this alternative would not avoid any significant hydrology impacts resulting from the Project since the Project's impacts are less than significant.

11. Noise

The No Project/No Development - Reuse of Existing Buildings Alternative would not involve construction activities. However, the Project's construction-related noise impacts would be less than significant. Operational noise under this alternative would remain the same as existing conditions. The Project would involve the same type of noise sources as the existing uses on site; however, there would be an increase in operational noise levels on site and traffic noise on roadways in the area with the Project compared to this alternative. The Project's operational noise impacts would be less than significant. Therefore, this alternative would not avoid any significant impacts resulting from the related to noise during construction or operation since the Project's impacts are less than significant.

12. Paleontological Resources

Under the No Project/No Development - Reuse of Existing Buildings Alternative, no construction activities would occur, and there would be no potential impacts to paleontological resources. As described in Section 5.12, impacts to paleontological resources associated with implementation of the Project would be less than significant through mandatory compliance with standard City conditions of approval. Therefore, this alternative would not avoid any significant impacts to paleontological resources resulting from the Project since the Project's impacts are less than significant.

13. Population and Housing

The No Project/No Development - Reuse of Existing Buildings Alternative would not include any land uses that would increase population; thus, no impact would occur. Impacts related to population and housing would be less than significant for the Project, which does not involve the development of any residential uses. Therefore, this alternative would not avoid any significant impacts from the Project related to population and housing since the Project's impacts are less than significant.

14. Public Services and Facilities

No development would occur under the No Project/No Development - Reuse of Existing Buildings Alternative that would increase population, resulting in a need to expand public services and facilities. Impacts related to demand for these services also would be less than significant for the Project and there would be no need for new or expanded public facilities and no associated physical impacts associated with implementation of such facilities. Therefore, this alternative would not avoid any significant impacts from the Project related to public services and facilities since the Project's impacts are less than significant.

15. Public Utilities

As the No Project/No Development - Reuse of Existing Buildings Alternative would not alter the intensity of development on the Project site, it would not result in demand for additional water, sewer, or solid waste disposal services. The Project's impacts to public utilities and generation of solid waste would be less than significant with adherence to regulatory requirements. Therefore, this alternative would not avoid any significant impacts from the Project related to public utilities since the Project's impacts are less than significant.

16. Tribal Cultural Resources

Under the No Project/No Development - Reuse of Existing Buildings Alternative, no development/disturbance activities would occur at the Project site and there would be no impact to tribal cultural resources. However, there are no tribal cultural resources on site and no impacts to such resources would result from implementation of the Project. Therefore, no impacts to tribal cultural resources would occur under this alternative or the Project.

17. Visual Effects and Neighborhood Character

The No Project/No Development - Reuse of Existing Buildings Alternative would retain existing development on the site in its current form and there would be no change in the visual character of the site or surrounding area. The Project would involve the removal of existing uses, and the proposed uses would increase the development intensity, height, and massing of structures on site, changing the current visual character. However, the Project would have no impact on designated public scenic views, and less than significant impacts related to creating a negative aesthetic site or project, incompatibility with surrounding development and alteration of the visual character of the area, change in landforms, loss of trees and lighting. Therefore, this alternative would not avoid any significant impacts from the Project related to visual effects and neighborhood character since the Project's impacts are less than significant.

18. Water Quality

As the No Project/No Development - Reuse of Existing Buildings Alternative would not result in additional development, it would not result in potential impacts related to increases in pollutant discharge and local and regional water quality from construction or operation. The Project would result in less impervious surface on site and would include the installation of a water quality management system that complies with currently regulatory requirements for protection of water quality, including the installation of structure and non-structural best management practices (BMPs) for water quality treatment. Additionally, construction activities would be conducted in compliance with applicable local and state regulations. The water quality impacts resulting from the Project during construction and operation would be less than significant. Therefore, this alternative would not avoid any significant impacts from the Project related to water quality since the Project's impacts are less than significant.

19. Wildfire

The Project site is within an area designated as a Very High Fire Hazard Severity Zone (VHFHSZ). As the No Project/No Development - Reuse of Existing Buildings Alternative would not alter the intensity of development on the Project site, it would not impair implementation of, or physically interfere with, an adopted emergency response or emergency evacuation plan or increase any risks related to wildfire. The Project would increase the building intensity within the Project site, but consistent with the existing development on site, would comply with regulations addressing development in a VHFHSZ, including but not limited to requirements associated with brush management, and building design/materials, water supply, and emergency/fire access. Impacts related to wildfire also would be less than significant under this alternative and with the Project. Therefore, this alternative would not avoid any significant impacts from the Project related to wildfire since the Project's impacts are less than significant.

C. Conclusion

The No Project/No Development - Reuse of Existing Buildings Alternative would avoid the Project's significant transportation (VMT) impacts; however, the Project's impact would be reduced to a less

than significant level through implementation of mitigation measure MM 5.2-1. Because there would be no construction activities under this alternative, and reduced building area compared to the Project, this alternative would have reduced impacts related to air quality, biological resources, GHG emissions, historical resources, noise, paleontological resources, and visual effects/neighborhood character. However, the Project's impacts related to these topical issues would be less than significant with adherence to applicable regulatory requirement and/or compliance with the City's standard conditions. This alternative would have similar impacts to the Project (no impacts or less than significant impacts) with regard to geologic conditions, health and safety, population and housing, public services and facilities, public utilities, tribal cultural resources, water quality and wildfire. This alternative would not require a Community Plan Amendment (CPA), but would be less effective than the Project with regard to fulfilling the goals and policies of the General Plan and UCP regarding intensification of uses and increased employment. This alternative would not result in impacts to hydrology/drainage; however, the Project would reduce the amount of runoff from the Project site compared to existing conditions. Further, although not required, the existing buildings do meet current energy standards; therefore, this alternative would have greater impacts related to energy efficiency. This alternative would not avoid any significant impacts resulting from the Project as the Project's impacts would be less than significant.

The No Project/No Development - Reuse of Existing Buildings Alternative would not: maximize base sector employment by increasing the allowable intensity of employment uses (Objectives 1); involve the development of a prominent single-site campus with scale and amenities for a base sector employer (Objective 2); encourage middle-income employment by facilitating the expansion of high technology business facilities in the Subregional Employment Area (Objective 3); maximize employment in Prime Industrial Lands while complying with the ALUCP (Objective 4); implement energy efficient sustainable building practices (Objective 5); or reduce the 100-year storm water discharge rates (Objective 6). It would, therefore, not meet any of the basic Project objectives listed above in Section 11.2.1.

10.4.2 No Project/Development Pursuant to Existing Entitlements Alternative

A. Description

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 10-1, *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, and 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.

B. Environmental Analysis

1. Land Use

Under the No Project/Development Pursuant to Existing Entitlements Alternative, the existing uses on site would remain and new development would occur on the western portion of the Project site pursuant to approved entitlements. Development on site would be consistent with the existing UCP land use designation and zoning for the site, as well as the development intensity elements of the UCP. Although the amount of development and employment under this alternative would be less than with the Project, this alternative would not conflict with General Plan policies for intensification and employment growth in this area of the UCP area. Consistent with the Project, this alternative would not involve any land uses that would conflict with local and regional planning programs relevant to development at the Project site (e.g., North City Local Coastal Program, the City's Zoning Code, ESL regulations, regional planning programs, MSCP, and the MCAS Miramar Airport Land Use Compatibility Plan [ALUCP]). No significant land use impacts are anticipated with the Project, and none would occur under this alternative. Therefore, this alternative would not avoid any significant land use or planning impacts.

2. Transportation

The No Project/Development Pursuant to Existing Entitlements Alternative includes existing uses on site as well as development of the western portion of the Project site pursuant to approved entitlements. As with the Project, this alternative would include the implementation of on-site pedestrian pathways, improvements to existing site-adjacent sidewalks, and on-site bicycle facilities to encourage non-vehicular modes of transportation, and would not conflict with transportation-related goals and policies. Additionally, as with the Project, no traffic hazards would occur under this alternative, which would be developed in accordance with the City's requirements for access and roadway design.

Although the Project site is within a TPA, the Project would result in a significant transportation VMT impact because the Project is expected to generate 32.6 VMT per employee based on modeling conducted by the San Diego Association of Governments (SANDAG), which exceeds the Regional Mean of 25.9 VMT per Employee for the San Diego Region. The Project's impact would be reduced to

a level considered less than significant with implementation of Project-specific mitigation measure MM 5.2-1. While this alternative was entitled prior to the implementation of VMT and would generate less trips than the Project due to the reduction in building intensity, it should be noted that it is expected that this alternative would also exceed the Regional Mean of 25.9 VMT per Employee for the San Diego Region, resulting in a significant transportation VMT impact consistent with the Project. However, given this alternative was entitled prior to the implementation of VMT, mitigation would not be required.

Therefore, this alternative would not avoid any significant impacts from the Project related to Transportation since the Project's impacts are less than significant.

3. Air Quality and Odors

The No Project/Development Pursuant to Existing Entitlements Alternative would involve construction activities in the western portion of the Project site; however, the amount of grading and overall construction activities would be reduced compared to the Project. Therefore, this alternative would result in less construction-related air pollutant emissions compared to the Project, which would result in less than significant air quality impacts during construction. Both the Project and would involve an increase in Scientific Research uses at the Project site; however, air pollutant emissions resulting from this alternative would be reduced compared to the Project due to the reduction in building area on the site and associated reduction in trip generation. Any operations at the Project site under this alternative or with the Project would be conducted in adherence to applicable regulations and would have less than significant impacts to sensitive receptors. This alternative and the Project would not conflict with the San Diego Air Pollution Control District (SDAPCD) Regional Air Quality Strategy (RAQS).

Therefore, while the air quality impacts resulting from this alternative would be similar to or less than with the Project, the Project's impacts are less than significant. Therefore, this alternative would not avoid any significant air quality impacts since the Project's impacts are less than significant.

4. Biological Resources

Under the No Project/Development Pursuant to Existing Entitlements Alternative, additional development would occur on the western portion of the Project site pursuant to approved entitlements; however, the construction impact area for this development would be the same as with the Project. The western portion of the Project was previously mass graded and as with the Project, development in this portion of the Project site, and operations on site, would not result in any significant direct or indirect impacts to biological resources during construction and operation. Impacts to biological resources with implementation of this alternative and the Project would be less than significant with mandatory compliance with standard City requirements, including requirements for protection of biological resources outlined in the MSCP. Therefore, this alternative would not avoid any significant impacts to biological resources, since the Project's impacts are less than significant.

5. Energy

Under the No Project/Development Pursuant to Existing Entitlements Alternative, existing development in the eastern portion of the Project site would continue to consume the same amount of energy as the existing condition. However, there would be increased energy use associated with construction and operation of new development in the western portion of the Project site. The increase in energy use would be reduced as compared to the Project due the overall reduction in development intensity under this alternative. The Project would comply with applicable regulations for energy conservation, and would not result in any significant energy impacts. Although the existing buildings in the eastern portion of the Project site would not be as energy efficient as proposed new buildings, the new buildings that would be constructed in the western portion of the Project site under this alternative would comply with applicable regulations for energy conservation. This alternative and the Project would result in similar less than significant energy impacts. Therefore, this alternative would not avoid any significant impacts related to energy since the Project's impacts are less than significant.

6. Geologic Conditions

The Project site is subject to seismic ground shaking, and the No Project/Development Pursuant to Existing Entitlements Alternative would involve use of existing buildings, and construction of a new buildings on a currently graded, but undeveloped site. The new buildings would be implemented in accordance with existing building standards and other building regulations. Therefore, this alternative would have similar less than significant impacts as the Project related to seismic ground shaking. With adherence to state and local building code requirements, and adherence to recommendations outlined in the site-specific geotechnical report, the Project and this alternative would not result in any significant impacts associated with geotechnical conditions. Further, new development at the Project site would be subject to the same geotechnical constraints and similar recommendations to address these constraints. As with the Project, potential impacts related to geotechnical constraints would be less than significant with this alternative. Therefore, this alternative would not avoid any significant impacts related to geology and soils since the Project's impacts are less than significant.

7. Greenhouse Gas Emissions

Under the No Project/Development Pursuant to Existing Entitlements Alternative, GHG emissions would be reduced compared to the Project primarily due to the reduction in construction activities, reduced building area on the site, and reduction in trip generation. The Project would result in less than significant GHG emissions impacts when taking into consideration the elimination of emissions from operation of the existing buildings. Both the Project and this alternative would not conflict with any applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs. Therefore, both the Project and this alternative would have less than significant impacts related to GHG emissions. This alternative would not avoid any significant impacts related to GHG emissions since the Project's impacts are less than significant.

8. Health and Safety

With adherence to applicable regulations, the Project would have no impact or a less than significant impact related to health and safety. As with the Project, the No Project/Development Pursuant to Existing Entitlements Alternative, including existing and new uses would operate in compliance with applicable regulations and would have a less than significant impact related to transport, use and disposal of hazardous materials; and, release of hazardous materials and hazardous emissions. The Project site is within the airport influence area (AIA) established for MCAS Miramar; however, the Project and this alternative would not conflict with the MCAS Miramar ALUCP and safety impacts would be less than significant. Additionally, consistent with the Project, this alternative would have no impact or a less than significant impact related to emissions near a school, its location on a hazardous materials site, emergency response/evacuation, and wildland fires. Therefore, this alternative would not avoid any significant impacts related to hazards and hazardous materials since the Project's impacts are less than significant.

9. Historical Resources

Under the No Project/Development Pursuant to Existing Entitlements Alternative, no development/disturbance activities would occur in the eastern portion of the Project site; however, construction would occur in the western portion of the Project site. However, there are no historical resources on site and no impacts to historical resources would result from implementation of the Project. Therefore, no impacts to historical resources would occur under this alternative or the Project. As with the Project, construction activities in the western portion of the Project site have the potential to impact unknown human remains; however, the Project's impact is less than significant with adherence to regulatory requirements. Therefore, this alternative would not avoid any significant impacts related to encountering human remains since the Project's impacts are less than significant.

10. Hydrology

The No Project/Development Pursuant to Existing Entitlements Alternative would not result in additional development in the eastern portion of the site, and the existing storm drain infrastructure in the western portion of the site was designed and constructed in consideration of development pursuant to existing entitlements. Therefore, existing hydrology and drainage patterns at the Project site would remain the same with the Project and this alternative. The Project would include the installation of a storm drain and water quality system which would discharge to the same locations as existing conditions, retaining existing drainage patterns. Moreover, the 100-year flow rates with the Project would be less than existing conditions and hydrology impacts would be less than significant. Therefore, this alternative would not avoid any significant hydrology impacts resulting from the Project since the Project's impacts are less than significant.

11. Noise

The No Project/Development Pursuant to Existing Entitlements Alternative would have reduced construction activities compared to the Project, with construction activities limited to the western

portion of the Project site. However, the construction-related noise levels would be similar to those associated with construction of the Project, and would be less than significant. Similar to the Project, operational activities associated with this alternative have the potential to generate noise, and it is expected that noise from on-site operations under this alternative would be similar to noise generated by the Project, and would be less than significant. On-site operations with the Project and this alternative would be conducted in compliance with noise standards established by the City. Due to the reduction in trip generation, this alternative would generate less traffic-related noise on off-site roadways; however, the Project's impacts were determined to be less than significant. The Project and this alternative would have less than significant impact related to noise from airport operations. Therefore, this alternative would not avoid any significant noise impacts since the Project's impacts are less than significant.

12. *Paleontological Resources*

Under the No Project/Development Pursuant to Existing Entitlements Alternative, no construction activities would occur in the eastern portion of the Project site; however, construction activities in the western portion of the Project site. Although the amount of grading would be reduced under this alternative, there would still be a potential to encounter previously undiscovered paleontological resources during excavation, similar to the Project. As with the Project, this impact would be less than significant with adherence to the City's standard conditions of approval for protection of paleontological resources. Therefore, this alternative would not avoid any significant impacts related to paleontological resources since the Project's impacts are less than significant.

13. *Population and Housing*

The No Project/Development Pursuant to Existing Entitlements Alternative would not involve the development of non-residential uses and would not directly induce population growth in the City, resulting in a less than significant impact. Impacts related to population and housing would also be less than significant for the Project, which does not involve the development of any residential uses. Therefore, this alternative would not avoid any significant impacts from the Project related to population and housing since the Project's impacts are less than significant.

14. *Public Services and Facilities*

No development would occur under the No Project/Development Pursuant to Existing Entitlements Alternative that would increase population, resulting in a need to expand public services and facilities. Impacts related to demand for these services also would be less than significant for the Project and there would be no need for new or expanded public facilities and no associated physical impacts associated with implementation of such facilities. Therefore, this alternative would not avoid any significant impacts from the Project related to public services and facilities since the Project's impacts are less than significant.

15. Public Utilities

As the No Project/Development Pursuant to Existing Entitlements Alternative would increase the intensity of development on the western portion of the Project site compared to existing conditions; however, the demand for utilities would be less than with the Project due to the reduction in building intensity. Additionally, the infrastructure serving the Project site was designed in anticipation of development pursuant to the existing entitlements and no new infrastructure would need to be installed, except as needed on site to serve connect to the existing infrastructure, consistent with the Project. As with the Project, impacts to public utilities and generation of solid waste under this alternative would be less than significant with adherence to regulatory requirements. Therefore, this alternative would not avoid any significant impacts from the Project related to public utilities since the Project's impacts are less than significant.

16. Tribal Cultural Resources

Under the No Project/Development Pursuant to Existing Entitlements Alternative, no development/disturbance activities would occur in the eastern portion of the Project site; however, there would be construction in the western portion of the Project site. There are no tribal cultural resources on site and no impacts to such resources would result from implementation of the Project or this alternative.

17. Visual Effects and Neighborhood Character

The No Project/Development Pursuant to Existing Entitlements Alternative would retain existing development within the eastern portion of the Project site in its current form. There would be new development pursuant to existing entitlements construction in the western portion of the Project site, which would consist of three new buildings (two, three and four stories), which would alter the visual character of the site. As with the Project, this alternative would introduce new development in the western portion of the Project site, which is currently undeveloped; however, the intensity, height, and massing of the structure would be reduced compared to the Project and the visual effects would be less than significant. However, the Project would have no impact on designated public scenic views, and less than significant impacts related to creating a negative aesthetic site or project, incompatibility with surrounding development and alteration of the visual character of the area, change in landforms, loss of trees and lighting. Therefore, this alternative would not avoid any significant impacts from the Project related to visual effects and neighborhood character since the Project's impacts are less than significant.

18. Water Quality

The No Project/Development Pursuant to Existing Entitlements Alternative would retain existing drainage patterns, and would involve development in the western portion of the Project site that would generate urban pollutants. However, development under this alternative would be subject to current hydrology and water quality regulations. Consistent with the Project, structural and non-structural water quality BMPs would be implemented as part of the new development as required by current regulations. The Project and this alternative would have less than significant water quality

impacts. This alternative would not avoid any significant impacts from the Project related to water quality since the Project's impacts are less than significant.

19. Wildfire

The Project site is within an area designated as a VHFHSZ. Although the No Project/Development Pursuant to Existing Entitlements Alternative would increase the intensity of development on the Project site compared to existing conditions, the development would be consistent with existing entitlements and would not impair implementation of, or physically interfere with, an adopted emergency response or emergency evacuation plan or increase any risks related to wildfire. As with the Project, this alternative would increase the building intensity within the Project site, but consistent with the existing development on site, would comply with regulations addressing development in a VHFHSZ, including but not limited to requirements associated with brush management, and building design/materials, water supply, and emergency/fire access. Impacts related to wildfire would be less than significant under this alternative and with the Project. Therefore, this alternative would not avoid any significant impacts from the Project related to wildfire since the Project's impacts are less than significant.

C. Conclusion

The No Project/Development Pursuant to Existing Entitlements Alternative would result in similar or incrementally reduced impacts compared to the Project and would be subject to the same regulatory requirements for the respective topical issues. This Alternative would result in reduced impacts related to air quality, GHG emissions, noise, and visual effects; however, the impacts from this alternative and the Project would be less than significant. This alternative would result in similar less than significant impacts as the Project for the following topics: land use, transportation, biological resources, energy, geology and soils, health and safety, historical resources, hydrology, paleontological resources, population and housing, public services and facilities, public utilities, tribal cultural resources, water quality, and wildfire.

The No Project/Development Pursuant to Existing Entitlements Alternative would meet most of the Project objectives, but not to the same extent as the Project. This alternative would not: maximize base sector employment by increasing the allowable intensity of employment uses as effectively as the Project (Objective 1); encourage middle-income employment by facilitating the expansion of high technology business facilities in the Subregional Employment Area as effectively as the Project (Objective 3); maximize employment in Prime Industrial Lands as effectively as the Project (Objective 4); implement sustainable building practices as effectively as the Project (Objective 5); or reduce the 100-year storm water discharge rates on the Project site (Objective 6). Additionally, this alternative 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 (Objective 2).

10.4.3 Reduced Building Area Alternative

A. Description

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.

B. Environmental Analysis

1. Land Use

Under the Reduced Building Area Alternative, the existing buildings would be demolished and development of 695,000 sf of scientific research uses would occur on site. Development would be consistent with the existing UCP land use designation and zoning for the site; however, as with the proposed Project, a Community Plan Amendment would still be required to amend the Development Intensity Element of the UCP to increase the allowed intensity on the Project site. Although the amount of development and employment under this alternative would be less than with the Project, this alternative would not conflict with General Plan policies for intensification and employment growth in this area of the UCP area. Consistent with the Project, this alternative would

not involve any land uses that would conflict with local and regional planning programs relevant to development at the Project site (e.g., North City Local Coastal Program, the City's Zoning Code, ESL regulations, regional planning programs, MSCP, and the MCAS Miramar Airport Land Use Compatibility Plan [ALUCP]). No significant land use impacts are anticipated with the Project, and none would occur under this alternative. Therefore, this alternative would not avoid any significant land use or planning impacts.

2. *Transportation*

As with the Project, the Reduced Development Area Alternative would include the implementation of on-site pedestrian pathways, improvements to existing site-adjacent sidewalks, and on-site bicycle facilities to encourage non-vehicular modes of transportation, and would not conflict with transportation-related goals and policies. Additionally, as with the Project, no traffic hazards would occur under this alternative, which would be developed in accordance with the City' requirements for access and roadway design.

Although the Project site is within a TPA, the Project would result in a significant transportation VMT impact because the Project is expected to generate 32.6 VMT per employee based on modeling conducted by SANDAG, which exceeds the Regional Mean of 25.9 VMT per Employee for the San Diego Region. The Project's impact would be reduced to a level considered less than significant with compliance with implementation of Project-specific mitigation measure MM 5.2-1. While this alternative would generate less trips than the Project due to the reduction in building intensity, it is expected that this alternative would also exceed the Regional Mean of 25.9 VMT per Employee for the San Diego Region, resulting in a significant transportation VMT impact consistent with the Project. As with the Project, this impact would be reduced to a level considered less than significant with implementation of the Project's mitigation measure MM 5.2-1.

Therefore, this alternative would not avoid any significant impacts from the Project related to Transportation since the Project's impacts are less than significant.

3. *Air Quality and Odors*

The Reduced Building Area Alternative would result in similar or reduced construction-related air pollutant emissions as the Project, and reduced air pollutant emissions during operations due to the overall reduction in building area and associated reduction in vehicular trips and mobile source emissions. Any operations at the Project site under this alternative or with the Project would be conducted in adherence to applicable regulations and would have less than significant impacts to sensitive receptors. This alternative and the Project would not conflict with the SDAPCD RAQS. Therefore, while the air quality impacts resulting from this alternative would be similar to or less than with the Project, the Project's impacts are less than significant. Therefore, this alternative would not avoid any significant air quality impacts since the Project's impacts are less than significant.

4. *Biological Resources*

The proposed development area for the Project and Reduced Building Area Alternative has been previously graded or developed. The physical impact area for the Reduced Development Area Alternative is the same as with the Project, and would have limited impacts to sensitive biological resources, which would result in less than significant impacts. Indirect impacts would also be less than significant with adherence to regulatory requirements, including compliance with the MSCP. Therefore, this alternative would result in the same less than significant impacts to biological resources as the Project and would not avoid any significant impacts.

5. *Energy*

The Reduced Building Area Alternative would require less energy use compared to the Project primarily due to the reduction in building area and overall trip generation. Additionally, as with the Project, development under this alternative would comply with applicable regulations for energy conservation, and would not result in any significant energy impacts. This alternative and the Project would result in similar less than significant energy impacts and this alternative would not avoid any significant impacts related to energy.

6. *Geologic Conditions*

The Project site is subject to seismic ground shaking, and similar to the Project, the Reduced Building Area Alternative would involve construction of a new buildings on sites that are graded and previously developed. The new buildings would be implemented in accordance with existing building standards and other building regulations. Therefore, this alternative would have similar less than significant impacts as the Project related to seismic ground shaking. With adherence to state and local building code requirements, and adherence to recommendations outlined in the site-specific geotechnical report, the Project and this alternative would not result in any significant impacts associated with geotechnical conditions. Further, new development at the Project site would be subject to the same geotechnical constraints and similar recommendations to address these constraints. As with the Project, potential impacts related to geotechnical constraints would be less than significant with this alternative. Therefore, this alternative would not avoid any significant impacts related to geology and soils since the Project's impacts are less than significant.

7. *Greenhouse Gas Emissions*

Under the Reduced Building Area Alternative, GHG emissions would be reduced compared to the Project primarily due to the reduction in construction activities, reduced building area on the site, and reduction in trip generation. The Project would result in less than significant GHG emissions impacts when taking into consideration the elimination of emissions from operation of the existing buildings. Both the Project and this alternative would not conflict with any applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs. Therefore, both the Project and this alternative would have less than significant impacts related to GHG emissions. This alternative would not avoid any significant impacts related to GHG emissions since the Project's impacts are less than significant.

8. Health and Safety

With adherence to applicable regulations, the Project would have no impact or a less than significant impact related to health and safety. As with the Project, new uses developed under the Reduced Building Area Alternative would operate in compliance with applicable regulations and would have a less than significant impact related to transport, use and disposal of hazardous materials; and, release of hazardous materials and hazardous emissions. The Project site is within the AIA established for MCAS Miramar; however, the Project and this alternative would not conflict with the MCAS Miramar ALUCP and safety impacts would be less than significant. Additionally, consistent with the Project, this alternative would have no impact or a less than significant impact related to emissions near a school, its location on a hazardous materials site, emergency response/evacuation, and wildland fires. Therefore, this alternative would not avoid any significant impacts related to hazards and hazardous materials since the Project's impacts are less than significant.

9. Historical Resources

Under the Reduced Building Area Alternative, the physical impact area would be the same as the Project. However, there are no historical resources on site and no impacts to historical resources would occur under this alternative or the Project. As with the Project, construction activities under this alternative have the potential to impact unknown human remains; however, the Project's impact is less than significant with adherence to regulatory requirements. Therefore, this alternative would not avoid any significant impacts related to encountering human remains since the Project's impacts are less than significant.

10. Hydrology

Under the Reduced Building Area Alternative, the physical impact area would be the same as the Project and there would be a similar change in impervious surface as the Project. The existing storm drain infrastructure serving the Project site was designed and constructed in consideration of development pursuant to existing entitlements, which included additional impervious area compared to the Project and this alternative. The Project and this alternative would include the installation of a storm drain and water quality system which would discharge to the same locations as existing conditions, retaining existing drainage patterns. Moreover, the 100-year flow rates with the Project and this alternative would be less than existing conditions and hydrology impacts would be less than significant. Therefore, this alternative would not avoid any significant hydrology impacts resulting from the Project since the Project's impacts are less than significant.

11. Noise

The Reduced Building Area Alternative would have reduced construction activities compared to the Project. However, the construction-related noise levels would be similar to those associated with construction of the Project, and would be less than significant. Similar to the Project, operational activities associated with this alternative have the potential to generate noise, and it is expected that noise from on-site operations under this alternative would be similar to noise generated by the Project, and would be less than significant. On-site operations with the Project and this alternative

would be conducted in compliance with noise standards established by the City. Due to the reduction in trip generation, this alternative would generate less traffic-related noise on off-site roadways; however, the Project's impacts were determined to be less than significant. The Project and this alternative would have less than significant impact related to noise from airport operations. Therefore, this alternative would not avoid any significant noise impacts since the Project's impacts are less than significant.

12. Paleontological Resources

Under the Reduced Building Area Alternative, the depth of excavation grading would be reduced compared to the Project; however, there would still be a potential to encounter previously undiscovered paleontological resources during excavation, similar to the Project. As with the Project, this impact would be less than significant with adherence to the City's standard conditions of approval for protection of paleontological resources. Therefore, this alternative would not avoid any significant impacts related to paleontological resources since the Project's impacts are less than significant.

13. Population and Housing

The Reduced Building Area Alternative would not involve the development of non-residential uses that would directly induce population growth in the City, resulting in a less than significant impact. Impacts related to population and housing would also be less than significant for the Project, which does not involve the development of any residential uses. Therefore, this alternative would not avoid any significant impacts from the Project related to population and housing since the Project's impacts are less than significant.

14. Public Services and Facilities

No development would occur under the Reduced Building Area Alternative that would increase population, resulting in a need to expand public services and facilities. Impacts related to demand for these services also would be less than significant for the Project and there would be no need for new or expanded public facilities and no associated physical impacts associated with implementation of such facilities. Therefore, this alternative would not avoid any significant impacts from the Project related to public services and facilities since the Project's impacts are less than significant.

15. Public Utilities

The Reduced Building Area Alternative would increase the intensity of development on the Project site; however, the total building area would be less than the Project and there would be an overall reduction in demand for public utilities and reduction in solid waste generation compared to the Project. The existing infrastructure serving the Project site is sufficient to serve the Project and would also be sufficient to serve development under this alternative. No new infrastructure would need to be installed, except as needed on site to connect to the existing infrastructure, consistent with the Project. As with the Project, impacts to public utilities and generation of solid waste under

this alternative would be less than significant with adherence to regulatory requirements. Therefore, this alternative would not avoid any significant impacts from the Project related to public utilities since the Project's impacts are less than significant.

16. Tribal Cultural Resources

Under the Reduced Building Area Alternative, the physical impact area would be the same as the Project. However, there are no tribal cultural resources on site and no impacts to tribal cultural resources would occur under this alternative or the Project. Therefore, no impacts to tribal cultural resources would occur under this alternative or the Project.

17. Visual Effects and Neighborhood Character

Development under the Reduced Building Area Alternative would have the same architectural design as that proposed with the Project; however, with the reduced building area, the intensity, height, and massing of the scientific research buildings would be reduced. There would be no subterranean parking, and above parking garages would be constructed in the southern portion of the Project site along Towne Centre Drive (generally located at the site of proposed Building D). While the parking structure in the foreground viewshed along Towne Centre Drive would not be as aesthetically pleasing as the proposed Building D, this alternative with an overall reduction in intensity, height, and massing of buildings would not result in a significant visual impact, consistent with the Project. As with this Project, this alternative would also have no impact on designated public scenic views since there are no designated public view points near the site, would not be visually incompatible with surrounding development or negatively alter the visual character of the area, and would not result in a change in landforms that would be considered significant. Therefore, this alternative would not avoid any significant impacts from the Project related to visual effects and neighborhood character since the Project's impacts are less than significant.

18. Water Quality

The Reduced Building Area Alternative would have the same physical impact area as the Project, would retain existing drainage patterns, and would generate the same urban pollutants as the Project. Additionally, as with the Project, development under this alternative would be subject to current hydrology and water quality regulations, including the implementation of structural and non-structural water quality BMPs. The Project and this alternative would have less than significant water quality impacts. This alternative would not avoid any significant impacts from the Project related to water quality since the Project's impacts are less than significant.

19. Wildfire

The Project site is within an area designated as a VHFHSZ. As with the Project, the proposed development under the Reduced Building Area Alternative would not impair implementation of, or physically interfere with, an adopted emergency response or emergency evacuation plan or increase any risks related to wildfire. This alternative would increase the building intensity within the Project site, but consistent with the Project, would comply with regulations addressing development in a

VHFHSZ, including but not limited to requirements associated with brush management, building design/materials, water supply, and emergency/fire access. Impacts related to wildfire would be less than significant under this alternative and with the Project. Therefore, this alternative would not avoid any significant impacts from the Project related to wildfire since the Project's impacts are less than significant.

C. Conclusion

The Reduced Building Area Alternative would result in similar or incrementally reduced impacts compared to the Project and would be subject to the same transportation mitigation measure MM 5.2-1, and regulatory requirements for the respective topical issues. Due to the reduction in construction/grading activities and overall reduction in building area, this Alternative would result in reduced impacts related to air quality, GHG emissions, and noise; however, the impacts from this alternative and the Project would be less than significant. This alternative would result in similar less than significant impacts as the Project for the following topics: land use, transportation, biological resources, energy, geology and soils, health and safety, historical resources, hydrology, paleontological resources, population and housing, public services and facilities, public utilities, tribal cultural resources, visual effects/neighborhood character, water quality, and wildfire.

Consistent with the Project, the Reduced Building Area Alternative would meet the Project objectives to: implement sustainable building practices as effectively as the Project (Objective 5), and reduce the 100-year storm water discharge rates on the Project site (Objective 6). This alternative would meet most of the other Project objectives, but not to the same extent as the Project due to the reduction in overall building area and associated employment generation. This alternative would not: maximize base sector employment by increasing the allowable intensity of employment uses as effectively as the Project (Objective 1); encourage middle-income employment by facilitating the expansion of high technology business facilities in the Subregional Employment Area as effectively as the Project (Objective 3); and, maximize employment in Prime Industrial Lands as effectively as the Project (Objective 4). Additionally, with the almost 30% reduction in building area, this alternative would not as effectively 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 (Objective 2).

10.5 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.

Based on the analysis presented in Chapter 5 of this EIR, the Project would result in potentially significant impacts related to VMT, and Project-level mitigation measures are required to reduce this potentially significant impact to a less than significant level. For all other topics, the Project, which would be implemented in compliance with applicable regulations and the City's standard conditions,

would result in no impact or a less than significant impact. The Project would not result in any significant and unavoidable impacts; therefore, no alternative is needed to reduce or avoid such impacts. Therefore, for purposes of this discussion, for an alternative to be superior to the Project, it would need to reduce VMT impacts.

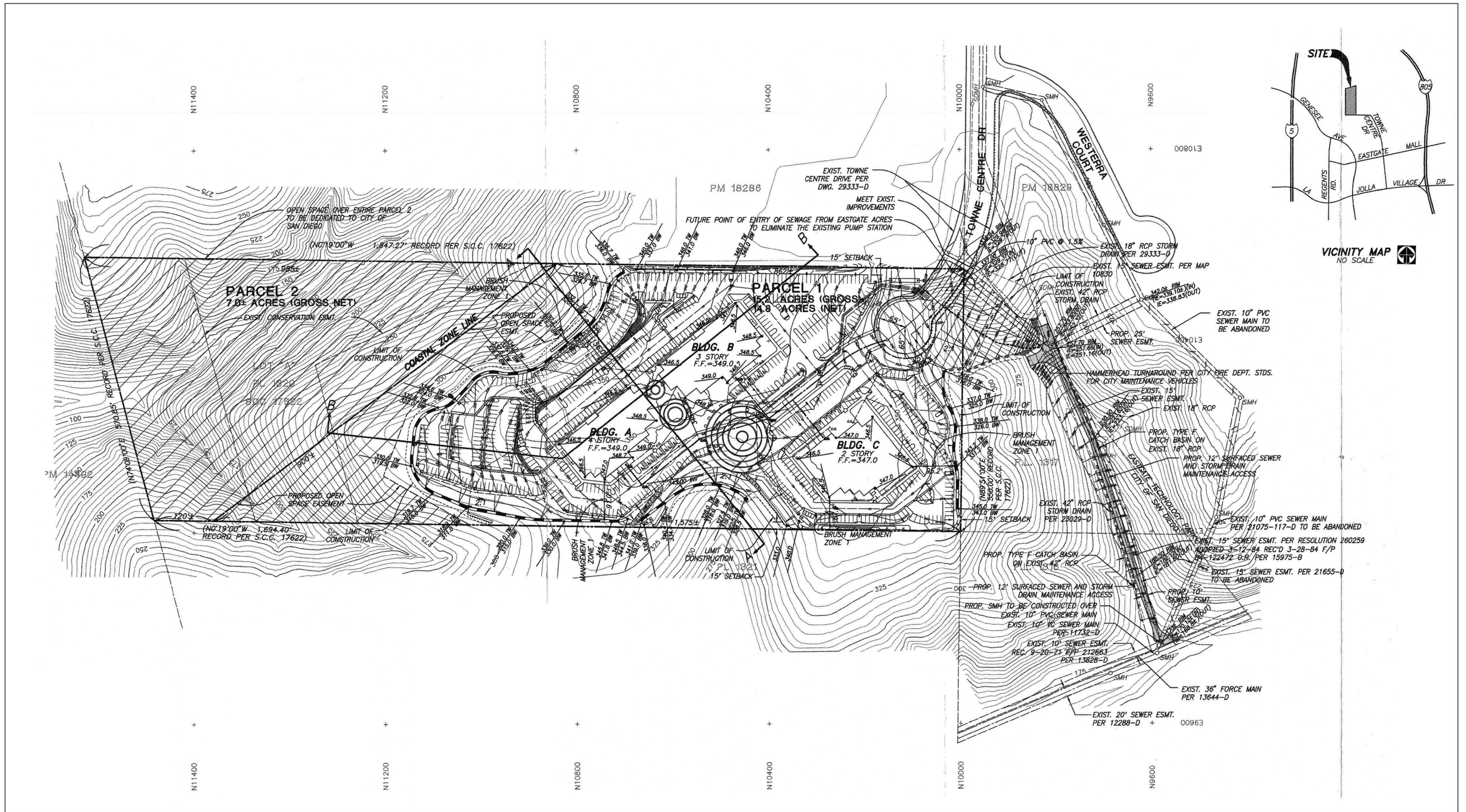
Table 11-1, *Comparison of Project and Alternative Impacts*, provides a comparison of the overall environmental impacts for the described alternatives. The No Project/No Development – Reuse of Existing Buildings Alternative is identified as the environmentally superior alternative. The No Project Alternative does not meet the objectives of the Project as outlined in Section 10.2.1.

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.

Table 10-1 Comparison of Project and Alternative Impacts

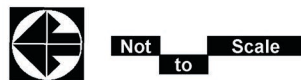
Environmental Topic	Proposed Project	No Project/ No Development - Reuse of Existing Buildings Alternative	No Project/ Development Pursuant to Existing Entitlements	Reduced Building Area Alternative
Land Use	N	N+	N	N
Transportation	SM	N	N	SM
Air Quality and Odors	N	N-	N-	N-
Biological Resources	N	N-	N	N
Energy	N	N+	N	N
Geologic Conditions	N	N	N	N
Greenhouse Gas Emissions	N	N-	N-	N-
Health and Safety	N	N	N	N
Historical Resources	N	N-	N	N
Hydrology	N	N	N	N
Noise	N	N-	N-	N-
Paleontological Resources	N	N-	N	N
Population and Housing	N	N	N	N
Public Services and Facilities	N	N	N	N
Public Utilities	N	N	N-	N
Tribal Cultural Resources	N	N	N	N
Visual Effects/Neighborhood Character	N	N-	N-	N
Water Quality	N	N	N	N
Wildfire	N	N	N	N

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



Source(s): William A. Steen & Associates (03-01-2005)

Figure 10-1



Approved/Entitled Site Plan for Western Portion of the Project Site

11.0 MITIGATION MONITORING AND REPORTING PROGRAM

As Lead Agency for the Project under CEQA, the City of San Diego will administer the Mitigation, Monitoring and Reporting Program (MMRP) for the following environmental issue areas as identified in the Towne Centre View Project EIR: Transportation/Circulation. The mitigation measures identified below include all applicable measures from the Towne Centre View Project EIR (Project No. 624751; SCH No. 2021040044). This MMRP shall be made a requirement of project approval.

Section 21081.6 of the State of California Public Resources Code requires a Lead or Responsible Agency that approves or carries out a project where an EIR has identified significant environmental effects to adopt a “reporting or monitoring program for adopted or required changes to mitigate or avoid significant environmental effects.” The City of San Diego is the Lead Agency for the Towne Centre View Project EIR, and therefore must ensure the enforceability of the MMRP. An EIR has been prepared for this Project that addresses potential environmental impacts and, where appropriate, recommends measures to mitigate these impacts. As such, an MMRP is required to ensure that adopted mitigation measures are implemented. Therefore, the following measures are included in this MMRP:

11.1 GENERAL REQUIREMENTS – PART I

A. Plan Check Phase (Prior to Permit Issuance)

1. Prior to the issuance of a Notice to Proceed (NTP) for a subdivision, or any construction permits, such as Demolition, Grading or Building, or beginning any construction related activity on-site, the Development Services Department (DSD) Director’s Environmental Designee (ED) shall review and approve all Construction Documents (CD) (plans, specification, details, etc.) to ensure the MMRP requirements are incorporated into the design.
2. In addition, the ED shall verify that the MMRP Conditions/Notes that apply ONLY to the construction phases of this project are included VERBATIM, under the heading, “ENVIRONMENTAL/MITIGATION REQUIREMENTS.”
3. These notes must be shown within the first three (3) sheets of the construction documents in the format specified for engineering construction document templates as shown on the City website:

<http://www.sandiego.gov/development-services/industry/standtemp.shtml>
4. The Title Index Sheet must also show on which pages the “Environmental/Mitigation Requirements” notes are provided.
5. Surety and Cost Recovery – The Development Services Director or City Manager may require appropriate surety instruments or bonds from private Permit Holders to ensure the long-

11.0 MITIGATION MONITORING AND REPORTING PROGRAM

term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.

11.2 GENERAL REQUIREMENTS – PART II

A. Post Plan Check (After Permit Issuance/Prior to Start of Construction)

1. Pre construction meeting is required ten (10) working days prior to beginning any work on this project. The Permit Holder/Owner is responsible to arrange and perform this meeting by contacting the City Resident Engineer (RE) of the Field Engineering Division and City staff from Mitigation Monitoring Coordination (MMC). Attendees must also include the Permit holder's Representative(s), and Job Site Superintendent

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

Contact Information:

- a) The Primary Point of Contact is the RE at the Field of Engineering Division: 858-627-3200
 - b) For Clarification of environmental requirements, it is also required to call RD at MMC at: 858-627-3360
2. MMRP Compliance: This Project, Project Tracking System (PTS) #624751 and/or Environmental Document #624751, shall conform to the mitigation requirements contained in the associated Environmental Document and implemented to the satisfaction of the DSD's Environmental Designee (MMC) and the City Engineer (RE). The requirements may not be reduced or changed but may be annotated (i.e., to explain when and how compliance is being met and location of verifying proof, etc.). Additional clarifying information may also be added to other relevant plan sheets and/or specifications as appropriate (i.e., specific locations, times of monitoring, methodology, etc.).

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

3. Other Agency Requirements: Evidence of compliance with all other agency requirements or permits shall be submitted to the RE and MMC for review and acceptance prior to the beginning of work or within one week of the Permit Holder obtaining documentation of those permits or requirements. Evidence shall include copies of permits, letters of resolution or other documentation issued by the responsible agency.

NOTE: Confirmation of NPDES compliance from the State Water Resources Control Board (SWRCB) during and following construction.

11.0 MITIGATION MONITORING AND REPORTING PROGRAM

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

NOTE: Surety and Cost Recovery – When deemed necessary by the Development Services Director or City Manager, additional surety instruments or bonds from the private Permit Holder may be required to ensure the long-term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.

5. **Other Submittals and Inspections:** The Permit Holder/Owner’s representative shall submit all required documentation, verification letters, and requests for all associated inspections to the RE and MMC for approval per the following schedule:

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

11.3 SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS FROM EIR

TRANSPORTATION/CIRCULATION

MM 5.2-1 A Transportation Demand Management plan (the “TDM Plan”) shall be implemented by the Project Applicant 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

11.0 MITIGATION MONITORING AND REPORTING PROGRAM

Permittee. TDM plan measures will be incorporated into tenant leases to ensure compliance.

- b. **Elements of TDM Plan.** As outlined in the VMT Assessment Memo (USAI, April 2022), the following measures shall be included in the TDM Plan and implemented by the Permittee:
- i. T-12 Price Workplace Parking
 - ii. T-6 Implement Commute Trip Reduction Program (Mandatory Implementation and Reporting)
 - iii. T-7 Implement Commute Trip Reduction Marketing
 - iv. T-8 Provide Ridesharing Program
 - v. T-9 Implement Subsidized or Discounted Transit Program
 - vi. T-10 Provide End of Trip Bicycle Facilities
 - vii. T-11 Provide Employee Sponsored Vanpool
 - viii. Supportive but unquantified VMT reduction measures per the VMT Assessment Memo (USAI, April 2022) 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.

11.0 MITIGATION MONITORING AND REPORTING PROGRAM

The Permittee shall coordinate with the City of San Diego with data collected and reported, which will include but may not be limited to:

- i. Calculating average vehicle occupancy
- ii. Count of daily vehicle trips to and from the site
- iii. Online survey of employees
- iv. Intercept surveys at building entrances
- v. 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.

12.0 REFERENCES

A list of the reference materials consulted in the course of the EIR's preparation is included in this section.

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13.0 INDIVIDUALS AND AGENCIES CONSULTED

This document has been completed by the City of San Diego's Environmental Analysis Section under the direction of the Development Services Department (DSD) Environmental Review Manager and is based on independent analysis and determinations made pursuant to SDMC Section 128.0103.

13.1 CITY OF SAN DIEGO

13.1.1 Development Services Department

- Martha Blake, Development Project Manger
- Conan Murphy, LDR Planning Review
- Irina Itkin, PUD-Water and Sewer Development
- Daniel Neri, LDR Landscape
- Patrick Thomas, LDR Geology
- Antonio Arcillas, LDR Map Check
- Hoss Florezabihi, Engineering Review
- Ann Gonsalves, LDR Transportation Development
- Rachael Ferrell, LDR Environmental Review
- Sara Osborn, LDR Environmental Review
- Pedro Valera, LDR Transportation Development

13.1.2 Fire-Rescue Department

- Jamie Velasquez, Fire Plan Review

13.1.3 Parks and Recreation Department

- Mark Jennings, Park & Recreation

13.1.4 Planning Department

- Katelyn Witherspoon, Plan Long Range Planning
- Colette Rendon, Plan Public Facilities Financing
- Dan Monroe, Plan MSCP

13.1.5 Environmental Services

- Lisa Wood

13.1.6 Airport

- Nathen Causman, Plan Airport

13.2 EIR PREPARER

13.2.1 T&B Planning, Inc.

- Tina Andersen
- Emilie Colwell
- Christhida Mrosła
- Cristina Maxey
- Rhea Smith

13.3 TECHNICAL APPENDICES PREPARERS

13.3.1 Urban System Associates, Inc. Planning & Traffic Engineering

Traffic Impact Analysis – Vehicle Miles Traveled (Appendix B)

- Justin P. Schlaefli
- Jorge Muradas

13.3.2 Urban Crossroads, Inc.

Air Quality Impact Analysis (Appendix C), Energy Analysis (Appendix E), Noise Impact Analysis (Appendix K)

- William Maddux (Appendix A, E, K)

13.3.3 Habitat Assessment

Alden Environmental, Inc. (Appendix D)

- Greg Mason

13.3.4 Geocon Incorporated

Geotechnical Investigation (Appendix F)

- Marr R. Love
- John Hoobs

13.3.5 Project Management Advisors, Inc.

Climate Action Plan Consistency Checklist (Appendix G)

- Peter Jones

13.3.6 Geosyntec Consultants

Phase I Environmental Site Assessment (Appendix H)

- Veryl Witting

13.3.7 Brian F. Smith & Associates

Phase I Cultural Resource Survey (Appendix I), Paleontological Resource Assessment (Appendix L)

- Tracy A. Stropes (Appendix I)
- Brian F. Smith (Appendix I, L)

13.3.8 Pasco, Laret, Suiter & Associates

Drainage Study (Appendix J), Storm Water Quality Management Plan (Appendix N)

- Gregory W. Lang (Appendix J) (Appendix N)

13.3.9 T&B Planning, Inc.

Waste Management Plan (Appendix M)

- Emilie Colwell