

Regulatory Agencies

U.S. Army Corps of Engineers

Pursuant to Section 404 of the Clean Water Act, the USACE regulates the discharge of fill material into "Waters of the United States" which are defined at 33 CFR 328.3 and include vernal pools which meet the requirements as a type of wetland considered to be jurisdictional under Section 404. Issuance of a Section 404 Permit to discharge fill material into jurisdictional wetlands is considered a federal action and cannot be undertaken by the USACE if the permitted actions could adversely affect federally-listed (or proposed for listing) endangered or threatened species. Where endangered species could be impacted by a permitted action, the USACE must consult with the USFWS prior to issuing a Section 404 Permit.

U.S. Fish and Wildlife Service

Pursuant to Section 7 of the Federal Endangered Species Act (FESA), the USFWS must consult with any federal agency undertaking a federal action (including issuance of permits) which could jeopardize a species listed as threatened or endangered under the FESA. Pursuant to Section 9 of the FESA, the "take" of a species listed as threatened or endangered is prohibited.

California Department of Fish and Game

Pursuant to the California Native Plant Protection Act (NPPA) and the California Endangered Species Act (CSEA), property owners must notify the CDFG 10 days in advance of any land use changes which would result in impacts to state-listed species. In addition, the take of state-listed threatened or endangered species requires a permit from CDFG pursuant to Section 2081.1 of the California Fish and Game Code.

Regulatory Programs

In addition to the regulations administered by the USACE, USFWS, and CDFG ("resource agencies"), as summarized above, local and regional regulatory programs may potentially affect development of the site.

City of San Diego Resource Protection Ordinance

Under CEQA, the City of San Diego is the lead agency for the proposed project and has developed guidelines for biological surveys for projects within the City. In addition, the City has

developed a Resource Protection Ordinance (RPO) which regulates a variety of activities including activities affecting significant biological resources. Pursuant to the RPO (Section 101.04662 of the City of San Diego Municipal Code), a Resource Protection Permit must be obtained prior to development activities which result in impacts to environmentally sensitive lands including wetlands, wetland buffers, floodplains, hillsides, and biologically sensitive lands. Biologically sensitive lands are defined in the RPO as lands which support sensitive vegetation and/or the habitats of rare, endangered, or threatened species pursuant to the FESA, CESA, NPPA, RPO Administrative Guidelines, California Native Plant Society (CNPS) R-E-D List, or the CDFG List of Species of Special Concern.

Pursuant to the RPO (Guidelines for Mima Mound-Vernal Pool Habitat), encroachment into mima mound and intermound drainage areas may be permitted only in limited cases where: a) such features are not part of the wetland buffer zone, or b) the City of San Diego Development Services Center and a project applicant agree that the design of a project cannot be altered to avoid impacts to vernal pool basins and associated habitat the project provides overriding public benefit and the impacts are mitigated.

Kearny Mesa Community Plan

The Conservation and Open Space Element of the Kearny Mesa Community Plan indicates that there are vernal pools within the community at Montgomery Field and City-owned and Navy properties north of Clairemont Mesa Boulevard, west of SR-163, and south of SR-52. No vernal pools are identified in the Conservation and Open Space Element on the proposed project site. The element includes recommendations related to vernal pools. Pertinent recommendations are as follows:

- Retain native vegetation where possible. Graded slopes that are adjacent to natural hillsides and canyons should be revegetated with native or drought-tolerant species to restore pre-development drainage conditions.
- Design projects adjacent to vernal pool habitat to prevent runoff during the dry season, the invasion of exotic plants, and leaf litter from impacting vernal pool habitat.

Draft Multiple Species Conservation Program (MSCP)

The draft Multiple Species Conservation Program (draft MSCP) was established by the City of San Diego to identify and evaluate biological resources within the City from a regional perspective rather than on a case-by-case basis. One of the primary objectives of the draft MSCP is to identify and maintain a preserve system which provides for the maintenance of plant

and animal populations at both the local and regional levels. The preserve system is proposed as a network of biological core resource areas (large blocks of habitat) and linkages/wildlife corridors. The design of the preserve system will ultimately be finalized by the City into a Preserve Map.

A habitat evaluation model was created as part of the MSCP process to assess biological resources. Qualitative values were assigned to habitats according to a number of different parameters related to wildlife, vegetation, and biogeography. Habitats were also assessed based upon their value for supporting viable populations of species listed within the draft MSCP which are targeted for conservation in the region.

Using this information, the draft MSCP proposes "core biological resource areas" which consist of large blocks of native habitat which are sufficient to support a diversity of plant and animal life. "Linkages" were also identified to accommodate wildlife movement between core areas. These linkages usually occur in river valleys or riparian corridors, although they can also extend across upland habitats between core areas.

Site Conditions

The proposed project site is located in the Kearny Mesa Community in the City of San Diego. The topography of the approximately 14.1-acre undeveloped area is generally flat with minor topographic relief in one section. The elevation of the site is approximately 430 feet above mean sea level (msl). Soils on-site consist of Redding gravelly loam with 2 to 9 percent slopes.

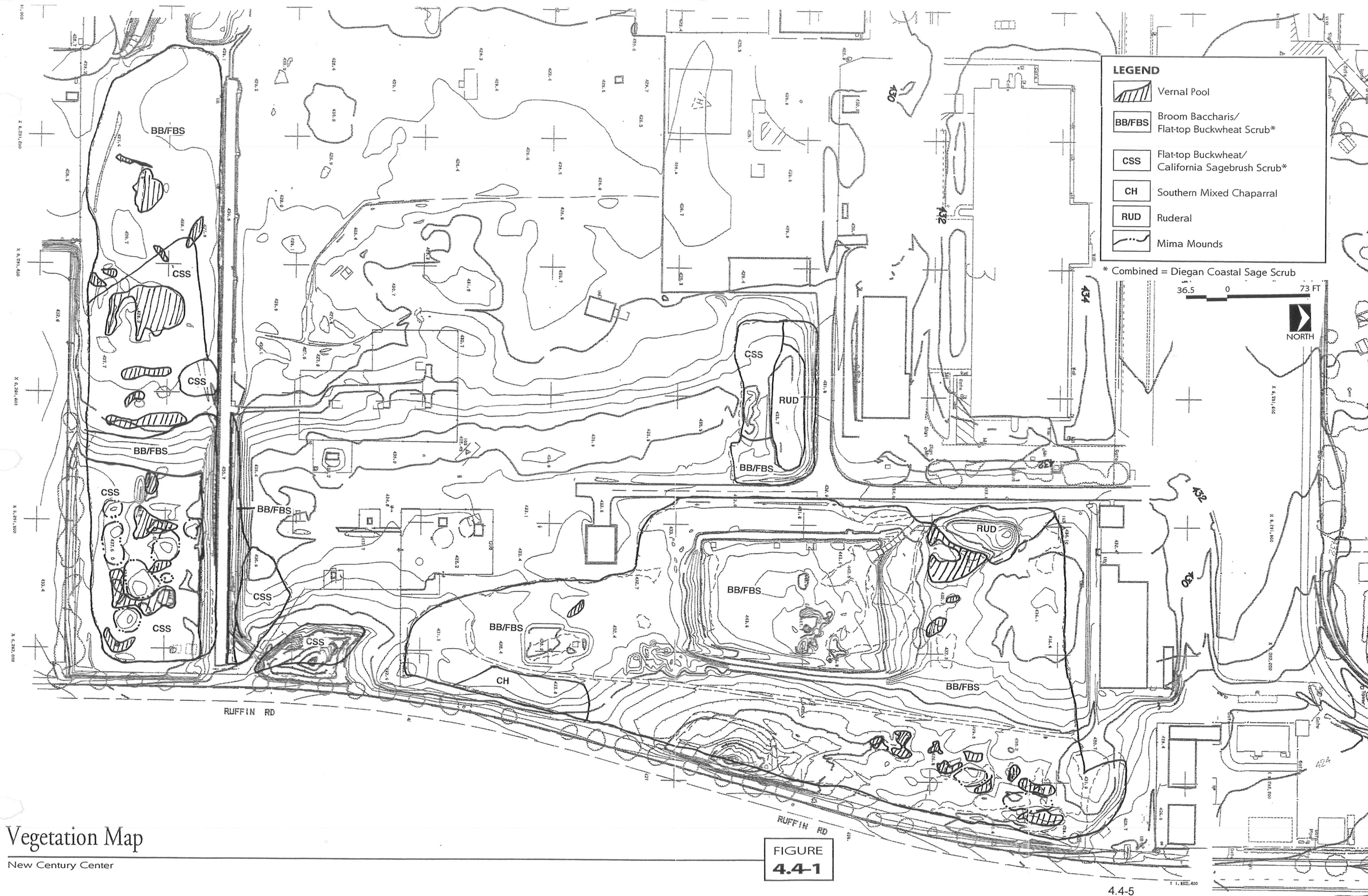
Vegetation Associations

As depicted in Figure 4.4-1, four vegetation associations were observed within the approximately 14.1 undeveloped acres, including approximately 9.8 acres within an area designated as the Eastern Section of the site and approximately 4.3 acres within an area designated as the Southern Section. Vegetation communities identified were Diegan coastal sage scrub, southern mixed chaparral, San Diego hardpan vernal pool,¹ non-native grassland/coastal sage scrub, and ruderal. There is a large disturbed area adjacent to the vegetated areas that was evaluated for vernal pool habitat and other biological resources and is also described below. The acreage of plant communities is identified in Table 4.4-1.

¹ The City of San Diego Resource Protection Ordinance (RPO) refers to the San Diego hardpan vernal pool habitat, identified on-site, as mima mound-vernal pool habitat, thereby recognizing the vernal pool basins and adjacent upland habitat as a complex.

Vegetation Map

New Century Center



**TABLE 4.4-1
VEGETATION COMMUNITIES**

Vegetation Community	Eastern Section	Southern Section	Total Acres
Diegan Coastal Sage Scrub	9.0	3.9	12.9
Southern Mixed Chaparral	0.2	0.0	0.2
San Diego Hardpan Vernal Pool	0.2	0.4	0.6
Ruderal	0.4	0.0	0.4
Total	9.8	4.3	14.1
Source: Michael Brandman Associates 1996.			

Diegan Coastal Sage Scrub

Coastal sage scrub on-site consists of areas dominated by flat-top buckwheat (*Eriogonum fasciculatum*), California sagebrush (*Artemisia californica*), and deerweed (*Lotus scoparius*) as well as areas dominated by broom baccharis (*Baccharis sarothroides*). Understory vegetation within the flattop buckwheat/California sagebrush areas include fascicled tarweed (*Hemizonia fasciculata*), canchalagua (*Centaureum venustum*), everlasting (*Gnaphalium* spp.), tocalote, and ashy spike-moss (*Selaginella cinerascens*), the latter being a sensitive plant.

Broom baccharis dominated areas include flat-top buckwheat and deerweed as a subdominants. Understory species include rattail fescue (*Vulpia myuros*) and tocalote (*Centaurea melitensis*). Knotweed spineflower (*Chorizanthe polygonoides* var. *longispina*), a sensitive plant species, is common in areas dominated by broom baccharis as is ashy spike-moss. Diegan coastal sage scrub occupies approximately 12.9 acres, with approximately 9.0 acres located in the Eastern Section and approximately 3.9 acres located in the Southern Section.

An area of non-native grassland/coastal sage scrub is located around several vernal pools in the Southern Section of the site. Dominant species in this association are foxtail fescue, soft chess, fascicled tarweed, and virgate tarweed (*Holocarpha virgata* ssp. *virgata*). Coastal sage scrub species such as flat-top buckwheat and broom baccharis are also present in small numbers. This habitat occupies approximately 0.8 acre of the 3.9 acres of habitat in Diegan Coastal Sage Scrub in the Southern Section.

Southern Mixed Chaparral

Chamise (*Adenostoma fasciculata*) is the dominant shrub in this on-site association along with California sagebrush and bushrue (*Cneoridium dumosum*). Other shrubs present include deerweed, coastal prickly pear (*Opuntia littoralis*), and laurel sumac (*Malosma laurina*). The understory is composed mainly of non-native species with tocalote and rattail fescue among the most common. A total of approximately 0.2 acre of chamise chaparral is located in the Eastern Section of the site.

San Diego Hardpan Vernal Pool (Mima Mound-Vernal Pool Habitat)

A total of 34 individual vernal pool basins, totaling approximately 0.6 acre, were identified on-site. The floristic composition of the pools varied greatly over the site based upon the quality of the individual vernal pool. Generally, dominant plants include woolly marbles (*Psilocarphus brevissimus*), San Diego mesa mint (*Pogogyne abramsii*), hyssop loosestrife, toad rush (*Juncus bufonius*), and Orcutt's brodiaea (*Brodiaea orcuttii*). Two endangered plants, San Diego mesa mint and San Diego button-celery (*Eryngium aristulatum* var. *parishii*); one proposed threatened plant, spreading navarretia (*Navarretia fossalis*); and two CNPS List 1B plants, Orcutt's brodiaea and knotweed spineflower are associated with some of the vernal pools. The vernal pools in the Southern Section of the site (approximately 0.4 acre) are considered of higher quality than the vernal pools associated with the Eastern Section of the site (approximately 0.2 acre) because they are more floristically diverse, contain more special status plant species, and support much higher densities of all vernal pool plant species. Mima mound topography is present within some of the vernal pools in the Southern Section of the site.

Ruderal

Ruderal habitats are areas that have been disturbed allowing ruderal or "weedy" species to become dominant. On-site, black mustard is dominant in the ruderal community with tocalote, fascicled tarweed, rattail fescue, and brome grasses (*Bromus* spp.) also present. Deerweed, a native shrub, was identified in this area. A total of approximately 0.4 acre of ruderal habitat exists in the Eastern Section of the site.

Disturbed

Disturbed habitat occupies a large flat area covering most of the undeveloped area immediately north of the Southern Section and west of the Eastern Section. The disturbed area appears to have been cleared of small buildings leaving coastal prickly pear plants intact. Mexican fan

palm (*Washingtonia robusta*), a common weedy species, is also present. Mexican sprangletop (*Leptochloa uninervia*) and hyssop loosestrife (*Lythrum hyssopifolium*) are found in earthen ditches running through the area. The acreage of disturbed/cleared habitat was not precisely calculated because of its low habitat value but appears to cover roughly 20 acres. Vernal pool habitat was not identified in this area. Following heavy rains in late 1995 and early 1996, a portion of this area was observed to pond water due to recent demolition and environmental remediation activities which included some soil movement. The area ponded in a manner such that an adjacent on-site paved parking lot was included within the ponded area.

Developed

Most of the project site is developed. Prior to the demolition of most of the on-site structures, the developed areas included approximately 2.4 million square feet of buildings and other structures, parking lots, and ornamental landscaping. The developed areas have low habitat value and consist of approximately 200 acres of paved areas or areas with buildings. Approximately 30 acres of the site is unpaved, excluding the 14.1 acres at the southeastern corner of the property described above in Table 4.4-1.

Flora and Fauna

Plants

A total of 97 plant species were identified within the vegetation associations observed within the approximately 14.1-acre undeveloped portion of the site. A full list of species identified within the undeveloped area is included as Appendix C of this Program EIR.

Wildlife

Wildlife habitats found on-site include fairly open scrub habitats (Diegan coastal sage scrub and southern mixed chaparral) and seasonally wet areas (vernal pools). The undeveloped areas on-site have been isolated since the 1960s from other habitat areas by development of on-site uses and adjacent areas (M. Anderson, General Dynamics, personal communication, 1996). Wildlife species diversity typically decreases when an area has been isolated (Soule et al 1988). It is expected that the long-term isolation of the Southern and Eastern Sections has resulted in loss of species from the site and this would continue to occur regardless of whether the site was developed.

Animals observed on-site included approximately 25 species of birds, as well as a variety of reptiles, mammals, and invertebrates. Common bird species identified included northern mockingbird (*Mimus polyglottos*), European starling (*Sturnus vulgaris*), house finch (*Carpodacus mexicanus*), mourning dove (*Zenaida macroura*), Anna's hummingbird (*Calypte anna*), bushtit (*Psaltirparus minimus*), and California towhee (*Pipilo crissalis*). Common reptiles identified on-site included side-blotched lizards (*Uta stansburiana*), and western fence lizards (*Sceloporus occidentalis*). San Diego fairy shrimp were observed within certain vernal pool basins associated with both the Southern and Eastern Sections.

Sensitive Biological Resources

The following resources are discussed in this section: (1) habitat areas (plant communities or associations) that are unique, of relatively limited distribution, or of particular value to special status plants or wildlife; and (2) plant and animal species present in the project vicinity that are given special recognition by federal, state, or local conservation agencies and organizations due to their being depleted, potentially depleted, declining, rare, locally endemic, endangered, or threatened. Sources used for determination of sensitive biological resources are as follows:

- **Wildlife:** USFWS (1994b), California Natural Diversity Database (CNDDB) (1995), California Department of Fish and Game (CDFG) (1994, 1995c), Jennings and Hayes (1994), City of San Diego (1995).
- **Plants:** USFWS (1993), CDFG (1995a, 1995b), CNDDB (1995), Skinner and Pavlik (1994), City of San Diego (1995).
- **Habitats:** CNDDB (1992, 1995) and City of San Diego (1995).

Sensitive Habitats

Two sensitive habitats, San Diego hardpan vernal pool and coastal sage scrub, were identified on the site (Figure 4.4-1).

San Diego Hardpan Vernal Pools (Vernal Pools)

Vernal pools are considered a sensitive habitat. They have an S2.1 ranking by the CDFG (CNDDB 1992). This ranking indicates that vernal pools are considered very threatened. The City of San Diego considers vernal pool-mima mound habitat to be threatened and therefore regulates impacts to these resources through its RPO (see discussion below).

There are 34 vernal pools located on-site totaling approximately 0.6 acre (Figure 4.4-1). The vernal pool watersheds occupy approximately 7.9 acres of the site (including the vernal pools).²

As shown on Figure 4.4-2 and Tables 4.4-2 and 4.4-3, two endangered species (San Diego mesa mint and San Diego button-celery), one proposed threatened plant (spreading navarretia), and one endangered animal (San Diego fairy shrimp) occur in certain on-site vernal pools. Orcutt's brodiaea, another sensitive plant, was also identified within and adjacent to some of the vernal pool basins.

The highest quality vernal pool basins (18 in total) are located in the Southern Section of the site and cover 0.4 acre. All occurrences of San Diego button-celery and spreading navarretia populations were identified in this area. With the exception of two small populations in the Eastern Section, all of the San Diego mesa mint and Orcutt's brodiaea are also located in the Southern Section. The eastern end of the Southern Section contains intact vernal pool-mima mound topography, as does the a small area at the northern end of the Eastern Section (Figures 4.4-1 and 4.4-3).

As a sensitive habitat that supports endangered species, the vernal pools are regulated by the City of San Diego, the CDFG, the USFWS, and the USACE. A jurisdictional wetland delineation was conducted to determine the extent of USACE jurisdiction pursuant to Section 404 of the Clean Water Act. The wetland delineation was conducted using the USACE 1987 Manual and the City of San Diego Guidelines for Mima Mound-Vernal Pool Habitat. Results of the jurisdictional delineation are depicted in Figure 4.4-3.

Coastal Sage Scrub

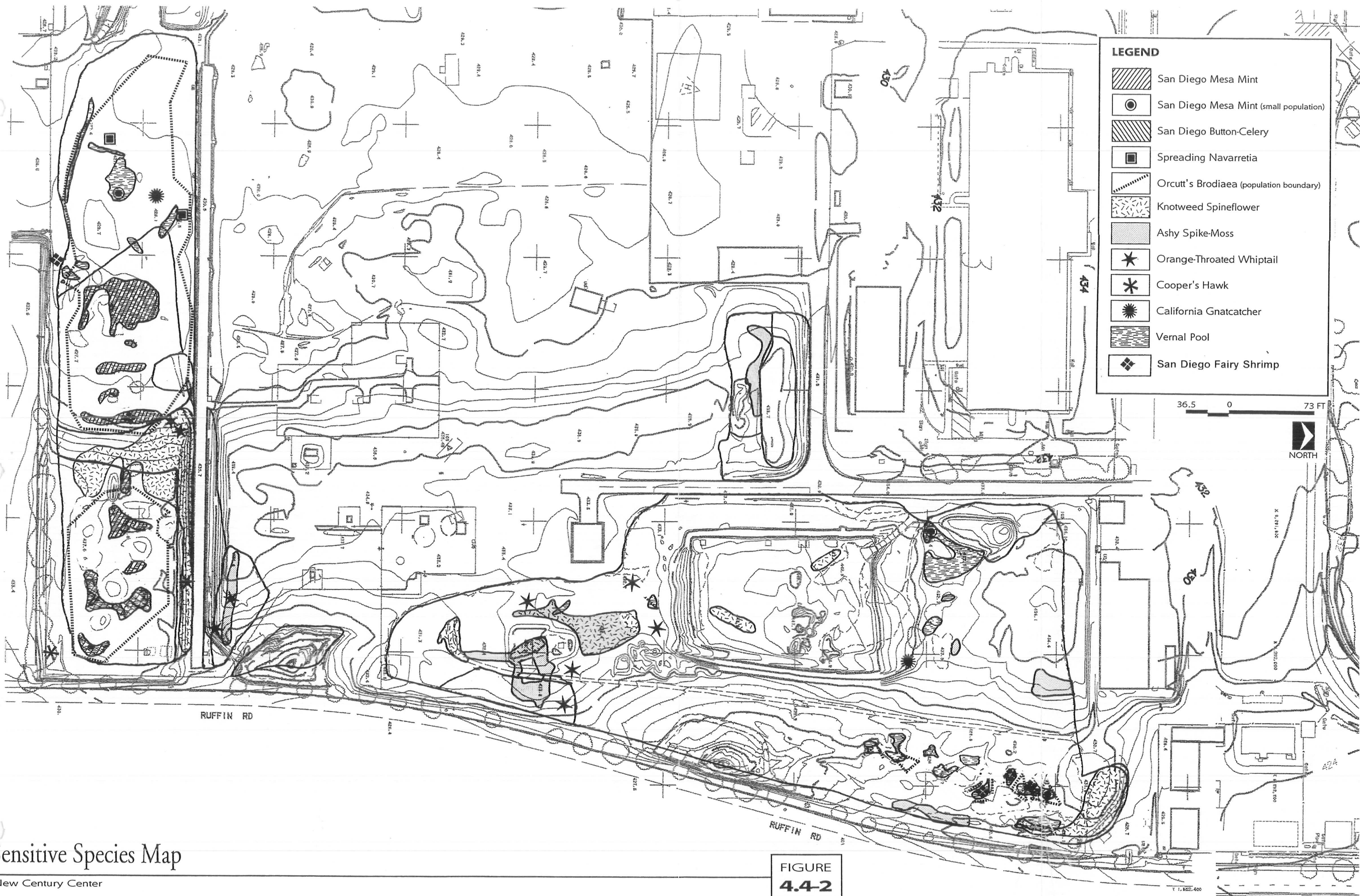
Coastal sage scrub is considered sensitive because it is a declining habitat in southern California and because it provides habitat for several sensitive species, including the federally-threatened coastal California gnatcatcher. Diegan coastal sage scrub as well as non-native grassland/coastal sage scrub ecotone were identified on the site.

Diegan coastal sage scrub is classified as a category S2.1, or very threatened habitat by the CDFG (CNDDDB 1992). There are approximately 12.9 acres of coastal sage scrub on-site, with approximately 10.4 acres dominated by broom baccharis/flat-top buckwheat scrub and approximately 1.7 acres dominated by California sagebrush and flat-top buckwheat. In addition,

² The approximate 7.9-acre watershed area is based upon observations of the field biologists, made while conducting the wetland delineation. An engineering survey has not been conducted to determine a precise watershed boundary.

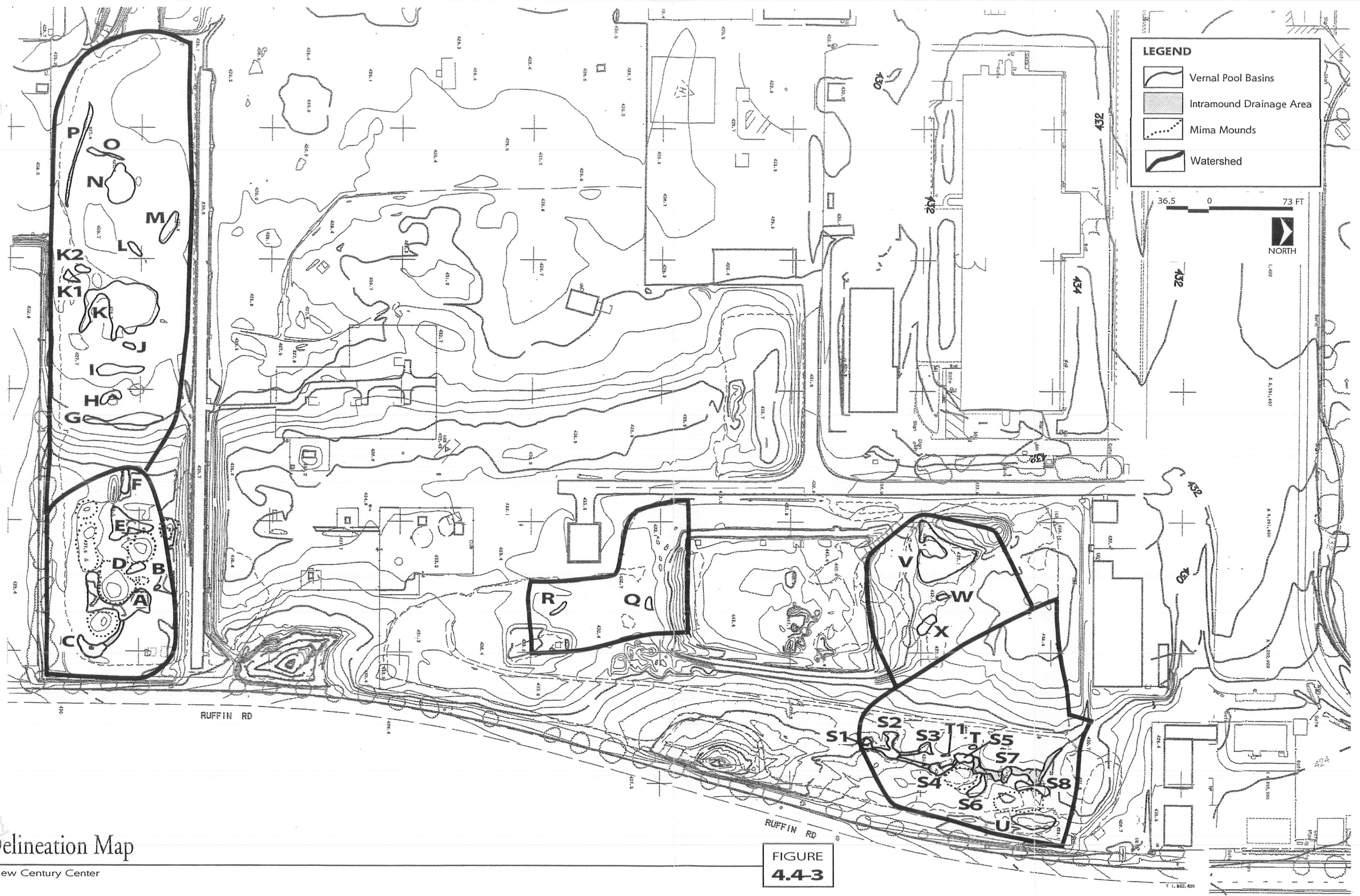
TABLE 4.4-2
SOUTHERN SECTION VERNAL POOL BASINS
AND ASSOCIATED THREATENED OR ENDANGERED PLANTS

Vernal Pool Basin	Size (sq.ft.)	San Diego button-celery (<i>Eryngium aristulatum</i> var. <i>parishii</i>)	San Diego mesa mint (<i>Pogogyne abramsii</i>)	Spreading navarretia (<i>Navarretia fossalis</i>)	Waters of the U.S.
A	2,406	Present	Present	Absent	Yes
B	25	Present	Present	Absent	Yes
C	645	Present	Present	Absent	Yes
D	298	Present	Present	Absent	Yes
E	1,587	Absent	Present	Absent	Yes
F	372	Absent	Present	Absent	Yes
G	1,290	Present	Present	Absent	Yes
H	273	Absent	Present	Absent	Yes
I	670	Absent	Present	Absent	Yes
J	198	Present	Present	Absent	Yes
K	5,630	Absent	Present	Absent	Yes
K1	217	Absent	Present	Absent	Yes
K2	305	Absent	Present	Absent	Yes
L	124	Absent	Present	Absent	Yes
M	719	Absent	Present	Present	Yes
N	2,108	Absent	Present	Absent	Yes
O Ditch 1	174	Absent	Absent	Present	Yes
P Ditch 2	420	Absent	Absent	Absent	Yes
Total	17,461				
Source: Michael Brandman Associates 1996.					



Sensitive Species Map

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Delineation Map

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TABLE 4.4-3
EASTERN SECTION VERNAL POOL BASINS
AND ASSOCIATED THREATENED OR ENDANGERED PLANTS

Vernal Pool Basin	Size (sq.ft.)	San Diego button-celery (<i>Eryngium aristulatum</i> var. <i>parishii</i>)	San Diego mesa mint (<i>Pogogyne abramsii</i>)	Spreading navarretia (<i>Navarretia fossalis</i>)	Waters of the U.S.
Q	174	Absent	Absent	Absent	Yes
R	124	Absent	Absent	Absent	Yes
S1	272	Absent	Absent	Absent	Yes
S2	595	Absent	Absent	Absent	Yes
S3	248	Absent	Absent	Absent	Yes
S4	421	Absent	Absent	Absent	Yes
S5	248	Absent	Absent	Absent	Yes
S6	372	Absent	Absent	Absent	Yes
S7	322	Absent	Absent	Absent	Yes
S8	471	Absent	Present	Absent	Yes
T	50	Absent	Absent	Absent	Yes
T1	60	Absent	Absent	Absent	Yes
U	1,240	Absent	Absent	Absent	Yes
V	3,700	Absent	Present ³	Absent	Yes
W	173	Absent	Absent	Absent	Yes
X	421	Absent	Absent	Absent	Yes
Y Lower Swale	Not Measured	Absent	Absent	Absent	No
Total	8,891				
Source: Michael Brandman Associates 1996.					

³ The San Diego mesa mint within this degraded vernal pool basin consisted of approximately 19 individuals and occupied approximately 25 square feet near the southwest corner of the basin.

there is a total of 0.8 acre of non-native grassland/coastal sage scrub ecotone, which, because it contains elements of coastal sage scrub is considered sensitive under the City's RPO.

The highest quality coastal sage scrub on-site is the Diegan coastal sage scrub located on the mima mounds in the Southern Section. However, all on-site coastal sage scrub is of sufficient quality to support sensitive species. Two pairs of coastal California gnatcatchers were observed foraging in coastal sage scrub, with one pair using the Southern Section and one pair using the Eastern Section. Orange-throated whiptail lizards were observed in southern mixed chaparral and coastal sage scrub in the Eastern Sections of the site as well as coastal sage scrub in the Southern Section of the site.

The site's coastal sage scrub is under the jurisdiction of the USFWS as habitat for a threatened species and the City of San Diego as a declining resource. Impacts to coastal sage scrub, during development of the MSCP, requires authorization from the USFWS pursuant to the 4(d) Special Rule for coastal sage scrub.

Sensitive Plants Species

Six sensitive plant species were identified on-site. Two of these plants, San Diego mesa mint and San Diego button-celery, are listed as endangered by both the USFWS and CDFG. One plant, spreading navarretia, is proposed as threatened by the USFWS. Two other species, Orcutt's brodiaea and knotweed spineflower, are USFWS species of special concern. All of these species are included in the CNPS List 1B. Ashy spike-moss, also identified on-site, is not considered sensitive by the USFWS and the CDFG, but is considered to be a plant of limited distribution by the CNPS. These six plants are described below and their locations on-site are identified (Figure 4.2-2).

San Diego Mesa Mint—*Pogogyne abramsii*

San Diego mesa mint is both federally- and state-listed as endangered. This species is endemic to San Diego County and occurs only within vernal pool basins. San Diego mesa mint was identified as abundant in 14 of the vernal pool basins within the Southern Section of the site and is found in small numbers in two vernal pool basins within the Eastern Section of the site. San Diego mesa mint occupies approximately 14,690 square feet or approximately 0.34 acre of vernal pool basin and adjacent habitat. The population of on-site San Diego mesa mint is estimated at 300,000 individuals for the Southern Section and approximately 45 individuals within the Eastern Section. This recently identified population of San Diego mesa mint within

the Southern Section of the site represents an important population within the region (generally demarcated by the MSCP Study Area).

San Diego Button-celery—*Eryngium aristulatum* var. *parishii*

San Diego button-celery is both federally- and state-listed as endangered. This species is more widespread than San Diego mesa mint, occurring within and adjacent to vernal pool basins in San Diego and western Riverside counties as well as Baja, California. San Diego button-celery was identified in six vernal pool basins in the Southern Section of the site and occupies approximately 3,076 square feet or 0.07 acre of vernal pool basin area. An estimated 900 individual San Diego button-celery plants were identified within the Southern Section of the site and none were identified within the Eastern Section of the site. The recent identification of this population within the Southern Section of the site represents an important population within the region (MSCP Study Area).

Spreading Navarretia—*Navarretia fossalis*

Spreading navarretia is federally proposed for threatened status by the USFWS. This species occurs in vernal pool basins and other seasonally wet areas in San Diego, western Riverside and Los Angeles counties, as well as Baja, California. Spreading navarretia generally occurs in deeper, longer-lived pools than either San Diego mesa mint or San Diego button-celery. Two small populations of spreading navarretia were located in the Southern Section of the site. The largest contains 60 individuals in a 10-square-foot area and is located in and adjacent to a ditch. The second population contains 10 plants in a 1-square-foot area and is associated with a vernal pool basin. While this population represents a new occurrence of this species, the small population size and the lack of high quality habitat (deep, long-lived pools) suggests that this population is not important within the context of its distribution in southern California.

Orcutt's Brodiaea—*Brodiaea orcuttii*

Orcutt's brodiaea is a USFWS species of special concern as well as a CNPS List 1B taxon. This species occurs in vernal pool basins and other seasonally wet areas in San Diego, western Riverside, San Bernardino, and Orange counties, as well as Baja, California. Two large populations of Orcutt's brodiaea were identified within the Southern Section of the site in the vernal pool basins and surrounding grasslands and coastal sage scrub communities. The population located in the area of vernal pools with mima mound topography (eastern end of the Southern Section) contains an estimated 12,000 plants, with the highest density occurring in the vernal pool basins. Approximately 600 individuals were observed in the vernal pool area at the

western end of the Southern Section; the brodiaea population was not dense in this area. In the Eastern Section, nine populations totaling 121 individual plants were identified. The total population of this species on-site is an estimated 12,721 plants covering approximately 2.64 acres of vernal pool basin area and surrounding habitat and is an important, newly identified population within the region (MSCP Study Area).

Knotweed Spineflower—*Chorizanthe polygonoides* var. *longispina*

Knotweed spineflower is a USFWS species of special concern as well as a CNPS List 1B taxon. This species occurs in sandy areas within coastal sage scrub and chaparral in western San Diego and Riverside counties, as well as Baja, California. Knotweed spineflower was identified on-site in open, sparsely vegetated areas with fairly loose soil. The majority of populations were found to be associated with the broom baccharis/flat-top buckwheat scrub habitat. One large population containing approximately 1,650 knotweed spineflower plants was identified in the Southern Section of the site. In the Eastern Section, seven populations were identified ranging in size from 58 to 1,660 plants with a total of 2,860 plants. An estimated 4,510 knotweed spineflower plants were identified covering approximately 0.79 acre.

Ashy Spike-moss—*Selaginella cinerascens*

Ashy spike-moss is a CNPS List 4 taxon that is still relatively widespread in Orange and San Diego counties, extending into Baja, California. This small prostrate plant was identified in the broom baccharis/flat-top buckwheat scrub and Diegan coastal sage scrub. On-site, ashy spike-moss was often associated with knotweed spineflower. There are six populations of ashy spike-moss in the Eastern Section of the site occupying approximately 0.39 acre.

Sensitive Wildlife Species

Four sensitive wildlife species, the San Diego fairy shrimp, which is federally-listed as endangered; the coastal California gnatcatcher, which is federally-listed as threatened; the orange-throated whiptail, a species of special concern as well as a target species for the Natural Community Conservation Planning (NCCP) Program; and the Cooper's hawk, also a species of special concern, were observed on the site (Figure 4.2-2). Sensitive species observed on-site are described below.

San Diego Fairy Shrimp—*Branchinecta sandiegonensis*

San Diego fairy shrimp is federally-listed as endangered by the USFWS. This species occurs within vernal pool basins in coastal areas of Southern California from Orange County south into Baja, California. San Diego fairy shrimp were observed on March 3 and March 11, 1996 within one vernal pool basin as well as in a road rut in the Southern Section and within three vernal pool basins in the Eastern Section. In addition, San Diego fairy shrimp were observed in an artificial depression, inadvertently created during demolition and environmental remediation activities and in ponded water in the adjacent parking lot immediately north of the Southern Section.

Coastal California Gnatcatcher—*Poliophtila californica californica*

The coastal California gnatcatcher is federally-listed as threatened and occurs within coastal areas of Southern California from Ventura, Los Angeles, and western Riverside counties, south into Baja, California. One pair of coastal California gnatcatchers was initially observed on August 11, 1995, and was subsequently observed on August 23, 1995 and in October 1995. The pair was first observed foraging in the broom baccharis/flat-top buckwheat scrub and was subsequently observed foraging over much of the approximately 14.1-acre habitat area of the site. Protocol surveys conducted in March 1996 identified two pairs of coastal California gnatcatchers occupying the site (Figure 4.2-2). Because of the isolated character of the site, the presence of two pairs of coastal California gnatcatchers is not important within the regional setting.

Orange-throated Whiptail—*Cnemidophorus hyperythrus*

The orange-throated whiptail lizard is a USFWS and a CDFG species of special concern and occurs on gently sloping hillsides and ridges within coastal sage scrub, chaparral, and grasslands. This species was observed in broom baccharis scrub, coastal sage scrub, and chaparral habitats within both the Southern and Eastern Sections of the site and is expected to occur throughout both areas. Locally, areas of larger unfragmented habitat occur at Montgomery Field and Miramar Naval Air Station.

Cooper's Hawk—*Accipiter cooperii*

The Cooper's hawk is a CDFG species of special concern, occurring throughout the United States. One immature Cooper's hawk was observed perched in a eucalyptus tree southwest of

the site (off-site). The hawk used the site for foraging. This species is not expected to breed on-site because the site lacks oak woodlands.

4.4.1 ISSUE 1

What direct and indirect impacts to sensitive species, important habitat and plant and animal diversity would occur as a result of project implementation, including compliance with the City's fuel management program?

IMPACTS

Impacts to biological resources were evaluated in accordance with the state and City CEQA guidelines and the City's RPO as well as in the context of the NCCP and draft MSCP.

Southern Section: Direct Impacts

As noted above, the project includes preservation in perpetuity of the Southern Section as a vernal pool preserve within a conservation bank. As such, no impacts, direct or indirect, will occur to the Southern Section. Vernal pool habitat within the conservation bank will be available to serve as compensatory mitigation for impacts to vernal pool habitat in the Eastern Section of the site and, if sufficient habitat remains after full mitigation of the on-site impacts, for off-site vernal pool impacts located within the Redding gravelly loam soils complex of San Diego County through the purchase of Conservation Credits. Credits would be based upon the linear surface area of the vernal pool basins with each square foot of vernal pool basin area within the Southern Section available for each square foot of mitigation required by the resource agencies. Any credits used to mitigate impacts to the Eastern Section vernal pools would not be available to third parties for their use as off-site mitigation. A formal mitigation bank agreement would be subject to review and approval by the City, USACE, and USFWS prior to any credits being established.

The amount of vernal pool habitat to be preserved in the Southern Section vernal pool preserve is 0.40 acre with the possible addition of approximately 1,500 square feet of created vernal pool habitat to augment the existing 0.40 acre of vernal pool habitat. In order to ensure the long-term viability of the vernal pool habitat, a management/maintenance program will be established which will include removal of all debris from the Southern Section, installation of permanent protective fencing, establishment of a native plant buffer along the southern boundary of the Southern Section, and a standard 5-year monitoring program (including annual reports) for any created vernal pool habitat within the Southern Section.

Eastern Section: Direct Impacts

Coastal Sage Scrub

Implementation of the project would result in the loss of approximately 9.0 acres of coastal sage scrub occupied by one pair of coastal California gnatcatchers. Grading, grubbing, or clearing of the coastal sage scrub, which is considered a biologically sensitive land, would require a permit under the RPO.

As of January 7, 1997, under the provisions of the draft MSCP, the loss of 493.35 acres of coastal sage scrub, calculated from a baseline of 1,186.00 acres (allowable area of coastal sage scrub to be taken in the City of San Diego), has occurred within the City of San Diego under the provisions of the 4(d) special rule of the FESA. This represents 41.6 percent of the allowable take of 5 percent within the City.⁴ Loss of an additional 9.0 acres would increase the current losses to 42.4 percent. The approximately 9.0 acres is completely isolated and provides no connectivity between coastal sage scrub areas of high habitat value.

Southern Mixed Chaparral

Implementation of the project would result in the loss of 0.2 acre of southern mixed chaparral.

San Diego Hardpan Vernal Pool

Implementation of the project would result in the loss of 16 vernal pool basins, covering approximately 0.20 acre. Approximately 95 percent of vernal pool habitat has been lost regionwide and the habitat is ranked as very threatened by the CNDDDB. Vernal pools are considered jurisdictional wetlands pursuant to Section 404 of the Clean Water Act. Pursuant to the RPO, impacts to vernal pool basins require a Resource Protection Permit because vernal pool habitat is considered wetlands. In addition, four of the basins are considered biologically sensitive lands because they support federally-listed species (San Diego mesa mint and San Diego fairy shrimp).

⁴ In addition, the City of San Diego has approved the take of an additional 530.57 acres of coastal sage scrub which has not yet been implemented. Therefore, the total approved take for the region is 1,023.92 acres of the allowable 1,186.00 acres of coastal sage scrub. Authorization to take the approximately 9.0 acres of coastal sage scrub associated with the New Century Center site would bring authorized take of coastal sage scrub to 1,032.92 acres or 87.1 percent of the allowable 5 percent take under the NCCP guidelines.

To eliminate impacts to the vernal pools in the Eastern Section would require avoidance of any disturbance of habitat. Avoidance of impacts to the Eastern Section, either full scale or piecemeal, does not appear to be feasible as discussed below.

As discussed further in Section 4.7, Public Health and Safety, the property owner has adopted a comprehensive Environmental Assessment and Remediation Program intended to identify areas of potential releases of hazardous material within the project site and establish procedures for the full characterization and remediation of any contamination in accordance with applicable legal requirements. In the course of preparing the Environmental Assessment and Remediation Program, the property owner has indicated that certain underground structures are believed to be located within the Eastern Section under and adjacent to certain of the vernal pool basins. One such underground facility has already been uncovered in the area adjacent to the Eastern Section and related subsurface contamination has been identified, reported to applicable regulatory agencies, and remediated. Further subsurface investigation within the vernal pool complex in the Eastern Section is proposed in the near future. As a result, regardless of whether the New Century Center project proceeds, it is anticipated that substantial impacts to the vernal pool basins in the Eastern Section would occur. An alternative avoiding any development of the Eastern Section is considered further in Section 9.2 (No Project "A" Alternative) and 9.4 (Reduced Intensity Alternative).

A second avoidance measure would provide that development of the project would proceed as contemplated under the current New Century Center Master Plan, and individual vernal pool basins not otherwise adversely impacted by the subsurface investigation described above would be preserved. Again, this approach does not appear to be feasible. First, it is not clear which, if any, of the existing basins would escape impacts from the subsurface investigation. Second, even if some portion of the vernal pool basins themselves were not directly impacted by the subsurface investigation, it appears likely that the watershed supporting these basins would be substantially altered as a result of the subsurface investigation and the proposed development outside of the vernal pools, raising questions about the viability of any remaining basins. Finally, preserving individual areas within the Eastern Section on a "piecemeal" basis would create "islands" within the industrial business park portion of the Master Plan making it impractical to achieve a number of the fundamental objectives of the New Century Center Master Plan and the Kearny Mesa Community Plan, including preservation and enhancement of Kearny Mesa as an employment center.

Ruderal

Implementation of the project would result in the loss of 0.4 acre of ruderal habitat. This habitat consists primarily of non-native weedy species and is widespread throughout the region.

Coastal California Gnatcatcher

Implementation of the project would result in the loss of approximately 9.0 acres of completely isolated coastal sage scrub habitat which is occupied by one pair of coastal California gnatcatchers.

Orange-throated Whiptail

Implementation of the project would result in the loss of approximately 5 to 10 individual orange-throated whiptail lizards.

Knotweed Spineflower

Implementation of the project would result in the direct loss of approximately 2,860 individuals of knotweed spineflower from the Eastern Section.

Ashy Spike-moss

Implementation of the project would result in the direct loss of approximately 0.4 acre of habitat occupied by ashy spike-moss.

San Diego Fairy Shrimp

Implementation of the project would result in the direct loss of three vernal pool basins supporting the San Diego fairy shrimp.

San Diego Mesa Mint

Implementation of the project would result in the direct loss of approximately 45 individuals of San Diego mesa mint covering approximately 496 square feet of vernal pool basin area.

Orcutt's Brodiaea

Implementation of the project would result in the direct loss of 121 individuals of Orcutt's brodiaea.

Eastern Section: Indirect Impacts

The loss of 9.0 acres of coastal sage scrub, while resulting in direct impacts to one pair of coastal California gnatcatchers associated with the Eastern Section, is also expected to result in the extirpation of the pair associated with the Southern Section through overall reduction of habitat and adjacent construction activities.

Compliance with Fuel Management Program

Because of the complete isolation of the coastal sage scrub habitat in the Southern Section from open space areas, and because of the buffer provided by roads associated with the proposed project, no impacts to coastal sage scrub would occur from fuel management.

SIGNIFICANCE OF SOUTHERN SECTION IMPACTS

Because biological resources in the Southern Section would not be disturbed, no direct impacts would occur.

SIGNIFICANCE OF EASTERN SECTION IMPACTS

Diegan Coastal Sage Scrub

Implementation of the project would result in the direct loss of approximately 9.0 acres of on-site coastal sage scrub and would be considered significant on a project-specific and cumulative basis. Absent the adoption of the MSCP during this interim period, the loss of coastal sage scrub would be mitigated in accordance with conditions of approval set forth by the USFWS and the CDFG. Upon adoption of the MSCP, cumulative impacts to coastal sage scrub are expected to be less than significant provided the project conforms to the City's Subarea Plan.

Southern Mixed Chaparral

Implementation of the project would result in the direct loss of approximately 0.2 acre of southern mixed chaparral and would not be considered significant. Currently threats to this habitat are low, as the habitat is widespread throughout southern California. Loss of the small amount (0.2 acre) would have no local or regional importance.

San Diego Hardpan Vernal Pool

Implementation of the project would result in the direct loss of 16 vernal pool basins covering approximately 0.2 acre and would be considered significant on a project-specific and cumulative basis because approximately 95 percent of vernal pool habitat has been lost regionwide and the habitat is ranked as very threatened by the California Natural Diversity Database (CNDDDB). In addition, vernal pools are considered jurisdictional wetlands pursuant to Section 404 of the Clean Water Act and any impacts to jurisdictional wetlands require authorization from the USACE. Pursuant to the RPO, impacts to the vernal pool basins require a Resource Protection Permit because vernal pool habitat is considered wetlands. In addition, four of the basins are considered biologically sensitive lands because they support federally listed species (San Diego mesa mint and San Diego fairy shrimp).

Ruderal

Implementation of the project would result in the direct loss of approximately 0.4 acre of ruderal habitat and would not be considered significant because the habitat consists of primarily non-native weedy species and is widespread throughout the region.

Coastal California Gnatcatcher

The removal of approximately 9.0 acres of coastal sage scrub would result in the direct loss of one pair of coastal California gnatcatchers and would be considered significant, prior to mitigation, on a project-specific and cumulative basis. In addition, the indirect loss of an additional pair of coastal California gnatcatchers from the Southern Section is expected due to the loss of coastal sage scrub in the Eastern Section as well as from construction-related disturbances. This loss would be considered a significant direct and cumulative impact.

Orange-throated Whiptail

The loss of approximately 9.0 acres of coastal sage scrub and 0.2 acre of southern mixed chaparral would result in the direct loss of 5 to 10 individual orange-throated whiptail lizards but would not be considered significant because the coastal sage scrub habitat is isolated (and as such has not been included within the MSCP areas for coastal sage scrub preservation). Locally, areas of larger unfragmented habitat occur at Miramar Naval Air Station and Montgomery Field. Presently, risk to this species is considered low should implementation of the MSCP occur. The MSCP would result in protection of sufficient coastal sage scrub necessary for the long-term survival of the species within the region.

Knotweed Spineflower

The direct loss of approximately 9.0 acres of coastal sage scrub and 0.2 acre of southern mixed chaparral would result in the loss of approximately 2,860 individuals of knotweed spineflower and would not be considered significant. The on-site population does not have local or regional importance because the species is widespread within vernal pool habitat in Kearny Mesa and is known to occur within at least 12 other USGS Quadrangles within the region as well as from six locations within Baja, California.

Ashy Spike-moss

The direct loss of approximately 9.0 acres of coastal sage scrub and 0.2 acre of southern mixed chaparral would result in the loss of approximately 0.4 acre of ashy spike-moss inhabited area and would not be considered significant because the species is currently known to occur in several thousand locations within southern California and Baja, California.

San Diego Fairy Shrimp

Implementation of the project would result in the direct loss of San Diego fairy shrimp and would be considered significant because the species is currently listed as federally endangered under the FESA. The impacts would also be significant on a cumulative basis because of the historic loss of 95 percent of San Diego fairy shrimp habitat in the region. As such, the USACE must confer with the USFWS prior to issuing a Section 404 Permit for grading or discharging fill material in the vernal pools.

San Diego Mesa Mint

Implementation of the project would result in the direct loss of approximately 44 individuals of San Diego mesa mint from two vernal pool basins in the Eastern Section and would be considered significant because the species is listed as federally endangered. This loss would also be considered cumulatively significant because of the historic loss of 95 percent of the habitat in the region. Within the regional context, the loss of two small populations (19 and 25 individuals), would not have regional importance and would not affect the preparation of the MSCP. Because this species is endangered, the USACE must consult, pursuant to Section 7 of the FESA, with the USFWS prior to issuing a Section 404 permit for grading or discharging fill material in the vernal pools.

Orcutt's Brodiaea

Implementation of the project would result in the direct loss of approximately 121 individuals of Orcutt's brodiaea from the margins of the vernal pools. This would not be considered significant because the species is still locally widespread. Regionally, this species is known to occur at Otay Mesa, Miramar Naval Air Station, in meadows around Cuyamaca Lake, and at various locations within San Diego County. The loss of 121 individuals is not important within the regional context.

Eastern Section: Indirect Impacts

Implementation of the proposed project would result in the loss of 9.0 acres of coastal sage scrub resulting in direct impacts to one pair of coastal California gnatcatchers associated with the Eastern Section and probable extirpation of the pair associated with the Southern Section due to a reduction of habitat and to construction activities. This would be considered a significant impact prior to mitigation in compliance with the requirements of the City's RPO because any impacts to coastal sage scrub or the coastal California gnatcatcher must be mitigated during the interim period pursuant to the NCCP Process Guidelines as well as by the RPO.

MITIGATION, MONITORING, AND REPORTING

Significant impacts resulting from implementation of the project include the loss of approximately 9.0 acres of coastal sage scrub habitat occupied by one pair of the coastal California gnatcatchers; loss of an additional pair of coastal California gnatcatchers due to indirect impacts; loss of 0.2 acre of vernal pool basin area and approximately 7.9 acres of associated/contributing watershed; loss of approximately 45 individuals of San Diego mesa mint; and loss of San Diego fairy shrimp from three vernal pool basins. Mitigation for these impacts is discussed below.

Coastal Sage Scrub/Coastal California Gnatcatcher

As currently proposed, the project would remove approximately 9.0 acres of Diegan coastal sage scrub. The loss of 9.0 acres of coastal sage scrub would result in a direct impact to one pair of coastal California gnatcatchers and indirect impacts to an additional pair. Pursuant to the City of San Diego RPO, impacts to coastal sage scrub habitat may be mitigated through 1) payment of a fee for the purchase of habitat within key biological areas (i.e. MSCP), or 2) acquisition of off-site coastal sage scrub habitat within key biological areas for permanent preservation.

Based upon the City of San Diego Guidelines for Interim Habitat Loss Mitigation Plans (City of San Diego 1994), habitat which is of low potential value is to be mitigated at a ratio of 1:1. The method for determining potential value of coastal sage scrub habitat is provided in the NCCP Conservation Guidelines (California Department of Fish and Game 1993) and is determined by size of the habitat to be affected, connection with other habitat areas, and occupancy by target species. For an area of coastal sage scrub to meet the criteria for intermediate potential value, the habitat must be connected to (or in close proximity) to higher value habitat area(s) and/or must support a minimum of five pairs of coastal California gnatcatchers or cactus wrens. Because the habitat on the New Century Center site is isolated and supports two pairs of coastal California gnatcatchers, the habitat is considered to have lower potential value and 1:1 mitigation is therefore adequate, according to the NCCP Conservation Guidelines, for the proposed impacts.

Acquired coastal sage scrub habitat must be habitat of intermediate potential value or higher potential value, meaning that the habitat must exist in large blocks (or in close proximity to large habitat blocks) and must support the target species. Potential acquisition sites within the MSCP area include Sycamore Canyon and the Del Mar Mesa area.

Coastal Sage Scrub/Coastal California Gnatcatcher Mitigation Measure

1. Prior to issuance of grading permits for Planning Area 5A, 5B, 6A, 6C, or 6D, impacts to approximately 9.0 acres of coastal sage scrub shall be mitigated to the satisfaction of the City Manager, through one of the following: (A) payment of fees or (B) acquisition of off-site habitat.

(A) Mitigation monies will be deposited in the City of San Diego's Habitat Acquisition Fund (Fund #10571), as established by City Council Resolution R-275129, adopted on February 12, 1990. The process for determining the amount of mitigation monies deposited will be as follows:

Staff members from the Development Services Department will request from the Real Estate Assets Department an estimate of average cost of habitat land in the focused habitat acquisition area closest to the project site. Focused acquisition areas have been identified by the MSCP as large areas of habitat critical for biodiversity preservation and the success of the MSCP. The closest focused acquisition area to the proposed project is the East Elliot/Sycamore Canyon area. The Real Estates Assets Department will base the estimate on previous appraisals and comparable land costs of land within the focused acquisition area. The applicant will be required to contribute the estimated average per acre land cost multiplied by the required mitigation acreage plus an additional 10 percent to cover administration costs.

Based on today's approximate land value of \$15,000 per acre, the project applicant would be required to contribute \$148,500 ($\$15,000 \times 9.0 \text{ acres} + \$13,500 \text{ administration cost}$). The actual payment amount would be determined 60 days prior to the issuance of a grading permit based upon the general land values at that time.

(B) Acquisition or dedication in fee title or conservation easement of 9.0 acres of off-site coastal sage scrub habitat for permanent preservation, such as other General Dynamics properties in the San Diego area. This would provide adequate mitigation for the coastal sage scrub-related impacts.

Vernal Pools and Associated Species

As currently proposed, the project would remove 16 vernal pool basins associated with the Eastern Section, covering 0.2 acre.

Two alternatives exist for compensatory vernal pool mitigation: on-site preservation and enhancement of the vernal pools in the 4.3-acre vernal pool preserve established in the Southern Section, and/or off-site mitigation through the purchase of off-site vernal pool habitat within the Del Mar Mesa area (or other areas of vernal pool habitat determined appropriate by the City and resource agencies).

Because of policies in the City of San Diego RPO and because of the historic regional losses of vernal pool habitat, direct and cumulative impacts to vernal pool habitat are considered significant by the City and the loss of vernal pool basin area cannot be reduced below a level of significance through compensatory mitigation. However, the project applicant has proposed a mitigation program which would mitigate the loss of 0.2 acre of vernal pool habitat such that no net loss of habitat functions and values occurs. The only project alternatives that would avoid direct impacts to the vernal pool habitat are the No Project "A" Alternative and the Reduced Intensity Alternative which would not permit any new development on the site. The remainder of the alternatives would have similar biological impacts as the proposed project.

On-site Mitigation Program

The on-site mitigation program, associated with the 4.3-acre Southern Section vernal pool preserve area, includes a number of components.

2. Prior to issuance of a grading permit for Planning Areas 5A, 5B, 6A, or 6C containing vernal pools, the following conditions will be met to the satisfaction of the City Manager:
 - a. Preservation of 0.4 acre of high quality vernal pool habitat with the 4.3-acre vernal pool preserve, including the elimination of Electronics Way contiguous to the habitat. A conservation easement or property title shall be given to the City or a mutually agreed upon third party for the 0.4 acre of vernal pool habitat.
 - b. Creation of (at a minimum) 1,500 square feet of new vernal pool basin area, within portions of the vernal pool preserve. The new basin area shall be inoculated with San Diego mesa mint, San Diego button-celery, and San Diego fairy shrimp,⁵ and monitored for five years. A plan identifying the location, methodology, and success criteria will be submitted for approval by the City of San Diego, U.S. Army Corps of Engineers, and U.S. Fish and Wildlife Service. The created habitat and the vernal pool preserve shall be subject to a conservation easement, or deeded in fee to the City, or mutually agreed upon third party.
 - c. Enhancement of existing vernal pool habitat through removal of various types of trash and debris from the vernal pool preserve area including a number of vernal pool basins.

⁵ Creation of 1,500 square feet of vernal pool basin area will increase total area of vernal pool habitat, within the conservation bank, from 17,461 to 18,961 square feet.

- d. Permanent protection through installation of exclusion fencing along with planting of a native plant buffer to prevent damage to the vernal pool ecosystem (including watershed areas) from incursion by vehicles or foot traffic.
- e. Preparation of a Management and Reporting Program, including the identification of a long-term management entity.

Mitigation for the loss of vernal pools within the Eastern Section would be achieved as follows: the vernal pools in the Eastern Section which support San Diego mesa mint, consisting of approximately 496 square feet, will require mitigation from the vernal pool preserve at a ratio of 3 square feet for every 1 foot of basin area impacted (an aggregate of approximately 1,488 square feet), and all other vernal pools within the Eastern Section (approximately 8,395 square feet) will be mitigated from the vernal pool preserve at a ratio of 2:1 (an aggregate of approximately 16,790 square feet).

The mitigation described above would result in no net loss of function and value for wetlands and vernal pool habitat impacted within the Eastern Section. The steps taken to preserve, restore, enhance, and manage the Southern Section as part of the vernal pool preserve would result in long-term preservation of habitat of substantially higher quality than that lost in the Eastern Section. This higher quality is evidenced by, among other things, the abundance of endangered species (San Diego mesa mint and San Diego button-celery) and the mima mound topography present in the vernal pool preserve area, both of which features are largely absent (or in the case of mima mound topography, greatly reduced) within the Eastern Section.

The establishment of management measures within the Southern Section intended to minimize the direct and indirect impacts created by existing and proposed development, including realignment of Electronics Way and the establishment of fencing and plant buffers designed to discourage incursions from human activity, are the types of activities which demonstrate that preservation of the Southern Section would augment the functions of the restored, created, and enhanced vernal pool basins described above. Creation of new vernal pool basin area superior in quality (due to the anticipated presence of endangered species) to that present in the Eastern Section and the application of the mitigation ratios noted above further supports a conclusion that no net loss of functions and values related to wetlands or vernal pools would occur as a result of development of the Eastern Section.

Off-site Mitigation Program

Off-site mitigation would be implemented by identifying and preserving off-site vernal pool habitat within the Del Mar Mesa area (or alternative areas of vernal pool habitat determined

appropriate by the City, as well as resource agencies). In order to ensure that no net loss of function or value would occur, the off-site mitigation program would include the specific features noted below.

3. Prior to issuance of a grading permit on Planning Areas 5A, 5B, 6A, or 6C containing vernal pools, the following conditions shall be met to the satisfaction of the City Manager:
 - a. The habitat identified off-site must be superior to that present within the Eastern Section. Among other factors which may be considered would be the presence of greater numbers of vernal pool indicator species, other sensitive species, and/or endangered species.
 - b. The approximate 496 square feet of vernal pool basin which supports San Diego mesa mint shall be mitigated at a 4:1 ratio (e.g., approximately 1,984 square feet of vernal pool basin) and can only be mitigated with vernal pool habitat which contains San Diego mesa mint. In the event no such pools can be identified within the MSCP planning area, the property owner shall be required to mitigate impacts to the endangered species pools in accordance with the on-site mitigation program described above.
 - c. All remaining vernal pool basins within the Eastern Section (totaling approximately 8,395 square feet) shall be mitigated off-site at a ratio of 2:1, resulting in an aggregate off-site mitigation requirement of approximately 16,790 square feet of vernal pool basin within the MSCP planning area. In the event off-site vernal pools meeting the criteria set forth in this mitigation program and totaling the aggregate square footage required to be mitigated cannot be located, any remaining mitigation requirements must be satisfied through the on-site mitigation program described above.
 - d. In addition to preserving the vernal pool basins, a sufficient amount of watershed must be preserved in order to maintain the viability of the targeted vernal pools and the City and resource agencies must otherwise be satisfied that these off-site mitigation parcels are capable of being preserved and managed in the long term.
 - e. For each square foot of vernal pool basin within the Eastern Section lost as a result of development, at least 1-square-foot of the off-site basin area described in measures b. and c. above must be restored or enhanced pursuant to a vernal pool enhancement plan approved by the City and the resource agencies.
 - f. Preparation of a Management and Reporting Program, including identification of a long-term management entity.

Application of the mitigation measures described above as part of the off-site mitigation program would ensure no net loss of functions and values of the wetlands and vernal pool basins within the Eastern Section. The aggregate square footage of pools and basins preserved, restored, and enhanced, would exceed, both in terms of quantity and quality, the pools proposed to be developed within the Eastern Section. In particular, the requirement that every square foot of impacted basin be offset by at least 1-square-foot of restored or enhanced off-site vernal pool basin would help ensure that no such net loss would occur. Any vernal pool basin area not used to satisfy the mitigation requirements associated with impacts to the Eastern Section will be available as future credits for sale for mitigation purposes (from third parties).

San Diego Mesa Mint Mitigation

On-site Mitigation

Impacts to 44 individuals of San Diego mesa mint, occupying approximately 496 square feet of vernal pool basin area in the Eastern Section, would be mitigated through on-site creation (within the Southern Section vernal pool preserve) of a minimum of 1,500 square feet of vernal pool basin area along with implementation of the following enhancement procedures.

4. Prior to issuance of a grading permit for Planning Area 6A, a restoration plan containing the following elements shall be approved by the City and the resource agencies:
 - a. Areas of impacted basins supporting San Diego mesa mint shall be salvaged by removing approximately 2 to 3 centimeters of topsoil and aboveground biomass for translocation to created pools in the conservation bank area. For Basin S8, fairy shrimp inoculum shall be collected prior to collection of San Diego mesa mint inoculum;
 - b. The soil and plant material shall be stored in cardboard boxes in a cool dry place until compensatory vernal pool basins are created in the Southern Section vernal pool preserve. Vernal pool creation shall be conducted between July 1 and November 1 in order to avoid the rainy season;
 - c. Inoculum from the affected pools shall be distributed to the created basins. In addition, inoculum from existing pools in the Southern Section, supporting San Diego mesa mint, shall be collected by a biologist approved by USFWS (no more than 2 percent from any basin) and distributed in the created basins. Collection shall be conducted between September 1 and November 1 and all inoculum shall be distributed to the created basins between October 1 and November 1.

Implementation of the mitigation measures described above would avoid any net loss of San Diego mesa mint and would likely result in a substantial increase in both the quality and quantity of this species within the project area.

San Diego Fairy Shrimp Mitigation

On-site Mitigation

Impacts to three pools identified as supporting San Diego fairy shrimp and covering approximately 1,165 square feet would be mitigated through on-site creation (within the Southern Section vernal pool preserve) of 1,500 square feet of vernal pool basin area (see Mitigation Measure 2).

5. Prior to issuance of a grading permit for Planning Areas 5A and 6A, a restoration plan containing the following elements shall be approved by the resource agencies. Fairy shrimp inoculum for each created vernal pool basin shall be obtained from vernal pool basins S6, S7, and S8 (see Mitigation Measure 4a above) prior to grading. Inoculum shall be collected between July 1 and November 1 by collecting chunks of soil approximately 3 to 4 inches across and approximately 3 inches in depth. Inoculum shall be collected by individuals familiar with the ecology of fairy shrimp and shall generally be collected from the center of the basins. Inoculum shall be placed in the created basins between October 1 and November 1.

Implementation of the mitigation measure described above would result in no net loss of existing pools supporting San Diego fairy shrimp.

Vernal Pool/San Diego Mesa Mint/San Diego Fairy Shrimp

6. Prior to issuance of a grading permit for Planning Areas 5A, 5B, 6A, or 6C, the project applicant shall:
 - a. Provide the City Manager with a copy of a Conservation Bank Agreement with respect to the Southern Section, duly executed by the resource agencies and the developer or other evidence of compliance with the requirements of the federal and state Endangered Species Act and Section 404 of the Clean Water Act, as satisfactory to the Development Services Department.
 - b. Provide the City Manager with either (1) reasonable evidence that conservation credits from the vernal pool preserve have been applied to offset impacts to the Eastern Section at the mitigation ratios described above, or (2) reasonable evidence that the resource agencies have accepted off-site mitigation for the loss of vernal pools, San Diego mesa

mint and San Diego fairy shrimp habitat as provided above, or (3) reasonable evidence that a combination of (1) and (2) have occurred such that all vernal pool basins within the Eastern Section have been fully mitigated through application of credits from the vernal pool preserve and preservation of off-site vernal pool basins meeting the mitigation criteria set forth herein.

4.4.2 ISSUE 2

Would the project affect the long-term conservation of biological resources?

IMPACTS

Consistency With Draft MSCP and NCCP

The evaluation of impacts to sensitive resources within a regional context is determined by a number of factors including the size of the resource (areal extent or population numbers), quality of the resource (low degradation), proximity to other areas of the same resources (thereby encouraging gene flow), the role of the site within the local and regional efforts to conserve biological diversity, and the role of the site to function as a regional or local corridor. Scale can also be an important consideration when evaluating habitat quality, as a selected site may be too small to support (for the long term) a special status species which requires many acres for long-term viability on a site, whereas, another species (such as small annual plants) may require only a few undisturbed acres to maintain sustainable populations.

Draft MSCP

The system of evaluating habitats can be used to prioritize which sites are most important to preserve (i.e., those with the highest values). Although the New Century Center site in Kearny Mesa supports a number of species targeted for conservation within the MSCP, the site does not occur within a core area or linkage area identified in the draft MSCP. However, because of the high quality of the vernal pool habitat associated with the Southern Section of the site, including the presence of four target species, preservation of the Southern Section would enhance local and regional conservation efforts for the San Diego mesa mint, San Diego button-celery, San Diego fairy shrimp, and Orcutt's brodiaea. These resources are addressed below along with an additional resource, spreading navarretia, associated with the San Diego hardpan vernal pool habitat.

The NCCP Guidelines provide an Evaluation Logic Flow Chart for defining the long-term conservation potential of sage scrub habitat. Using this flow chart, the coastal sage scrub present on the New Century Center site does not comprise the densest sage scrub habitat in the subregion. The New Century Center site, therefore, does not qualify as a Higher or Intermediate Value District (i.e., does not show high potential value for long-term conservation) because it is not located within a corridor between higher value areas and does not support significant populations of target species. Specifically, the NCCP Guidelines define a significant gnatcatcher population as more than five pairs in any area. Therefore, according to the NCCP flow chart, on-site coastal sage scrub habitat has a lower potential for long-term conservation due to its isolation and low densities of target species. However, the NCCP Guidelines stipulate that during the interim period, impacts to areas of lower value coastal sage scrub be mitigated to levels of insignificance under CEQA.

SIGNIFICANCE OF IMPACTS

The Eastern Section is outside of the Draft MSCP Planning Area. Impacts to coastal sage scrub, coastal California gnatcatchers, San Diego Hardpan vernal pool habitat, San Diego mesa mint, and San Diego fairy shrimp would not have a significant impact on the long-term conservation of these biological resources.

MITIGATION, MONITORING, AND REPORTING

No mitigation is required.

4.5 CULTURAL RESOURCES

This section summarizes information contained in the cultural resources technical reports prepared for the proposed project by William Manley Consulting Historical Resource Services in July 1996 and revised in May 1997. This study is summarized below, with the complete technical report included as Appendix D of this Program EIR.

EXISTING CONDITIONS

Archaeological Resources

A records check and literature search was conducted in cooperation with San Diego State University-South Coastal Information Center and the San Diego Museum of Man. Records search data was supported by an archaeological survey of the project site conducted by Sue A. Wade and William Manley on March 29, 1996.

The results of the archival records check and literature search indicated that numerous linear surveys have been conducted across the mesa to the north of the project site, mostly associated with off-site roadway construction and infrastructure improvements. A small parcel was surveyed south of the project site on Montgomery Field property. However, no previous surveys have been conducted on the project site. Within 1 mile of the project boundaries, very few resources have been recorded; those that have been identified consist only of very light scatters of shell or lithics. No substantial remains representing more than one ephemeral use have been recorded on the mesa.

The majority of the project site is either built over, paved for parking, or landscaped; only limited sections on the east side of the site is relatively undisturbed terrain. Approximately 18 acres were surveyed on foot, in a manner consistent with the City of San Diego guidelines. Surveyors were spaced not more than 5 meters apart, and the areas were surveyed completely. No archaeological sites were identified.

Historic Resources

An historical and architectural survey was conducted to assess the potential that the site may contain important features associated with the Convair/General Dynamics Atlas Missile Program, or other important programs. Portions of the complex (built in 1957 to 1958) were closely associated with the Atlas Intercontinental Ballistic Missile (ICBM) program, which served

key roles in United States military strategy during the Cold War and in the early United States space program.

Historical Background

The "Cold War," a term first used by Walter Lippman in 1947, generally refers to a period of competition and military events between the United States and the Soviet Union between the end of World War II in 1945 and 1991, when the Soviet Union was dissolved. Further background information related to the Cold War events that preceded the construction of the Kearny Mesa facility is provided in the technical report in Appendix D of this Program EIR. The intent of the following brief description is to outline the elements of the Cold War that relate to the Atlas Missile program so that the historical context of the Kearny Mesa plant and its potential historic importance can be better understood.

The Atlas Missile program was an important element of the United States response to a significant event in Cold War strategies of the late 1950s, the launching of the Sputnik I satellite by the Soviet Union on October 4, 1957. Sputnik II was launched on November 3, 1957 carrying the first living organism into earth orbit, a dog named "Laika." The first United States attempt at launching a satellite using a United States Navy Vanguard rocket exploded on the launch pad on December 6, 1957. On December 17, 1957, an Atlas ICBM scored its first successful test flight. One year later, on December 18, 1958, a modified Atlas successfully reached orbit along with a communications satellite. Atlas had shown that it could serve as both a military weapon and a space booster for satellites.

Between 1959 and 1962, Atlas became fully operational as a weapons delivery system targeted on the Soviet Union. By about 1962, approximately 129 Atlas missiles had been deployed in hardened vertical silos at 11 Air Force bases across the United States. At the same time, Atlas was also being used in the space program. On February 20, 1962, a variation of Atlas boosted NASA's Freedom 7 Mercury capsule and astronaut John Glenn into earth orbit, the first time an American had accomplished this feat. By the end of 1964, Atlas had successfully launched three Mercury flights by astronauts Scott Carpenter, Wally Schirra, and Gordon Cooper, the Ranger and Mariner spacecraft, and had completed 26 consecutive space launches.

Convair/General Dynamics engineers and scientists successfully developed Centaur, a special intermediate booster that allowed space vehicles to maneuver in space. The San Diego facility's personnel had demonstrated that liquid hydrogen, Centaur's propellant, could be used to facilitate space travel and return flights. Centaur upper stage rockets launched Pioneer, Viking, Voyager, and other important space probes.

As an ICBM, Atlas was replaced by Titan and Minuteman missiles in the mid-1960s. Coupled with the slowing of the space program in the late 1960s, Atlas production at Kearny Mesa was substantially reduced by 1968. However, Atlas continues to be a viable space launch system today.

Methodology

The historical and architectural survey focused on determining if the site and the contributing component structures have sufficient connection to significant events associated with the Cold War and also retain adequate integrity to convey their importance. All properties at the complex were initially considered for potential importance.

On the basis of the archival research, site tours, and oral histories, certain buildings and structures were judged to be primary site components requiring more detailed evaluation, while buildings such as maintenance sheds and generic utility buildings, electric and gas supply structures, hydrants, and loading docks were considered to have no potential importance. Buildings and structures which served primary functional roles (laboratories, testing facilities, and key administrative, engineering, and manufacturing buildings) were analyzed in greater detail to assess importance and integrity.

Existing Conditions

The General Dynamics Kearny Mesa complex excluding the CSC parcel contained, at the time of the initial survey, approximately 35 buildings within the main area and several more in the Missile Park area. The two original six-story office buildings were prominent site features along the northern edge of the property. The four-story administration building constructed in 1990 was prominent from SR-163 to the west, as depicted in Figure 4.5-1. Figure 4.5-2 shows a view of the northwest portion of Missile Park.

The Kearny Mesa complex fulfilled critical roles in the development and production of the Atlas program. The complex opened in 1958 as the first such facility designed expressly for construction of large rockets. Essential research, development, engineering, testing, and production activities were accomplished on-site. Selected buildings of the complex were designed in 1956 by William Pereira of Pereira & Luckman following the firm's completion of the design of the Cape Canaveral launch complex.

Pereira's design of several buildings, especially the Manufacturing Building (Building 5), reflected utilitarian architectural treatments using concrete, tilt up construction. Other buildings

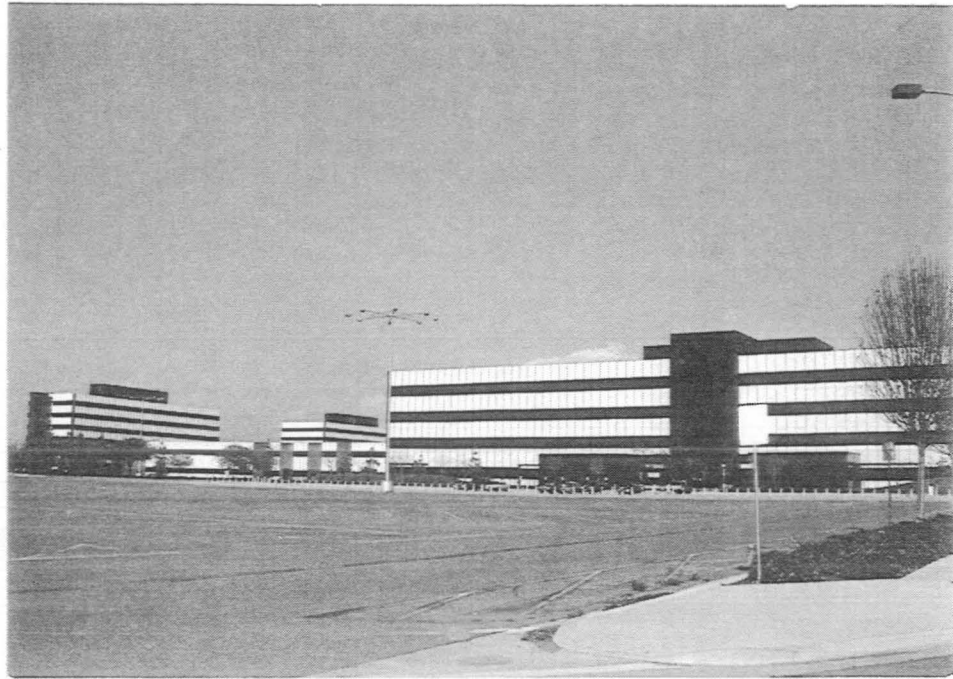
that were more prominent, forming the north side of the complex (Buildings 1, 2, 3, and 8), were designed in a more stylish fashion. The exteriors of the latter buildings incorporate steel, glass, and concrete in simple, yet sophisticated lines, commensurate with their functions. While there appears to be no basis for suggesting that the building architecture itself was a pinnacle in Pereira's career or industrial architecture generally, the buildings' exteriors have been a local identity for the site for nearly 40 years. Pereira is best known for his designs of San Francisco's Transamerica building, the Central Library at University of California at San Diego, the master plan for the University of California at Irvine, and the master plan for the 93,000-acre Irvine Ranch in Orange County.

All buildings at the complex were considered initially for potential importance in accordance with the U.S. Air Force (USAF) 1993 "Interim Guidance: Treatment of Cold War Historic Properties for U.S. Air Force Installations" guidance criteria. Potentially important historic associations and architectural/engineering qualities were considered on a preliminary level during the initial phase of the survey. The preliminary review indicated that some buildings did not serve functions critical to completion of an important mission and did not reflect important architectural/engineering qualities. These were eliminated from further consideration in the survey (These buildings are identified as "not important" in Table 4.5-1).

Buildings 1, 2, and 3: Administration, Engineering, and Reception

These three buildings were discussed together because they are functionally and architecturally similar. As depicted in Figure 4.5-1 and Figures 4.5-3 through 4.5-7, Buildings 1 and 3 were virtually identical six-story tower structures of poured concrete with curtain wall exteriors; Building 2 connected the two structures. The rectangular floor plans of the two towers were 75 by 225 feet, and each provided 125,000 square feet of floor space. Fenestration consisted of a uniform rectangular grid over virtually the entire exterior, formed of thin black vertical aluminum bands and black aluminum framed windows alternating with solid white panels. Stairway shafts extended from the outward end of each building. Buildings 1 and 3 provided work spaces for engineers and administrators engaged in critical programs.

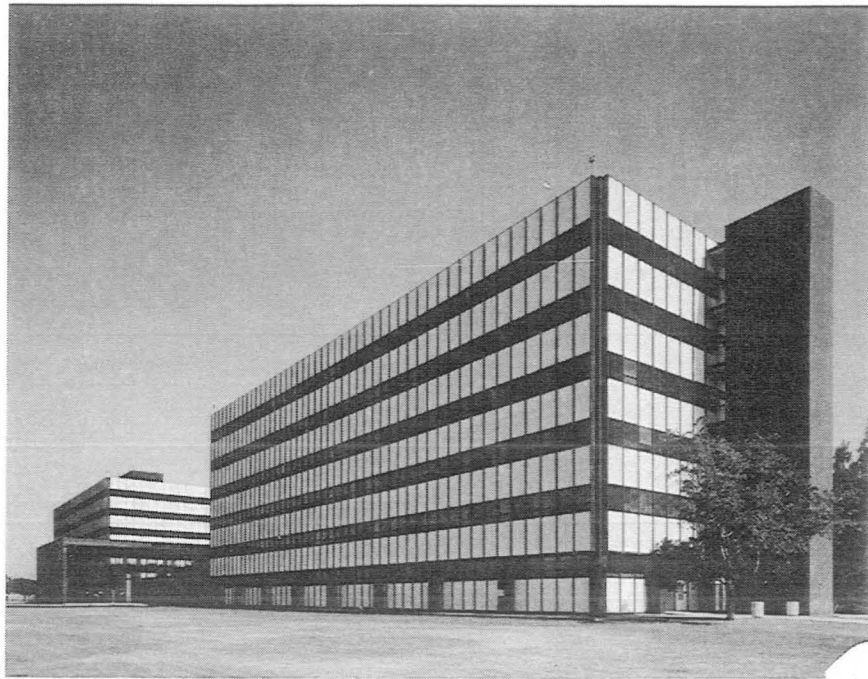
The two-story reception building (Building 2) was the formal entrance to the complex, and it portrayed a stylized architectural treatment. The 21,000-square-foot structure was approached by bridges over a reflecting pool and fountain. The north facade was a solid black masonry wall with four white rockets mounted on the upper right. The east and west sides were formed by full-height glass sections divided by black steel vertical members. Inside, a spiral ramp led to the open air second-floor passages to Buildings 1 and 3. The first floor provided a connection



Photograph 1. Site Overview, camera facing northeast.



Photograph 2. Overview of northwest portion of Missile Park, camera facing east.



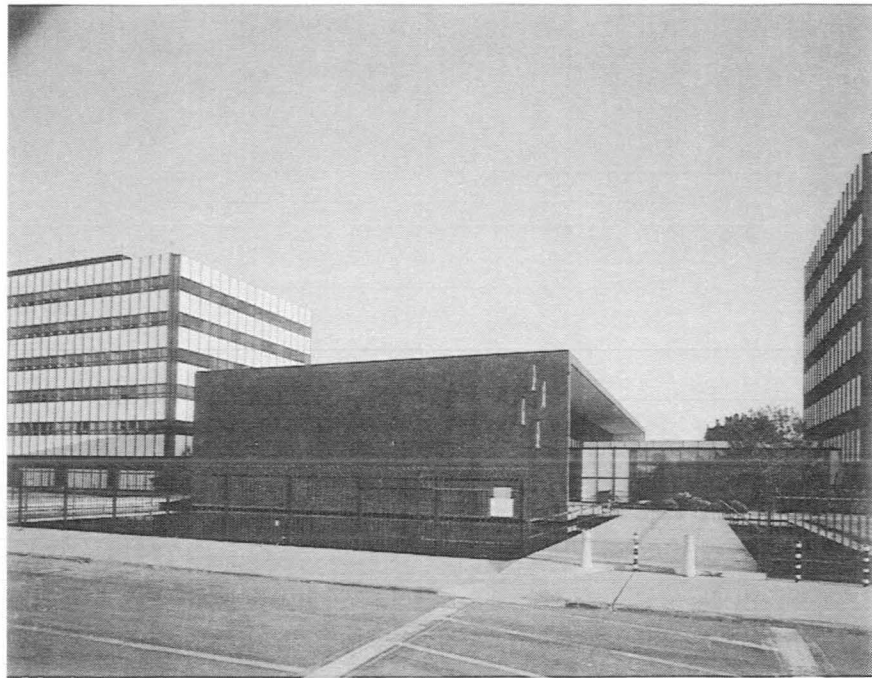
Photograph 4. Buildings 1, 2, and 3, Administration, Reception, and Engineering, camera facing southeast.

Buildings 1, 2, and 3

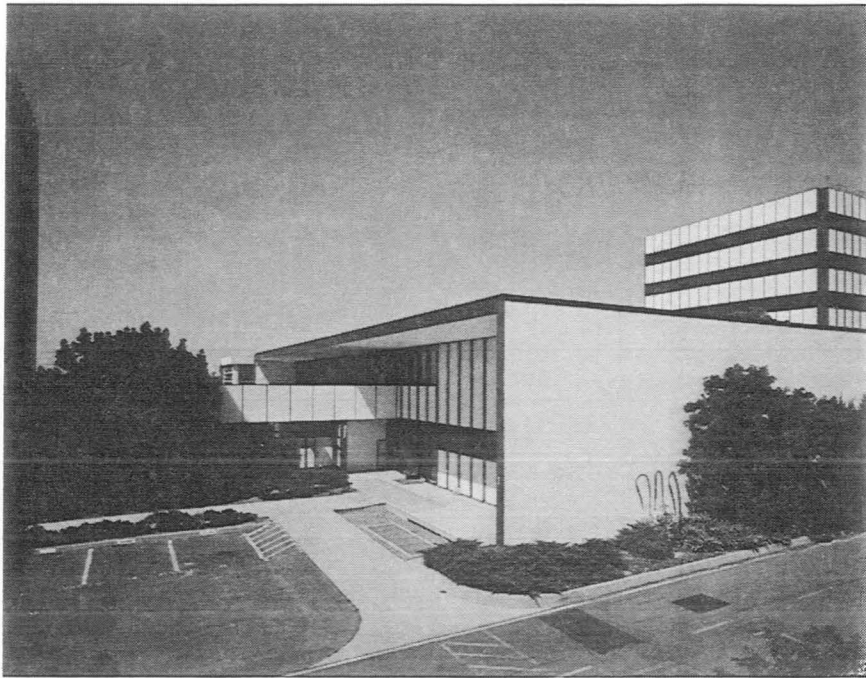
New Century Center

4.5-7

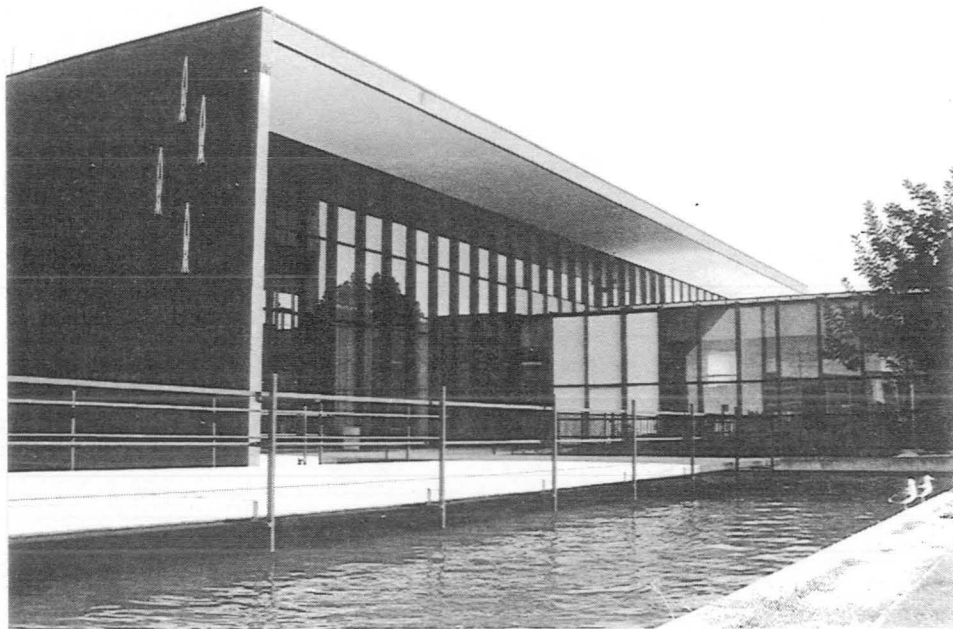
FIGURE
4.5-3



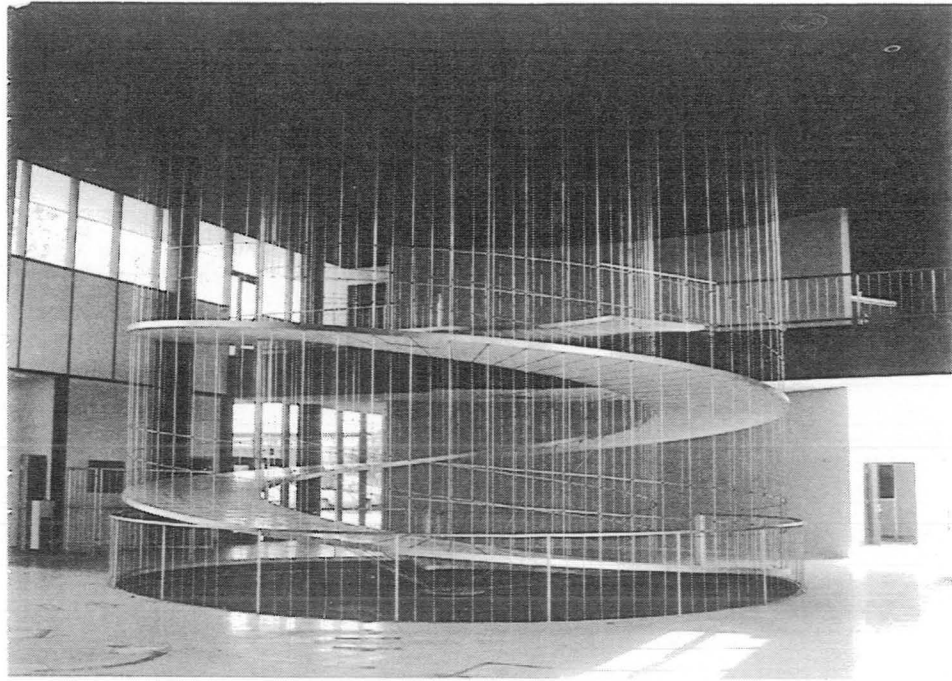
Photograph 5. Building 2, Reception, camera facing south.



Photograph 6. Building 2, south and west sides, camera facing northeast.



Photograph 7. Building 2, reflecting pool and northwest corner, camera facing south.



Photograph 8. Inside Building 2, spiral ramp, camera facing south.

to the office towers via glass walled passages. In the south end of the building was a second floor conference room.

At the time of the initial survey, the integrity of the Buildings 1 and 2 had already been compromised by the removal of interior furnishings, by deterioration associated with disuse, and by measures to assess potential contamination. None of these buildings were viewed, individually, as projecting sufficient association with the Cold War era to be deemed individually significant.

As of January 1997, Buildings 1, 2, and 3 had been demolished pursuant to demolition permits issued by the City of San Diego.

Building 4: Laboratories

Building 4 was a 380,000-square-foot single-story structure designed to support a variety of engineering laboratories and computers. As depicted in Figures 4.5-8 through 4.5-11, the floor plan of the masonry and steel building had an unusual "waffle-pattern" formed by the placement of square courtyards in a checkerboard pattern through the center of the plan. As a result of the layout, virtually every work space within the huge building had ample natural light. The courtyards also served as open air passageways between work areas. Other features of the building included a television and media area in the partial basement, and a 32,000 square foot area with special features for computers.

Building 4 functioned as the integrated laboratory and computer facility for the installation. At the time of the initial survey, its integrity had been compromised by alterations, including additions that filled in portions of some original courtyard spaces. The computer room had been almost completely dismantled. The building's integrity had also been damaged by deterioration associated with disuse, and by measures to assess potential contamination. This building, when viewed individually, did not project sufficient association with the Cold War era to be deemed individually significant.

As of January 1997, Building 4 was approximately 40 percent demolished. Structural demolition was underway, involving removal of doors and windows, exterior cladding, and portions of the building structure. By May 16, 1997, demolition had been completed.

Building 5: Manufacturing

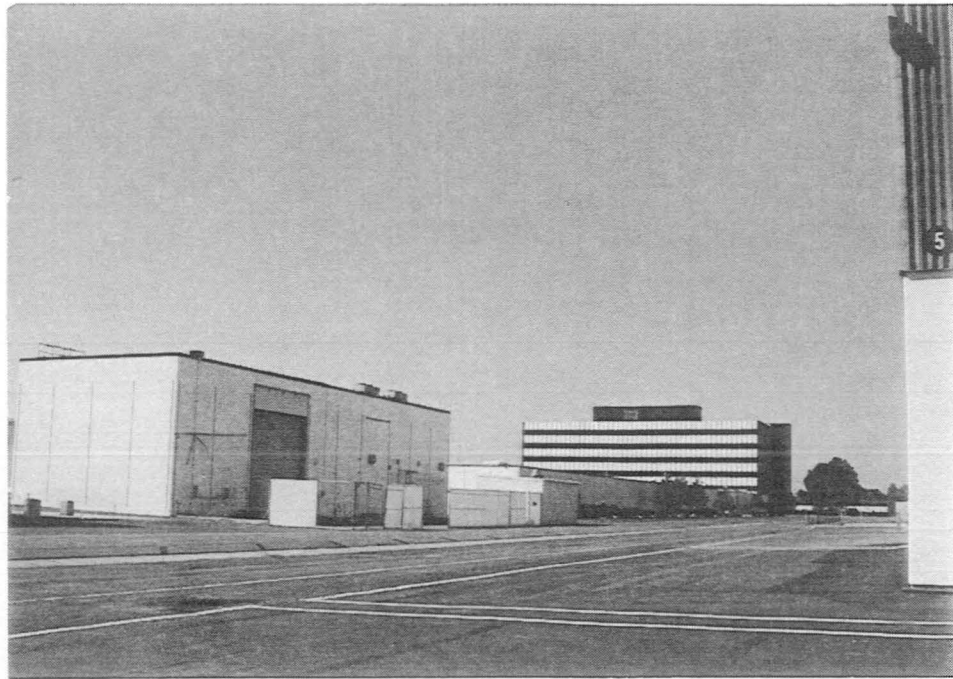
The largest building at the complex was Building 5. As depicted in Figures 4.5-12 through 4.5-14, the corrugated and structural steel building had 600,000 square feet of floor space, and supported manufacturing of the Atlas and Centaur, as well as Tomahawk in later years. The floor plan was rectangular, with the south third of the building being taller than the rest. Overhead electric cranes ran the full length of the south half of the building.

As the primary manufacturing building for the Atlas and Centaur, Building 5 has more important historic associations than the other buildings in the complex. However, the building had lost much of its integrity prior to the initial survey. All of the heavy equipment used to manufacture and assemble components had been removed. Major modifications to the building had been implemented over the years, including refinishing part of the interior in the high-bay area on the south side to support "clean-room" standards. Minor interior changes were made in the northern part of the building to support Tomahawk cruise missile production. A portion of the corrugated steel exterior cladding on the southeast corner had been coated with a heavy substance, possibly for its insulation value. Integrity was also compromised by deterioration associated with disuse, and by measures to assess potential contamination. At the time of the initial survey, a portion of the ceiling had collapsed, causing further deterioration of internal elements. Holes had been drilled in the floor to assess contamination potential from prior manufacturing activities and additional demolition of adjacent to the Trich Farm was planned to assess potential subsurface contamination (discussed in greater detail in Section 4.7, Public Health and Safety, of this Program EIR).

As of January 1997, approximately 50 percent of the structure had been demolished. Stripping of the corrugated steel exterior had been completed in most areas, and structural steel members were being readied for removal. Half of the roof had been removed and inside walls and mezzanines were being demolished. Rainstorms in December 1996 had further damaged the remaining building elements. By May 16, 1997, the building had been completely demolished.

Building 8: Cafeteria

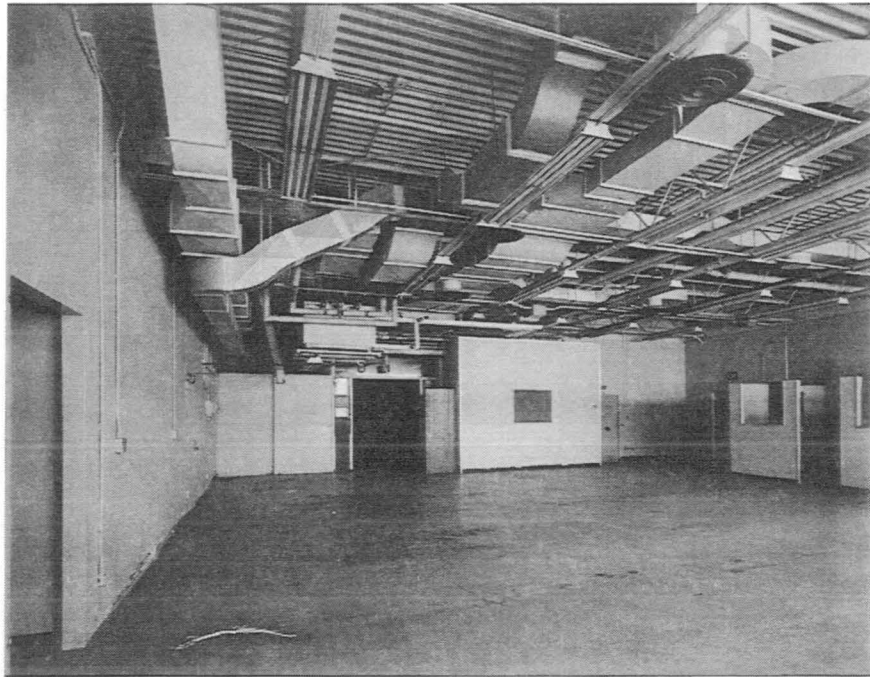
The cafeteria did not fulfill a critical function in the development of Atlas; however, the building's appearance and position within the site made it an important component. As depicted in Figure 4.5-15, the 27,000-square-foot one-story building was rectangular in plan. Its structure consisted of steel and glass with some concrete masonry walls. The style of full-height steel vertical bands and glass panels reflected design elements of Buildings 1, 2, and 3.



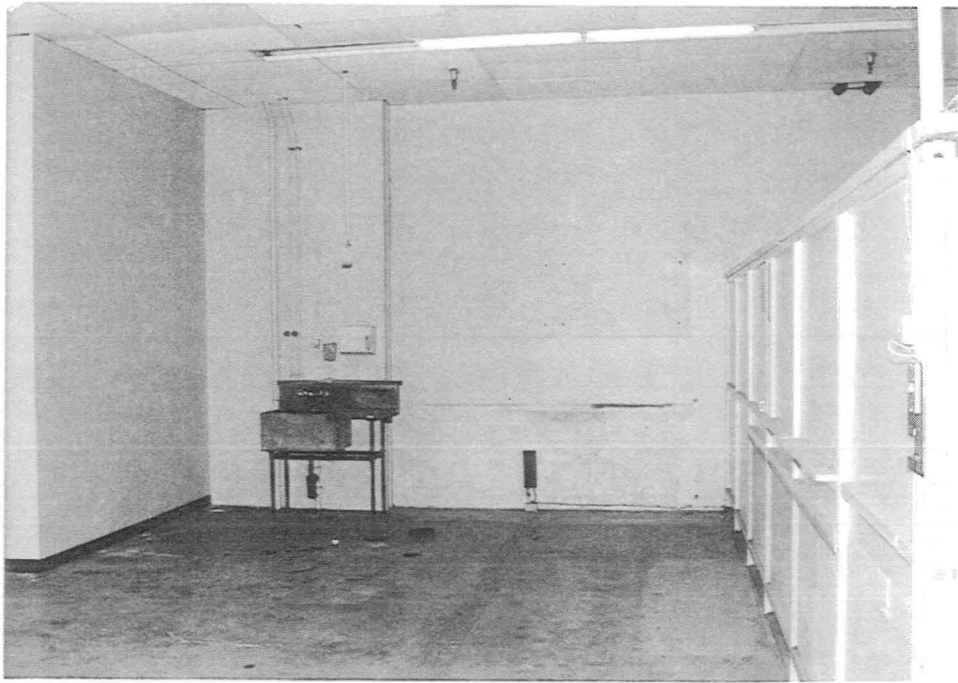
Photograph 9. Building 4, Laboratories, east side, camera facing northwest.



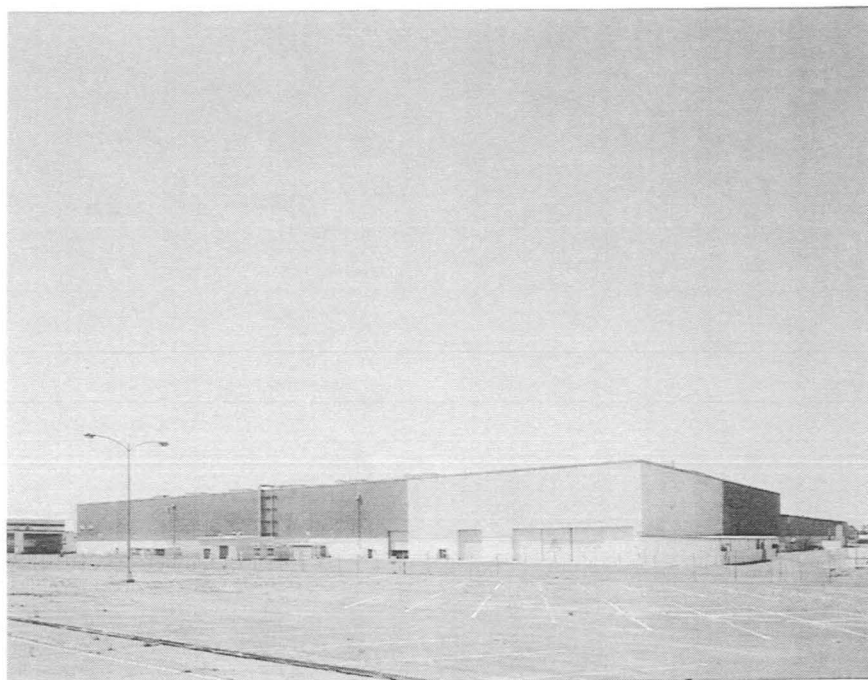
Photograph 10. Building 4, overview from roof of Building 3, camera facing south.



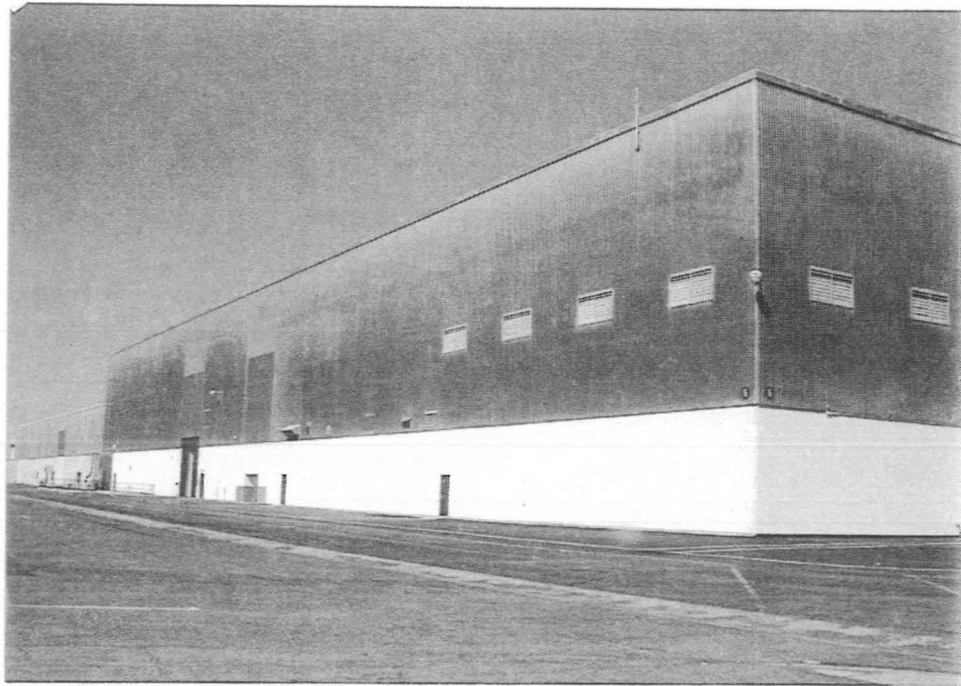
Photograph 11. Inside Building 4, laboratory space, camera facing south.



Photograph 12. Inside Building 4, laboratory space and cabinets, camera facing east.



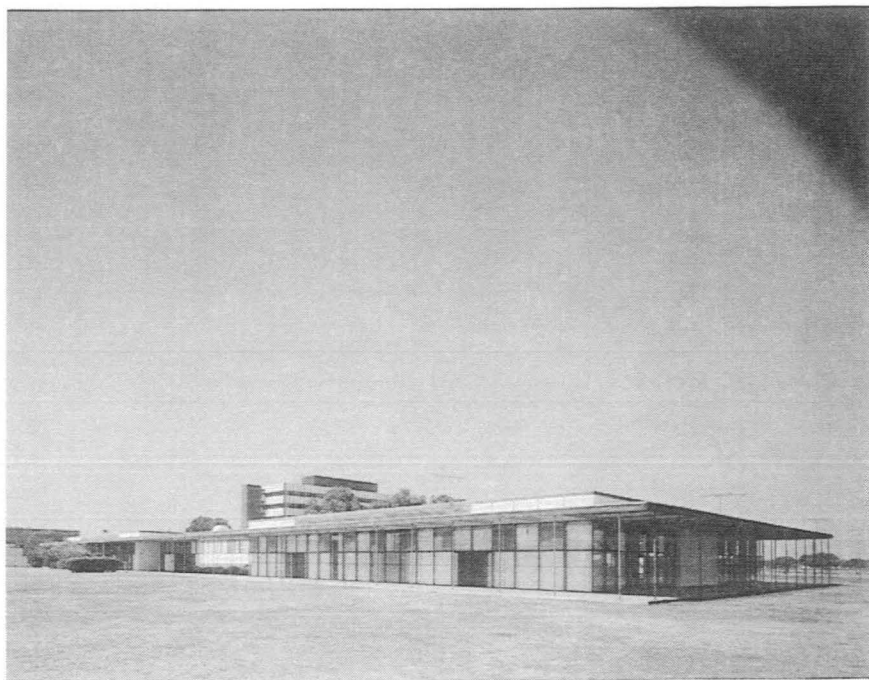
Photograph 13. Building 5, Manufacturing, south and east sides, camera facing northwest.



Photograph 14. Building 5, west side, camera facing northeast.



Photograph 15. Building 5, overview from roof of Building 3, camera facing southeast.



Photograph 17. Building 8 Cafeteria, east and north sides,
camera facing southwest.

At the time of the initial survey, the integrity of the building had been compromised by alterations and disuse. Modifications included refinishing the interior and installation of modern kitchen equipment. Integrity had also been compromised by measures to assess potential contamination. This building, when viewed individually, did not project sufficient association with the Cold War era to be deemed individually significant.

On January 10, 1997, demolition activity had affected approximately 20 percent of the structure. Asbestos abatement and interior demolition was underway, and the remainder of the building was being readied for structural demolition. By May 16, 1997, demolition had been completed.

Building 18: Radiation Laboratory

As depicted in Figure 4.5-16, the radiation lab combined wood-framed components with those of steel framed and corrugated siding. The building had an irregular floor plan providing approximately 12,000 square feet of floor space. The building served important roles in testing Atlas equipment and designs. Wood-framed components included a long, narrow one-story section which once contained anechoic chambers, and a two-story section with an observation and instrumentation deck on the second floor. Connected to the wood portions by steel stairways and ramps was a six-story tower of steel framing and corrugated cladding. The tower had a square footprint measuring approximately 25 feet on each side.

At the time of the initial survey, the interior integrity of Building 18 had been compromised by the removal of the anechoic chambers and all testing equipment. Integrity had also been compromised by deterioration associated with disuse, and by measures to assess potential contamination. This building, when viewed individually, did not project sufficient association with the Cold War era to be deemed individually significant.

As of January 1997, demolition of the anechoic chamber portion of the former radiation laboratory was complete. Asbestos abatement and interior demolition had begun. Overall, approximately 20 percent of the structure had been demolished. By May 16, 1997, demolition had been completed.

Building 26: Administration and Engineering

Building 26, completed in mid-1959 (a year after completion of the original complex), was used to accommodate the rapidly expanding workforce at the plant. While it is not clear if the two-story building was designed by Pereira and Luckman, it was similar in appearance to Buildings 1 and 3, with full-height vertical bands of steel and white panels between the rows of windows. As depicted in Figures 4.5-17 and 4.5-18, the building was rectangular in plan and provided approximately 97,000 square feet of floor space.

At the time of the initial survey, it was apparent that the interior had been altered by modernization of office spaces. The exterior did not appear to have been changed, although its overall integrity had been compromised by deterioration associated with disuse, and by measures to assess potential contamination. This building, when viewed individually, did not project sufficient association with the Cold War era to be deemed individually significant.

As of January 1997, Building 26 had been completely demolished.

Building 28: Research Laboratory

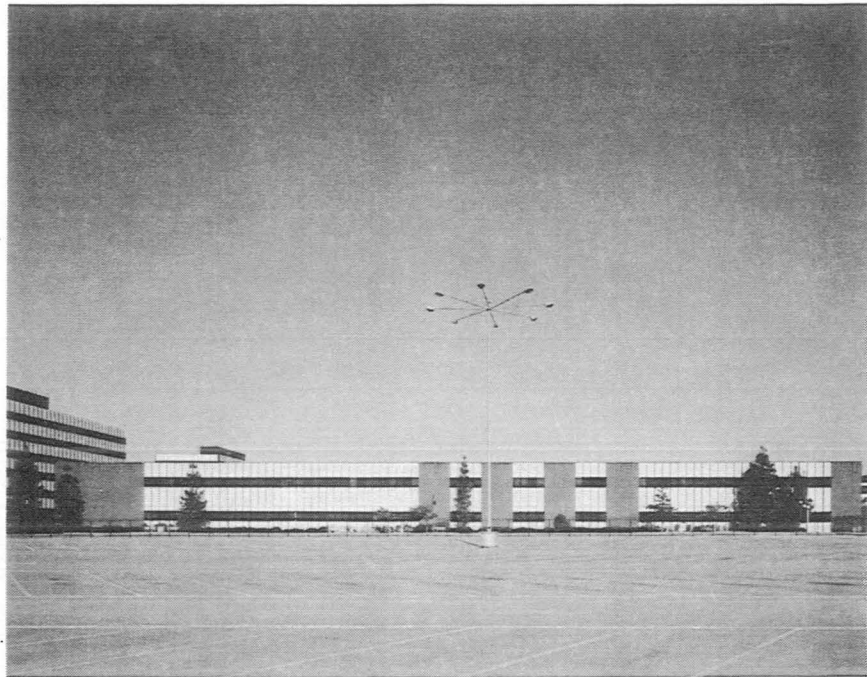
Building 28 was completed in 1960. Information about its function was not fully available during the historical survey; however, it appeared that the building supported research related to the Centaur project. As depicted in Figures 4.5-19 and 4.5-20, it was a rectangular structure with 20,000 square feet of space. The designer is unknown. The construction style was similar to that of the main laboratory building (Building 4), with concrete masonry and structural steel support systems. The east end of the building had a high, open bay with a concrete slab floor.

At the time of the initial survey, it was apparent that the interior had suffered damage associated with removal of all equipment, as well as deterioration from disuse and implementation of measures to assess potential contamination. This building, when viewed individually, did not project sufficient association with the Cold War era to be deemed individually significant.

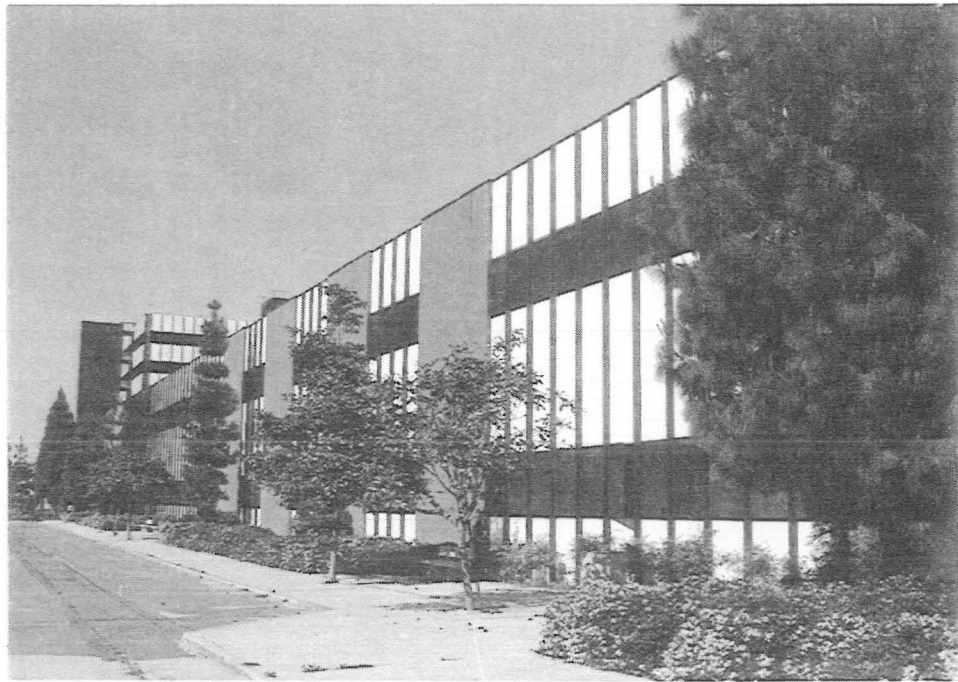
The January 1997 survey update noted that Building 28 had been completely demolished.



Photograph 18. Building 18, Radiation Lab, east side, camera facing west.



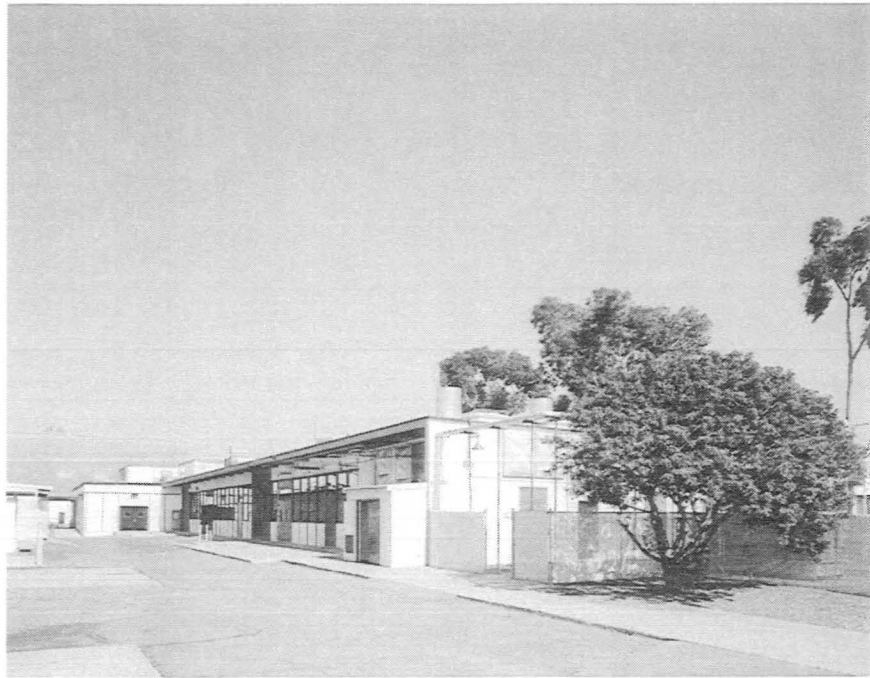
Photograph 19. Building 26, Administration/Engineering, west side, camera facing east.



Photograph 20. Building 26, oblique view of west side, camera facing north.



Photograph 21. Building 28, Research Lab, east end, camera facing northwest.



Photograph 22. Building 28, north and east sides, camera facing southeast.

Building 33: Electronics Manufacturing

This building was completed in 1960 to support research, design, and manufacture of electronic space tracking systems. The concrete masonry and structural steel building was single story, and its rectangular plan provided about 270,000 square feet of floor space, as depicted in Figures 4.5-21 and 4.5-22.

At the time of the initial survey, it was apparent that the interior had suffered damage associated with removal of all equipment, deterioration as a result of disuse, and implementation of measures to assess potential contamination. The rainstorms of December 1996 had exacerbated the building's deterioration. This building, when viewed individually, did not project sufficient association with the Cold War era to be deemed individually significant.

As of the January 1997 survey update, the building was undergoing asbestos abatement and interior demolition. Exterior demolition had begun, and the north entrance had been demolished. Generally, it appeared that demolition had been completed on approximately 20 percent of the structure. By May 16, 1997, the building demolition had been completed.

Building 38: Pressure Pit

This building was included among the site components with primary roles in supporting Atlas because it was specially designed to support pressure testing of Atlas fuel tanks. As depicted in Figure 4.5-23, the one-story building was rectangular in plan and covered 3,100 square feet. The lower portion of the building was concrete masonry, and the upper portion was steel framing with aluminum cladding. At the time of the initial survey, the building retained good integrity, and it did not appear to have been changed from its original design. However, this building, when viewed individually, did not project sufficient association with the Cold War era to be deemed individually significant.

As of the January 1997 survey update, demolition of the pressure pit had not begun, but was planned to start later that month. While the building had not been affected directly by demolition, deterioration, loss of integrity, and major demolition of the other buildings and the overall plant and facilities setting had reduced Building 38's integrity to the point where it retained virtually no historic or architectural integrity. By May 16, 1997, the building demolition had been completed.

4.5.1 ISSUE 1

To what extent would the proposed project, including off-site improvements, adversely affect prehistoric archaeological sites?

IMPACTS

The on-foot survey of the General Dynamics site did not identify any archaeological resources on-site. The entire area has been graded or otherwise severely disturbed. There appeared to be no chance that intact archaeological resources are present.

SIGNIFICANCE OF IMPACTS

According to the studies that were performed on the project site, no archaeological resources are expected because the site has been previously graded and severely disturbed. Therefore, no significant impacts to prehistoric archaeological resources are anticipated.

MITIGATION, MONITORING, AND REPORTING

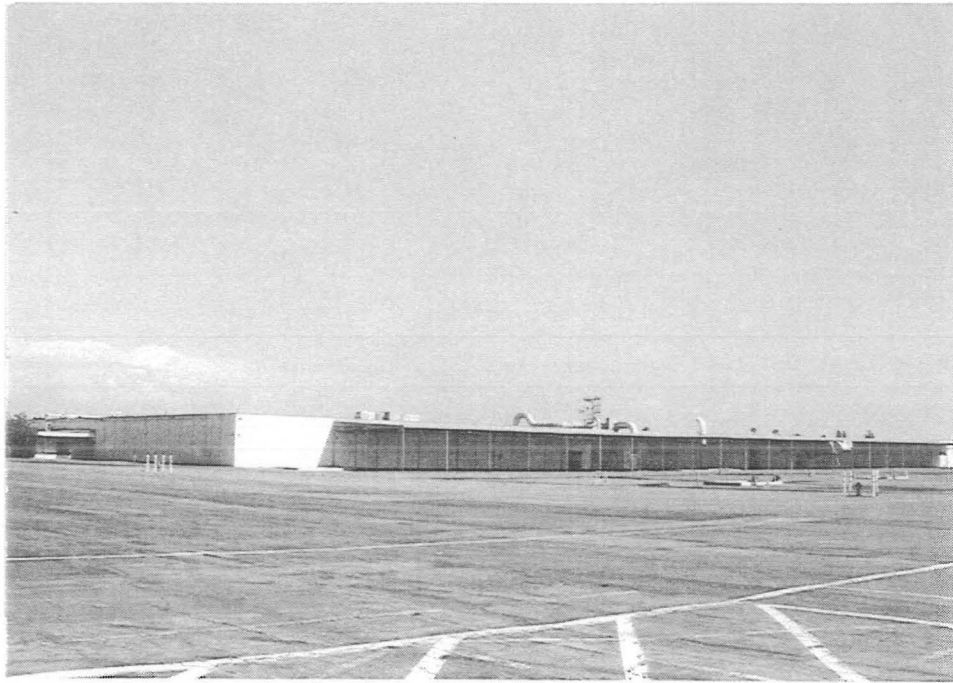
No mitigation is required.

4.5.2 ISSUE 2

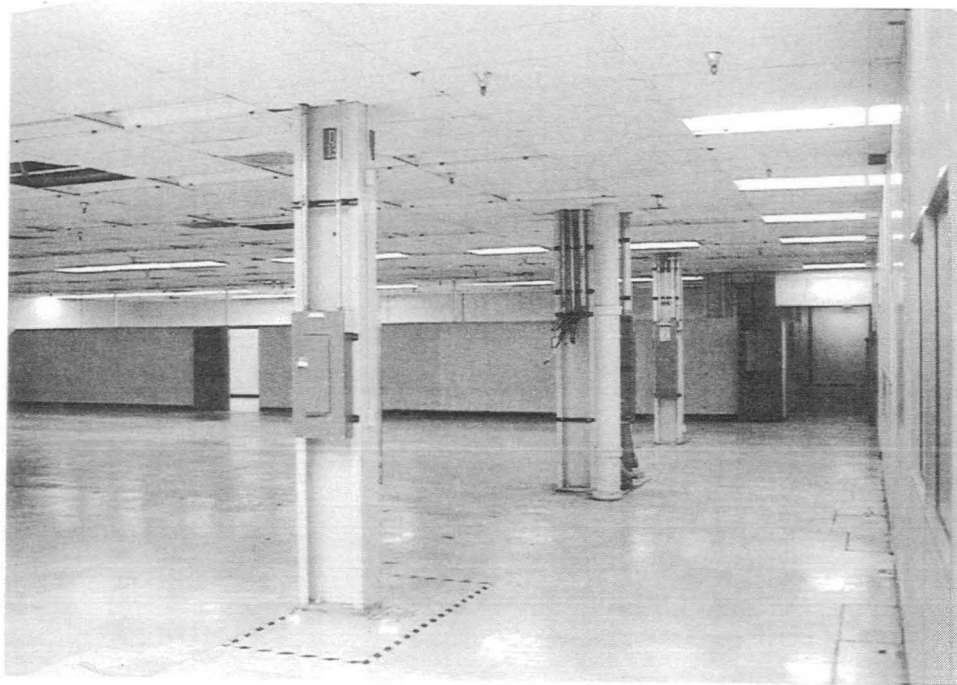
To what extent would the proposed project, including off-site improvements, adversely affect significant historic buildings or structures?

IMPACTS

A phased demolition program dated November 15, 1995 (Manager's Agreement C-06725) was underway when the initial historical resources survey was conducted in Spring 1996. Approximately 23 buildings or structures had been demolished before the survey started. Continuation of the demolition program has resulted in the additional removal of site components and destruction of others. For example, a portion of Building 3 was exploded as part of a special effects element of a movie production. Additionally, since the complex has been unused for more than 1 year, its condition continues to deteriorate, as further described below. This deterioration is expected to continue until the demolition program is complete. Table 4.5-1 provides information about all buildings and structures that were part of the complex



Photograph 23. Building 33, Electronics Manufacturing, north and west sides, camera facing southeast.



Photograph 24. Inside Building 33, testing area, camera facing west.



Photograph 25. Building 38, Pressure Pit, north and west sides, camera facing southeast.

prior to the onset of the demolition program. The demolition status of all structures and buildings as of May 16, 1997 is also noted. All buildings noted as "not important" were demolished by May 16, 1997, with the exception of Building 24.

**TABLE 4.5-1
PROPERTY SUMMARY**

Building Number	Current Name/Description	Square Feet	Construction Date	Demolition Permit	Status as of 5/16/97
1	Administrative Office	107,225	1958	May 1996	demolished
2	Lobby	20,171	1958	May 1996	demolished
3	Administrative Offices	107,225	1958	May 1996	demolished
4	Engineering Labs	338,340	1958	May 1996	demolished
5	Manufacturing	659,192	1958	May 1996	demolished
6	Transportation/Fire Station	10,200	1958	June 1996	not important
7	Boiler House	15,500	1958	June 1996	not important
8	Cafeteria	27,100	1958	May 1996	demolished
9	Pump House	900	1958	June 1996	not important
10	GDE Maintenance	8,773	1958	October 1995	demolished
11	GDE LN2 Control	100	a	October 1995	demolished
13	Centrifuge	4,860	1958	b	demolished
14	Gas Flow Lab	4,600	1958	May 1996	not important
15	Vibration Lab	20,034	1959	May 1996	not important
16	Water Tower	NA	1958	October 1995	demolished
17	Classrooms-Training	5,700	1959	May 1996	not important
18	GDE Radiation Lab	12,100	1958	May 1996	demolished
21	Salvage Office	200	1958	October 1995	demolished
22	Disposition Magazine	150	a	October 1995	demolished
23	GDE Antenna Microwave	4,000	a	October 1995	demolished
24	Administrative Offices	200,000	1990	May 1996	not important
25	Engineering Offices	101,000	1983	May 1996	not important
26	Administrative Offices	102,682	1959	May 1996	demolished
27	Avionics/Maintenance	35,460	1959	June 1996	not important
28	Research Labs	19,700	1960	May 1996	not important
30	Fluid Mech. Labs	5,800	1960	May 1996	not important
31	Test	5,000	1990	May 1996	not important

TABLE 4.5-1 (continued)
PROPERTY SUMMARY

Building Number	Current Name/Description	Square Feet	Construction Date	Demolition Permit	Status as of 5/16/97
33	Manufacturing/Offices	267,408	1960	June 1996	demolished
35	Plant Services	3,600	1960	October 1995	demolished
36	GDE Maintenance	8,862	1960	October 1995	demolished
38	Pressure Pit	3,100	a	June 1996	demolished
39	Explosive Forming	100	a	October 1995	demolished
40	Magazine #1 Production	150	a	October 1995	demolished
41	Explosive Forming	100	a	October 1995	demolished
42	Magazine #2 Services Shed	50	a	October 1995	demolished
45	Fuel/Flush	4,900	1978	June 1996	not important
46	Paint Shelter	2,400	1962	October 1995	demolished
48	GDE Storage	2,520	1962	October 1995	demolished
49	GDE Storage	1,374	1962	October 1995	demolished
53	FDE Equipment Shed	100	a	October 1995	demolished
54	GDE Microwave Tower	2,589	a	June 1996	not important
58	Ultra Low Test Mag	1,080	a	October 1995	demolished
59	Engineering Test Pool	a	a	May 1996	not important
60	Plant Services	3,000	1968	October 1995	demolished
61	Laboratory	200	1968	May 1996	not important
62	Laboratory	256	1968	May 1996	not important
63	Range Tower	400	a	October 1995	demolished
64	GDE Range Tower	500	1969	October 1995	demolished
67	GDE Microwave Lab	1,421	1977	October 1995	demolished
69	GDE Tempest	1,800	a	October 1995	demolished
70	GDE Administrative	169,153	1982	June 1996	not important
73	Sensitive Materials Storage	12,728	1983	June 1996	not important
74	Contaminant Shed	1,020	a	June 1996	not important
75	Centaur Test	2,400	1983	May 1996	not important
76	Hazardous Test	789	1959	May 1996	not important
78	Trailer Complex-Office	3,488	a	c	demolished
79	Thermal Acoustics	12,300	1986	May 1996	not important
82	Vibration Support Shop	1,700	1989	May 1996	not important

**TABLE 4.5-1 (continued)
PROPERTY SUMMARY**

Building Number	Current Name/Description	Square Feet	Construction Date	Demolition Permit	Status as of 5/16/97
83	Maintenance	15,600	1990	May 1996	not important
85	Foam Facility	11,200	1991	May 1996	not important
86	Equipment Building	1,600	1989	May 1996	not important
^a Information unavailable. ^b Demolition by USAF. ^c Permit not applicable.					
Source: General Dynamics and William Manley Consulting 1997.					

Selected buildings, described below, were determined in the initial survey to have contributed significantly to the plant's role in the Cold War and the Man in Space program and were assessed in more detail, on the basis of the USAF criteria for historical importance. Table 4.5-2 summarizes the buildings assessed in greater detail based upon their potential functional and architectural importance.

**TABLE 4.5-2
BUILDING IMPORTANCE**

Building Number	Description	Date	Basis for Importance
1	Administration/Engineering	1958	1 ^a , 2 ^b
2	Lobby	1958	1, 2
3	Administration/Engineering	1958	1, 2
4	Laboratories	1958	1
5	Manufacturing	1958	1
8	Cafeteria	1958	2
18	Radiation Laboratory	1958	1
26	Administration/Engineering	1959	1, 2
28	Laboratory	1960	1
33	Electronics Manufacturing	1960	1
38	Pressure Pit	circa 1960	1
^a Function. ^b Architectural Style.			
Source: William Manley Consulting 1997.			

SIGNIFICANCE OF IMPACTS

As noted in Table 4.5-2, 11 buildings of the Kearny Mesa complex were considered potentially important under CEQA for their association with Cold War programs involving Atlas and Centaur. Buildings 1, 2, 3, 8, and 26 were further evaluated because of their potential functional and architectural importance; Buildings 4, 5, 18, 28, 33, and 38 were further evaluated because they fulfilled primary roles in activities at the complex.

As components of the complex, individual buildings supported its important programs. Considered individually, however, they did not reflect a sufficiently high degree of association with the Cold War, nor did they represent architectural achievements of outstanding importance to meet accepted criteria for properties less than 50 years old. The buildings that comprised the original complex (with the exception of Building 5) fulfilled support roles rather than primary roles, and were not sufficiently representative of Cold War history to be considered individually important.

Building 5, a manufacturing building, was more directly associated with the Atlas and Centaur programs between 1958 and 1968 than were other components of the complex. However, as described above, the integrity of Building 5 was significantly compromised by the alterations and equipment removal, as well as the substantial deterioration in its physical condition from exposure to inclement weather and lack of use. As a result, Building 5 was not considered important when viewed individually.

Historical Importance of the Project Site

The background research conducted for the historical survey indicated that the functional relationships between the various buildings that comprised the complex required that the historical importance of the entire site be considered. As described above, the complex as a whole was directly associated with the origins of Atlas, the country's first ICBM and space launch vehicle, and Centaur, the upper stage that made space travel possible. This research indicated that the complex was an important contributor to the U.S. Space Program and represented a significant resource in the period 1958 to 1968.

To complete the determination of historical importance, the USAF criteria require that the complex also demonstrate a "high degree of integrity." The survey determined that the integrity of the original complex had been compromised by various changes to the original facilities, including the addition and removal of buildings and equipment. For example, the centrifuge building (Building 13) which was used in early development and testing, was demolished over

a year ago. Integrity had also suffered by the removal at the end of Atlas production of the research, testing, and manufacturing equipment which was integral to the function of Building 13. Most importantly, many buildings that had not yet been demolished had deteriorated through lack of use. Roof leaks in several buildings had caused interior damage, and activities related to pre-demolition contamination assessments had left large holes in floors and walls throughout the complex. Despite compromises in integrity, some overall qualities of historical and architectural importance remained and the complex retained some measure of integrity when evaluated in May 1996.

When the survey was updated in January 1997, ongoing demolition and environmental remediation activities had resulted in the complex retaining virtually no historic integrity that would convey any importance associated with the period of 1958 to 1968. It is therefore not considered important under CEQA.

MITIGATION, MONITORING, AND REPORTING

No mitigation is required. As previously stated, the City has approved a phased demolition program for all buildings (with the exception of the CSC complex and Missile Park) on the property. By May 16, 1997, demolition had been completed for all buildings except the office building occupied by General Dynamics (Building 24).

General Dynamics has incorporated into the ongoing demolition program several measures that respond to the site's pre-demolition importance. Important historical documents and photographs have been donated to the San Diego Aerospace Museum for use by future researchers. A full-size Atlas Missile, which once stood in Missile Park, has also been donated to the Aerospace Museum.

The demolition process includes a program of data recovery for important elements of the complex. Preparation of measured drawings, large format photographic documentation, and related written historical information in compliance with the standards of the Historic American Buildings Survey (HABS) are being conducted concurrently with the demolition program. Upon completion, the documentation will be submitted to the City and represents the presentation of significant information related to the historic and architectural importance of the site.

4.6 VISUAL/AESTHETICS

EXISTING CONDITIONS

Vicinity Characteristics

The 244-acre project site is generally bounded by Clairemont Mesa Boulevard on the north, Electronics Way on the south, Ruffin Road on the east, and SR-163 and Kearny Villa Road on the west. The visual character of the existing surrounding area relates primarily to the urban setting, existing industrial/business park development, and commercial development along the surrounding streets and in the greater Kearny Mesa Community Plan Area.

As stated in the Kearny Mesa Community Plan, eastern Kearny Mesa's development pattern (which includes the project site) is the result of several events which occurred in the early 1950s. The City of San Diego acquired Gibbs Field (later to become Montgomery Field) and the surrounding lands for a metropolitan airport. When airspace conflicts with the Miramar Naval Air Station preempted the development of the metropolitan airport, Montgomery Field became a general aviation airfield. As a result, the 1,000 acres of surplus airport land were developed into industrial and research parks. In 1955, the Convair Astronautics Division of General Dynamics was the first of numerous aerospace and electronic firms to locate in this industrial park setting.

The visual characteristics of Kearny Mesa's built environment is a product of the past, unrestrictive nature of the regulations contained in the industrial zone districts. The development regulations of these zones did not emphasize design features or provide for design restrictions. For example, prior to the adoption of the citywide landscaping ordinance, the City required only minimal landscaping in industrial zones, usually consisting of a landscape strip adjacent to the street. Additionally, according to the Kearny Mesa Community Plan, the proliferation of commercial signs along Clairemont Mesa Boulevard and Balboa Avenue have created a cluttered and unappealing quality to the visual character of the project vicinity. Segments of Clairemont Mesa Boulevard, Balboa Avenue, and Convoy Street lack the aesthetic quality derived from the provision of such basic amenities. Landscape medians, street trees, aesthetically pleasing signage, pedestrian pathways, and other urban design elements are either completely absent or are provided in a piecemeal manner.

The predominant building type in the surrounding area consists of one- to two-story industrial buildings, such as those that occur to the south of the site, and similar low-profile retail commercial buildings, such as those that occur along Clairemont Mesa Boulevard. More

recently, mid-rise commercial office buildings (between three and six stories) have been constructed, thus deviating from the established one- to two-story pattern. Buildings that are adjacent to the site are typically two stories or less.

Site Characteristics

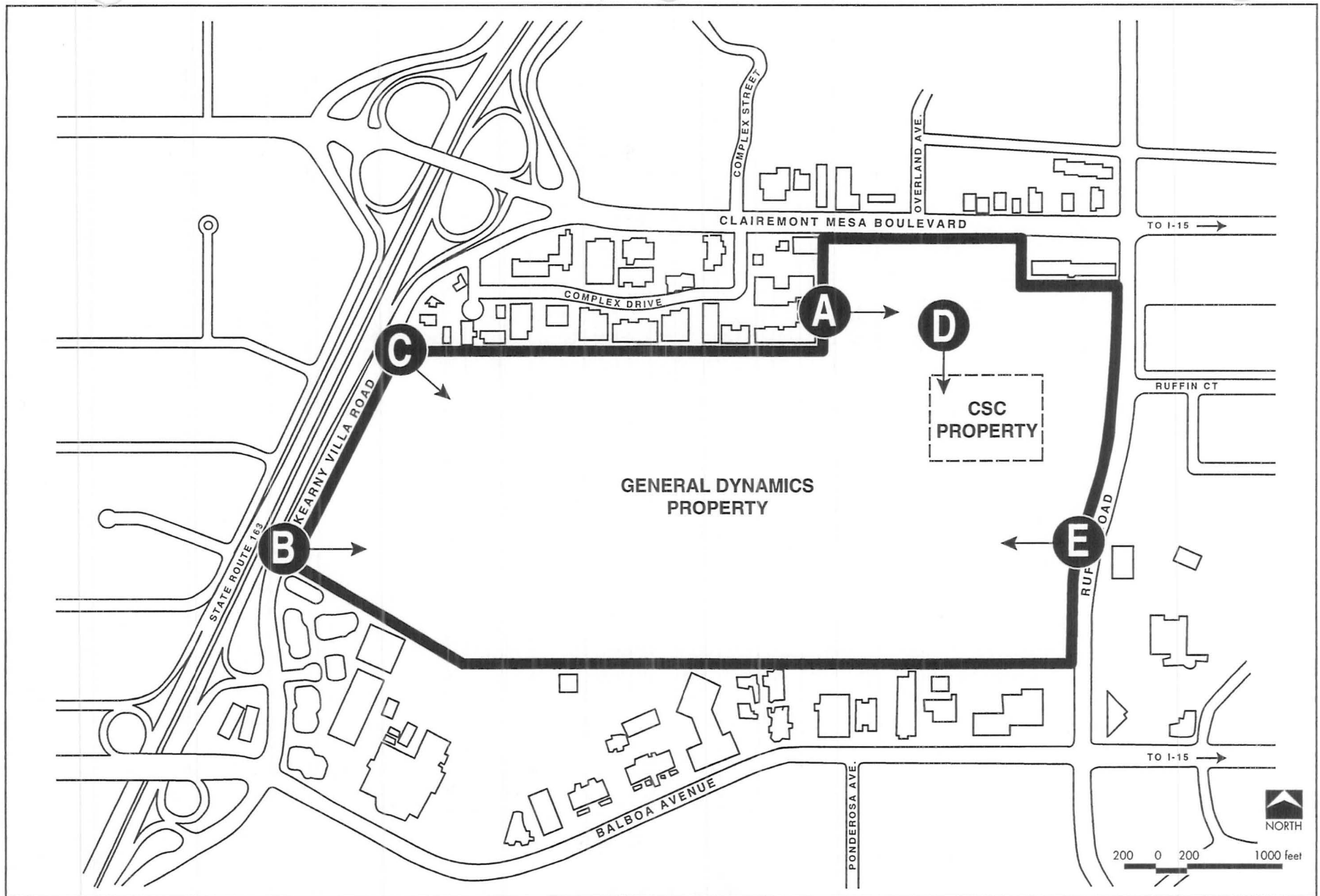
The 244-acre site is composed primarily of generally flat areas of pavement for surface parking that were constructed as part of the original General Dynamics facility. The original parking lot striping is still visible, but the paving has numerous cracks where weedy vegetation has taken hold, because of its age and disrepair, giving it an abandoned appearance. As described in the Project Description, Section 3.0, the project applicant has received demolition permits that allow for the removal of existing on-site structures. This analysis assumes that all structures have been demolished; the only structure to remain on-site would be the ~~40-acre~~ 11.5-acre, two-story Computer Science Corporation (CSC) facility that exists in the northeastern portion of the site and approximately 8.5 7.0 acres of Missile Park uses.

A site photo index is provided as Figure 4.6-1. Site photographs provided in Figures 4.6-2 through 4.6-4 depict on-site features and characteristics from various surrounding vantage points, including Kearny Villa Road, Convair Drive, and Ruffin Road. On-site vegetation and open space features consist of landscaping, a turf-grass area, and native and non-native vegetation. The majority of the site is bordered by landscaping which includes ground cover, shrubbery, and street trees, as shown in the site photos in Figure 4.6-2. The approximately 26-acre Missile Park occurs in the northernmost portion of the site and provides for open space and recreational uses in an open turf-grass area. Additionally, the site contains approximately 14.1 acres of undeveloped land, consisting of native and non-native vegetation, located within two areas on the southern and eastern portions of the site near Ruffin Road. Sensitive natural resources such as vernal pools and several special-status plant and wildlife species have been identified in these areas (refer to Section 4.4, Biological Resources, for additional information about these resources).

Site Visibility

The site is generally visible from various locations surrounding the site, including SR-163 and Kearny Villa Road on the west, Ruffin Road on the east, Clairemont Mesa Boulevard on the north, and portions of Balboa Avenue on the south.

One of the primary public view points of the site is from SR-163, just east of the site. SR-163 is considered one of the entrances to Kearny Mesa, as indicated in the Kearny Mesa Community

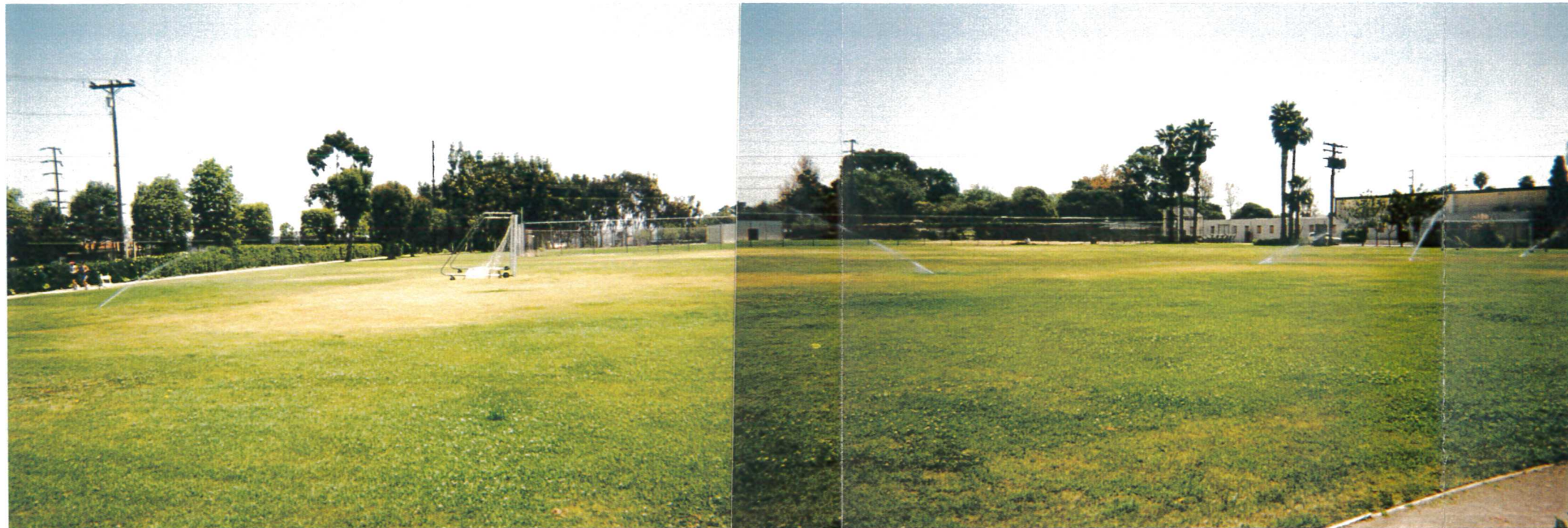


Site Photo Index

New Century Center

4.6-3

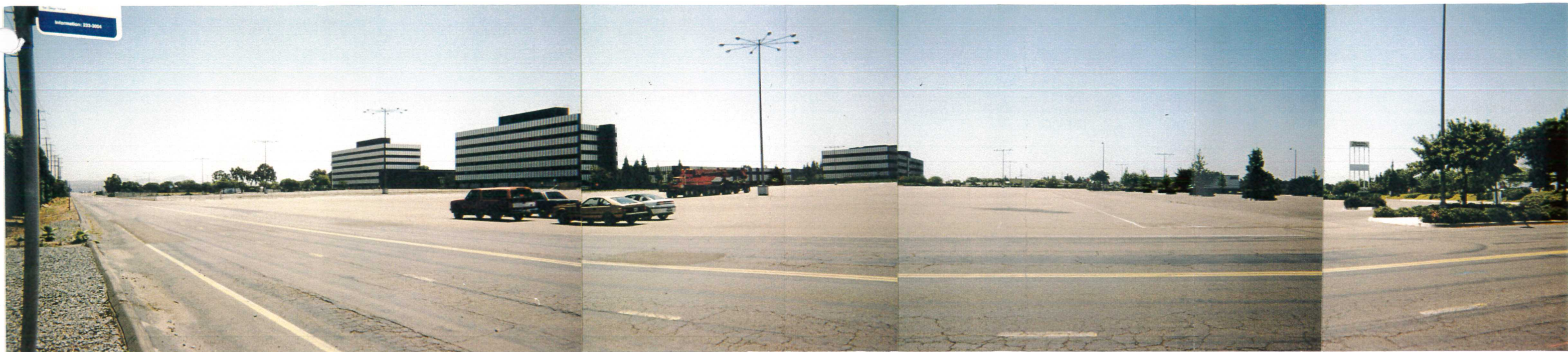
FIGURE
4.6-1



Missile Park



View of site looking east from Kearny Villa Road near Electronics Way



View of site looking southeast near Kearny Villa Road & Convair Drive



View of site looking south of Convair Drive near Missile Park

Site Photographs

New Century Center

4.6-5

FIGURE
4.6-3



View of site looking west from Ruffin Road

Plan. However, none of the main streets/highways, including SR-163, have a visually distinct character which could help to provide a positive impression or function as a gateway into the community.

Long-range views of the site from sensitive viewpoints are generally not available. Sensitive view points typically include public locations where views of an area or region are enjoyed by visitors and local residents. Such viewpoints can include vista points along roadways, viewpoints within public open space or park lands, or views enjoyed along scenic routes.

4.6.1 ISSUE

How would the proposed project affect the visual quality of the area?

IMPACTS

Development that could result from implementation of the proposed project would have an impact on the visual quality of the area if neighborhood character is negatively affected or if development may have a negative aesthetic impact. These potential impact areas are discussed below.

Neighborhood Character/Compatibility

Phased development under the proposed project would result in the redevelopment of the existing 244-acre site. The project would modify the mostly abandoned site by allowing for both industrial/business park and commercial/entertainment development, but would not change the overall character of the surrounding industrial and commercial area. As indicated in the Existing Conditions subsection, the visual character of the surrounding built environment is composed primarily of one- to two-story industrial/business park and commercial/entertainment development. The project area was developed during a time when landscaping, pedestrian facilities, aesthetically pleasing signage, and other urban design elements and visual amenities relatively commonplace today were not emphasized. Surrounding roads have an unappealing visual quality due to the proliferation of commercial signs and the lack of basic amenities such as landscape medians and pedestrian pathways. Although the proposed project would be generally consistent with the scale and pattern of this surrounding development, as described below, it would provide design and visual amenities that are currently lacking in the surrounding area.

Implementation of the project would result in a Planned Industrial Development on the eastern portion of the site, and a Planned Commercial Development area on the western portion of the site. Development within the Planned Industrial Development area would occur in accordance with the development regulations identified in the New Century Center Development Standards and Design Manual. These regulations are designed to provide flexibility to respond to marketplace conditions. A mix of land uses is expected, consisting of business, professional, and educational establishments, as well as a variety of research and development, light industrial, and manufacturing businesses, and community facilities. Building heights within the Planned Industrial Development will comply with the height regulations of the City of San Diego Zoning Ordinance for the M-1A and M-1B zones.

Development within the proposed Planned Commercial Development area would also occur in accordance with the development regulations identified in the New Century Center Development Standards and Design Manual. These regulations are designed to allow for zoning flexibility so that a market-based regional commercial/entertainment destination could be developed on the western portion of the site. This Planned Commercial Development area (Planning Areas 1A, 1B, 2A, and 2B) would integrate a mix of land uses, including retail/entertainment attraction, office, cultural, recreational, hotel, conferencing and restaurant/cafes that would provide an array of business serving amenities to the industrial and business park areas of the site.

The height of structures within the Planned Commercial Development area will comply with the height regulations of the City of San Diego Zoning Ordinance for the CA zone (community and regional shopping centers). The visual character of this area will be different than the existing pattern of "strip commercial" development which occurs along Clairemont Mesa Boulevard. Consistent with the Kearny Mesa Community Plan, the mixed-use project would result in the reuse and rehabilitation of the underutilized site and would provide design features, such as pedestrian pathways, landscape amenities, and gateway entrances that would facilitate the integration of, and connection between, existing strip commercial uses on Clairemont Mesa Boulevard and proposed on-site commercial development. Ultimately, this connection may result in the secondary rehabilitation and revitalization of the commercial development on Clairemont Mesa Boulevard.

While the project site is located in a highly visible area (adjacent to SR-163) and the intent of the project would be to serve as a focal point to the community, the architectural style and building materials of the proposed development are not designed to be uncomplimentary or displeasing with surrounding development with regards to bulk, signage, or architectural projections. Design guidelines require that buildings will be designed to be architecturally pleasing from all sides (especially from SR-163) through architectural detailing, accent colors,

site furnishings, etc. Reflective glass and unusual colors would be avoided; roof-top equipment would be screened from view; streetscape amenities would be provided to emphasize the entrance at Kearny Villa Road, which would be visible from SR-163; and signage would be in conformance with the City Sign Code.

Adjacent development surrounding the site does not have a single or common architectural theme that the proposed project would interrupt or negatively affect. Additionally, the proposed project would not result in the physical loss or degradation of a community identification symbol or landmark (e.g., a stand of trees, coastal bluff, historic landmark) as identified in the San Diego Progress Guide and General Plan or the Kearny Mesa Community Plan, as no such landmarks occur on-site.

Aesthetics

Development of the proposed project is anticipated to result in a beneficial aesthetic change for the abandoned site and surrounding area by providing for development at a human scale, open space areas, outdoor/streetscape amenities, pedestrian access, and other design and architectural features. Since the site has been previously graded for development, grading activities would be limited to the creation of internal roads, filling of depressions in the eastern portion of the site, and linking existing grade contours to development pads, and creation of on-site detention basins.

The Urban Design Element of the New Century Center Master Plan indicates that the overall design objectives and policies for the project are to: enhance the image of Kearny Mesa as a regional employment center and retail destination; create an attractive entrance from SR-163 and surrounding arterial roads; create new development that enhances and is consistent with the general scale and character of the surrounding area; design streetscapes to enhance pedestrian access; provide visual amenities; and create an inviting environment for indoor/outdoor and daytime/nighttime activities. Additionally, to ensure that future site development would not result in a negative visual appearance, the New Century Center Development Standards and Design Manual provides specific development regulations and design guidelines for both the planned commercial and industrial/business park components of the Master Plan.

The proposed project would be developed in accordance with the City's Sign Code Ordinance, Light Pollution Law and Landscape Ordinance and, thus, the project would not create a cluttered and distracting appearance in conflict with City codes. Further, other design guidelines developed to minimize a cluttered or distracting appearance, would provide for: a united architectural identity designed at a human scale; attractive pedestrian-friendly environments with

outdoor amenities, such as fountains, plazas, landscaping, arcades, special paving treatments, and street furniture; buildings designed to be architecturally pleasing from all sides using primarily muted colors and avoiding reflective glass; screening of roof-top equipment and other equipment or loading areas; and parking lot landscaping to break up large surface parking areas. Additionally, design guidelines would result in structures that would have architectural interest. This would be achieved by requiring buildings to be designed at a human scale, that articulation and surface treatment of exterior walls occur to create attractive facades, and that roof treatments provide interest in profile and silhouette (e.g., height variations, stepping of facades to form shadow-lines, varying heights and shapes, etc). Therefore, while the site is considered large by City standards (greater than 100 acres), project design guidelines would ensure that resulting development would not result in an monotonous visual appearance.

Signage proposed for the project site and discussed in detail in the New Century Center Design Manual consists of four types of on-site signage: entry signs, freeway-oriented signs, directional signs, and temporary signs. A Signage Design Manual will be prepared to guide actual development of the site and will incorporate the concepts described in the Design Manual. A general description of the types of signs described in the Design Manual is provided below.

- Entry Signs will be located at major and secondary community entrances into the project site. Entry signage may include monument or wall signs. Landscaping may be considered as a method of monumentation with or without walls or structures. Entry signage may share a common design theme, but could be further enhanced to express the different arrival points within the project site. Furthermore, entry signage may include names and/or logos of primary tenants along with New Century Center identification. Entry sign design would use graphics and materials to tie into the overall selected color and design scheme for the adjacent architecture. Entry monument signage would be scaled appropriately to the surrounding site and may be front lit or internally illuminated.
- Freeway-oriented Signs are planned for the western portion of the site. Such signage serves to visually attract freeway drivers to the site's location and identity. Existing freeway-oriented signage may continue to be used on a temporary or permanent basis, or a new sign may be permitted similar in height and scale to replace the existing sign. Landscaping would be provided at the base of the sign; lighting could be used to enhance the signage. Freeway-oriented signage by be internally or externally illuminated.
- Directional Signs will be located immediately adjacent to the street right-of-way in the landscaped setback. Informational arrows and addresses will be included on the signage. The base of the sign will incorporate the New Century Center logo.

- Temporary Signs will be permitted throughout the Planned Commercial Development area during construction and sales and prior to full buildout of the property.

Within the PCD and PID areas, all lighting will comply with the City of San Diego's Light Pollution Law to avoid potentially significant light and glare impacts. Within the entertainment and retail areas, specialty lighting such as wall-washes and/or neon accents may be used. Icon elements (e.g., theme towers) may require wall-washing or other types of illumination. Lighting will be provided throughout the pedestrian pathways including, where appropriate, specialty-themed light standards. Within the PID area, lighting will be non-obtrusive and indirect to help establish a high quality campus-style setting.

Design guidelines would minimize the visibility of walls or fencing that occur in conjunction with future development by: discouraging the use of walls, fences, or heavy plantings that over-emphasize boundaries or lot-lines; requiring walls or fences needed for security or screening be consistent with the design of adjacent buildings; requiring that long walls or fences be relieved and enhanced with landscaping or other special treatment; and by avoiding wire, chain link, and steel fencing.

Kearny Mesa Community Plan Urban Design Element

The proposed project is consistent with, and generally implements goals and recommendations of the Kearny Mesa Community Plan Urban Design Element. The Community Plan indicates that there is a need for attractive entry signage and/or landmarks to clearly mark Kearny Mesa as a community in San Diego; these visually distinct entries are currently lacking. In accordance with the Community Plan, focal areas could be incorporated into the design of private developments to provide for gateway entries and should include signs with decorative walls and formal landscaping to enhance the image of Kearny Mesa as an employment center and retail destination. A conceptual design for the project is depicted in Figure 4.6-5. As previously shown in Figures 3-6 through 3-8 of Section 3.0, the proposed project would provide three gateway entrances from the surrounding major arterials that would have prominent entrance features and landscaping in conformance with the Community Plan.

The proposed Master Plan development regulations and design guidelines also implement the Kearny Mesa Community Plan, Urban Design Element guidelines which indicate that: development should be consistent with the scale and pattern of surrounding areas; the design of buildings should be of a human scale; new development should enhance existing architectural styles in the community; roof-top and other equipment areas should be screened; and a full-range of street-scape improvements should be provided to enhance visual quality and

pedestrian circulation. A primary example of such streetscape improvements include those identified in the proposed Market Square (Figure 3-8).

Viewshed Impacts

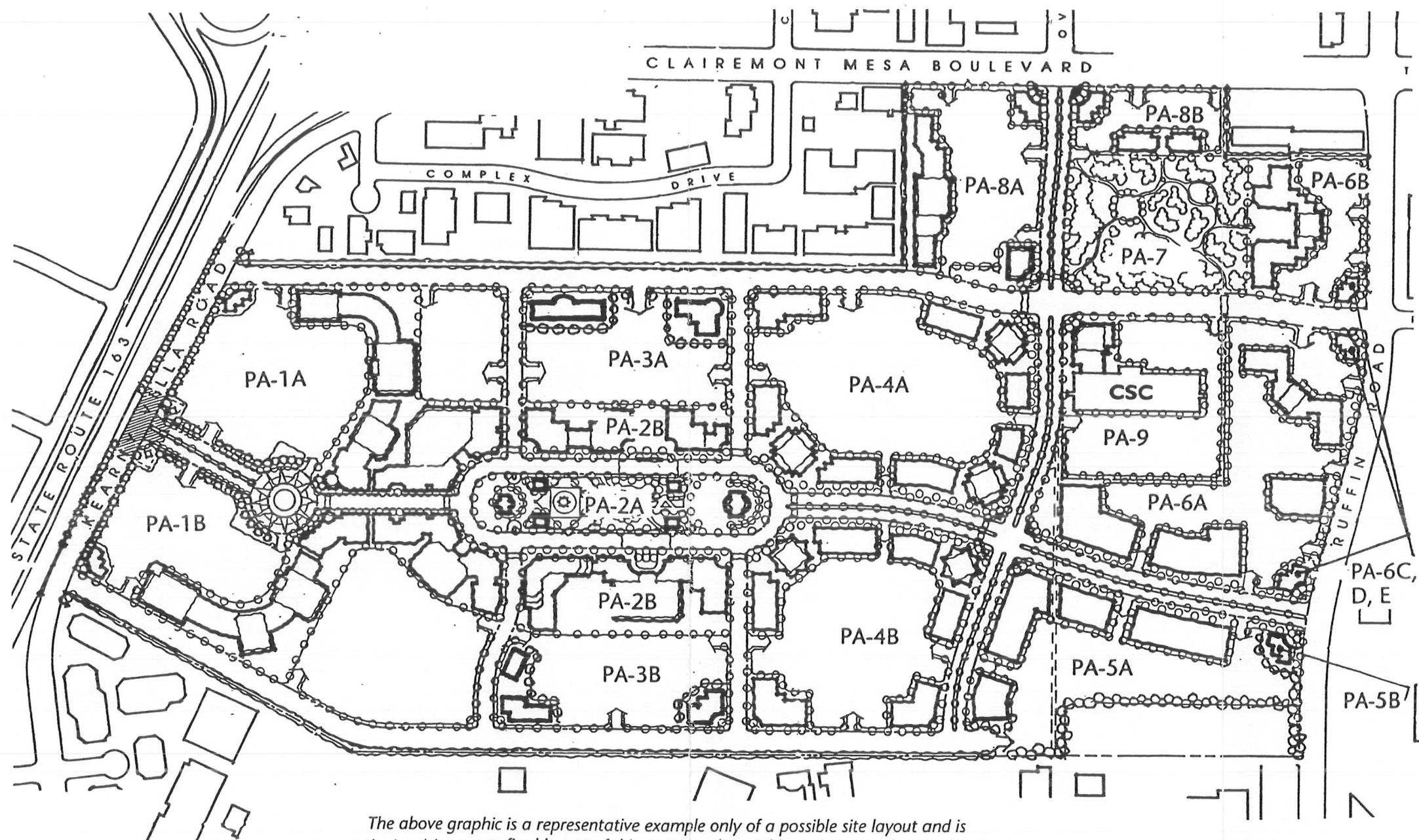
The proposed project site would be visible from locations along SR-163 (from both northbound and southbound directions) and from several surrounding arterial streets, including Clairemont Mesa Boulevard, Ruffin Road, and portions of Balboa Avenue. The visibility of the site is not considered a negative impact. Conversely, enhancement of the site has the ability to help establish a needed visual gateway into the Kearny Mesa community.

SIGNIFICANCE OF IMPACT

Implementation of the proposed project with the incorporation of the provisions of the New Century Center Design Manual and Development Standards would not result in significant environmental impacts related to the visual quality of the area. The proposed project would not significantly alter the character of the surrounding area, create a negative visual appearance on site, or be inconsistent with the Urban Design Element of the Kearny Mesa Community Plan.

MITIGATION, MONITORING, AND REPORTING

Mitigation is not required.



The above graphic is a representative example only of a possible site layout and is not meant to convey final layout of this area as other viable options may be permitted

SOURCE: Carrier Johnson Wu, 1997



4.7 PUBLIC HEALTH AND SAFETY

This section addresses impacts associated with the potential presence of hazardous materials on, in, and around the Kearny Mesa facility. The analysis is based on technical information and surveys contained in the Environmental Assessment and Remediation Program (EARP) prepared by General Dynamics in June 1996 and the supporting technical data produced in its entirety in Appendix E of this Program EIR.

EXISTING CONDITIONS

As noted in Section 3.0, Project Description, of this Program EIR, the General Dynamics Kearny Mesa facility is undergoing a phased demolition program pursuant to demolition permits issued by the City of San Diego. Upon completion of this program, the site will be vacant with the exception of the ~~40-acre~~ 11.5-acre CSC facility and approximately 8.5 7.0 acres of Missile Park. The provisions of the demolition permits require that any hazardous materials or conditions that are uncovered during the removal of all structures be remediated according to the applicable requirements of regulatory agencies. In addition, any hazardous substance releases that are known to have occurred during active operations of the site will need to be corrected to the satisfaction of the appropriate regulatory agencies.

This section describes the conditions present on-site and in the immediate vicinity that might expose people to potential health hazards associated with on-site contamination.

Site Vicinity

To determine the known and potential hazardous materials contamination incidents in the site vicinity, the project applicant commissioned a regulatory data base record review that was compiled by VISTA Environmental Information in July 1994 (Appendix E). The report documented all reported locations of hazardous materials releases within 1-1/2 miles of the site. Increments of releases reporting were also conducted for within 5/8 mile, within 5/8 to 3/4 mile, within 3/4 to 1 mile, and within 1 to 1-1/2 miles of the property.

Science Application International Corporation (SAIC) was retained by General Dynamics in summer 1994 to review the results of the VISTA data base search to determine which sites could be a contamination source potentially affecting the project site. SAIC conducted file reviews for those sites that had known environmental contamination or where the data base listings were inconclusive regarding the potential extent of environmental contamination. File reviews were conducted at the San Diego County Health Services Department, the San Diego

Regional Water Quality Control Board (RWQCB), and the California Department of Toxic Substances Control. Although six sites satisfied the criterion as potentially affecting the project site, three of these sites were found to pose minimal risks of contaminant migration to the General Dynamics site. The results of the investigation of the remaining three sites are summarized below.

Maxwell Laboratories, 9244 Balboa Avenue

This facility abuts the south side of the project site. A leak involving one or more of eight large (20,000 to 30,000 gallons) underground storage tanks and/or related piping was reported in 1991. The leak involved a dielectric oil that contained low levels of polychlorinated bi-phenol (PCB). In January 1991, the RWQCB concurred with Maxwell's request that further investigations be suspended until Maxwell's current military contract was completed, although no later than January 1996. Subsequent monitoring results were not found in the file during SAIC's review.

Resolution Trust Company, 8807 Complex Drive

This site is located immediately adjacent to the north side of the project site. In 1993, a 550 gallon underground tank containing diesel fuel was removed. A product sheen was observed during tank removal. Site remediation status as of July 1994 was limited to the submittal and approval by the County Hazardous Materials Management Department (HMMD) of a work plan to address the contamination.

Solar Turbines, Inc. (Kearny Mesa Facility), 4200 Ruffin Road

This site is located within one-half mile south of the southeast corner of the project site. The site was a former treatment, storage, and disposal (TSD) facility consisting of several underground storage tanks for a variety of fuel products including kerosene, diesel, JP4, and unspecified motor fuel. In December 1985, 12 underground tanks ranging in size from 550 to 47,500 gallons were removed. Approximately 10,000 to 20,000 gallons for an unspecified product was estimated to have leaked from the tanks, with an additional 15,000 to 20,000 gallons from pipelines. Contamination was detected in subsurface soils to a depth of 67 feet below ground surface (bgs). Of all the contamination records reviewed and sites investigated by SAIC, it noted that this "was the largest contaminant release on record."

A variety of work plans and closure plans were submitted and approved by the County HMMD and the RWQCB between 1992 and 1993. Fifty soil borings were drilled and sampled in

January and February 1993. At the time of the SAIC report, the status of the remedial actions was not identified. The SAIC report suggests that the potential effect of this off-site contamination could be limited since the Solar Turbines site is located in the Lower San Diego Hydrologic Subarea, a separate drainage basin from the Miramar Hydrologic Area which encompasses most of the General Dynamics facility.

On-site Conditions

The Kearny Mesa site has been used for industrial, manufacturing, and office uses since the late 1950s. Prior to its development by General Dynamics, it was owned by the City of San Diego, which intended to use the site as a metropolitan airport. The results of a review of historical records, various plans, specifications and drawings, and a preliminary visual survey of the site are described below.

Asbestos

Many of the structures on the site were built prior to 1978 when asbestos materials could no longer be manufactured; the presence of asbestos containing materials (ACM) has been confirmed in various building locations. Earlier surveys have noted the presence of ACM in floor and ceiling tiles, gasket material, insulation, and sprayed-on ceiling material in certain locations and buildings. Pursuant to the Environmental Assessment and Remediation Program, the potential presence of ACM is being addressed as part of the demolition of the site.

Lead Paint

Due to the age of many of the buildings on-site, there is the potential for the presence of lead-based paint. The location of lead paint materials has been confirmed in various plans and drawings. Through implementation of the Environmental Assessment and Remediation Program, the potential presence of lead-based paint hazards is being addressed as part of the demolition program.

Subsurface Discharges of Hazardous Materials

The active operations of the site for nearly 40 years resulted in the use, storage, recycling, and waste generation of hazardous materials. Included in the materials handled and stored on-site were mercury, polychlorinated biphenyls (PCBs), solvents, heavy metals, chlorinated fluorocarbons (CFCs), paints, various petroleum fuels including gasoline and diesel, acids, cryogenic fluids, and various petroleum derivatives including hydraulic fluids and lubricating oils.

A number of spills and releases of hazardous materials have been reported over the years, including those identified in Appendix E. The principal areas where spills have been identified through record reviews, discussions with plant employees, and observations of discolored concrete and asphalt are as follows:

- Research and testing laboratories within Buildings 4, 28, and 33;
- "Trich Farm" located adjacent to Building 5 (see discussion below);
- Vehicle maintenance and fueling area and former hazardous waste storage area adjacent to Building 6;
- Water pumping station in Building 9;
- Hazardous material storage areas in Building 36A and salvage yard adjacent to Building 21; and
- Tooling, foundry, and hazardous material storage area in and around Building 27.

Because much of the site is covered with concrete, asphalt, or other impervious surfaces, the extent of any subsurface contamination from historic uses of the site cannot be fully determined until demolition activities have proceeded to an appropriate stage.

Underground Storage Tanks

There are five known underground storage tanks (USTs) on the site which are not in current use: one 550 gallon (diesel fuel), two 20,000 gallon (diesel), one 10,000 gallon (leaded and unleaded gasoline), and one 10,000 gallon (stormwater and possible runoff-borne contaminants). All tanks, with the possible exception of the stormwater tank, have leak detection systems. None of the tanks are known to have leaked and all will be removed as part of the demolition program.

"Trich" Farm

As part of the activities of the United States Air Force (USAF) Missile Research and Development Program operated by General Dynamics on-site, the USAF had equipment installed for precision cleaning of various missile components. The equipment was government owned and was originally installed in the early 1960s adjacent to Building 5. The system was comprised of tanks, piping, and related operating units that used various solvents, including 1,1,1-trichloroethane (TCA or "trich"). The solvent was recycled and reused by the system to minimize waste generation.

The system used pumps and piping (above and below ground) to transport the clean solvent to the various precision-cleaning operations inside Building 5. Used solvent was distributed by similar piping to holding tanks and recycling units outside the building (generally referred to as the "Trich Farm"). Much of the system components including the tanks, piping, and associated equipment that came in contact with the solvent were made of stainless steel. The entire system covered an area of approximately 16,000 square feet located generally at the center of the eastern wall of Building 5. Approximately 5,500 square feet of this system was located outside the building and included the tanks, recycling system, pumps, and heat exchangers. The balance of the system area (approximately 11,000 square feet) was located inside, and consisted of wash tanks, piping, and related equipment. In early 1986, the underground storage tanks associated with the system were removed.

Sometime before and during the removal of the USTs, it was discovered that the solvents used in the Trich Farm area evidently had been released from a line leak. The leak was reported to the County of San Diego Health Services Department and several rounds of soils tests were performed. In a study performed by Ground Water Technology Inc. (GTI), TCA, trichloroethene (TCE), tetrachloroethane (PCE), along with other solvents were detected in the soils at elevated levels. These solvents were typically used by General Dynamics in cleaning and degreasing operations connected with Atlas and Centaur production operations involving painting and anodizing. Degradation in soils is typically slow.

The area of impact generally indicated from the soils testing is that portion to the north and east of the former tank hold. The limits of identified soils impact is apparently at the approximate boundary of the Trich Farm to the south with limits to the north, east, and west to be determined in future testing. The highest concentration of solvents detected to date have been found at a 40 to 60 foot depth. Soil borings in the area have not encountered groundwater, and according to information available from the County, groundwater in this vicinity is likely to be encountered between 125 and 150 feet below grade.

Regulatory Agencies

As generally noted in the discussion above, there are two primary agencies with regulatory jurisdiction over on-site hazardous materials handling and disposal as well as releases of hazardous materials into the environment. Descriptions of these agencies' authorities concerning on-site conditions are provided below.

Regional Water Quality Control Board (RWQCB), San Diego

The California State Water Resources Control Board (SWRCB) and the nine Regional Water Quality Control Boards (RWQCBs), which are all part of the CAL-EPA, establish water quality standards as required by §303 of the federal Clean Water Act (33 USC §1313) and the state Porter-Cologne Water Quality Control Act (Water Code §13000-14958). The SWRCB oversees the regional administration of the National Pollutant Discharge Elimination System (NPDES) by the individual RWQCBs, which act as the permitting agencies for discharges to surface waters pursuant to §402 of the federal Clean Water Act (33 USC §1344).

The San Diego RWQCB is the local regional board with jurisdiction over the site. The RWQCB has been notified of the Trich Farm release and may be involved with cleanup approvals if any of the Trich Farm releases are determined to have affected groundwater.

San Diego County Health Services Department, Hazardous Materials Management Division (HMMD)

The County's HMMD is responsible for ensuring that harmful exposures to the public and the environment from hazardous substances are prevented. Education and enforcement are the primary tools available for implementing this responsibility. The HMMD enforces the hazardous waste generators program and is the Local Implementing Agency for the enforcement of hazardous materials storage in underground tanks. The HMMD also administers Hazardous Materials Release Response Plans and Risk Management and Prevention Programs. Businesses that handle hazardous materials in quantities above certain threshold amounts are required to submit a Business Plan and chemical inventory to the HMMD.

The County HMMD has been informed of the Trich Farm release. HMMD is the local agency with jurisdiction over the clean up of any soils contamination that might have occurred from the Trich Farm, as well as the asbestos removal and disposal components of the ongoing demolition program.

4.7.1 ISSUE

Would the proposed project expose people to potential health hazards associated with on-site contamination?

IMPACTS

To ensure that demolition activities and any subsequent remediation does not expose people to on-site contamination, General Dynamics has prepared an Environmental Assessment Program consisting of four principal components, which are described in more detail in Appendix E. The discussion below summarizes these components in the context of assessing whether the project will pose significant risks to public health and safety.

Pre-Demolition Sampling and Analysis

The Environmental Assessment Program contemplates that:

- A consulting team will be retained by General Dynamics to survey and sample building materials in conjunction with the demolition program. Existing documents, including as-built drawings for original construction and renovations, will be reviewed to familiarize the consulting team with buildings, systems, and utilities/process piping and to identify areas where potential contaminants were present;
- A visual survey of the site will follow the records review process to identify areas that appear to be contaminated, areas where asbestos containing materials are suspected, and areas that are suspected to be contaminated due to past operating practices, including storage areas for hazardous materials. The results of the survey will be documented in a written report and annotated on building plans or field logs;
- A sampling and analysis plan will be developed to address areas where contamination was visually noted or suspected. Appropriate sampling methodologies and laboratory testing protocols will be used in conformance with applicable regulations. All areas suspected as containing hazardous materials will be sampled. Sampling for asbestos containing materials will also be conducted to identify suspected friable and non-friable asbestos in roofing materials, ceilings, structural components, decks, mechanical equipment, and gypsum wallboard. State-certified laboratories will analyze the samples; analytical results will be evaluated to ensure that the design of the remediation programs will comply with regulatory agency requirements; and,
- All sampling will be conducted in accordance with a site-specific Health and Safety Plan (Plan) prepared by an environmental consultant retained by General Dynamics. The plan will identify, in detail the potential physical and environmental hazards at the site and provides detailed guidelines to ensure that all regulatory requirements are satisfied and that the health and safety of workers, site visitors, and others potentially exposed to environmental risks are minimized. All contractors involved in the project will be required to review the plan and adhere to its provisions.

The procedures contained in the Environmental Assessment Program are adequate to provide reasonable assurances that potential exposure of the general public to hazardous materials that may be released during the demolition process will be minimized to the maximum extent practicable and in accordance with applicable regulatory agency requirements. These procedures are currently being implemented as part of the phased demolition of the site.

Demolition

The Environmental Assessment Program provides that as demolition proceeds and as surface conditions become visible, the environmental consultant's engineer, General Dynamics' project coordinator, and the demolition contractor will assess soils surfaces as building materials are removed. If visible conditions indicate that a hazardous materials discharge may have occurred, the following actions will be implemented, as appropriate:

- Untrained personnel will be removed from the immediate area and the area will be isolated;
- Soil samples will be taken by trained personnel in the immediate area of concern and at the previously identified areas where historical records indicate a possibility of hazard materials use and/or release, regardless if visible evidence is present;
- When sampling results indicate the presence of hazardous materials in reportable quantities, the County HMMD and/or the San Diego RWQCB will be contacted in accordance with the applicable agency's standard procedures.

As a prelude to demolition of individual buildings or systems, a variety of decontamination activities will be conducted to ensure that demolition does not expose workers or the general public to unreasonable health and safety hazards. Specific elements of the decontamination programs for the following environmental issues (are described in Appendix E) include:

- Lead Paint Abatement
- Decontamination of Building Materials and Facilities Equipment
- Asbestos Abatement
- Removal and Closure of Underground Storage Tanks
- Implementation of Storm Water Prevention Plan

The decontamination activities will be completed through use of an agency-approved plan that meets applicable regulatory requirements. Upon completion of the decontamination plan, a performance report will be submitted for local agency approval prior to the onset of new construction on the site.

The procedures contained in the Environmental Assessment Program are adequate to provide reasonable assurances that potential exposure of the general public to hazardous materials that may be released as the phased demolition process proceeds will be minimized to the maximum extent practicable and in accordance with applicable regulatory agency requirements.

Trich Farm Investigation

Studies completed to date have identified the likely location of the highest concentrations of affected soils and have generally characterized the probable limits of impact in the southern direction. Additional soil borings will be completed and soils analyzed to determine the probable vertical extent and the northern, western, and eastern limits of detectable halogenated compounds.

Although it is possible that the volume of releases combined with soils conditions that might slow contaminant movement might have confined the released materials to the upper limits of the soils profile, additional studies of groundwater may be appropriate depending on the outcome of the soils sampling described above. The Assessment Program contemplates that should groundwater testing be necessary, a groundwater assessment plan shall be prepared and submitted to the San Diego RWQCB and other applicable regulatory agencies for approval. The approved plan will be implemented in accordance with its terms.

The procedures contained in the Environmental Assessment Program are adequate to provide reasonable assurances that potential exposure of the general public to hazardous materials that may be present or previously released from past activities will be minimized to the maximum extent practicable and in accordance with applicable regulatory agency requirements. These procedures will be implemented as part of the phased demolition of the site.

Final Site Characterization

In the final phase of the Environmental Assessment Program, follow-up site characterization, risk assessment, and remediation activities will be conducted in accordance with applicable federal, state, and local regulations following completion of the demolition activities.

After completion of the applicable soil and groundwater sampling previously described and the evaluation of analytical data, the results will indicate the extent of further investigations and potential remediation that may be necessary. Where applicable, a site characterization program and work plan will be developed to clean up the particular areas of concern and submitted to applicable agencies for approval. Agencies with jurisdiction over the contamination remediation include the San Diego County HMMD and the San Diego RWQCB.

The Environmental Assessment Program further provides that once the work plan has been approved, General Dynamics will implement the approved remediation measures under the supervision of certified personnel and its environmental consultant. Upon completion of the approved plan, a closure report will be compiled and submitted to the applicable environmental agency for review and action.

The procedures contained in the Environmental Assessment Program are adequate to provide reasonable assurances that potential exposure of the general public to hazardous materials that may be released as the phased demolition process proceeds will be minimized to the maximum extent practicable and in accordance with applicable regulatory agency requirements.

SIGNIFICANCE OF IMPACT

Implementation of the Environmental Assessment Program before, during, and after completion of the phased demolition of the site facilities will preclude, in accordance with applicable regulatory agency requirements, the potential for hazardous materials to affect public health and safety. Any potential impacts would be reduced to less than significant levels.

MITIGATION, MONITORING, AND REPORTING

Adherence to San Diego County HMMD, the San Diego RWQCB, Cal/OSHA, and Cal/EPA requirements noted above would preclude adverse effects from hazardous materials from occurring during demolition and remediation. Therefore, no mitigation is required.

4.8 GEOLOGY, SOILS, AND EROSION

EXISTING CONDITIONS

Geology

The project site is located within the coastal sub-province of the Peninsular Ranges Geomorphic Province which consists of a thick layer of marine and non-marine sediments. The San Diego region is generally characterized by canyon and ridgeline topography caused by uplifting and erosion.

The site is generally underlain by the Lindavista Formation, which consists of Pleistocene nearshore marine and/or alluvial sedimentary deposits. The Lindavista Formation is characterized by rust-red, coarse-grained, pebbly sandstones and pebble conglomerates, with local deposits of green claystone. Its average thickness is 20 to 30 feet.

The site has been mapped by the "City of San Diego Seismic Safety Study" (1995) as a geologic rating 51 (level mesas, underlain by terrace deposits, and bedrock) with nominal risk to urban development. Most of the Kearny Mesa Community contains limited geologic hazards (Kearny Mesa Community Plan, Conservation and Open Space Element, page 93).

Seismicity

The concealed and potentially active Murphy Canyon fault is located over 0.5 mile to the east running parallel to the west side of I-15 from a point approximately 800 meters northeast of the Balboa Avenue/Ruffin Road interchange, and terminating approximately 200 meters north of the Friars Road/I-15 interchange. The Kearny Mesa Community is located within the influence zones of the active Rose Canyon and potentially active La Nacion fault systems.

Soils

On-site soils consist of Redding gravelly loam with a 2 to 9 percent gradient and severe erodibility rating. Most areas of the site have been either paved over for parking, roads, or building development. A small area on-site along Ruffin Road and the southern property boundary consists of natural vegetation with some exposed soils in areas not covered by vegetation. Please refer to Section 4.4, Biological Resources, which provides a detailed discussion of biological resources located on the project site.

4.8.1 ISSUE 1

Are there unstable geologic or soil conditions on the project site which would present a constraint to development?

IMPACTS

Geology/Soil Stability

The principal bedrock that underlies the site is the Lindavista Formation. The coarse-grained pebbly sandstones and conglomerates that comprise this formation would be adequate to support the proposed commercial and industrial land uses. The claystone elements of this formation can be associated with some instability of cut or fill slopes.

The Redding gravelly loam soil units on the site are highly erodible. Development on these soils will need to use vegetation or other covers to ensure little erosion during and after construction. Impacts associated with erosion is discussed later in this section under Issue 2.

Seismicity: Groundshaking

The project site is located in an area identified in the City's seismic study as a Geologic Rating 5 (area of nominal risk to urban development). Although the site could be affected by earthquake activity along one of the active or potentially active fault zones in the area (La Nacion, Rose Canyon, Murphy Canyon), these are expected to be relatively minor. Major movement along the active San Clemente or Elsinore Fault Zones (over 40 miles distant) would be the more likely cause of local groundshaking on the site.

This relatively low seismic potential would be addressed through standard Uniform Building Code seismic design standards and related requirements. These nearby faults, therefore, do not pose a significant constraint to development of the site.

Seismicity: Surface Fault Rupture

Active faults do not exist on-site or in the immediate vicinity. The potential hazard from surface fault rupture appears to be very low.

Seismicity: Other Seismic-Related Hazards

Seismic-related hazards such as seiches, liquefaction, seismic settlement, and tsunamis were also reviewed for potential impacts to on-site land uses. The potential for these events to impact the site is considered negligible and, therefore, does not present any significant constraint to development.

SIGNIFICANCE OF IMPACT

Geologic conditions on-site are not expected to result in significant impacts to new development. Proper engineering of all new structures would ensure that the potential for geologic impacts from regional hazards would be mitigated to below a level of significance.

MITIGATION, MONITORING, AND REPORTING

No mitigation is required.

4.8.2 ISSUE 2

Would phased development of the project site increase the potential for erosion of soils, either on-site or off-site?

IMPACTS

The soils on the project site are identified as Redding gravelly loam, which has a severe erodibility rating. Construction activities have the potential to generate erosion of erodible soils if appropriate mitigation measures are not incorporated into the proposed grading plan and other project features, such as landscaping plans.

The project will be phased over time (approximately 10 to 15 years) in response to market forces in the greater Kearny Mesa and San Diego area. As each phase of grading occurs, incorporation of appropriate storm water runoff and erosion control measures into construction documentation will ensure that potential erosion impacts are reduced.

The project proposes the following measures to minimize off-site erosion impacts:

- In accordance with the recommendations of a geotechnical reconnaissance report required prior to recordation of the first final map, temporary and permanent erosion/siltation control measures and/or devices would be installed

both during and after site grading and construction to the satisfaction of the City Engineer. Such measures/devices shall include, but not be limited to, interim and post-development landscaping/ hydro-seeding; jute netting (or other approved geotextile material) on manufactured slopes; sandbags, brow ditches, energy dissipators and desilting/detention basins; and any other method(s) to control short and long-term surficial runoff and erosion.

- The proposed locations of temporary desilting basins would be at drainage confluence points to intercept storm water runoff from developed areas. All temporary desilting basins installed in accordance with the recommendations of the subsequent geotechnical reconnaissance report (see discussion above) would be maintained during grading to remove sediment from surface runoff prior to its release into the existing storm systems.

SIGNIFICANCE OF IMPACTS

Proposed development within the New Century Center Vesting Tentative Map could result in on- and off-site erosion and sedimentation impacts; however, measures have been incorporated into the project to reduce these potential impacts to below a level of significance.

MITIGATION, MONITORING, AND REPORTING

No significant on- or off-site erosion impacts have been identified with the proposed project. Therefore, no mitigation is required.

4.9 HYDROLOGY/WATER QUALITY

EXISTING CONDITIONS

Drainage System

The project site is located within the San Diego Hydrologic Unit (HU), one of 11 statewide drainage basins designated in the San Diego Basin Plan developed by the San Diego Regional Water Quality Control Board (RWQCB). The San Diego HU includes a wedge-shaped area of approximately 440 square miles extending east from the coast (near Mission Bay) to the community of Julian. Drainage from this area flows to the San Diego River and associated tributaries, including Murphy Canyon Creek in the vicinity of the project site. Average annual precipitation in the San Diego HU ranges from approximately 10 inches along the coast to 35 inches near Cuyamaca. The project vicinity receives approximately 12 inches per year.

As depicted in Figure 4.9-1, the majority of the project site is paved with impervious surfaces and is connected to four separate City storm drainage systems. Drainage from the site results mostly from storm events, with some minor contributions from landscape irrigation. Runoff from the site enters the local storm drain system at six concentration points along the project boundary. Runoff from the project site is conveyed to existing underground City storm drain systems through a network of underground and overland on-site systems. These downstream City systems eventually outlet into two large drainage watersheds: San Clemente Canyon to the northwest and Murphy Canyon to the east.

General Dynamics has conducted a drainage study pursuant to City requirements for Tentative Map approval that identifies existing drainage conditions downstream of the New Century Center site (Rick Engineering, December 19, 1996). A copy of this study is included in Appendix F to this Program EIR. The findings of the study are summarized below.

As depicted in Figure 4.9-2, the New Century Center is situated at the upper elevational limits of three drainage watersheds: the Northeast, Southeast, and West off-site drainage systems. While there are some off-site areas that drain onto the project site, these areas are relatively minor contributors to the runoff that is discharged from the project site during storm events.

The Northeast watershed consists of approximately 372 acres of developed urban area. The project site contributes approximately 27 acres of drainage to this system from fully developed areas (on-site Basin 1). Runoff from the Northeast watershed discharges to the storm drain outfall at Murphy Canyon just west of Interstate 15 (I-15).

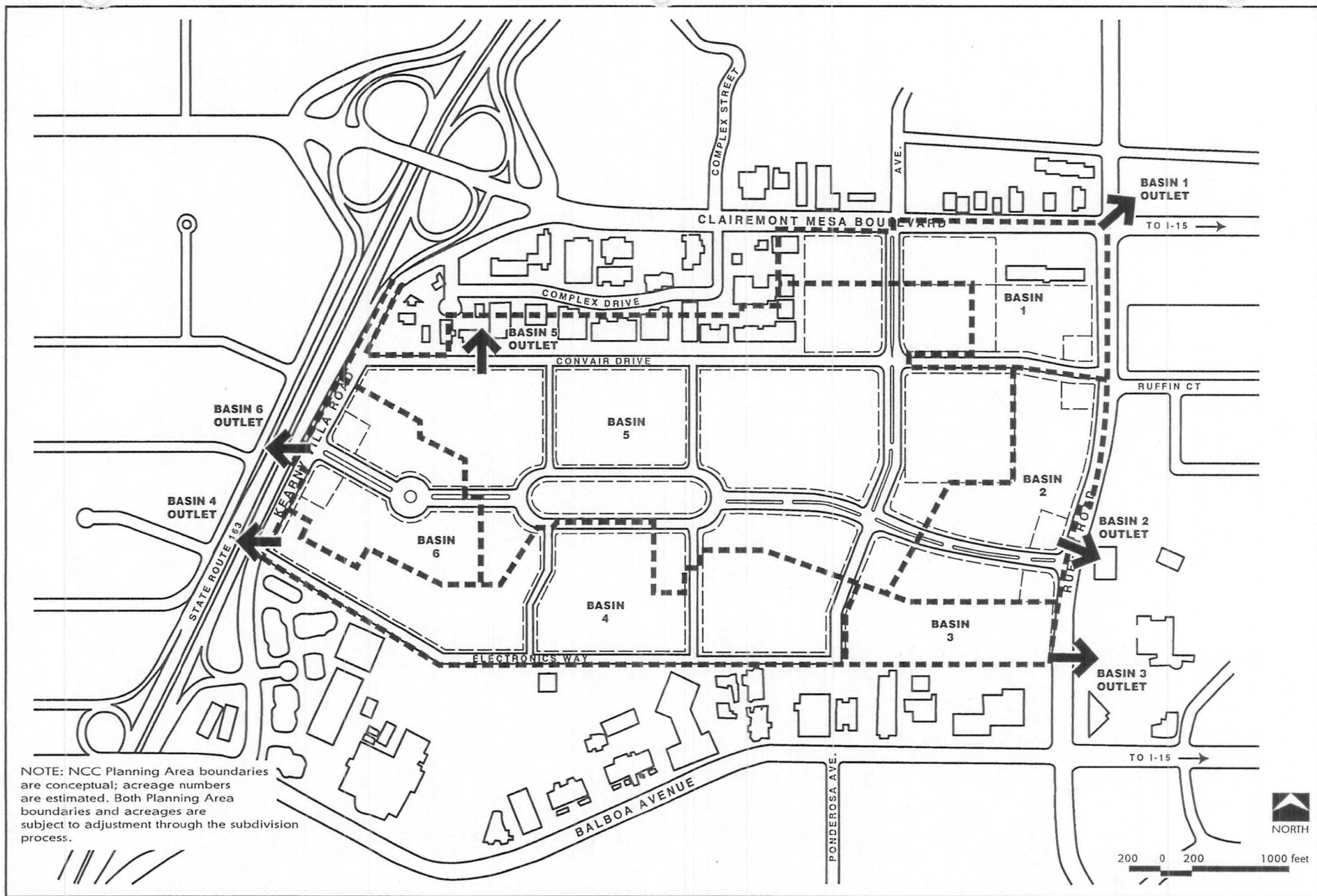
The Southeast watershed consists of approximately 265 acres developed urban area. The project site contributes approximately 38 acres of drainage to this system from on-site areas that are currently undeveloped (on-site Basins 2 and 3). Runoff from the on-site basin areas discharge to two existing storm drains that subsequently confluence to a 24-inch Asbestos Cement Pipe (ACP) located approximately 240 feet east of Ruffin Road. Runoff from the Southeast watershed discharges to the 156-inch Structural Steel Pipe (SSP) located within the I-15 right-of-way.

The West watershed is approximately 644 acres of developed urban area. The project site contributes approximately 198 acres of drainage to this system from on-site areas that are currently developed (on-site Basins 4, 5, and 6). Runoff from the on-site basin areas discharge to three existing storm drain locations at the west and north project boundaries. These drains confluence to an 84-inch Reinforced Concrete Pipe (RCP) northwesterly of the project site. Runoff from the West watershed area discharges from the 84-inch RCP to an unnamed canyon just south of State Highway 52 (SR-52).

Surface Water Quality

Water quality in the middle and lower portions of the San Diego River watershed is considered to be of intermediate quality. Surface water in these portions of the river consists largely of intermittent storm runoff and irrigation drainage with flows subject to wide variations in water quality related to runoff volume, velocities, and adjacent land uses. Specifically, undeveloped areas typically contribute lower quantities of contaminants such as bacteria, pesticides, nutrients, solids, and metals as compared to urban or agricultural zones. Table 4.9-1 compares typical stormwater runoff contaminant generation coefficients for various land uses.

No known data are available regarding the quality of storm water from the project site, or from urban-related activities such as landscape irrigation.



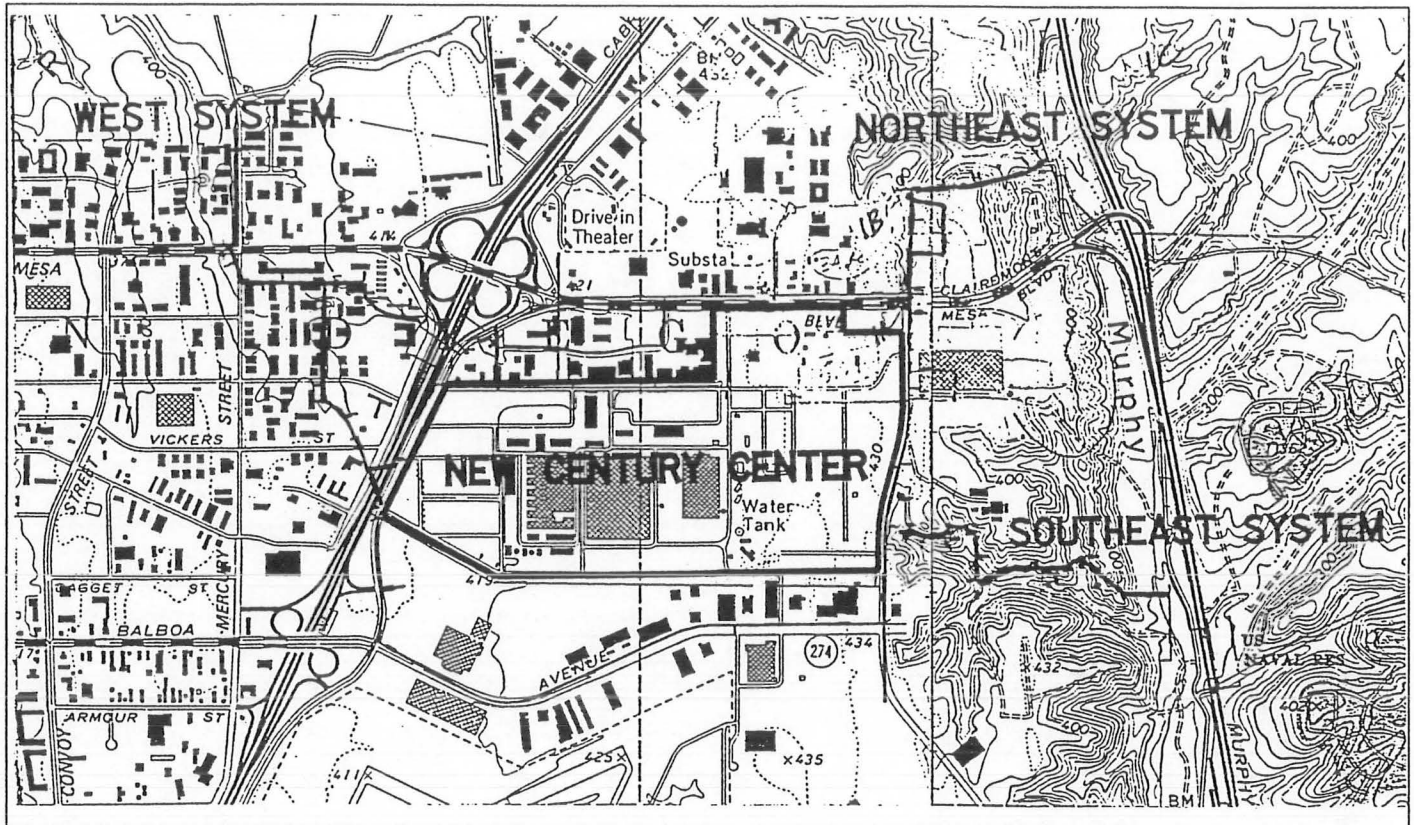
SOURCE: Rick Engineering Company • 1996

Existing Drainage Basins

New Century Center

4.9-3

FIGURE
4.9-1



500 0 500 2000 FT

SOURCE: Rick Engineering Company • 1997

Off-Site Storm Drain Systems

New Century Center

4.9-4

FIGURE
4.9-2

**TABLE 4.9-1
SUMMARY OF SURFACE RUNOFF POLLUTION COEFFICIENTS
FOR VARIOUS LAND USES**

Land Use	Total Solids	Suspended Solids	Dissolved Solids	Nitrogen (N)	Phosphorus (P)	Biochemical Oxygen Demand (BOD)	Chemical Oxygen Demand (COD)
Open Space, Barren	1,050	500	550	2.0	0.3	6.0	40
Grains, Hay	650	400	250	10	0.8	20	150
Citrus, Walnuts, Vegetables	650	400	250	30	1.5	30	200
Residential, Trailer Park	900	500	400	12	2.0	30	230
Commercial, Parking	1,450	950	500	12	1.0	40	300
Industrial	1,250	700	550	12	1.2	30	240
Picnic, Golf Course, Green Lawns	650	400	250	15	0.5	18	100

Source: RWQCB Water Quality Control Plan for the San Diego Basin. Amended through 1994.

Groundwater

Groundwater basins in the project vicinity are primarily recharged by surface drainage courses including Murphy Canyon Creek and the San Diego River. Depth to groundwater beneath the site or in the vicinity of these drainage courses is typically greater than 100 feet below ground surface (bgs). Perched groundwater may also occur seasonally in the project site and vicinity in association with impermeable subsurface strata. Such localized aquifers are generally not laterally or vertically extensive and are not typically used as a water source due to relatively poor quality.

Groundwater quality in the Mission Valley portion of the San Diego River Aquifer is considered by the San Diego RWQCB to be impaired. This classification is based on the extensive urban development in local watersheds, as well as the possible presence of seawater intrusion. Historical groundwater quality data for the Mission Valley area identifies high levels of several constituents, including total dissolved solids (TDS), magnesium, sulfate, and chloride. No known data are available regarding current groundwater quality within or adjacent the project site.

Regulatory Background

The State Water Resources Control Board has adopted water quality standards that are required by Section 303 of the Federal Clean Water Act and the State Porter-Cologne Water Quality Control Act. The Water Quality Control Plan, or Basin Plan, prepared by the San Diego RWQCB has established water quality standards and objectives for the San Diego River and its tributaries. These standards conform to the State of California standards.

A National Pollution Discharge Elimination Systems (NPDES) general permit is required by the San Diego RWQCB for stormwater discharges associated with construction activities involving the disturbance of 5 acres or more. This permit must be obtained prior to beginning construction. Permit applicants are required to prepare, and retain at the construction site, a Storm Water Pollution Prevention Plan (SWPPP) which describes the site, potential pollutant sources on-site, erosion and sediment control measures, pollutant control measures, post-construction control measures for long-term storm water pollution, and plans for monitoring and maintenance. General Dynamics has an approved SWPPP for the project site.

4.9.1 ISSUE 1

What effect would the proposed project have on off-site hydrology?

IMPACTS

The existing and proposed runoff for the 50-year storm condition are shown in Table 4.9-2. Over the long term, implementation of the proposed project would not substantially increase the volume of stormwater runoff generated on-site, as shown in the table. Future run-off volumes from the proposed project would generally remain the same or be reduced over existing conditions, with the exception of drainage Basins 2 and 3 which would experience an increase in runoff volume with project implementation. These increases would result from development in areas of the site which are currently undeveloped. Project implementation would result in the construction of buildings, surface parking areas, paving, and other impervious surfaces, thereby reducing natural infiltration and increasing runoff. Basin 3 (13 acres) includes the proposed conservation bank area (approximately 4 acres), which would not contribute any increased flows over existing conditions.

It should be noted that "Proposed Runoff" drainage flows from Basin 3 reflect a partially developed condition. Flows from the developed areas adjacent to the conservation bank will not drain into the conservation bank area. The existing vernal pools area (approximately 4 acres) will remain and the other 9 acres within the drainage basin will be developed. Additionally, the proposed runoff values shown do not reflect any attenuating of flows within the project limits.

**TABLE 4.9-2
EXISTING AND PROJECT-RELATED RUNOFF RATES**

Drainage Basin	Area (acres)	Existing Runoff (cfs)	Proposed Runoff (cfs)
1	27	90	90
2	17	20	65
3	13	15	36
4	52	135	130
5	127	353	340
6	21	65	60
Total	257	678	721
(cfs)= cubic feet per second			
Source: Rick Engineering Company 1996.			

SIGNIFICANCE OF IMPACTS

Since the New Century Center site has historically been developed with impermeable surfaces, implementation of the proposed project would not contribute significant additional runoff to off-site drainage systems.

MITIGATION MONITORING AND REPORTING

No mitigation is required.

4.9.2 ISSUE 2

What effect would the proposed project have on water quality?

IMPACTS

Potential impacts to water quality related to the proposed project development include construction-related erosion/sedimentation and contaminant discharge, and the discharge of urban pollutants into downstream drainages during project operation.

Construction-related Impacts

Proposed on-site construction activities would locally increase the potential for erosion and transport of sediment both within and downstream of the project site. Specifically, the removal of stabilizing vegetation cover, soil excavation and movement, and use of fill, if required, all have the potential to generate erosion and sedimentation. It is anticipated that the potential for such erosion and sedimentation would be greatest from proposed grading and construction activities in the eastern and southeastern portions of the site, which are currently undeveloped.

The potential transport of sediments into on-site vernal pools, Murphy Canyon Creek, and the San Diego River, could potentially result in significant impacts to surface water quality during and immediately after construction. Additionally, accidental spills or leaks of construction materials (e.g., vehicle fuels) during development may also adversely impact surface water quality both within and downstream of the site.

The degree of construction-related impacts to surface water quality is dependent upon the timing and nature of various construction activities. Construction during the rainy season (October to April) can result in higher loads of sediment and other pollutants that could degrade

water quality. The short-term effect that construction may have upon surface water quality can be reduced or eliminated through implementation of proper control measures and best management practices (BMPs).

Since there are no groundwater basin recharge areas on-site or in the project vicinity, any potential groundwater impacts from construction-related sedimentation would not affect groundwater quality.

Urban Runoff

Stormwater and landscape-related runoff from the project site would likely result in the discharge of urban pollutants such as pesticides, herbicides, fertilizers, heavy metals, grease, and oil to stormwater conveyed from the site. The concentration of pollutants carried in urban runoff varies, with the highest concentrations occurring during the first major rainfall event after the dry season. This event is known as the "first flush." The "first flush" can carry a variety of accumulated pollutants. Runoff flowing over impervious surfaces such as rooftops and pavement picks up contaminants including construction-related chemicals, hydrocarbons, and heavy metals (i.e., from vehicle use). In addition, runoff from landscaped areas incrementally contributes pollutants such as fertilizers, herbicides, and pesticides to local drainages. Pollutant concentrations in urban runoff are extremely variable and are dependent upon storm intensity, land use, elapsed time since the previous storm, and the volume of runoff. Implementation of the proposed project would result in a slightly larger volume of urban pollutants discharged to downstream drainages, over existing conditions. This increase would be caused by the increased runoff that would occur upon project completion.

The discharge of such pollutants could adversely affect the quality of surface and groundwaters within the site and in areas adjacent to Murphy Canyon Creek and San Clemente Canyon and could incrementally contribute to cumulative water quality impacts in the San Diego River. The quality of most surface and groundwaters in local urban areas of San Diego is generally below drinking water standards and is not designated by the San Diego Regional Water Quality Control Board (RWQCB) for human domestic water purposes. Potential water quality degradation could increase the presence of urban pollutants that, in time, could potentially result in adverse impacts to downstream wildlife and riparian or wetland habitats.

General Dynamics' adopted Storm Water Pollution Prevention Plan (SWPPP) has been implemented for the ongoing demolition program and will be incorporated into future construction activity programs. The SWPPP includes erosion and sediment control measures, soil stabilization, wind erosion controls, pollutant control measures for hazardous construction

materials, 3-year post-construction control measures for long-term stormwater pollution, a “Best Management Practices” inspection and maintenance plan, and a monitoring program and reporting plan.

Additionally, the New Century Center Master Plan indicates that drought tolerant/low-water requirement vegetation be incorporated in the landscape design to minimize landscape irrigation runoff, which contributes to the loading of nutrients in urban runoff.

SIGNIFICANCE OF IMPACTS

Implementation of the proposed project could potentially result in impacts to surface and groundwater quality downstream of the site. Such impacts may be associated with construction-related erosion/sedimentation and contaminant discharge and urban runoff associated with the developed project site. The implementation of the SWPPP (already adopted by the applicant), as well as adherence to the City of San Diego Landscape Technical Manual, would reduce the potential impacts to below a level of significance.

MITIGATION, MONITORING, AND REPORTING

No mitigation is required.

4.10 NOISE

EXISTING CONDITIONS

Acoustic Fundamentals

Noise is often defined as unwanted sound. Sound is a mechanical form of radiant energy transmitted by pressure waves in the air. It is characterized by two parameters: amplitude (loudness) and frequency (tone).

Amplitude

Amplitude is the difference between ambient air pressure and the peak pressure of the sound wave. Amplitude is measured in decibels (dB) on a logarithmic scale. For example, a 10 dB sound is 10 times the pressure difference of a 0 dB sound; a 20 dB sound is 100 times the pressure difference of a 0 dB sound. Another feature of the decibel scale is the way in which sound amplitudes from multiple sources add together. A 65 dB source of sound, such as a truck, when joined by another 65 dB source results in a sound amplitude of 68 dB, not 130 dB (i.e., doubling the source strength increases the sound pressure by 3 dB). Amplitude is interpreted by the ear as corresponding to different degrees of loudness. Laboratory measurements correlate a 10 dB increase in amplitude with a perceived doubling of loudness and establish a 3 dB change in amplitude as the minimum audible difference perceptible to the average person (Federal Highway Administration 1982).

Frequency

Frequency is the number of fluctuations of the pressure wave per second. The unit of frequency is the Hertz (Hz). One Hz equals one cycle per second. The human ear is not equally sensitive to sound of different frequencies. Sound waves below 16 Hz or above 20,000 Hz cannot be heard at all, and the ear is more sensitive to sound in the higher portion of this range than in the lower. To approximate this sensitivity, environmental sound is usually measured in A-weighted decibels (dBA). On this scale, the normal range of human hearing extends from about 10 dBA to about 140 dBA. Typical indoor and outdoor noise levels generated by various activities and human reaction to noise are listed in Figure 4.10-1.

Noise Descriptors

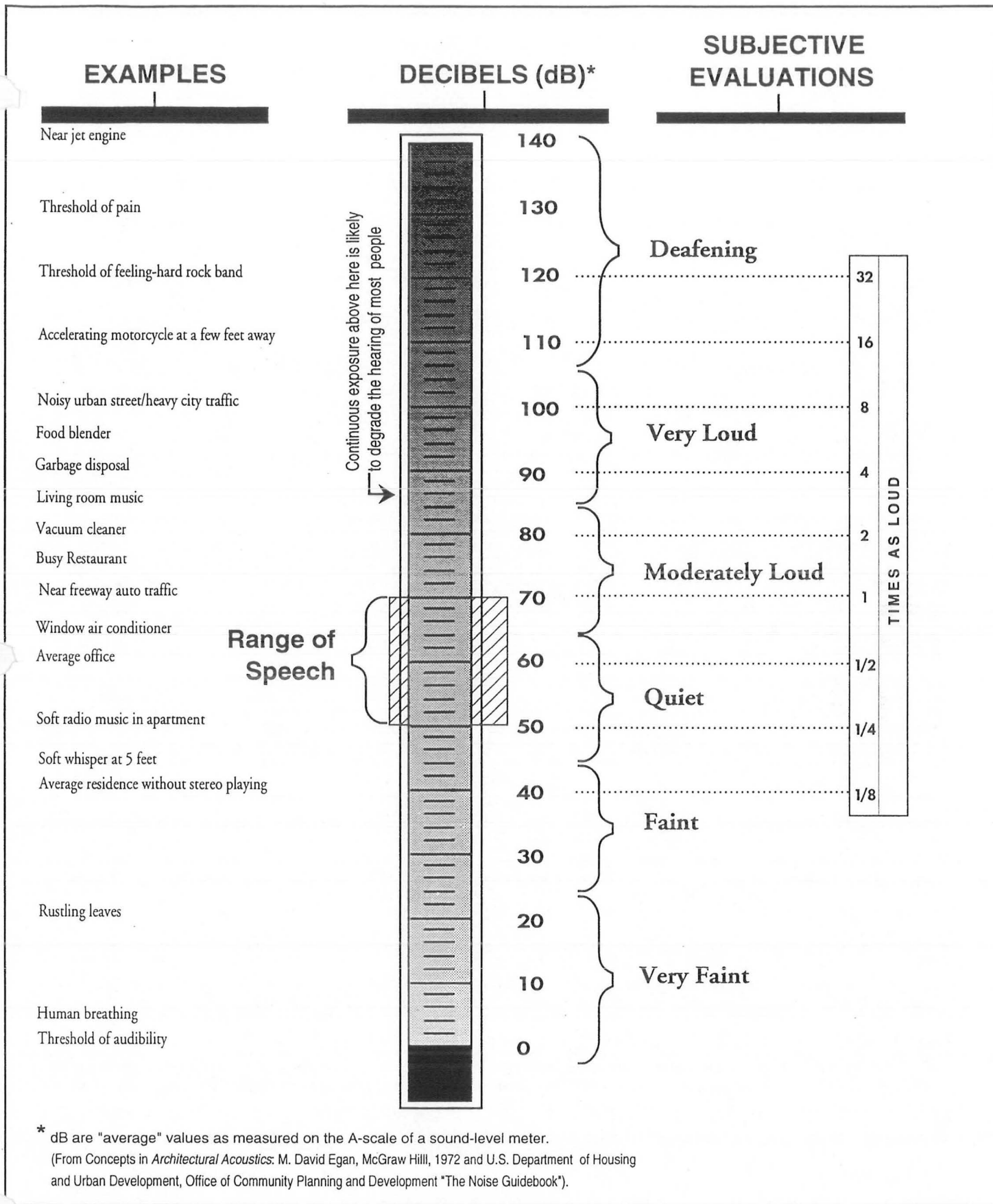
The intensity of environmental noise fluctuates over time, and several descriptors of time-averaged noise levels are used. Three most commonly used are Leq, Ldn, and CNEL. The Leq of a time-varying sound is equivalent or equal to the level of a constant unchanging sound over the same given period of time. Many communities use 24-hour descriptors of noise levels to regulate noise. The day-night average noise level, Ldn, is the 24-hour average of the noise intensity, with a 10 dBA "penalty" added for nighttime noise (10 p.m. to 7 a.m.) to account for the greater sensitivity to noise during this period (California Code of Regulations 1988). CNEL, the community equivalent noise level, is similar to Ldn, but adds an additional 5 dBA penalty to evening noise (7 p.m. to 10 p.m.). Ldn and CNEL are essentially equal to within 1 dBA (typically $CNEL = Ldn + 0.6 \text{ dBA}$).

Other commonly used noise descriptors include the statistical noise descriptors such as L_{10} , L_{50} , and L_{90} . These are the noise levels equaled or exceeded during 10 percent, 50 percent, and 90 percent of a stated period of time. For steady noise sources, the L_{50} measured is very close to the equivalent constant level Leq. Lmin and Lmax are the lowest and highest A-weighted sound level, respectively, measured during a stated period of time.

Characteristics of Sound Propagation and Attenuation

Noise can be generated by a number of sources, including mobile sources, such as automobiles, trucks, and airplanes, and stationary sources, such as construction sites, machinery, and industrial operations. Noise generated by mobile sources typically attenuates at a rate between 3.0 to 4.5 dBA per doubling of distance. The rate depends on the ground surface and the number or type of objects between the noise source and the receiver. Hard and flat surfaces, such as concrete or asphalt, have an attenuation rate of 3.0 dBA per doubling of distance. Soft surfaces, such as uneven or vegetated terrain, have an attenuation rate of about 4.5 dBA per doubling of distance. Noise generated by stationary sources typically attenuate at a rate between 6.0 to about 7.5 dBA per doubling of distance.

Sound levels can be reduced by placing barriers between the noise source and the receiver. In general, barriers contribute to decreasing noise levels only when the structure breaks the "line of sight" between the source and the receiver. Buildings, concrete walls, and berms can all act as effective noise barriers. Wooden fences or broad areas of dense foliage can also reduce noise, but are less effective than solid barriers.



Common Indoor and Outdoor Noise Levels

Human Response to Noise

Noise in the community has often been cited as a health problem, not in terms of actual physiological damage, such as hearing impairment, but in terms of inhibiting general well-being and contributing to undue stress and annoyance. For most people, the usual consequences of noise are associated with speech interference, distractions at home and at work, disturbance with rest and sleep, interference with tasks demanding concentration or coordination, and the disruption of recreational pursuits.

The long-term effects of excessive noise exposure are physical as well as psychological. Physical effects may include headaches, nausea, irritability, constriction of blood vessels, changes in the heart and respiratory rate, and increased muscle tension. Prolonged exposure to high noise levels may result in hearing damage. Psychological effects may result from stress and irritability associated with a change in sleeping patterns due to excessive noise. The acceptability of noise and the threat to public well-being are the basis for land use planning policies preventing exposure to excessive community noise levels.

Regulatory Standards

Federal, state, and local governments have established noise standards and guidelines to protect citizens from potential hearing damage and various other adverse physiological and social effects associated with noise. The federal government specifically preempts local control of noise emissions from aircraft, railroads, and interstate highways, so as not to impose undue burden on interstate or foreign commerce. The applicable standards and guidelines for the study area are discussed below.

State of California

The State Office of Noise Control provided guidance for the acceptability of projects within specific CNEL contours in *Guidelines for the Preparation and Content of Noise Elements of the General Plan*, established in February 1976. Playgrounds and neighborhood parks are normally unacceptable in areas exceeding 67 dBA CNEL and clearly unacceptable in areas exceeding 73 dBA CNEL. Residences, schools, libraries, and hospitals are normally unacceptable in areas exceeding 70 dBA CNEL and conditionally acceptable between 60 and 70 dBA CNEL. However, the state stresses that these guidelines can be modified to reflect sensitivities of individual communities to noise.

City of San Diego

The City of San Diego's *Progress Guide and General Plan* presents the adopted Land Use Noise Level Compatibility Standards, as depicted in Figure 4.10-2 (San Diego 1989). The standards are generally applicable for transportation noise sources such as vehicular traffic. The standards are applied at usable outdoor living areas such as backyards, patios, and child play areas. The noise threshold for the proposed project's land uses is 65 CNEL for parks, 70 CNEL for office, business, and professional buildings, and 75 CNEL for commercial retail, shopping centers, restaurants, and movie theaters.

Through its Municipal Code, Section 59.5.0401 (1976), the City of San Diego regulates noise from stationary sources at the property line. Table 4.10-1 summarizes the City's standards which apply to proposed development within the Kearny Mesa Community Plan. The maximum permissible property line sound level is a function of the time of day and land use zone. The code sets maximum 1-hour average sound levels for various land use zones, at any location within the City's limits. The noise subject to these limits is that part of the total noise at the specified location that is due solely to the action of said person. Noise levels which exceed these limits would be considered significant.

Section 59.5.0404 of the City's Municipal Code limits all construction activities to between the hours of 7 a.m. and 7 p.m., Monday through Saturday, including Columbus Day and Washington's Birthday (1984). Except for emergency construction work (the Noise Abatement Officer of the City should be notified within 48 hours after commencement of said emergency work), no construction activity (including construction activities by the City of San Diego) should generate an average sound level greater than 75 dBA during the 12-hour period from 7 a.m. to 7 p.m. at or beyond the property lines of any property zoned residential.

NOISE ENVIRONMENT

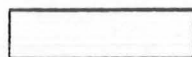
The project site's existing noise environment is primarily influenced by the noise produced from motor vehicles and aircraft in the area. The most significant continuous noise source influencing the project's noise environment is vehicle traffic on SR-163. Significant motor vehicle noise is also produced by vehicles on I-15 and Clairemont Mesa Boulevard. In addition, minor noise is produced by vehicles on secondary arterials such as Ruffin Road and Kearny Villa Road and in the various nearby parking lots.

		Annual Community Noise Equivalent Level in Decibels					
Land Use		50	55	60	65	70	75
1.	Outdoor Amphitheaters (may not be suitable for certain types of music.						
2.	Schools, Libraries						
3.	Nature Preserves, Wildlife Preserves						
4.	Residential-Single Family, Multiple Family, Mobile Homes, Transient Housing						
5.	Retirement Home, Intermediate Care Facilities, Convalescent Homes						
6.	Hospitals						
7.	Parks, Playgrounds						
8.	Office Buildings, Business and Professional						
9.	Auditoriums, Concert Halls, Indoor Arenas, Churches						
10.	Riding Stables, Water Recreation Facilities						
11.	Outdoor Spectator Sports, Golf Courses						
12.	Livestock Farming, Animal Breeding						
13.	Commercial-Retail, Shopping Centers, Restaurants, Movie Theaters						
14.	Commercial-Wholesale, Industrial Manufacturing, Utilities						
15.	Agriculture (except Livestock), Extractive Industry, Farming						
16.	Cemeteries						



COMPATIBLE

The average noise level is such that indoor and outdoor activities associated with the land use may be carried out with essentially no interference from noise.



INCOMPATIBLE

The average noise level is so severe that construction costs to make the indoor environment acceptable for performance of activities would probably be prohibitive. The outdoor environment would be intolerable for outdoor activities associated with the land use.

SOURCE: Progress Guide and General Plan (Transportation Element)

City of San Diego Land Use Noise Level Compatibility Standards

TABLE 4.10-1
CITY OF SAN DIEGO
STATIONARY SOURCE NOISE LIMITS

Land Use Zone	Time of Day	1-Hour Average Sound Level (dBAs)
1. Residential: All R-1	7 a.m. to 7 p.m. 7 p.m. to 10 p.m. 10 p.m. to 7 a.m.	50 45 40
2. All R-2	7 a.m. to 7 p.m. 7 p.m. to 10 p.m. 10 p.m. to 7 a.m.	55 50 45
3. R3, R-4, and all other residential	7 a.m. to 7 p.m. 7 p.m. to 10 p.m. 10 p.m. to 7 a.m.	60 55 50
4. All commercial	7 a.m. to 7 p.m. 7 p.m. to 10 p.m. 10 p.m. to 7 a.m.	65 60 60
5. Manufacturing, industrial	anytime	75
Note: The sound level limit at a location on a boundary between zoning districts is the arithmetic mean of the respective limits for the two districts. Source: City of San Diego Noise Ordinance 1976.		

Existing CNEL noise levels were calculated using the model SOUND32 for eight roadway links, assuming a 4.5 attenuation rate. The traffic data was provided by Kimley-Horn and Associates, Inc. (May 1996). Table 4.10-2 presents the CNEL at 100 feet from the centerline of roadways and the distances from the centerline to the CNEL noise levels for the 65, 70, and 75 contours. The existing CNEL noise levels range from about 79 at 100 feet from the centerline of SR-163 between Clairemont Mesa Boulevard and Balboa Avenue to 56 at 100 feet from the centerline of Main Street west of Ruffin Road.

The other major source of noise near the project site are helicopters and airplanes from Montgomery Field and Miramar Naval Air Station. Montgomery Field is south of the project site; runways are approximately 1,500 feet south of the project site. Miramar Naval Air Station runways are approximately 3 miles north of the project site. According to the Kearny Mesa Community Plan (which is based upon the Miramar and Montgomery Field land use plans), Montgomery Field's and Miramar Naval Air Station's current and the projected year 2000 noise level do not exceed 60 CNEL within the project area. Figure 4.10-3 presents the Year 2000 aircraft CNEL contours for the Kearny Mesa Community Plan area.

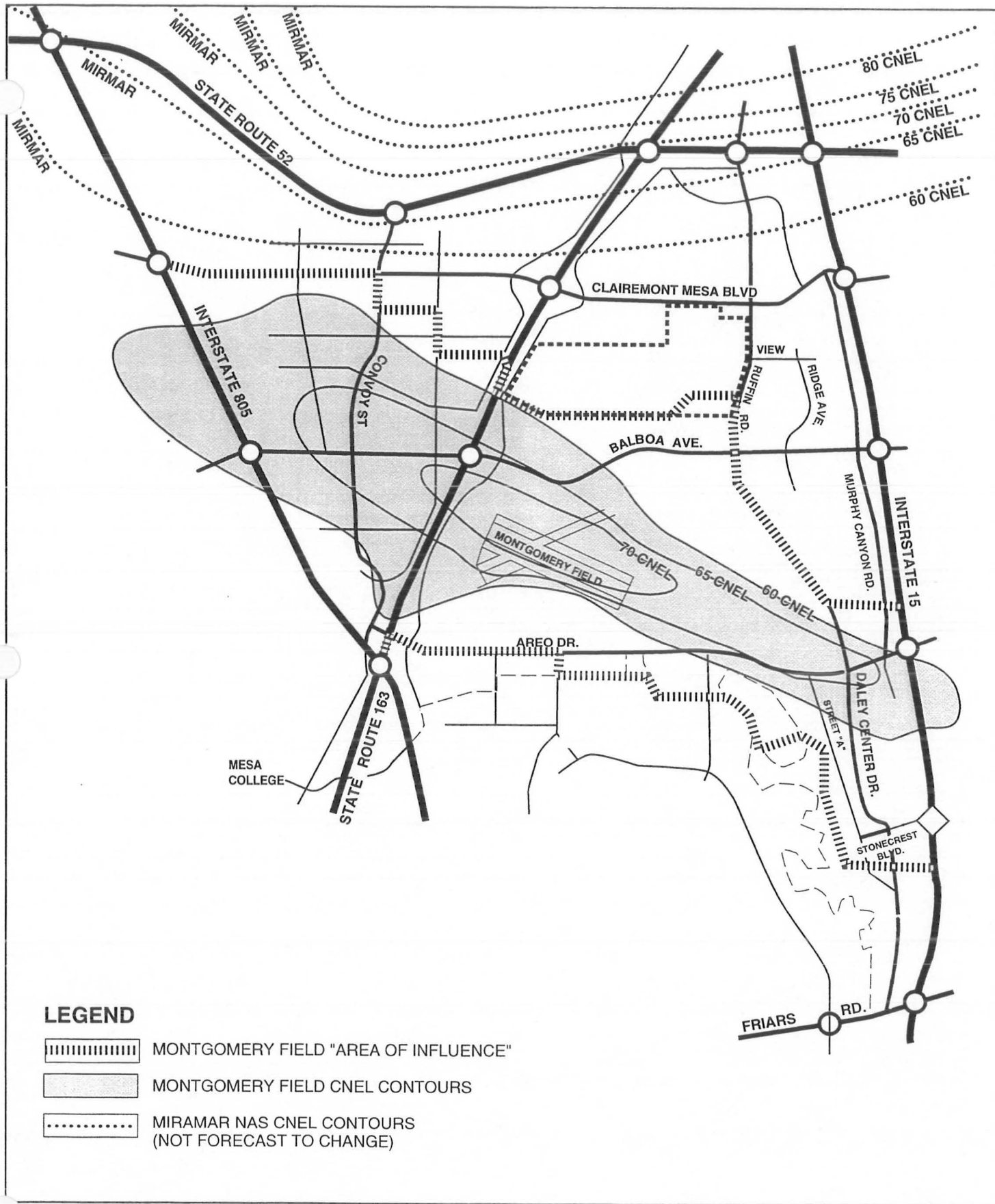
Although daily aircraft noise levels at the project site are below 60 CNEL, aircraft from Montgomery Field routinely fly at low altitudes over the site. According to the *Montgomery Field Airport Master Plan Report* (1980), aircraft traffic pattern routes for aircraft practicing "touch and gos" fly in a rectangular pattern over the project site. These flights would produce short-term noise levels during flyovers that would be greater than ambient noise levels; however, the daily noise levels over the project site would remain below 60 CNEL. In fact, Montgomery Field is not projected to generate noise contours above 70 CNEL because of the limited number and type of aircraft using the airport.

TABLE 4.10-2
EXISTING CNEL NOISE LEVELS
(At Receptors 100 Feet for the Centerline of the Roadway and
Distance to 65, 70, AND 75 CNEL Noise Contour in Feet)

Location	CNEL at 100 feet	Distance in Noise Contour (feet)		
		75	70	65
Clairemont Mesa Boulevard between SR-163 and Ruffin Road	70	46	100	215
Ruffin Road between Clairemont Mesa Boulevard and Balboa Avenue	68	36	77	165
SR-163 between Clairemont Mesa Boulevard and Balboa Avenue	79	170	365	765
Electronics Way east of Kearny Villa Rd	63	NA	33	71
Main Street east of Kearny Villa Road	62	NA	30	66
Convair Drive east of Kearny Villa Rd	61	NA	22	53
Main Street west of Ruffin Road	56	NA	NA	22
Convair Drive west of Ruffin Rd	60	NA	NA	47
NA = Noise contour either does not exist or is within the roadway right-of-way.				

Sensitive Receptors

There are no sensitive noise receptors near or adjacent to the proposed project. The project site is primarily surrounded by commercial, office, and institutional land uses. Specifically, north of the project is commercial, office/industrial, and research and development land uses. South of the project site is Montgomery Field and industrial and business park/office buildings. East of the project site is research and development, industrial, office, and quasi-public land uses. West of the project site (across SR-163) consists predominantly of commercial uses.



SOURCE: Kearny Mesa Community Plan • 1992

Year 2000 Aircraft CNEL Noise Contours

New Century Center

4.10-9

FIGURE
4.10-3

4.10.1 ISSUE

Would existing or future noise levels on-site or off-site adversely impact any proposed uses within the PCD/PID Master Plan area or surrounding community?

IMPACTS

The potential noise impacts associated with the proposed project include effects to on-site and off-site uses from existing and future noise levels due to increased traffic volumes, aircraft activity, and planned stationary sources. In addition, construction of the proposed project would generate short-term noise levels.

Noise impacts are regulated through the City of San Diego's building permit requirements and municipal code. The City's Development Services Center requires that traffic noise levels at hotels, motels, and dwellings other than detached single-family dwelling units be noise insulated so interior noise levels do not exceed 45 dB. The Development Services Center also requires that aircraft noise levels at single-family and multi-family residences be noise insulated so interior noise levels do not exceed 45 CNEL. Exterior noise levels for parks and nature/wildlife preserves cannot exceed 65 dB. The municipal code prohibits construction between the hours of 7 p.m. and 7 a.m. Monday through Saturday, or anytime on holidays (except Columbus Day and Washington's Birthday) and Sundays.

Short-term Construction Impacts

Construction activities would temporarily increase noise levels in the project area. Earthmoving, materials handling, stationary, and impact equipment and vehicles generate noise during clearing, excavation, grading, structure, parking lot, roadway and utility construction operations associated with the development of the proposed land uses. Noise produced by the various construction activities could impact exterior areas of on-site retail, research and development, industrial, office, and hotel land uses, and off-site commercial and residential land use.

Actual noise levels generated by equipment and experienced at nearby on-site businesses and off-site commercial residential land uses during construction would vary hourly, daily, and weekly because the number and types of equipment used would vary. Noise could be produced by diesel powered motor graders, trackers, fork lifts, loaders, rollers, asphalt pavers, generators, flatbed trucks, delivery trucks, and rollers. Table 4.10-3 presents noise levels for various pieces of construction equipment.

**TABLE 4.10-3
CONSTRUCTION EQUIPMENT NOISE LEVELS^a
BEFORE AND AFTER MITIGATION**

Equipment Type	Noise Level at 50 Feet	
	Without Noise Control	With Feasible Noise Control ^b
Earthmoving		
Front Loaders	79	75
Backhoes	85	75
Dozers	80	75
Tractors	80	75
Scrapers	88	80
Graders	85	75
Trucks	91	75
Pavers	89	80
Materials Handling		
Concrete Mixers	85	75
Concrete Pumps	82	75
Cranes	83	75
Derricks	88	75
Stationary		
Pumps	76	75
Generators	78	75
Compressors	81	75
Impact		
Pile Drivers	101	95
Jack Hammers	88	75
Rock Drills	98	80
Pneumatic Tools	86	80
Other		
Saws	78	75
Vibrators	76	75
^a Taken from <i>Noise from Construction Equipment and Operations, Building Equipment, and Home Appliances</i> , prepared by Bolt, Beranek, and Newman for the U.S. Environmental Protection Agency. ^b Estimated levels obtainable by selecting quieter procedures or machines and implementing noise control features requiring no major redesign or extreme cost.		

Since the number, type, and location of each kind of equipment that will be used cannot be specifically determined, it is not possible to predict specific exterior noise levels at on-site businesses or off-site commercial and residential land uses. However, for the purposes of this noise analysis, project-generated construction noise level estimates were made assuming the concurrent operation of one tractor, one backhoe, and one truck using the noise levels presented in Table 4.10-3.

Proposed on-site land uses could be exposed to noise levels above City thresholds, but, as discussed further below, such exposure would be limited to ancillary exterior uses, such as vending machines areas and other outdoor cafeterias (referred to as "exterior use areas"), located within relatively short distances from certain adjacent roadways.

On-site businesses would be exposed to the loudest exterior noise levels when construction activities are occurring at the adjacent parcel. Building construction would be set back approximately 200 feet from existing businesses during building concrete pouring and frameworking. A business approximately 200 feet from one tractor, one backhoe, and one truck could experience exterior noise levels between 68 and 80 dBA. During utility, parking lot, and landscaping construction, adjacent businesses could be as close as 50 feet from individual pieces of equipment. While these construction activities are occurring, noise levels could be between 75 and 91 dBA. Construction noise could produce temporary exterior noise levels at on-site businesses that would be considered substantially interfering with normal business communication (i.e., greater than 65 dBA).

Off-site commercial land uses would be exposed to two different levels of noise. Most off-site commercial land uses would be exposed to lower noise levels than on-site land uses because these off-site land uses are separated from the proposed project by a street. Most off-site commercial and office uses would be approximately 200 feet from construction activities and exposed to exterior noise levels between 68 and 80 dBA. Some off-site commercial land uses, however, are adjacent to the proposed project. The planned retail/business service center at the southwest corner of Clairmont Mesa Boulevard and Overland Avenue is adjacent to existing off-site commercial land uses to the west. During utility, parking lot, and landscaping construction activities, adjacent off-site commercial land uses could be exposed to exterior noise levels between 75 and 91 dBA. Construction noise could produce temporary exterior noise levels at off-site businesses that would be considered substantially interfering with the normal business communication (i.e., greater than 65 dBA).

The closest residences to the project site are approximately 2,230 feet from the eastern edge of the proposed project. These residences located east of I-15 would be exposed to

construction noise from the one tractor, one backhoe, and one truck of between 47 and 59 dBA. These residents, however, would barely hear the proposed project's construction over the traffic noise produced by the freeway. Freeways can typically produce noise levels in the 60 and 70 dBA. The closest residence would not be exposed to noise levels above the daytime construction noise standard of 75 dBA.

Stationary Source Impacts

The proposed project's retail, research and development, industrial, office, park, and hotel land uses would produce small amounts of stationary noise. Minor intermittent short-term increases in noise would occasionally be generated from tape players, radios, etc., adult/children voices; landscape maintenance; and building mechanical air conditioning and heating systems that are common with the proposed land uses. Noise from these stationary sources could expose on-site adjacent retail, research and development, industrial office, park, and hotel land uses and off-site adjacent commercial uses to inconsequential stationary noise levels similar in nature to the types and noise levels already generated by existing uses.

The noise levels experienced at nearby businesses due to the above sources would vary greatly depending on the distances between the sources and the receptors and the type and size of the barriers between the sources and the receptors. Tape players, radios, musical instruments, adult and children's voices, and building mechanical air conditioning and heating systems can produce noise levels in the 50 and 60 dBAs at approximately 50 feet. However, exterior noise levels produced by these sources would not exceed the City's stationary source noise levels (Table 4.10-2).

On-site and off-site adjacent businesses would be exposed to the loudest noise levels when gasoline-powered shrubbery trimmers and lawn mowers are used at the adjacent parcel. Adjacent on-site and off-site businesses could be as close as 50 feet from landscape equipment. These businesses could be exposed to exterior noise levels in the 70 dBAs. Although gasoline trimmers and lawn mowers could produce exterior noise levels above the City's stationary source noise levels (Table 4.10-2), the City considers landscape maintenance activities to be temporary and of no significant consequence.

Project Mobile Source Impacts

Development of the proposed project's land uses would result in a daily traffic volume net increase as discussed in Section 4.2, Transportation and Circulation, of this EIR. To determine if these roadway volume increases would result in significant mobile source noise impacts on

nearby off-site and on-site land uses, the model SOUND32 was used to determine “existing baseline,” and “future without project,” and “future with project” CNEL noise levels.

SOUND32 is the Federal Highway Administration Level 2 Noise Prediction model with the addition of California vehicle emission levels. CNEL noise levels were calculated for eight “existing baseline” and “future without project” roadway links and 10 “future with project” roadway links incorporating data from the traffic report (please refer to Section 4.2, Transportation and Circulation). The vehicle mix for the non-freeway roadways was taken from the CARB computer program BURDEN7F version 1.1 for San Diego County (CARB 1994). The vehicle mix for SR-163 was taken from Caltrans data (State of California Business, Transportation and Housing Agency, Department of Transportation 1995). Speed limit data were provided by Kimley-Horn and Associates. For modeling, a simplified flat terrain with a soft surface (4.5 decibel reduction per doubling of distance) was used. Results of the modeling are shown in Table 4.10-4.

The table presents the CNEL noise levels at 100 feet from the centerline for the roadway links for the existing baseline, and future with and without project scenarios, and the distances from the roadway centerlines to the 65, 70, and 75 CNEL noise levels contours for the “future with project” scenario. As indicated in the table, the daily traffic volumes increases associated with the “future with project” scenario would cause a 0 to 8 dBA increase above noise levels associated with the existing conditions. The daily traffic volumes increases associated with the “future with project” scenario would cause a -1 to 8 dBA change from noise levels associated with the future without scenario.

Commercial, office, research and development, industrial, and quasi-public land uses surrounding the project site would be exposed to minor changes in traffic noise levels. Three off-site existing, future without project, and future with project roadway links have been modeled. The largest increase in traffic noise would be experienced along Ruffin Road between Clairemont Mesa Boulevard and Balboa Avenue. Off-site businesses along this roadway would experience exterior noise level increases of 2 dBA. A 2 dBA increase at off-site land uses is not considered audible.

The existing on-site CSC property would not be exposed to traffic noise level changes. Convair Drive west of Ruffin Road, as shown in Table 4.10-4, would not experience a noise level change due to the proposed project.

**TABLE 4.10-4
EXISTING AND FUTURE WITH AND WITHOUT PROJECT
CNEL NOISE LEVELS**

Location	Existing CNEL at 100 feet	Future Without Project CNEL at 100 feet	Future With Project CNEL at 100 feet	Future With Project		
				Distance to Noise Contour From Roadway Centerline (feet)		
				75 CNEL	70 CNEL	65 CNEL
Clairemont Mesa Blvd. between SR-163 and Ruffin Rd.	70	70	71	NA	115	245
Ruffin Rd. between Clairemont Mesa Blvd. and Balboa Ave.	68	69	70	NA	96	205
SR-163 between Clairemont Mesa Blvd. and Balboa Ave.	79	79	79	185	390	810
Electronics Way east of Kearny Villa Rd.	63	63	65	NA	48	105
Main St. east of Kearny Villa Rd.	62	62	65	NA	NA	105
Convair Dr. east of Kearny Villa Rd.	61	61	64	NA	39	84
Main St. west of Ruffin Rd.	56	56	64	NA	NA	87
Convair Dr. west of Ruffin Rd.	60	61	60	NA	NA	44
Overland south of Clairemont Mesa Blvd.	NA	NA	63	NA	NA	77
NA = Noise contour either does not exist or is within the roadway right-of-way.						

Proposed on-site land uses could be exposed to noise levels above City thresholds, but, as discussed further below, such exposure would be mostly limited to ancillary exterior uses, such as vending machines areas and other outdoor cafeterias (referred to as "exterior use areas"), located within relatively short distances from certain adjacent roadways.

Since the exact location of the proposed project's hotel, offices, commercial, retail, and industrial uses have not been determined, it is not possible to predict specific noise impacts for the various proposed land uses. To the extent exterior use areas are proposed, individuals could be exposed to noise levels in excess of City standards. However, as reflected in Table 4.10-4, the 75 CNEL threshold applicable to commercial and retail land uses along Clairemont Mesa Boulevard and Ruffin Road would not extend outside the roads' right-of-way. In addition, SR-163 75 CNEL thresholds would not extend to the project site.

With respect to the 70 CNEL threshold, proposed office land uses within 96 feet of the centerline of Ruffin Road between Clairemont Mesa Boulevard and Balboa Avenue, within 48 feet of the centerline of Electronics Way east of Kearny Villa Road, and within 39 feet of the centerline of Convair Drive east of Kearny Villa Road would be exposed to significant exterior noise levels above the threshold. Since Ruffin Road along the eastern edge of the project has a width of 98 feet, the 70 CNEL contour would only extend 47 feet into the adjacent proposed office land uses. Since Electronics Way east of Kearny Villa Road has a width of 74 feet, the 70 CNEL contour would only extend 11 feet into the adjacent proposed office land uses. Since Convair Drive east of Kearny Villa Road has a width of 74 feet, the 70 CNEL contour would only extend 2 feet into the adjacent proposed office land uses. Other proposed office land uses along other roadways within the project site would not be exposed to exterior noise levels above 70 CNEL. As stated above, this analysis assumed simplified flat terrain. Noise attenuation due to landscape barriers or grade differentials such as what exists along Ruffin Road were not taken into account. Ruffin Road is below the site by approximately 10 feet. Actual noise levels along Ruffin Road would be lower if the line-of-sight between the vehicles on the road and buildings within the project site is blocked.

Aircraft Noise Impacts

Development of the project site would result in exposing the proposed land uses to helicopter and aircraft noise from Montgomery Field and Miramar Naval Air Station. Montgomery Field's runways are approximately 1,500 feet south of the southern perimeter of the proposed project. Miramar Naval Air Station runways are approximately 3 miles north of the proposed project. According to the *Kearny Mesa Community Plan*, which is based upon both airport land use plans, Montgomery Field's and Miramar Naval Air Station's current and projected year 2000 noise levels would not exceed 60 CNEL within the project site (the City's aircraft noise levels threshold is 65 CNEL).

SIGNIFICANCE OF IMPACTS

Implementation of the proposed project could potentially result in significant short-term exterior construction noise impacts of between 75 and 91 dBA at on-site and adjacent land uses. In addition, traffic could also produce significant long-term on-site noise levels at some locations above 70 CNEL prior to mitigation, such as exterior vending machine areas and outdoor eating areas associated with on-site structures.

MITIGATION, MONITORING, AND REPORTING

The following measures are recommended to reduce potential direct exterior noise impacts associated with construction and traffic noise. Application of these measures for traffic noise would reduce impacts to a less than significant level. Construction noise levels would be decreased; however, the impact would remain significant.

1. Prior to the recordation of the first final map, the following condition shall be shown on grading plans to the satisfaction of the City Manager:
 - a. Wherever possible, noise-generating construction equipment shall be shielded from nearby businesses by noise-attenuating buffers such as temporary fencing, structures, or trucks.
 - b. Construction equipment shall be properly outfitted and maintained with noise reduction devices to minimize construction-generated noise.
2. Prior to issuance of building permits, the applicant shall show setbacks and/or sound walls and/or berms and/or other design features on building plans to the satisfaction of the City Manager so that the proposed project's exterior use areas for offices along Ruffin Road, Electronics Way east of Kearny Villa Road, and Convair Drive east of Kearny Villa Road are not exposed to noise levels greater than 70 CNEL. If the applicant decides only to use setbacks, the recommended setbacks from the roadway centerline distances are provided in Table 4.10-4.

Prior to issuance of certificates of occupancy, the City Manager shall verify compliance with building plans.

Short-term construction noise impacts would occur for all project alternatives with the exception of the No Project "A" Alternative which does not assume any new development on the site. All of the other alternatives would permit various types of land uses and, thus, would result in construction-related noise impacts.

4.11 PALEONTOLOGICAL RESOURCES

This section summarizes the results of the paleontological report prepared by Thomas A. Demere, Ph.D. of the San Diego Natural History Museum in March 1996. A copy of this technical report is included as Appendix G in this Program EIR.

EXISTING CONDITIONS

Data Resources

A review was conducted of relevant published geological reports (Kennedy 1975) and museum records (Department of Paleontology, San Diego Natural History Museum) to determine the potential presence of paleontological resources at the project site. A field reconnaissance of the project site was conducted on March 22, 1996 by staff at the Department of Paleontological Services, San Diego Natural History Museum.

Paleontological Resources Sensitivity Criteria

- **High sensitivity.** High sensitivity is assigned to geologic formations known to contain paleontological localities with rare, well preserved, critical fossil materials for stratigraphic or paleoenvironmental interpretation, and fossils providing important information about the paleobiology and evolutionary history (phylogeny) of animal and plant groups. Highly sensitive formations typically produce vertebrate fossil remains or are considered to have the potential to produce such remains.
- **Moderate sensitivity.** Moderate sensitivity is assigned to geologic formations known to contain paleontological localities with poorly preserved, common elsewhere, or stratigraphically unimportant fossil material. The moderate sensitivity category is also applied to geologic formations that are judged to have a strong, but unproven potential for producing important fossil remains.
- **Low Sensitivity.** Low sensitivity is assigned to geologic formations that, based on their relative young age and/or high-energy depositional history, are judged unlikely to produce important fossil remains. Typically, low sensitivity formations produce invertebrate fossil remains in low abundance.
- **Zero sensitivity.** Zero sensitivity is assigned to geologic formations that are entirely igneous in origin and, therefore, have no potential for producing fossil remains.

On-site Paleontological Resources

The general geology of the project site consists of Pleistocene-age nearshore marine and/or alluvial sedimentary deposits referred to as the Lindavista Formation (La Jolla, CA 7.5' USGS quadrangle geologic map). These geological deposits are overlain in places by artificial fill materials. Almost all of the project site has been developed. A semi-natural area exists in the eastern and southeastern corner of the site. In addition, there are several areas where low cut slopes provide a view of the underlying geologic deposits.

The Lindavista Formation (Kennedy 1975) represents a marine and/or non-marine terrace deposit of early Pleistocene age. Typical exposures of the formation consist of rust-red, coarse-grained, pebbly sandstones, and pebble conglomerates with locally common deposits of green claystone. The Lindavista Formation has an average thickness of approximately 20 to 30 feet and is thought to have been deposited under fluvial, aeolian, and shallow nearshore marine conditions (Kennedy 1975). These deposits accumulated on a flat, wave-cut platform (i.e., sea floor) during a period of dropping sea levels. Today, these deposits form the extensive mesa surfaces characteristic of the Otay Mesa, San Diego Mesa, Linda Vista Mesa, Kearny Mesa, and Mira Mesa areas of San Diego County.

Fossil localities are rare in the Lindavista Formation and have only been recorded from a few areas (e.g., Tierra Santa and Mira Mesa). Fossils collected from these sites consist of remains of nearshore marine invertebrates including clam, scallop, snail, barnacle, and sand dollar (G.L. Kennedy 1973), as well as sparse remains of shark and baleen whale (E.D. Milow, pers. comm.).

The majority of the project site is covered by buildings, structures, and parking surfaces. Therefore, the field walkover was limited to those areas where natural or semi-natural conditions occur. Prior grading and excavations have occurred at the site associated with the development of the General Dynamics facility. No fossils were discovered during the walkover; no recorded paleontological sites were found during the records search.

The Lindavista Formation underlies the entire project site. It is exposed in the low cut slope along the northern boundary of the site, in the low road cuts in the extreme southeastern corner of the site, and in the natural canyon head also in the southeastern corner of the site. Based on the sparsity of fossils (primarily marine invertebrates) reported from this rock unit, the Lindavista Formation is assigned a moderate paleontological resource sensitivity.

Based on previous work in the Kearny Mesa area, the elevation of the "wave-cut" platform on which the Lindavista Formation was deposited is predicted to occur at about 410 feet (surface

elevation above mean sea level [msl]) on the project site (Tierra Santa Terrace of Kern and Rockwell 1992). This relationship suggests that the Lindavista Formation may range up to 34 feet in thickness, at least along the eastern border of the project site. This also suggests that another geological rock unit probably occurs in the subsurface below elevation 410 feet msl. In the Kearny Mesa area, sandstones of the Friars Formation typically underlie the Lindavista Formation. This relationship is seen at the Waxie Business Park to the north and at the Fiesta Island Replacement project to the northwest.

It is predicted that the Friars Formation underlies the site and would be encountered in any excavations that extend below approximately 410 feet msl. The Friars Formation is a sandstone/mudstone rock unit that has produced significant, well preserved fossil terrestrial vertebrates (e.g., crocodile, hedgehog, primate, carnivoran, tapir, rhinoceros, and brontothere; Walsh 1991) and marine invertebrates (e.g., clam, snail, and crab; Squires and Demere 1991) of middle Eocene age (approximately 45 million years old). Because of the proven occurrence of vertebrate fossils in the Friars Formation, it is assigned a high paleontological resource sensitivity.

4.11.1 ISSUE

Would the proposed project, including off-site improvements, adversely impact paleontological resources?

IMPACTS

Direct and cumulative impacts to paleontological resources occur when earth work activities, such as mass grading, and cuts into the geologic deposits (formations) within which fossils are buried, ~~such as historical activities that occurred with development of existing land uses.~~ These impacts take the form of physical destruction of fossil remains.

As previously noted, the majority of the project site is in a developed condition and has been subject to prior grading and excavation activities. No grading would occur with CSC's ~~40-acre~~ **11.5-acre** parcel, approximately ~~8.5~~ **7** acres of Missile Park, and the 4.3-acre conservation bank within Planning Area 5A. On the remainder of the developed site, grading activities would be limited to internal roads and ~~tying in existing grading contours~~ **refinements** to create flat development pads **(see Figure 3-4)**. These grading activities ~~are not expected to~~ **may occur at or slightly below elevation of 410 feet in the western portion of the site along Kearny Villa Road and would, could therefore not potentially** impact paleontological resources that may exist in the sensitive Friars Formation **at or below this elevation.** It should be noted that a project-specific

geotechnical report has not been prepared nor is required at this time. It is, therefore, unknown whether the Friars Formation occurs at elevation 410 feet. It is also possible that the Lindavista Formation ~~could would~~ be encountered during on-site grading activities above elevation 410 feet throughout the site.

SIGNIFICANCE OF IMPACTS

Potential impacts to the Lindavista and Friars formations are considered significant.

MITIGATION, MONITORING, AND REPORTING

Implementation of the following mitigation measures would ensure that potential direct and cumulative impacts to paleontological resources are reduced to below a level of significance:

1. Prior to issuance of a grading permit, the applicant shall submit a soils report with each grading plan to determine the locations of Lindavista and/or Friars Formations on-site. If the soils report identifies the presence of these formations and the grading plan shows cutting where they are located, the applicant shall retain a qualified paleontologist to implement a monitoring program with the provisions specified below.
2. The applicant shall provide verification that a qualified paleontologist and/or paleontological monitor has been retained to implement the monitoring program. Verification shall be in the form of a letter from the applicant to the City Manager. A qualified paleontologist is defined as an individual with a Ph.D. or M.S. degree in paleontology or geology, and who is a recognized expert in the application of paleontological procedures and techniques such as screen-washing of materials and identification of fossil deposits. A paleontological monitor is defined as an individual who has experience in the collection and salvage of fossil materials, and who is working under the direction of a qualified paleontologist. All persons involved in the paleontological monitoring program shall be approved by EAS prior to any pre-construction meeting.
3. The qualified paleontologist shall attend any pre-construction meetings to discuss grading plans with the excavation contractor. The requirement for paleontological monitoring shall be noted on the grading plans.
4. The paleontologist or paleontological monitor shall be on-site half-time during the original cutting of previously undisturbed sediments of the Lindavista Formation and on-site full-time during the original cutting of the Friars Formation to perform periodic inspections of excavations, and, if necessary, to salvage exposed fossils. The frequency of inspections will be determined by the paleontological monitor and will depend on the rate of excavation, the materials excavated, and the abundance of fossils.

5. In the event that well-preserved fossils are found, the paleontologist shall have the authority to divert, direct, or temporarily halt grading activities in the area of discovery to allow evaluation and recovery of exposed fossils. At the time of discovery, the paleontologist shall immediately notify EAS staff of such finding. EAS shall approve salvaging procedures to be performed before construction activities are allowed to resume.
6. All collected fossil remains shall be cleaned, sorted, and cataloged following standard professional procedures. The collection should be donated to a scientific institution with a research interest in the materials (such as the San Diego Natural History Museum).
7. The Mitigation Monitoring and Reporting Program requires that a monitoring results report shall be submitted to the City Manager prior to issuance of building permits. The monitoring results report, with appropriate graphics, shall summarize the results, analysis, and conclusions of the paleontological monitoring program, even if negative.

4.12 PUBLIC UTILITIES

EXISTING CONDITIONS

Water Service

The Shepherd Canyon Pipeline supplies the Kearny Mesa area with potable water from the San Diego Second Aqueduct (a portion of that water is treated water from Miramar Reservoir). As a supplement, the Miramar/Elliott Pipeline system also transports treated Miramar Reservoir water to Kearny Mesa.

Most of San Diego's water is imported from the Colorado River via the Colorado River Aqueduct, or from Northern California via the State Water Project California aqueduct. The San Diego County Water Authority (SDCWA) receives imported water from Metropolitan Water District of Southern California (MWD) and in turn sells water to its 23 member agencies, including the City of San Diego.

Before delivery to San Diego, raw (untreated) water is stored and treated at Lake Skinner in southern Riverside County. The water is then transported to San Diego County via the San Diego Aqueduct system. The existing City of San Diego reservoir system includes nine reservoirs with an overall capacity of 415,936 acre-feet. This system is used primarily to store imported water and is not designed to capture substantial storm runoff. As a result, water supplies in the City's reservoir system fluctuate with precipitation conditions (and associated water availability) in Northern California and the Colorado River watershed.

Miramar Lake and Lake Murray are the closest City reservoirs to the project site, and hold approximately 6,000 and 4,000 acre feet, respectively. The current available water supply in the City of San Diego is considered adequate to meet current water demands; water is supplied according to need (Gascon 1996).

Existing Water Conservation Programs

In compliance with state legislation, the City prepared and adopted its first 5-year Urban Water Management Plan and Conservation Program in 1985. Included in the plan is a water conservation program that identifies measures to promote long-term conservation through public education and to encourage residents to install water efficient plumbing fixtures. In addition, the City has successfully completed its residential interior plumbing retrofit program which is designed to provide low water use shower heads and toilets for 150,000 pre-1981 homes (City

of San Diego 1994). The following programs were implemented under this program in 1991 and are ongoing:

- Ultra-Low Flush Toilet Rebate Program
- Public Information and Education Program
- Water Conservation Hotline
- City of San Diego Water Consumption Data Base
- Ultra-Low Flush Toilet Ordinance for New Construction
- Water Conservation Plumbing Retrofit Ordinance

Other water conservation efforts within the City include participation in the State of California Memorandum of Understanding (MOU), *Regarding Urban Water Conservation in California*; support of "proven water conservation strategies;" and the creation of the City Manager's Water Conservation Advisory Committee to review proposed long-term water conservation programs. Although no longer in a severe drought condition, San Diego remains in a "drought watch" due to the uncertainty of water supplies statewide. Additionally, water supplies in the City of San Diego are subject to "structural drought" conditions whereby potable water supplies may be effectively reduced due to reallocation priorities at a state level (e.g., maintenance of aquatic habitat in northern California).

Overall water conservation efforts in the City have been effective in meeting targeted goals. In April 1991, the City Council identified a citywide conservation goal of 20 percent. Through successful implementation of the above described conservation program, City residents have achieved that goal annually since 1991 (City of San Diego 1994).

Sewer

The Murphy Canyon Trunk Sewer, Mission Valley Trunk Sewer, and Kearny Mesa Trunk Sewer collect wastewater from Kearny Mesa. The Kearny Mesa facility collects sewerage from the project site which initially goes to the East Mission Gorge Pump Station before being treated at the Point Loma Sewage Treatment Plant (Reynolds 1995). Approximately 191 million gallons of wastewater per day is currently treated at the Point Loma facility. The existing capacity at Point Loma is 210 million gallons per day (mgd); the plant's capacity is currently being expanded to 240 mgd (Gascon 1996). The capacity of the Point Loma Sewage Treatment Plant is adequate to serve the wastewater demand from the proposed project (Wagman 1996).

Solid Waste

Solid waste disposal occurs at the City's only landfill, Miramar Landfill, which accepts approximately 1.3 million tons of waste per year. In January 1996, the City Environmental

Services Department projected that the landfill would reach capacity by the year 2004, with a current remaining capacity of approximately 13.8 million cubic yards. This capacity estimate assumes that the City meets certain recycling and diversion goals (Cardenas 1996).

The primary components of the City's commercial waste stream are paper (29.6 percent) such as newspaper and mixed paper; yard waste (13.4 percent); plastic (7.2 percent); wood waste (6.2 percent); and, glass (5.3 percent). In 1989, the State Assembly passed the Integrated Waste Management Act, Assembly Bill 939 (AB 939), which requires each city and county within California to reduce the amount of waste entering landfills 50 percent by the year 2000. The project site is not within existing curbside recyclable and yard waste collection service areas which are provided to single-family residences only and now include the Serra Mesa and Tierrasanta communities. Future on-site occupants could participate in City recycling, source reduction, and composting programs.

The City is currently conducting environmental analyses for three potential future landfill sites (comprising four alternatives). Oak Canyon, a 236-acre site, would have a service life of 48 years and a capacity of 80 million cubic yards (mcy). Upper Sycamore Canyon, a 240-acre site, would have a service life of up to 58 years and a capacity of 96 mcy. Spring Canyon, consisting of 385 acres, would have a capacity 134 mcy and a lifespan of approximately 80 years. A combined alternative of Oak and Spring Canyons (joined by removing the intervening ridge) would consist of 655 acres, have the capacity of 225 mcy, and a life span of 90 to 135 years. All three sites are located in the eastern portion of the City of San Diego.

Storm Drainage Systems

City-operated storm drain systems that receive runoff from the site were previously described in Section 4.9, Hydrology/Water Quality, of this Program EIR. The New Century Center site is located at the upper elevational limits of three drainage watersheds: the Northeast, Southeast, and West off-site storm drainage systems. These drainage watersheds consist of large, fully developed tributary areas discharging to many inlets and sub-laterals. The majority of the existing storm drain systems downstream of the project site were constructed in the 1960s and 1970s after the General Dynamics complex was constructed (in the late 1950s). Summary descriptions of drainage facilities in each watershed are provided below.

Northeast System

The Northeast System begins with a system of inlets at the intersection of Ruffin Road and Clairemont Mesa Boulevard. The underground storm drain system starts at this location with

a 24-inch reinforced concrete pipe (RCP), transitioning to a 30-inch RCP about 188 feet downstream. The capacity of this pipe is approximately 53 cfs. The 30-inch RCP continues northerly beneath Ruffin Road for about 970 feet, then proceeds easterly as a 60-inch cast-in-place concrete pipe (CIPCP) for about 1,250 feet. The 60-inch CIPCP discharges to Murphy Canyon.

Southeast System

This drainage system receives storm runoff from the site via two 18-inch storm drain subsystems with capacities of 28 cfs and 37 cfs. These subsystems join a 24-inch asbestos cement pipe (ACP) at a location approximately 240 feet east of Ruffin Road. The 24-inch ACP continues easterly for about 760 feet, then turns southerly for about 260 feet, transitioning to a 30-inch RCP which continues southerly for about 246 feet to Viewridge Drive. The storm drain system proceeds easterly beneath Viewridge Drive as a 42-inch RCP for about 558 feet and as a 48-inch RCP for an additional 586 feet. The storm drain system then proceeds southeasterly as a 60-inch RCP for about 580 feet transitioning to a 72-inch corrugated steel pipe (CSP) for an additional 480 feet. The Southeast System discharges to a 156 inch pipe in Murphy Canyon.

West System

Storm runoff from the New Century Center site discharges to this drainage system at three locations: two are located along the western project boundary and one is on the northern project boundary. The western facilities have capacities of 102 cfs (48-inch RCP) and 329 cfs (6-foot square box); the northern system has a controlled capacity of 73 cfs. Inlet control conditions at the 48-inch RCP limit its capacity at the inlet to 73 cfs, which is much less than the approximate 100 cfs that a facility of this size could carry. These three locations discharge storm runoff from the site to a confluence with an 84-inch RCP northwesterly of the project site. The 84-inch RCP proceeds westerly for about 850 feet, then proceeds northerly beneath Mercury Street for about 1,350 feet, turning westerly for about 550 feet where it discharges to an unnamed canyon near State Highway 52.

Drainage studies conducted by General Dynamics in December 1996 (see Appendix F) indicate that the existing capacities of the off-site storm drainage systems in the area are not adequate to convey 100-year storm flows from existing development areas in Kearny Mesa, including the New Century Center site. As noted previously in Section 4.9, Hydrology/Water Quality, of this Program EIR, the site currently contributes approximately 678 cubic feet per second (cfs) of runoff to the existing storm drainage systems adjacent to the site.

4.12.1 ISSUE 1

Is adequate sewer and water service available to serve the project?

IMPACTS

The proposed project would include approximately 85 acres of commercial uses and approximately 159 acres (exclusive of the CSC ~~40-acre~~ 11.5-acre parcel and 8.5 7 acres of Missile Park) of industrial/business park use. These acreages are used in the following analysis to project water demand, wastewater generation, and solid waste generation figures associated with the proposed New Century Center development.

Water Service

The average daily water consumption rates associated with commercial use is approximately 5,000 gallons per net-acre per day (gal/N-acre/day) and 6,250 gal/N-acre/day for industrial use (City of San Diego 1994). Net acreage is defined as 80 percent of the total development area. Assuming 80 percent of the total development area (exclusive of the ~~40-acre~~ 11.5-acre CSC site and 8.5 7 acres of Missile Park) under the proposed Master Plan, approximately 84 net acres of commercial uses and approximately 96.4 net acres of industrial uses were used to determine approximate municipal water use for the project. Based on these figures and the above described projections, water use for the proposed New Century Center site would be approximately 1.02 mgd. This figure represents an approximate 105,000 gallons per day (gpd) decrease from previous on-site municipal water use associated with the General Dynamics site. Please refer to Table 4.12-1.

Because the proposed project's water demand is expected to be less than historical water use for the site, no impacts related to water supply, demand, and conservation are anticipated.

In summary, the proposed project would use less water (due to less proposed development) than future development permitted in the Kearny Mesa Community Plan, less water than has been historically used at the site, and would incorporate drought resistant landscaping and water-saving irrigation techniques. Groundwater supplies would not be used to provide service to the site.

**TABLE 4.12-1
NEW CENTURY CENTER WATER USE**

Land Use	Proposed	Existing Baseline	Change
Commercial ^a	420,000 ^b	N/A	420,000
Industrial ^c	602,500 ^d	1,127,500 ^e	<525,000>
Total	1,022,500	1,127,500	<105,000>
^a Water consumption is 5,000 gallons per net-acre per day; net-acre = 80 percent of gross-acre. ^b 80 percent of 105 acres. ^c Water consumption is 6,250 gallons per day. ^d 80 percent of 120.5 acres; the proposed project retains the 40-acre 11.5-acre CSC site and 8-5 7 acres of Missile Park. ^e 80 percent of 225.5 acres; excludes the CSC site and 8-5 7 acres of Missile Park.			
Source: City of San Diego 1996.			

Sewer

The projected wastewater generation rate for commercial and industrial/business park uses is approximately 80 gallons per capita per day (San Diego 1996). Based on the above described net acreages, it is estimated that approximately 738,704 gpd would be generated by the proposed commercial and industrial/business park uses at project buildout; please see Table 4.12-2. Based on these generation factors, the existing industrial land uses historically generated approximately 902,000 gpd because more square footage is permitted under the Community Plan than is currently proposed. Therefore, the proposed land uses are expected to generate less sewage per day than prior uses on the site.

Projected wastewater generation associated with allowable development on the property as identified in the Kearny Mesa Community Plan would be approximately 974,800 gpd because more square footage is permitted under the Community Plan than is currently proposed. This figure is based on the generation factors identified for these uses by the City of San Diego (1994). Based on these figures, the proposed project would result in a reduction of on-site wastewater generation relative to allowable development under the existing Kearny Mesa Community Plan and zoning designations.

As described above under Existing Conditions, current capacity at the Point Loma Sewage Treatment Plant is adequate for existing wastewater flows, with this capacity to be expanded as a result of ongoing facility improvements. Accordingly, no impacts to capacity at the Point Loma facility are anticipated from the implementation of proposed project (Wagman 1996).

**TABLE 4.12-2
NEW CENTURY CENTER SEWER USE^a**

Land Use ^b	Proposed	Existing Baseline	Change
Commercial ^c	256,704 ^c	N/A	256,704
Industrial	482,000 ^d	902,000 ^e	<420,000>
Total	738,704	902,000	<163,296>
^a Sewer flow based on 80 gallons/capita/day. ^b Net acre = 80 percent of gross-acre. ^c 80 percent of 105 acres; for the Commercial Zone: Maximum density (DU/Net AC) x population per DU = equivalent population (Pop/Net AC) x 80 gallons. ^d 80 percent of 120.5 acres; the proposed project retains the 40-acre 11.5-acre CSC site and 8.5 7 acres of Missile Park; for the Industrial Zone: 17.9 x 3.5 = 62.5 x 96.4 x 80. ^e 80 percent of 225.5 acres; excludes the CSC site and 8.5 7 acres of Missile Park. Source: City of San Diego 1996.			

SIGNIFICANCE OF IMPACTS

Water Service

No significant impacts related to water demand are expected associated with the proposed project.

Sewer

No significant impacts related to wastewater generation are expected from implementation of the proposed project.

MITIGATION, MONITORING, AND REPORTING

Water Service and Sewer

Because no significant impacts have been identified, no mitigation is required.

4.1.2 ISSUE 2

Is adequate solid waste disposal available to serve the project?

IMPACTS

The City's Environmental Services Department estimates that the average amount of solid waste generated by commercial and industrial developments is 52 tons per year per 10,000 square feet. Waste management services provided to the commercial sector include the development of Recycled Market Development Zones, annual recycled product symposiums, waste audit services, recycling workshops, and technical assistance programs and speakers.

Construction waste from individual projects cumulatively comprises a substantial portion of the waste matter entering the City's Miramar Landfill. Construction debris is very heavy and expensive to dispose; therefore, reuse, source separation, recycling, and buy-recycled are often cost effective measures.

By using the City of San Diego waste generation rate of 52 tons of refuse per year per 10,000 square feet of commercial/retail/office use, it is assumed that the proposed project would result in the generation of 23,218 tons of solid waste per year based on 4,465,000 square feet of development at project buildout. Based on permitted Community Plan land uses for the site of 5,206,900 square feet of development, the site would generate 27,076 tons of solid waste per year, which is more than would be generated by the proposed project. The General Dynamics facility contained approximately 2,400,000 square feet of development uses which would have generated approximately 12,480 tons per year of solid waste. Therefore, the net increase that would be associated with the proposed project (when compared to historical use) is approximately 10,738 tons per year.

SIGNIFICANCE OF IMPACT

Solid Waste

The proposed project would not result in a significant construction-related impact for solid waste disposal. Based on the City's thresholds of significance for solid waste generation, the project would result in significant ongoing direct and cumulative waste generation impacts associated with the proposed uses.

MITIGATION, MONITORING, AND REPORTING

Solid Waste

The following measures would reduce direct project-related solid waste impacts to below a level of significance. However, on a cumulative basis, the project's contribution to the generation of solid waste is significant and unavoidable.

1. Prior to the issuance of building permits, the project applicant shall prepare a waste management plan, subject to approval by the City of San Diego Environmental Services Department. The construction manager shall be involved in the development of the waste management plan for the construction and post-construction phases of the project consisting of the following elements, where appropriate:
 - type of materials expected to enter the waste stream
 - quantity of material
 - source separation techniques to be used
 - on-site storage of separated materials
 - method of transportation to be used
 - destination of materials
 - buy-recycled program to be implemented

The waste management plan shall include specific goals for waste reduction and recycling. It shall emphasize source separation, and specify material reuse and recycling, where possible.

These measures shall be noted as conditions of the Planned Commercial Development (PCD) permit and the Planned Industrial Development (PID) permit. EAS and the Environmental Services Department shall review grading and building plans to ensure that the notes have been provided.

2. Mitigation for the ongoing impacts of the proposed project shall include:
 - Source reduction, source separation and recycling measures shall focus on paper goods, yard waste, plastic, wood waste, and glass;
 - "Buy-recycled" policies, such as price preferences for recycled products;
 - Source reduction policies;
 - Off-site composting;
 - In-house recycling;
 - Drop-off sites;
 - Monetary compensation for equipment and service needs;
 - Employee education;
 - Customer education; and
 - Manufacturing design modification to promote source reduction or recycling.

These measures shall be noted as conditions of the PCD and PID permits. EAS and the Environmental Services Department shall review building plans to ensure the notes have been provided.

The Reduced Intensity Alternative would reduce the project's cumulative impacts somewhat, but not to a level of insignificance.

4.12.3 ISSUE 3

Is adequate storm drainage capacity available to serve the project?

IMPACTS

As noted above, General Dynamics has prepared a drainage study which evaluates the capacities of the off-site storm drain systems and identifies the potential 100-year storm water runoff from the New Century Center site in its existing drainage condition and after the proposed project has been completed. This study projected that after development, storm runoff from the site would equal 125 cfs into the Northeast system, 158 cfs into the Southeast system, and 395 cfs into the West system.

SIGNIFICANCE OF IMPACTS

Without mitigation, the proposed project would result in stormwater runoff which exceeds the capacity of the off-site drainage systems at discharge points along the project boundary and downstream of the site. This is considered a significant impact.

MITIGATION, MONITORING, AND REPORTING

The following measure will insure that project-related storm water drainage impacts are reduced to below a level of significance:

1. Prior to recordation of a Final Map, a final drainage plan for the proposed project shall be submitted to the City Engineer demonstrating that analytical assumptions in the December 1996 drainage study are still valid and that post-development runoff rates are consistent with existing levels. Site design shall incorporate on-site detention concepts to ensure that post-development stormwater discharges will not exceed existing levels.

SECTION 5.0

GROWTH INDUCEMENT

This section of the Program EIR analyzes the potential environmental consequences of the foreseeable growth and development in the area surrounding the New Century Center site that could be induced by implementation of the proposed project.

To a great extent, the potential growth that may be induced by implementation of the proposed project is discussed in the Cumulative Impact Section (Section 6.0) of this Program EIR. Therefore, where appropriate, the following discussion summarizes the relevant analysis and provides cross-references to guide the reader to environmental analyses located elsewhere in the Program EIR.

As described below, development of the New Century Center site may induce growth of various kinds, including economic growth to the City of San Diego, particularly the Kearny Mesa Community, new construction, and other jobs in the region. However, the development is proposed on a previously developed property which has since been predominately vacated by General Dynamics. The intent of the proposed development would be to revitalize the project site and Kearny Mesa through the provision of new employment opportunities, as well as new retail, entertainment, office, and industrial land uses. The Kearny Mesa Community Plan identifies the redevelopment of the General Dynamics site with primarily industrial land uses at a level of intensity greater than would occur with the proposed project. Therefore, the proposed project is not considered to be growth-inducing.

Construction of the New Century Center project would directly create a number of new construction employment opportunities in the City of San Diego and the surrounding areas of the County. Additionally, it is anticipated that development of the project would directly induce the creation of needed new jobs in a variety of sectors of the regional economy, including the industrial, office, retail, and service based enterprises.

It is anticipated that the jobs induced by the project would in turn induce a limited demand for housing units within the region. Although it is infeasible to calculate the size of households, wage earner status, and the choice of housing location of the employees in the jobs that may be induced by the implementation of the proposed project, it can be assumed that existing residential communities contiguous to and within the community of Kearny Mesa can accommodate any housing needs.

The project is not proposing to provide public infrastructure improvements that would provide capacity in excess of the current and/or projected demand.

The growth that may be induced by the Specific Plan is anticipated to be only a portion of the buildout of the projects currently under consideration and/or being reviewed for the surrounding area. Thus, the analysis of the cumulative effects of the proposed project plus the development of the surrounding area subsumes the potential environmental impacts associated with the growth that may be induced by the proposed project. The reader is referred to Section 6.0, Cumulative Impacts, of this Program EIR.

SECTION 6.0

CUMULATIVE IMPACTS

This section summarizes the significant cumulative impacts from development of the proposed project. In this analysis, cumulative impacts are those potential effects of the New Century Center project that, when combined with the effects of other existing or approved projects in the vicinity, may result in impacts that are significant. The analysis in the earlier sections of this Program EIR have determined that the proposed project may result in cumulative impacts for the environmental topics noted below.

6.1 LAND USE

Potentially significant land use impacts identified in association with the proposed project, prior to amendments to the General Plan and Kearny Mesa Community Plan, would result in inconsistencies with adopted land use plans and the City's RPO. The potential inconsistencies of the proposed project with the existing General Plan and Kearny Mesa Community Plan are considered cumulatively significant with respect to cumulative freeway impacts even after mitigation. The inconsistency with the City's Resource Protection Ordinance provisions concerning losses of vernal pool resources is also considered cumulatively significant and not fully mitigated through the designation of the on-site conservation bank and the commitment to provide off-site mitigation (see the Biological Resources discussion below). With respect to biological resources, the No Project "A" Alternative (no development of the site) and the Reduced Intensity Alternative (avoidance of all on-site biological resources) would avoid the principal biological impacts that are associated with the proposed project. With the exceptions of the No Project "A" Alternative and No Project "B" Alternative (existing Community Plan), all of the project alternatives would require changes to the existing land use designations on the site.

6.2 TRANSPORTATION AND CIRCULATION

Project-specific and cumulative transportation effects are addressed in Section 4.2 of this Program EIR. With mitigation, all traffic impacts with the exception of cumulative impacts to some freeway segments in the study area would be reduced below a level of significance. Mitigation would be required for all project alternatives with the exception of the No Project "A" Alternative which assumes no new development on the site.

6.3 AIR QUALITY

In conjunction with other past, present, and reasonably foreseeable future projects, the proposed New Century Center project will contribute to the significant cumulative regional emissions associated with increased vehicle, natural gas, and electricity usage. The project would generate significant regional emissions of CO and ROG. None of the project alternatives analyzed in this Program EIR, with the exception of the No Project "A" Alternative would reduce these cumulative air quality impacts to a less than significant level. The Reduced Intensity Alternative and Mixed-use with Residential Component Alternative may lessen long-term air quality impacts, but not to a level that is considered less than significant. Full mitigation of the project's contribution to this regional air quality impact is beyond the control of the applicant or any single property owner. Successful county-wide implementation of the San Diego Air Pollution Control District's Regional Air Quality Strategies (RAQS) would be the only mitigation that would reduce this impact to less than significant levels.

6.4 BIOLOGICAL RESOURCES

Diegan Coastal Sage Scrub

The loss of 9.04 acres of isolated Diegan coastal sage scrub would be considered cumulatively significant in the absence of an adopted MSCP and prior to the application of mitigation. In this interim period prior to the adoption of the MSCP, the USFWS and CDFG are responsible for the determination of appropriate conditions of approval associated with the loss of coastal sage scrub and coastal California gnatcatchers. Upon adoption of the MSCP, cumulative impacts are expected to be less than significant, provided the project conforms to the City's Subarea Plan.

San Diego Hardpan Vernal Pool

The preservation of the Southern Section, restoration of three disturbed vernal pools in the Southern Section, acquisition of off-site vernal pool resources, and creation of an on-site conservation bank would reduce the project's contribution to cumulative impacts. However, the loss of 16 vernal pool basins is still considered a significant and unavoidable impact.

San Diego Mesa Mint

The loss of approximately 496 square feet of vernal pool basin area (divided into two vernal pool basins) with approximately 44 individuals of San Diego mesa mint is not considered to have cumulative significance because of the small number of plants taken.

Orcutt's Brodiae

The loss of 121 individual Orcutt's brodiae would not result in a cumulative impact due to the small number of plants lost (out of an estimated 12,700 individuals on-site) from development in the Eastern Section. The remaining Orcutt's brodiae on-site would be protected from development in the conservation bank.

San Diego Fairy Shrimp

The loss of vernal pool habitat from the Eastern Section containing San Diego fairy shrimp is considered a project-specific and cumulative unavoidable impact because of the rarity of the species which is still declining throughout the region.

With respect to biological resources, the No Project "A" Alternative (no development of the site) and the Reduced Intensity Alternative (avoidance of all on-site biological resources) would avoid the biological impacts that are associated with the proposed project.

6.5 PUBLIC UTILITIES

The proposed project includes design features and measures related to public services. Specifically, these include waste management practices, drought-resistant landscape materials, and other water conservation measures. With the implementation of mitigation related to source reduction, the project's impact on solid waste is reduced, but would still remain a significant unavoidable adverse impact on a project-specific and cumulative basis. Based on the City's significance criteria, all alternatives with the exception of the No Project "A" Alternative would contribute to significant cumulative solid waste impacts.

SECTION 7.0

SUMMARY OF ENVIRONMENTAL CONSEQUENCES

7.1 **SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES THAT WOULD BE INVOLVED IN THE PROPOSED ACTION SHOULD IT BE IMPLEMENTED**

The environmental effects of the proposed project are discussed in Sections 4.1 through 4.12 of this Program EIR. Implementation of the project will require the long-term commitment of natural resources and land as discussed below. Implementation of the project will result in the commitment of land resources for commercial, entertainment, and industrial and business park uses. The financial and material investments which would be required of the project applicant and City would result in further commitments of land for development purposes, making it more likely that the same or similar uses would continue into the future.

Approval and implementation of the project would result in an irretrievable commitment of nonrenewable resources such as energy supplies and other construction-related resources. These energy resources will be for the construction, heating, and cooling of buildings; transportation of people and goods to and from the site; potable and non-potable water for food preparation, drinking, irrigation, etc., and as lighting and other associated energy needs.

Implementation of the project and other related projects in the area will also require the commitment and reduction of other nonrenewable and slowly renewable resources. These resources include, but are not limited to, petrochemical construction materials; lumber and other forest products; sand and gravel; asphalt; steel, copper, lead, and other metals; water, etc. An increased commitment of public maintenance services (waste disposal and treatment, etc.) will also occur.

Irreversible environmental changes would result from the implementation of the project including the continued commitment of land resources to urbanized uses for the foreseeable future. Other irreversible changes associated with implementation of the project would include:

- Freeway impacts (Section 4.2, Transportation and Circulation)
- Air quality degradation (Section 4.3, Air Quality)
- Biological impacts to vernal pools (Section 4.4, Biological Resources)
- Construction noise impacts (Section 4.10, Noise)
- Waste disposal services (Section 4.12, Public Services)

SECTION 8.0

EFFECTS FOUND NOT TO BE SIGNIFICANT

This Program EIR provides an analysis of the potential environmental impacts from implementation of the New Century Center project. A scoping letter from the City of San Diego (Appendix A) determined that the Program EIR should address the following environmental issues:

- Land Use
- Traffic and Circulation
- Air Quality
- Biological Resources
- Cultural Resources
- Visual/Aesthetics
- Public Health/Safety
- Geology/Soils/Erosion
- Hydrology/Water Quality
- Noise
- Paleontological Resources
- Public Utilities

Based on the findings of the analysis provided in Sections 4.0 and 6.0 of this Program EIR, the proposed project would not result in significant environmental impacts for the following issues and no mitigation is required: land use, prehistoric archaeological resources, visual/aesthetics, public health and safety, hydrology and water quality, and paleontological resources.

The remaining environmental issues listed above were determined to result in potentially significant impacts and mitigation measures are proposed herein to address these impacts. Further, Section 7.0 of this Program EIR concludes that the New Century Center project would not result in significant environmental impacts with respect to irreversible commitments of natural resources and irreversible energy demands.

During the initial environmental assessment, the following issues were determined by the City to not be potentially significant and were, therefore, not included in the EIR analysis in accordance with Section 15128 of the State CEQA Guidelines:

- Agricultural resources
- Odors
- Public Services—police, fire, schools, maintenance
- Public Utilities—gas, communication systems
- Recreation

The reasons for the findings of non-significance are briefly outline below for each of these issues.

AGRICULTURAL RESOURCES

Agricultural activities have not been conducted on the site. It is not designated as an Agricultural Preserve as mapped by the San Diego Association of Governments, or prime agricultural soils by the Soil Conservation Service, or prime farmland by the California Department of Conservation. As shown on Figure 2-8 in Section 2.0, the project site is zoned M-1A and M-1B (industrial/retail/office). This zoning reflects the urban nature of the site and the surrounding community.

ODORS

The site is currently predominately inactive, supporting only demolition of existing structures, offices for resident management staff Missile Park, the CSC complex, and open space areas containing natural vegetation and vernal pool resources. The proposed uses are not anticipated to involve heavy industrial or manufacturing activities that would produce odors. Any proposed uses that may emit odors would be subject to permit approval by the San Diego Air Pollution Control District.

PUBLIC SERVICES (POLICE, FIRE, SCHOOLS, MAINTENANCE)

The site has historically been used for manufacturing and industrial uses that were served with police, fire, and maintenance services provided by City departments. The proposed project would continue these types of uses on-site. Any incremental capacity increases that may be required would be provided by funds from the various fees and revenues accruing to the City from the proposed project. Therefore, these public services would not be significantly impacted by the proposed project.

The proposed project does not include any residential uses that would generate school children. Any indirect effects of on-site employment on school facilities would be addressed through the City's school impact fee that is assessed against all commercial/industrial projects.

PUBLIC UTILITIES (GAS, COMMUNICATION SYSTEMS)

As noted previously, the site has been used since the mid-1950s for manufacturing and industrial uses. These activities have required the use of natural gas and telephone facilities

provided by regulated agencies. The proposed project would not generate the need for unanticipated expansions in these facilities; various fees and assessments against the proposed project would offset the future incremental demands from the site.

RECREATION

Missile Park is an existing passive and active facility containing play fields, picnic and barbecue facilities, community facilities, open space, and parking areas. The park is located along Clairemont Mesa Boulevard between Complex Drive and Ruffin Road (Planning Area 7). It was developed by General Dynamics as a private recreation facility for its employees and guests; limited public access is provided. Because the majority of structures on the site are undergoing demolition, Missile Park no longer serves its primary intended purpose, as an amenity to General Dynamics employees. Private funds generated from on-site activities to maintain the park are no longer provided. Further, the Convair Recreation Association, the organization that maintained the facility, has been disbanded. As part of the proposed NCC Master Plan project, 8.5 ~~7.0~~ acres of Missile Park will be retained and maintained as a passive recreational amenity accessible to employees, visitors, and the general public.

SECTION 9.0 ALTERNATIVES

In order to fully evaluate proposed projects, CEQA mandates that alternatives be discussed. Section 15126(d) of the state CEQA Guidelines requires the discussion of “a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives.” As stated in the New Century Center (NCC) Master Plan and reiterated in Section 3.2 of this Program EIR, the primary objective of the proposed project is to develop a cohesive commercial and industrial business environment in an aesthetically landscaped setting in order to attract quality tenants. This includes ensuring the development of the NCC project as a regional employment center containing a mix of retail, office, entertainment, business park, and light industrial land uses. The NCC Master Plan identifies the following overall objectives for the project:

- Develop a project that will create a substantial number of jobs and growth opportunities, including industrial and manufacturing jobs, while generating both significant revenues and a positive net fiscal impact for the City of San Diego.
- Take advantage of the project's location near the confluence of four major freeways by promoting a more marketable commercial focus on the freeway-visible portion of the site and multi-use office/industrial uses on the remainder of the site.
- Facilitate an imaginative, innovative, and flexible multi-use framework which is adaptable to emerging market opportunities and fosters compatible recreational, cultural, commercial, and employment opportunities.
- Establish architectural and site planning standards that will attract development and create a sense of community identity that provides a comfortable environment highlighted by landscaping, entry features, pedestrian access, and open spaces that provide complementary amenities.
- Create a park-like setting in the center of the property that will establish an important central focus for the site and the surrounding development parcels. This feature would be open to the public and organized with revenue-generating venues to create an economical, self-sustaining focus of activity for the Kearny Mesa community.
- Create an economically viable and market responsive reuse plan that provides the opportunity to successfully support the costs associated with infrastructure improvements necessary to implement the plan.

- Promote, through the variety of land uses and overall site design, a diversified economic base that can help expand employment opportunities and help promote revitalization of the Kearny Mesa community.
- Phase development on an incremental project-by-project basis to respond to market opportunities subject to design guidelines and related public improvements.
- Provide a flexible internal circulation plan able to benefit from future progress in the development of a regional public transit station near the site.
- Provide a circulation system that reduces the dependence on the automobile. The project is pedestrian-oriented, and includes an enhanced bicycle and pedestrian network.
- Retain portions of Missile Park for public recreational purposes.
- Create a plan that will underscore the viability, image, and identity of Kearny Mesa.
- Incorporate into the project sufficient industrial acreage to provide industrial uses to help preserve and create high-paying industrial and manufacturing opportunities.

This alternatives discussion is intended to “focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly” (CEQA Guidelines Section 15126(d)(1). CEQA Guidelines Section 15126(d)(5) states that the “range of alternatives required in an EIR is governed by a ‘rule of reason’ that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially less any of the significant effects of the project.”

Five alternatives to the proposed project are addressed below. Four of these alternatives are intended to eliminate or reduce the environmental impacts associated with the proposed project which cannot be mitigated below a level of significance and remain as significant and unavoidable. The fifth is a design alternative. As addressed in Section 7.0, the proposed project would result in significant and unavoidable freeway impacts (see Section 4.2, Transportation and Circulation), air quality impacts (see Section 4.3, Air Quality), biological impacts to vernal pools (see Section 4.4, Biological Resources), and waste disposal services (see Section 4.12, Public Services).

In addition, alternatives that were considered and rejected for the project are addressed below in compliance with the state CEQA Guidelines.

9.1 ALTERNATIVES CONSIDERED BUT REJECTED

During the past three years that General Dynamics has been evaluating options for the Kearny Mesa facility, a variety of alternatives for reuse/redevelopment of the site have been considered. Each was evaluated with respect to its economic feasibility, potential environmental effects, and acceptability to the City of San Diego, the community, and the applicable regulatory agencies. With the exception of the proposed project and some of the alternatives evaluated in this Program EIR, each of these previous alternatives was rejected by General Dynamics as infeasible or not capable of meeting its objectives for the site. A brief summary of the alternatives considered and rejected is provided below.

Reuse of Site Buildings and Facilities (Sale or Lease)

One of the first options explored by General Dynamics was reuse of the buildings and facilities on the site. Experts in building reuse, real estate development marketing/leasing, civil engineering, and environmental planning were retained to examine the reuse potential for the existing buildings. The results of these evaluations concluded that the manufacturing, assembly, and testing facilities were useful primarily to aerospace companies, and unless expensive renovation and repairs were completed (e.g., repairs to damaged and leaking roofs), the facilities could not compete with other more suitable properties available in the local real estate market. The office buildings would have required extensive upgrading to meet fire codes, ADA requirements, and current state-of-the-art in communications wiring and equipment to compete favorably with other properties available in the real estate market. This option is no longer an alternative due to the demolition of buildings and structures on the site.

Alternative Location

CEQA Guidelines require the analysis of an alternative location(s) to the proposed project site where "...significant effects of the project would be avoided or substantially lessened by putting the project in 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). CEQA further states that alternatives to the project or its location should be addressed even if they would somehow impede the implementation of some project objectives.

There are no known alternative project sites with similar acreage, freeway access and visibility, or that are under single ownership and could be acquired by the project applicant that could meet most of the project objectives and avoid or substantially lessen the significant effects of

the project. The objectives previously identified in Section 3.0 of this EIR are repeated below and are analyzed for applicability at an alternate site:

- Objective 1: "Develop a project that will create a substantial number of jobs and growth opportunities, including industrial and manufacturing jobs, while generating both significant revenues and a positive net fiscal impact for the City of San Diego."

This objective may be able to be accomplished at an alternative site and/or combination of sites.

- Objective 2: "Take advantage of the project's location near the confluence of four major freeways by promoting a more marketable commercial focus on the freeway-visible portion of the site and multi-use office/industrial uses on the remainder of the site."

This objective could not be accomplished at an alternative site.

- Objective 3: "Facilitate an imaginative, innovative, and flexible multi-use framework which is adaptable to emerging market opportunities and fosters compatible recreational, cultural, commercial, and employment opportunities."

This objective may be able to be accomplished at an alternative site. However, in combination with Objectives 1 and 2, there are no known alternative sites of sufficient size and location to implement these objectives.

- Objective 4: "Establish architectural and site planning standards that will attract development and create a sense of community identity that provides a comfortable environment highlighted by landscaping, entry features, pedestrian access, and open spaces that provide complementary amenities."

This objective may be able to be accomplished at an alternative site. However, this objective is intended to implement the goals and objectives set forth in the Kearny Mesa Community Plan that relate to improving the aesthetic quality of Kearny Mesa. There are no known alternative sites in Kearny Mesa where the project could be implemented. Outside of the Kearny Mesa Community, this objective could be implemented. However, there are no known sites that could accommodate the proposed project as well as implement Objectives 1 through 4.

- Objective 5: "Create a park-like setting in the center of the property that will establish an important central focus for the site and the surrounding development parcels. This feature would be open to the public and organized with revenue-generating venues to create an economical, self-sustaining focus of activity for the Kearny Mesa community."

The project's planning areas may be able to be transferred in part or whole to another site, if another site were known. However, there are no known sites in the Kearny Mesa Community. Therefore, Objective 5 could not be

accomplished at an alternative site. Further, there are no known alternative sites outside of the Kearny Mesa Community which could accommodate the project as proposed, accomplish most of the project objectives, and reduce or eliminate the significant impacts associated with the project.

- Objective 6: "Create an economically viable and market responsive reuse plan that provides the opportunity to successfully support the costs associated with infrastructure improvements necessary to implement the plan."

Because an alternative site is not known that could accommodate the project as proposed, as well as accomplish most of the project objectives and reduce or eliminate the project's significant impacts, Objective 6 could not be implemented.

- Objective 7: "Promote, through the variety of land uses and overall site design, a diversified economic base that can help expand employment opportunities and help promote revitalization of the Kearny Mesa community."

This objective would not be accomplished at a site outside of Kearny Mesa, and there is no known site within the community.

- Objective 8: "Phase development on an incremental project-by-project basis to respond to market opportunities subject to design guidelines and related public improvements."

This objective may be accomplished at an alternative site(s).

- Objective 9: "Provide a flexible internal circulation plan able to benefit from future progress in the development of a regional public transit station near the site."

It is unknown if this objective could be implemented at an alternative site. This alternative can be implemented at the proposed project site because of the size of the site, its proximity to major arterials, and planned transit improvements in the Kearny Mesa Community.

- Objective 10: "Provide a circulation system that reduces the dependence on the automobile. The project is pedestrian-oriented, and includes an enhanced bicycle and pedestrian network."

It is unknown if this objective could be implemented at an alternative site. This alternative can be implemented at the proposed project site because of the size of the site, its mix of land uses, and planned transit improvements in the Kearny Mesa Community.

- Objective 11: "Retain portions of Missile Park for public recreational purposes."

This objective could not be implemented at an alternative site.

- Objective 12: "Create a plan that will underscore the viability, image, and identity of Kearny Mesa."

This objective could only be accomplished within Kearny Mesa. There is no known alternative site in Kearny Mesa that could accommodate the proposed project.

- Objective 13: "Incorporate into the project sufficient industrial acreage to provide industrial uses to help preserve and create high-paying industrial and manufacturing opportunities."

Although there may be an alternative site that could provide industrial and manufacturing jobs, this is only one component of the proposed project. The majority of the other objectives could not be accomplished at an alternative site. CEQA indicates that alternatives need to relate to the project as a whole, not to its various parts.

Significant effects associated with the implementation of the proposed project are summarized as follows:

- Land Use: Land use policy conflicts with the City's Resource Protection Ordinance related to development encroachment into wetlands and biologically sensitive lands. This is considered an unavoidable significant impact on a direct and cumulative basis. This unavoidable impact would not occur at an alternative site if no development encroachment into wetlands and biologically sensitive lands occurred.
- Land Use: The project is inconsistent with the adopted goals of the General Plan and Community Plan because the project would incrementally contribute to significant impacts to freeway segments. Although this impact would occur with or without development of the project site, the project's contribution to freeway impacts is considered a significant, unavoidable impact. Without development of the project site, significant, unavoidable impacts to these freeway segments would still occur; this impact was anticipated in the Kearny Mesa Community Plan. Implementation of the project at an alternative site could result in additional impacts.
- Transportation and Circulation: With the exception of the project's contribution to significant, unavoidable impacts to the following freeway segments, all traffic-related impacts can be mitigated to a level that is considered less than significant. Unavoidable impacts would occur with or without the project to I-15 between I-8 and Aero Drive, and, between Clairemont Mesa Boulevard and SR-52, to SR-52 between I-805 and I-15, and to I-805 between Murray Ridge Road and SR-52 Clairemont Mesa Boulevard, and SR-52 between I-805 and SR-163. As noted above, implementation of the project at an alternative site would not reduce or eliminate this unavoidable impact.
- Transportation and Circulation: Implementation of the proposed project would result in significant impacts to eight intersections and 13 roadway segments.

These impacts can be mitigated to a level that is considered less than significant. It is expected that implementation of the project at an alternative site would result in traffic impacts to different intersections. It is unknown whether these impacts could be fully mitigated.

- **Air Quality:** Long-term air quality emissions associated with vehicular, natural gas, and electrical use would exceed established thresholds and are considered unavoidable adverse impacts associated with the project. This impact would occur at an alternative site as well.
- **Biological Resources:** Implementation of the project would result in significant biological impacts to coastal sage scrub and coastal California gnatcatchers that can be mitigated to a level that is considered less than significant. If an alternative site did not have these biological resources, no impacts would occur.
- **Biological Resources:** Impacts to vernal pool basins in the Eastern Section of the site which contains San Diego mesa mint and San Diego fairy shrimp, can be partially mitigated but is considered a significant unavoidable impact of the project. If an alternative site did not contain vernal pools with vernal pool species, this impact would not occur.
- **Noise:** Short-term construction noise impacts can be reduced but not below a level that is considered significant. This impact would occur at an alternative site.
- **Noise:** Long-term vehicular noise impacts along Ruffin Road, Electronics Way east of Kearny Villa Road, and Convair Drive east of Kearny Villa Road can be mitigated to a level that is considered less than significant. Although the significant but mitigable noise impacts at the site would be eliminated by implementation of the project at an alternative site, noise impacts would be associated with project development.
- **Paleontological Resources:** Should grading activities impact the sensitive Lindavista or Friars Formations, measures can be implemented that would mitigate this potential impact below a level that is considered significant. Potential impacts to paleontological resources would be eliminated at the project site, but could occur at an alternative site. As with the project, it is expected that these impacts could be mitigated to a level that is considered less than significant.
- **Solid Waste:** On a cumulative basis, the project will contribute to significant and unavoidable waste generation impacts. This unavoidable impact would occur at an alternative site if the same amount of development were implemented.

Therefore, as described above, there are no known sites in the Kearny Mesa Community or region that could accommodate the project as proposed, implement the majority of project objectives, and reduce or eliminate the significant impacts associated with the project.

9.2 **NO PROJECT "A" ALTERNATIVE**

The No Project "A" Alternative assumes the continuation of the phased demolition of the existing structures with no new development on the site. Upon completion of the demolition activities, the site would be vacant with the exception of the ~~40-acre~~ 11.5-acre Computer Science Corporation (CSC) parcel and the 26-acre Missile Park site. For purposes of the CEQA analysis, as depicted in Figure 9-1, the site would be assumed to be completely cleared and vacant of buildings or structures with the exception of the CSC parcel and Missile Park. The open space areas of Missile Park would continue to exist. However, to become available for public use, the City would have to purchase the park and/or assume responsibility for funding its use and maintenance as a public park. Existing areas of natural vegetation and vernal pools would be left in their current unmanaged state.

IMPACT ANALYSIS

Similar to the proposed project, the No Project "A" Alternative will result in no significant impacts related to the following environmental issues:

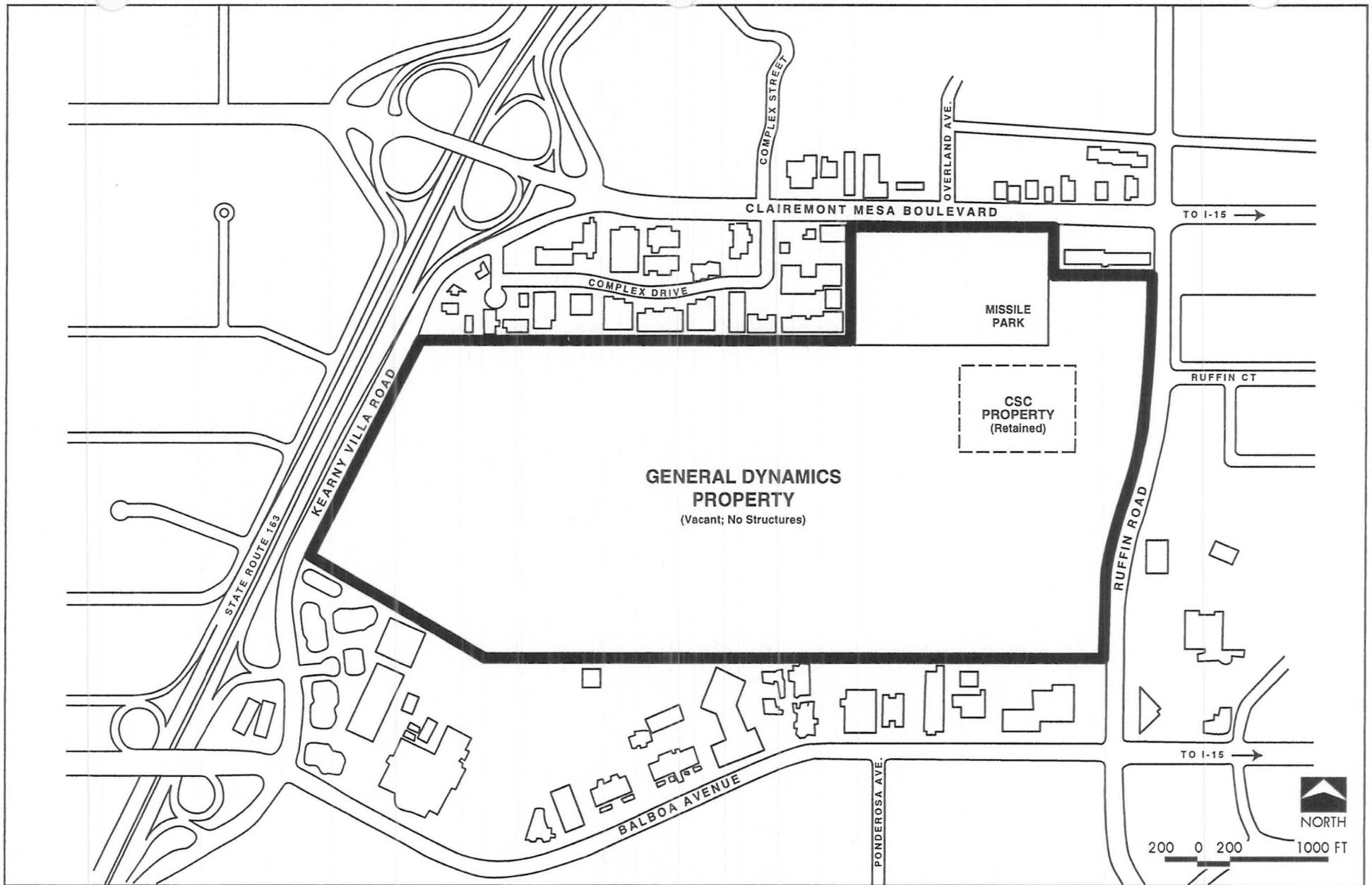
- Cultural Resources: prehistoric archaeological and historic
- Public Health and Safety
- Geology, Soils, and Erosion
- Hydrology and Water Quality
- Noise
- Public Utilities: water and sewer

Potentially significant environmental impacts associated with this alternative are addressed below.

Land Use

As noted above, the No Project "A" Alternative assumes no development of the project site. The San Diego Progress Guide and General Plan and the Kearny Mesa Community Plan assume that development of the property would occur with predominantly industrial and business park uses. The overall objectives of the Kearny Mesa Community Plan are as follows:

- Ensure the continued development of Kearny Mesa as a regional employment center, containing a mix of industrial, office, and retail land uses.
- Encourage the provision of a multimodal transportation system which provides access to the entire community as efficiently as possible.



SOURCE: RTKL Associates, Inc. • 1996

No Project "A" Alternative

New Century Center

- Create a sense of community identity by encouraging the provision of high quality urban design, and the provision of focal points which advertise Kearny Mesas as a regional employment center and consumer destination.

This project alternative would not allow for the implementation of the objectives of the Kearny Mesa Community Plan as they apply to the project site and therefore would affect achievement of the objectives of the Community Plan. Retention of the site as a vacant parcel would not allow for the continued development of the community as a regional center, would not further the implementation of a multimodal transportation system, and would not create a sense of community or provide community focal points. By comparison, the proposed project would allow for the implementation of these Community Plan objectives.

Transportation and Circulation

The No Project "A" Alternative would not generate traffic from the project site. Therefore, all traffic impacts associated with the proposed project would be eliminated with the implementation of this alternative. It should be noted that the Kearny Mesa Community Plan acknowledges that buildout of the Kearny Mesa Community would result in significant and unavoidable traffic impacts. This unavoidable impact would occur with or without development of the project site.

Air Quality

The No Project "A" Alternative would not result in any air quality impacts as no development would occur on the project site. Therefore, this alternative would eliminate significant and unavoidable air quality impacts that would occur associated with the proposed project.

Biological Resources

The No Project "A" Alternative would not result in any development activities on the project site. Therefore, the direct and indirect disturbance impacts to on-site biological resources associated with implementation of development as proposed by the project would not occur.

As discussed in Section 4.7, Public Health and Safety, the project applicant believes that there are underground silos beneath the Eastern Section habitat area. As a part of the ongoing demolition and site clean-up activities, it is the intent of the project applicant to remove these silos. Therefore, the No Project "A" Alternative could result in similar impacts to biological resources located within the Eastern Section. Please refer to Section 4.4, Biological Resources, which discusses the potential impacts to resources associated with the removal of the silos. Any

potential disturbances to significant biological resources would require a Resource Protection Ordinance permit from the City of San Diego.

This alternative does not assume the creation of a conservation bank in the Southern Section of the site. Because this alternative does not assume the management of on-site biological resources (i.e., no fencing, no debris removal, no realignment of Electronics Way, etc.) that would occur with the proposed project, there is a potential for long-term degradation of these resources. As part of the proposed project, the recommended mitigation program permits the purchase and preservation of off-site vernal pool habitat to mitigate on-site impacts resulting from development of the Eastern Section. Although the No Project "A" Alternative would preserve the Eastern Section and therefore not require off-site mitigation, the lack of a conservation bank may affect the long-term on-site viability of the resources and would not promote the purchase off-site habitat. The purchase of off-site habitat may be required at a ratio exceeding 1:1 which would result in greater preservation of habitat than on-site preservation of the area.

Visual/Aesthetics

Redevelopment of the project site as envisioned by the proposed project would not result in any adverse aesthetic impacts; reuse of the site is considered a beneficial impact. The No Project "A" Alternative would allow for the ongoing demolition of on-site structures. Following the completion of the demolition program, the site would be visible to the community and from surrounding freeways and roadways as a predominately vacant parcel; parking areas, the CSC complex, and Missile Park would remain. The site would not be maintained.

Paleontological Resources

Because no development would occur on the project site, no significant impacts to paleontological resources would occur. Potentially significant impacts to paleontological resources associated with the proposed project can be fully mitigated.

Public Utilities

Solid Waste

Because no development would occur on the project site associated with the No Project "A" Alternative, no solid waste would be generated. This alternative would eliminate the significant

and unavoidable cumulative solid waste impacts that would occur with the implementation of the proposed project.

Storm Drains

Any existing City storm drain system deficiencies would continue to occur.

CONCLUSIONS

Implementation of the No Project "A" Alternative would eliminate significant and unavoidable air quality and solid waste impacts that are associated with the proposed project. This alternative would avoid direct impacts to sensitive biological resources in the Eastern Section. However, because this alternative does not include the establishment of a habitat management program, it may not ensure the long-term preservation of sensitive biological resources in the Southern Section to the same extent as for the proposed project. This alternative would not result in aesthetic improvements to the site as no new development would occur; the site would stand vacant. On balance, this alternative would be considered environmentally superior to the proposed project. However, it should be noted that the No Project "A" Alternative does not meet the objectives of the project applicant to redevelop the site nor does it meet the objectives of the Kearny Mesa Community Plan which assumes the reuse of the site would also provide employment opportunities.

9.3 NO PROJECT "B" ALTERNATIVE (COMMUNITY PLAN)

The No Project "B" Alternative addresses the feasibility of redeveloping the site under the existing zoning for the property. This alternative assumes the implementation of a conservation bank on the Southern Section. As depicted in Figure 9-2, the project site would undergo phased redevelopment with a range of uses allowed by the current zoning for the site: approximately 6 acres of M-1A and 238 acres of M-1B. Therefore, as identified in the Community Plan, the site could be developed with approximately 5,107,800 square feet of industrial business park uses, and 99,100 square feet of speciality retail uses along Clairemont Mesa Boulevard. This is a greater level of intensity than proposed by the project. It is assumed that the uses that would be developed under this alternative would generally be similar to the existing types of land uses in adjacent and surrounding areas in Kearny Mesa.

Implementation of this alternative is assumed to proceed on varying schedules as individual parcels are processed for approval. Although Missile Park is not an identified land use in the existing Kearny Mesa Community Plan or zoning for the site (has M-1B zoning), this alternative

assumes the retention of the park. On-site roadways would be developed to meet the needs of individual parcels and continue existing connections to adjacent circulation systems.

IMPACT ANALYSIS

Similar to the proposed project, the No Project "B" Alternative will result in no significant impacts related to the following environmental issues:

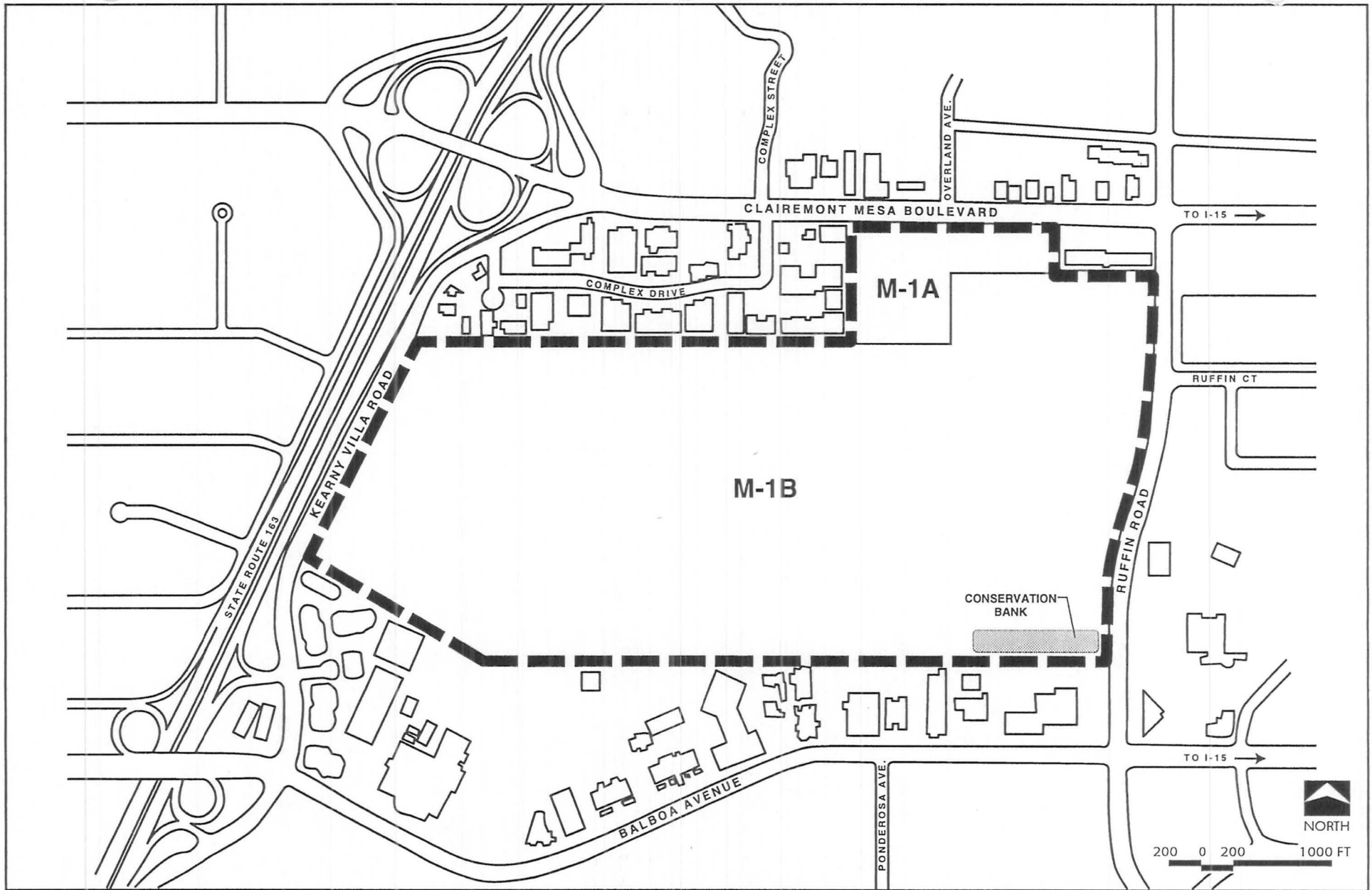
- Cultural Resources: prehistoric archaeological and historic
- Public Health and Safety
- Geology, Soils, and Erosion
- Hydrology and Water Quality
- Public Utilities: water and sewer

Land Use

The No Project "B" Alternative could result in additional land use impacts when compared to the proposed project because of its increased development intensity allowed under the existing zoning (5.2 million square feet v. approximately 3.2 to 4.3 million square feet). For example, the uses allowed by the existing zoning could take much longer to be absorbed on-site than the proposed project, and delay the employment and economic contribution from the site to San Diego. Existing zoning would allow for the elimination of Missile Park. The City and the community have indicated their interest in retaining at least a portion of this site as a park. As with the proposed project, this alternative would result in potential conflicts with the City's RPO related to encroachment in to sensitive biological habitat and wetlands. These conflicts are considered significant direct and cumulative impacts associated with the No Project "B" Alternative.

Transportation and Circulation

A detailed analysis of buildout of the existing Kearny Mesa Community Plan is provided in Section 4.2, Transportation and Circulation, of this Program EIR. Buildout of this alternative's land use would generate approximately 69,000 daily trips with 8,100 a.m. peak hour trips and 8,300 p.m. trips. The trip generation figures for this alternative assume that internal site roadways would be provided to allow access to Ruffin Road, as well as implementation of street and intersection improvements assumed in the Community Plan. The No Project "B" Alternative would result in a decrease of approximately 11,000 ADT when compared to the proposed project. However, project-generated traffic decreases by approximately 2,100 per hour during the a.m. peak hour when compared to the No Project "B" Alternative. The p.m. peak hour trips increase, but the critical outbound trips decrease by 780 vehicles per hour. As with the



SOURCE: Kearny Mesa Community Plan • 1992

No Project "B" Alternative

New Century Center

proposed project, all traffic (direct and cumulative) impacts can be mitigated to a level that is considered less than significant with the exception of cumulative impacts to freeway segments.

Air Quality

Implementation of the No Project "B" Alternative is expected to result in significant short-term construction and long-term vehicular and operational impacts. Short-term construction impacts are expected to be similar or the same as for the proposed project since disturbance of similar acreages would occur. As noted in the above discussion of traffic, this alternative would generate fewer daily trips than the proposed project. However, critical a.m. and p.m. peak hour directional trips would decrease with the proposed project. It is expected that long-term vehicular air quality impacts would be similar to the proposed project and remain significant and unavoidable. This alternative could result in greater stationary source air quality impacts because the predominate use on the site under the No Project "B" Alternative could be industrial uses, which often generate more air pollutants than commercial and office land uses.

Biological Resources

As noted above, this alternative assumes the creation of a conservation bank in the Southern Section of the project site. Impacts to biological resources in the Eastern Section would be mitigated in the same manner as for the proposed project. Therefore, biological impacts for the No Project "B" Alternative would be the same as for the proposed project.

Visual/Aesthetics

Redevelopment of the project site would not result in any adverse aesthetic impacts because reuse of the site is considered a beneficial impact. The No Project "B" Alternative would require completion of the ongoing demolition of on-site structures. It is uncertain how the redevelopment of the site would be implemented or the timeframe for this implementation. Therefore, it is possible that portions of the site visible to the public would be vacant/unmanaged for longer periods of time than assumed for the proposed project.

Upon completion of buildout of this alternative, the on-site buildings, landscaping, and roadway improvements would blend into the urban landscape of adjacent areas. No negative aesthetic or visual impacts would occur since the City's design review process would ensure that new buildings were visually compatible with neighboring properties.

Paleontological Resources

Implementation of the No Project "B" Alternative could potentially impact paleontological resources in the Friars and Lindavista formations. As with the proposed project, these impacts can be mitigated to a level that is considered less than significant.

Public Utilities

Solid Waste

Because more development would occur on the project site under the No Project "B" Alternative than the proposed project, increased amounts of solid waste would be generated. Similar to the proposed project, the alternative's contribution to the creation of solid waste is significant and unavoidable on a cumulative basis.

Storm Drains

It is expected that development under this alternative would be able to detain storm runoff associated with the project on the site. No significant impacts would be anticipated.

CONCLUSIONS

Implementation of this alternative would not reduce the significant and unavoidable adverse impacts that would occur with the implementation of the proposed project. Because the No Project "B" Alternative would permit more development on the site than the proposed project, this alternative would result in significant and unavoidable land use (RPO), traffic, air quality, and solid waste impacts similar to or greater than the proposed project. This alternative would not require a General Plan or Community Plan amendment or a rezone because this alternative is consistent with land uses contemplated by the City.

9.4 REDUCED INTENSITY ALTERNATIVE

The Reduced Intensity Alternative would reduce the development intensity by approximately 40 percent (when compared to the proposed project), while preserving substantial open space within the currently undeveloped portion of the site. Two primary objectives of this alternative are to reduce average daily traffic generation and to reduce encroachment into sensitive habitat areas. This alternative assumes no encroachment into sensitive areas identified in the City's Resource Protection Ordinance (RPO) and development of remaining areas of the site in a

manner similar to that contemplated for the proposed project. The statistical summary for this alternative is provided as Table 9-1. The site plan associated with this alternative is depicted as Figure 9-3.

The mix of land uses considered as part of the proposed project would be retained, as would all other features that characterize the proposed project, including the Main Street spine, Market Square, reconfigured Missile Park, and an on-site circulation network that connects to adjacent roadways. On-site development would be concentrated to avoid biologically sensitive habitat areas and use the same planning area boundaries developed for the proposed project.

However, any of the previously defined planning areas that include any biologically sensitive areas would not be developed. Therefore, Planning Areas 5A, 5B, 6A, 6C, and 6D would not be developed. This would reduce the project's development area by 35.6 acres. These parcels would be designated Open Space to ensure that there would be no development where sensitive biological resources are present. Although the vernal pool resources in the Southern Section of the site would not be developed, this area would not be a designated conservation bank.

IMPACT ANALYSIS

Similar to the proposed project, the Reduced Intensity Alternative will result in no significant impacts related to the following environmental issues:

- Cultural Resources: prehistoric archaeological and historic
- Public Health and Safety
- Geology, Soils, and Erosion
- Hydrology and Water Quality
- Noise
- Public Utilities: water and sewer

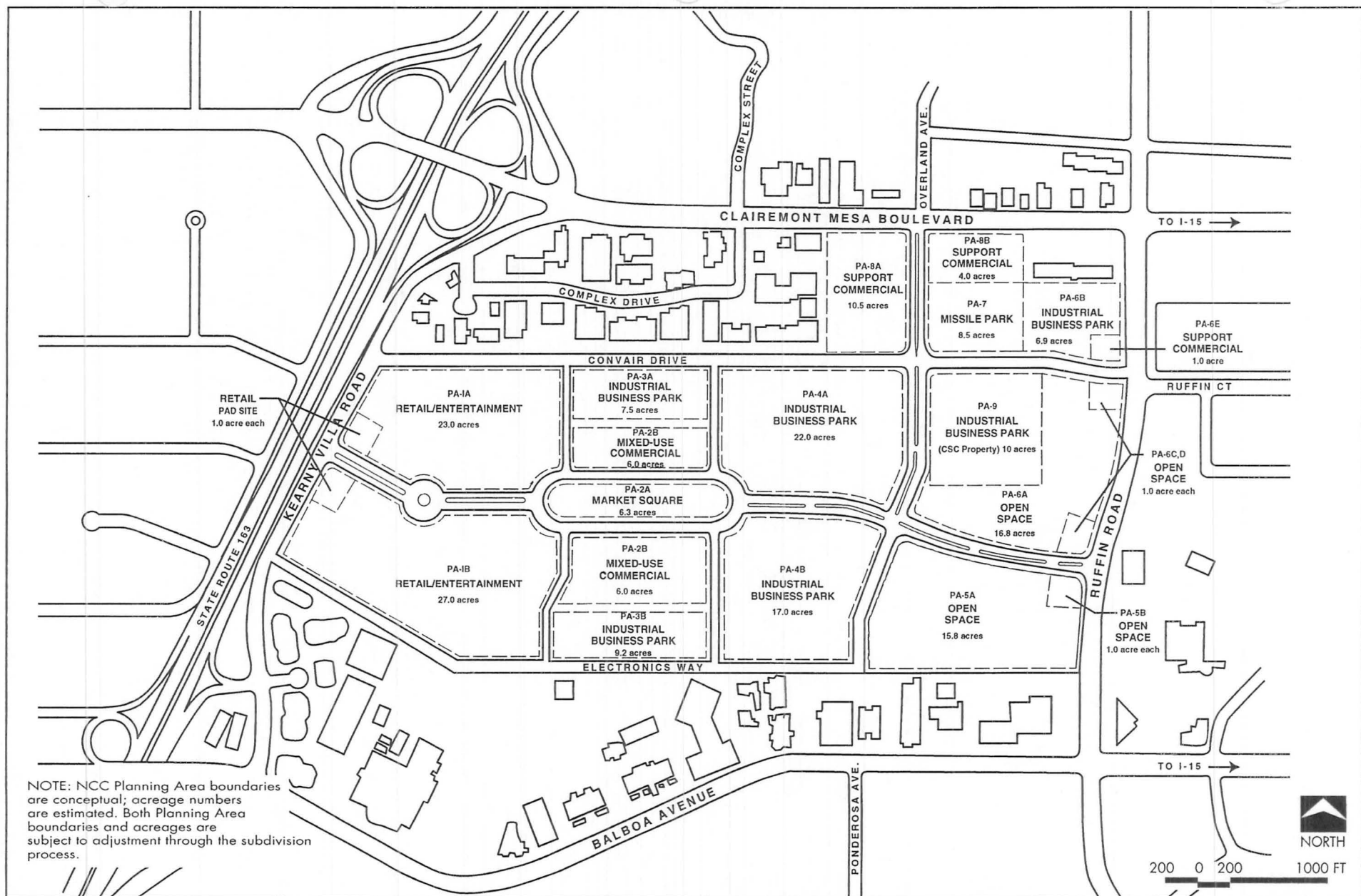
Land Use

The Reduced Intensity Alternative would result in approximately 40 percent less development than the proposed project and approximately 49 percent less development than the Kearny Mesa Community Plan assumptions for the site. The objectives of the Community Plan include:

- Ensure the continued development of Kearny Mesa as a regional employment center, containing a mix of industrial, office, and retail land uses.

**TABLE 9-1
REDUCED INTENSITY ALTERNATIVE
LAND USE SUMMARY**

Use	Planning Area	Site Acreage	Proposed FAR ^a	ASF ^b
Planned Commercial Development Area				
Retail/Entertainment Retail center, entertainment center, retail/service pad sites, health club, etc.	1A 1B	23-0 21.0 27-0 27.5		396,000-492,000
Market Square Urban garden, outdoor market, restaurants/cafes, etc.	2	6-3 6.8		30,000
Mixed-use Commercial Office, accessory retail, restaurant, hotel, conference center, health club, etc.	2A	42-0 13.9		120,00-240,00 (plus up to 210 hotel rooms)
Other: streets, parkways, <u>detention</u> <u>basins/channels</u>		46-8 15.9		
Subtotal Planned Commercial Area	1 and 2	85.1	0.32-0.42	546,000-762,000 (plus up to 210 hotel rooms)
Planned Industrial Development Area				
Industrial and Business Park Office, R&D, related services conference center, health club, hotel	3A 3B	7-5 5.2 9-2 8.5		234,000-264,000 (plus up to 210 hotel rooms)
Industrial and Business Park Office, R&D, related services	4A 4B	22-0 20.7 47-0 17.5		558,000-867,000
Open Space	5A	45-8 19.8		150,000-180,000
Open Space	5B	4-0		
Open Space	6A	46-8 18.4		
Industrial and Business Park Institutional (government/educational), office, R&D, light manufacturing	6B	6-9 6.6		269,000-286,000
Open Space	6C	1.0		
Open Space	6D	4-0 1.1		
Support Commercial Business service pads, etc.	6E	4-0 1.1		30,000
Missile Park	7	8-5 7.0		
Support Commercial	8A 8B	40-5 8.9 4-0 3.9		119,000 (8A and 8B)
CSC Parcel	9	40-0 11.5		165,000
Other: streets, parkways, biological resources, <u>detention basins/channels</u>		25-4 27.2		
Subtotal Planned Industrial Development Area	3 thru 9	158.6	0.32-0.43	1,180,855-1,647,852
Total	1 thru 9	243.7	0.32-0.42	1,938,000-2,565,000 (plus up to 210 hotel rooms)
^a FAR = floor-to-area ratio. ^b ASF = aggregate square footage.				



Reduced Intensity Alternative

New Century Center

Although this alternative would allow for the reuse of the project site, it would occur at a substantial reduction in square footage which would be expected to also reduce the number of employment opportunities. Implementation of this alternative would not result in significant direct and cumulative land use impacts associated with the RPO.

Transportation and Circulation

Implementation of this alternative would generate approximately 69,677 ADT with 5,082 a.m. peak hour trips and 7,106 p.m. peak hour trips. The Reduced Intensity Alternative would therefore generate approximately 15 percent fewer daily and peak hour trips than the proposed project. With the exception of cumulative impacts to freeway segments, all traffic impacts can be mitigated to a level that is considered less than significant. Impacts to freeways would be lessened but would still be considered significant and unavoidable.

Air Quality

The impacts of the Reduced Intensity Alternative on air quality would be less than those associated with the proposed project since the allowable development under this alternative is reduced in comparison to the proposed project. However, both the proposed project and this alternative would result in cumulative air quality impacts that cannot be mitigated to a level that is less than significant.

Biological Resources

This alternative would avoid development activities in areas containing biological resources. Therefore, the direct and indirect disturbance impacts to on-site biological resources from implementation of the proposed project would not occur. However, as described above under the No Project "A" Alternative and in Section 4.7, Public Health and Safety, the project applicant believes that there are underground silos beneath the Eastern Section habitat area. As a part of the ongoing demolition and site clean-up activities, it is the intent of the project applicant to remove these silos. Please refer to Section 4.4, Biological Resources, which discusses the potential impacts to resources within the Eastern Section associated with the removal of the silos.

This alternative does not assume the creation of a conservation bank in the Southern Section of the site. There would be limited management of the open space areas to avoid indirect impacts (e.g., increased pedestrian access) into the biological resource areas. However, there

could, potentially, be long-term degradation of these resources. As part of the proposed project, the recommended mitigation program permits the purchase and preservation of off-site vernal pool habitat to mitigate on-site impacts resulting from development of the Eastern Section. Although the Reduced Intensity Alternative would not directly impact any on-site biological resources and therefore not require off-site mitigation, the lack of a conservation bank may affect the long-term on-site viability of the resources and would not promote the purchase of off-site habitat. The proposed project may require the purchase of off-site habitat at the ratio exceeding 1:1, which would result in greater preservation of habitat than on-site preservation of the area.

Visual/Aesthetics

Redevelopment of the project site would not result in any adverse aesthetic impacts because reuse of the site is considered a beneficial impact. This alternative would require completion of the ongoing demolition of on-site structures. It is uncertain how the redevelopment of the site would be implemented or the timeframe for this implementation. Therefore, it is possible that portions of the site visible to the public would be vacant and unmanaged for long periods of time. In addition, this alternative would result in the development of approximately 60 percent of the site thereby retaining approximately 40 percent of the site in a vacant unmanaged condition.

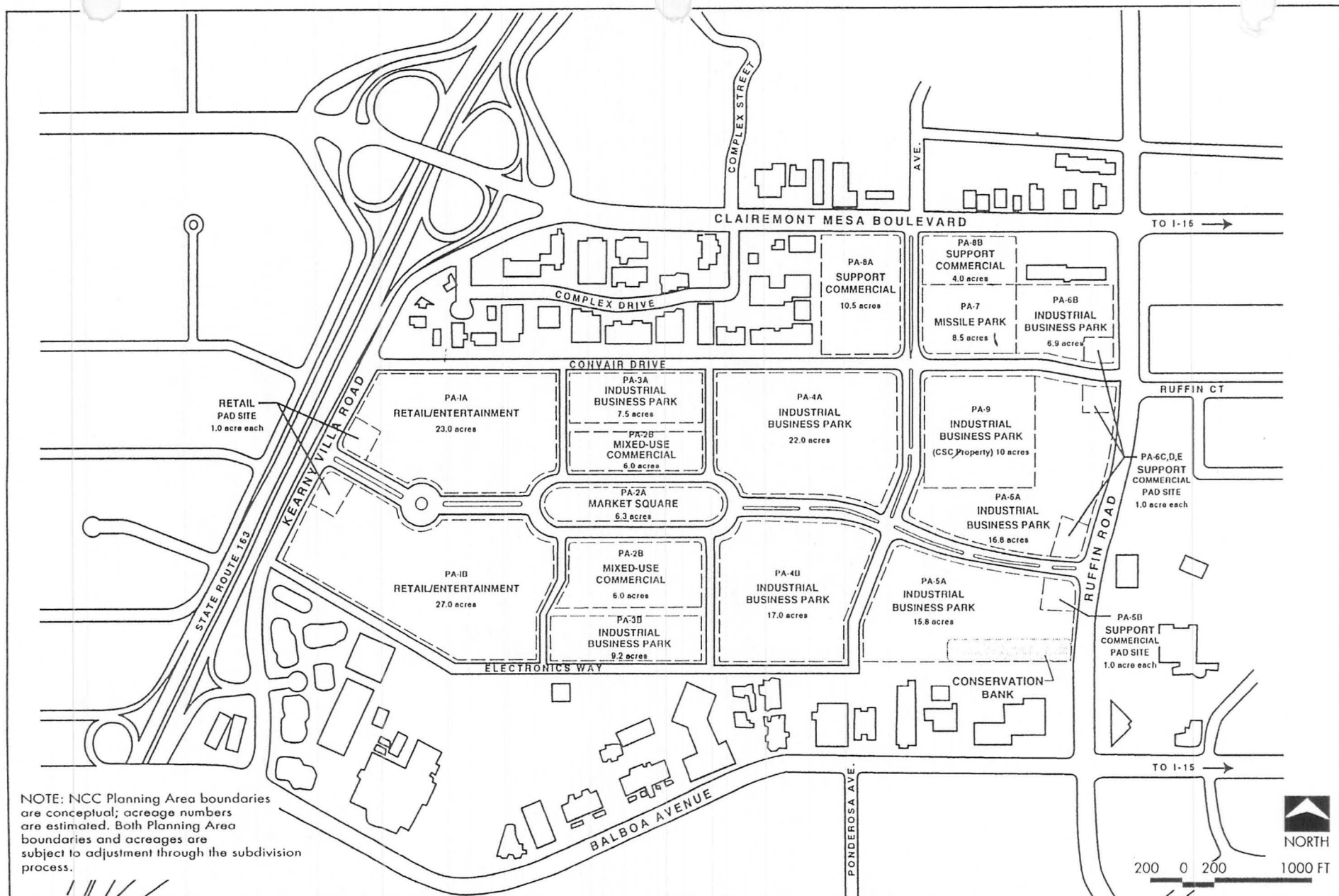
Paleontological Resources

As with the proposed project, any potential significant impacts to paleontological resources can be mitigated to a level that is considered less than significant.

Public Utilities

Solid Waste

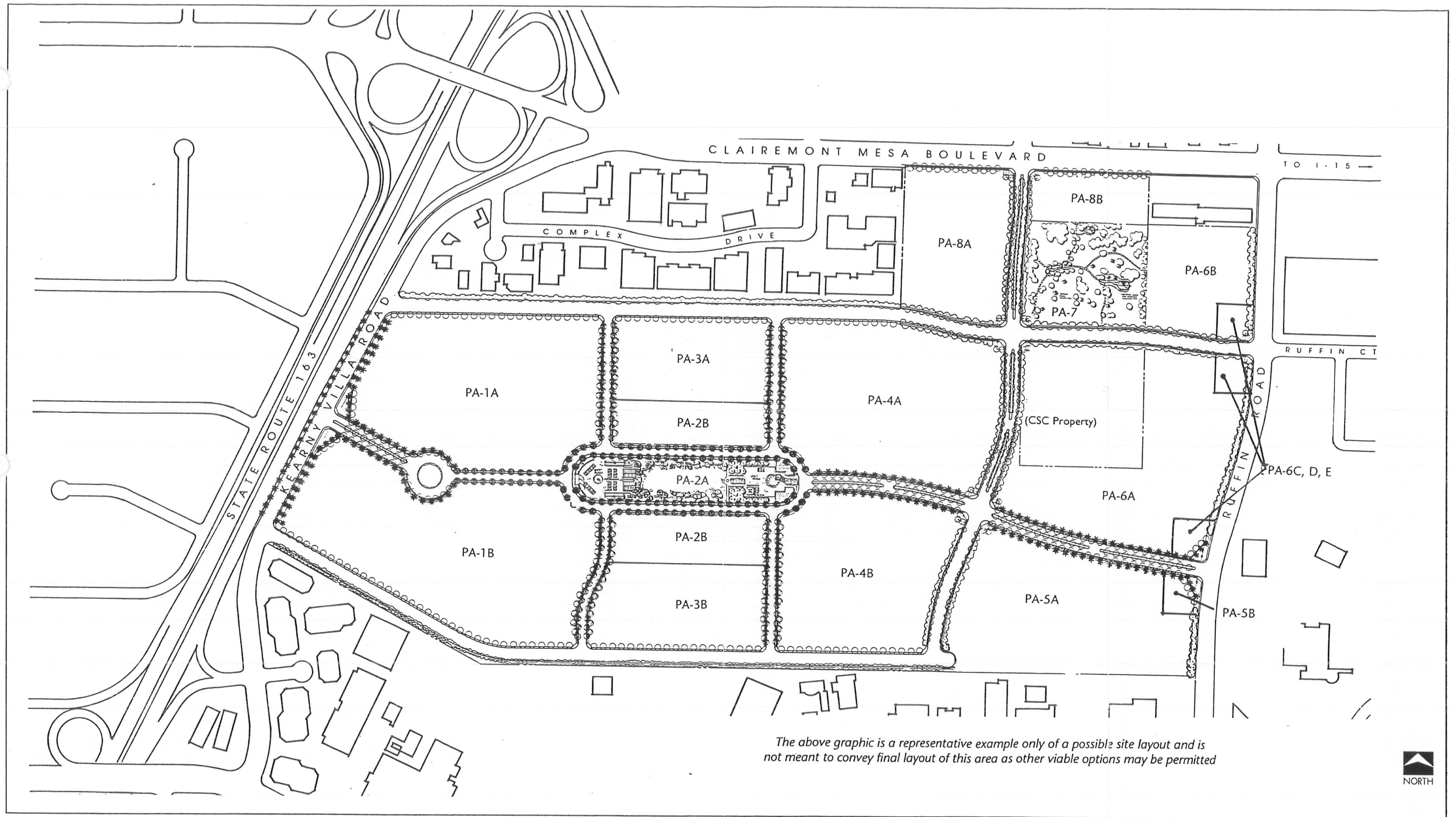
Because development would occur on the project site under this alternative, solid waste would be generated. In comparison to the proposed project, this alternative would result in an approximate 40 percent decrease in solid waste generation. However, significant and unavoidable cumulative solid waste impacts would still occur as with the implementation of the proposed project.



SOURCE: RTKL Associates, Inc., 1995 • General Dynamics, 1997

NCC Land Use Plan

New Century Center



NCC Conceptual Streetscape and Landscape Plan

New Century Center

3-16

FIGURE
3-6

Storm Drains

The amount of storm runoff would be less than or similar to the proposed project. It is expected that, with on-site improvements, runoff could be detained on the site such that no significant impacts would occur.

CONCLUSIONS

The Reduced Intensity Alternative would reduce impacts associated with the proposed project because 40 percent less development would occur on the project site. Although impacts would be reduced, air quality and solid waste impacts would remain significant and unavoidable on a cumulative basis. In the short-term, this alternative would avoid direct impacts to sensitive biological resources in the Eastern Section. However, because this alternative would not include a habitat management program, it may not ensure the long-term preservation of sensitive biological resources to the same extent as for the proposed project. This alternative would be considered environmentally superior to the proposed project.

9.5 MIXED-USE WITH RESIDENTIAL COMPONENT ALTERNATIVE

Under this alternative, the land uses considered as part of the New Century Center proposed project would be implemented with the addition of 500 units of varying market rate residential products in the Industrial and Business Park area of the site, as depicted in Figure 9-4. These units would be targeted for employees of on-site businesses, although they would be also available to members of the community at large.

It is anticipated that approximately 54 acres of Planning Areas 4A, 4B, and 5A would be targeted for development of multi-family dwelling units (e.g., townhouses, stacked flats) at a density of 18 to 30 dwelling units/acre. The residential units would displace employment generating uses in these planning areas as described for the proposed project. All other proposed features of the proposed project would be retained under this alternative, including the conservation bank and off-site mitigation for loss of vernal pool resources in the Eastern Section of the site.

IMPACT ANALYSIS

Similar to the proposed project, this alternative would result in no significant impacts related to the following environmental issues:

- Visual/Aesthetics
- Cultural Resources: prehistoric archaeological and historic

- Geology, Soils, and Erosion
- Hydrology and Water Quality
- Public Utilities: water and sewer

Land Use

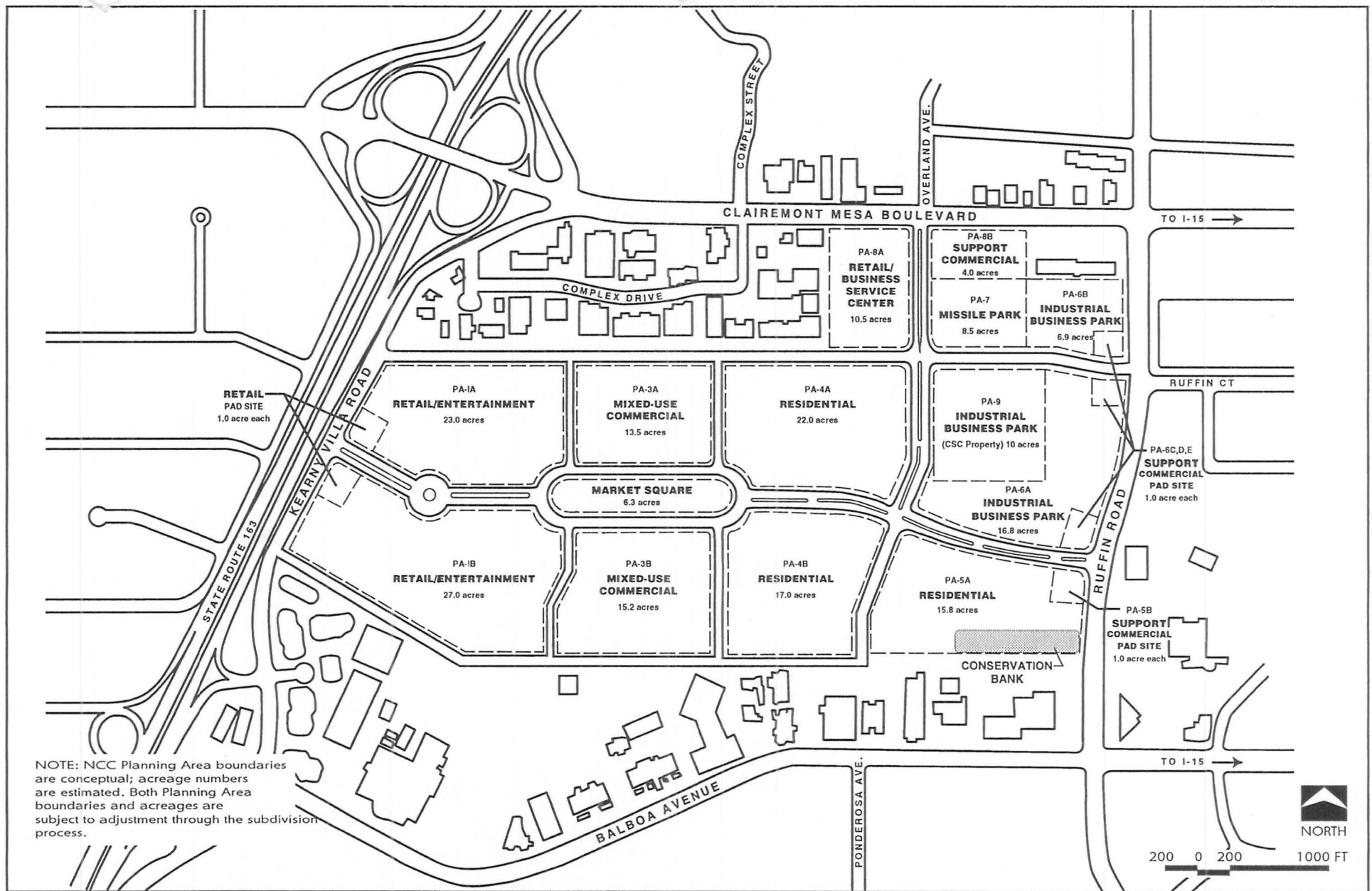
Residential development is not a currently permitted land use on the project site. Prior to General Plan and Community Plan amendments and a rezone, the project would be considered inconsistent with the goals and policies of the General Plan and Kearny Mesa Community Plan with respect to the residential component of this alternative. The residential development would be located contiguous to proposed office and industrial land uses on the project site. Because of other environmental impacts associated with the proximity of a sensitive land use (residential development) to the other proposed on-site land uses, the implementation of residential development on the project site may be considered incompatible. As discussed below, residential development on the site would be subject to noise effects that would not occur with the proposed project. The location of the site in the Kearny Mesa Community is not in close proximity to community services typically provided to residential communities such as markets and schools. In addition, the introduction of residents in close proximity to industrial uses that could use permitted hazardous materials in their industrial operations may limit the ability of certain industries from locating on the project site. As with the proposed project, RPO impacts to wetlands would be significant and unavoidable.

Transportation and Circulation

Implementation of this project alternative would be expected to generate approximately 76,607 ADT with 5,280 a.m. peak hour and 7,685 p.m. peak hour trips. When compared to the proposed project, this alternative would reduce the total ADT by approximately 6 percent, and reduce the a.m. and p.m. peak hour trips by 11 percent and 7 percent, respectively.

Air Quality

The air quality impacts associated with this alternative would be the less than those associated with the proposed project since the allowable development of commercial and business park uses under this alternative would be reduced in comparison to the proposed project. The introduction of residential uses into a predominantly commercial and industrial/business park area could expose tenants to potential air quality impacts that would not occur with the proposed project. However, both the proposed project and this alternative would result in cumulative air quality impacts that cannot be mitigated to a level that is less than significant.



SOURCE: RTKL Associates, Inc. • 1996

Mixed-Use with Residential Component Alternative

New Century Center

Biological Resources

This alternative would result in development activities on the project site that would be the same as those for the proposed project. Therefore, the direct and indirect disturbance impacts to on-site biological resources from implementation of the proposed project would also occur under this alternative.

Noise

Noise levels anticipated for the proposed project and for this alternative are expected to be similar. However, residential development introduces sensitive receptors on the project site that would not occur under the proposed project scenario. Additional noise impacts may occur that would not be associated with the proposed project. With mitigation, such as noise insulation of windows, sound walls, etc., it is anticipated that these noise impacts could be mitigated to a level that is considered less than significant.

Paleontological Resources

Any potential impacts to paleontological resources in the Friars and Lindavista Formations can be mitigated to a level that is considered less than significant.

Public Utilities

Solid Waste

Because development would occur on the project site under this, solid waste would be generated. In comparison to the proposed project, this alternative would result in a decrease in solid waste generation. However, significant and unavoidable cumulative solid waste impacts would still occur as with the implementation of the proposed project.

Storm Drains

With on-site detention of storm runoff, no significant impacts would be expected.

Schools

This alternative would result in the introduction of school-aged children to the project. School impacts can be mitigated through the payment of state-mandated school fees. However,

because the site is not designated for residential development, there are no school facilities in close proximity to the site.

CONCLUSIONS

Impacts associated with this alternative, when compared to the proposed project, would differ. This alternative would result in significant land use, noise, air quality, and school impacts that would not occur with the proposed project. This alternative is not consistent with the City's General Plan and Kearny Mesa Community Plan and may result in land use incompatibilities that would not occur with the proposed project because residential development was not contemplated in this area of the community. It is expected that these new significant impacts can be mitigated to a level that is considered less than significant except with respect to the Resource Protection Ordinance. But to reduce impacts to a less than significant level, some permitted land uses may not be implemented (i.e., industrial) or may choose not to locate near residential development. However, significant and unavoidable impacts that are associated with the proposed project would also occur with this alternative: traffic, air quality, biological resources, and solid waste; traffic and air quality impacts would be lessened due to decreased traffic generation, but would remain unavoidable.

9.6 REGIONAL RETAILING AND INDUSTRIAL BUSINESS PARK ALTERNATIVE (DESIGN ALTERNATIVE)

Although it was not envisioned that this alternative would necessarily reduce environmental impacts associated with the proposed project, it is provided in this alternatives analysis as a design alternative. This alternative would implement the proposed NCC Master Plan project with a development program involving a regional retailing complex (not a traditional regional mall) in the PCD portion of the project site, as depicted in Figure 9-5. During the scoping process for the project during which time alternatives to the proposed project were identified, the possibility of development of the project site with a single-user in the western portion of the site to implement a regional retailing center was contemplated. The regional retailing complex would replace the mixed-use commercial, retail, and entertainment uses currently proposed. Some commercial/entertainment uses would remain, but these uses would be secondary to the dominant retail use component. As shown on Table 9-2, the intensity of the retailing uses would be approximately equivalent to the 1,450,000 to 1,900,000 square feet of commercial uses proposed as part of the proposed project. An urban garden would be provided to serve as a transition between the retail and industrial business park uses. The proposed PID area would be developed as currently proposed with approximately 1,930,000 to 2,565,000 square feet of campus-style office, light industrial, and support commercial uses, and including a reconfigured Missile Park (8.5 7.0 acres).

TABLE 9-2
REGIONAL RETAILING AND INDUSTRIAL BUSINESS PARK ALTERNATIVE
LAND USE SUMMARY

Use	Planning Area	Site Acreage	Proposed FAR ^a	ASF ^b
Regional Retailing Area				
Retail/Entertainment Retail center, entertainment center, retail/service pad sites and accessory retail, restaurant, office, conference center, hotel, health club, etc.	1	23.0 27.0		660,000-820,000
Urban Amenity Urban garden	2A 2B 2C	6.3		50,000
Mixed-use Commercial	3A 3B	2.0		740,000-1,030,000
Other: streets, parkways		15.0		
Subtotal Regional Retailing Area	1 thru 3	105 ac.	0.32-0.42	1,450,000-1,900,000
Planned Industrial Development Area				
Industrial and Business Park Office, R&D, related services	4A 4B	22.0 17.0		930,000-1,445,000
Industrial and Business Park Office, R&D, light manufacturing, conservation bank	5A	15.8		300,000-350,000 (5A and 5B)
Support Commercial Business service pads, etc.	5B	1.0		
Industrial and Business Park Institutional (government/ educational), office, R&D, light manufacturing, conservation bank	6A 6B	16.8 6.9		380,000-450,000 (6A through 6E)
Support Commercial Business service pads, etc.	6C 6D 6E	1.0 1.0 1.0		
Missile Park	7	8.5		15,000
Retail/Business Service	8A	10.5		140,000 (8A and 8B)
Support Commercial	8B	4.0		
CSC Parcel	9	10.0		165,000
Other: streets, parkways		23.2		
Subtotal Planned Industrial Development Area	4 thru 9	138.7	0.32-0.43	1,930,000-2,565,000
Total	1 thru 9	243.7	0.32-0.42	3,380,000-4,465,000
^a FAR = floor-to-area ratio. ^b ASF = aggregate square footage. Source: RTKL Associates, Inc.				

IMPACT ANALYSIS

Similar to the proposed project, this alternative would result in no significant impacts related to the following environmental issues:

- Aesthetics/Visual
- Cultural Resources: prehistoric archaeological and historic
- Public Health and Safety
- Geology, Soils, and Erosion
- Hydrology and Water Quality
- Noise
- Public Utilities: water and sewer

Land Use

Potential land use affects related to the encroachment of development into areas containing sensitive biological resources would occur similar to the proposed project and several of the alternatives previously discussed. This alternative would also result in greater traffic impacts than would occur with the proposed project. Implement of the Design Alternative would require an amendment to the Progress Guide and General Plan and the Kearny Mesa Community Plan, as well as a zone change. As with the proposed project, RPO impacts associated with the encroachment of development into areas of sensitive biological habitat and wetlands are considered significant and unavoidable.

Transportation and Circulation

Implementation of this design alternative would result in the generation of approximately 113,895 ADT with 5,520 a.m. peak hour and 10,632 p.m. peak hour trips. When compared to the proposed project, this alternative would result in an increase in total and peak hour trips: a 40 percent increase in ADT and a 21 percent a.m. peak hour and 10 percent p.m. peak hour increase. As with the proposed project, freeway impacts would be considered significant and unavoidable. The remaining traffic impacts would be greater than the proposed project. It is unknown as to whether these impacts could be mitigated to a level that is less than significant.

Air Quality

The impacts of this alternative on air quality are expected to increase when compared to the proposed project because this alternative would generate more traffic. Both the proposed project and this alternative would result in cumulative air quality impacts that cannot be mitigated to a level that is less than significant.

Biological Resources

This alternative would result in development activities on the project site that would be the same as those for the proposed project. Therefore, the direct and indirect disturbance impacts to on-site biological resources from implementation of the proposed project would also occur under this alternative.

Paleontological Resources

As with the proposed project, potentially significant impacts to paleontological resources can be mitigated to a level that is considered less than significant.

Public Utilities

Solid Waste

Because development would occur on the project site under this alternative, solid waste would be generated. In comparison to the proposed project, this alternative would result approximately the same amount of solid waste generation. However, significant and unavoidable solid waste impacts would still occur as with the implementation of the proposed project.

Storm Drains

As with the proposed project, if project-related storm runoff is adequately detained on the site, no significant impacts would occur.

CONCLUSIONS

Impacts associated with this alternative would be generally the same as or greater than the proposed project.

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Landscape Review Will Rogers

Public Works C. Gascon

Special Districts

San Diego Air Pollution Control District Robert Rieder

State of California

California Environmental Protection Agency Air Resources Board Robert Maxwell

California Department of Fish and Game David Lawhead
Terri Dickerson
Jim Dice

Governor's Office of Planning and Research Antero A. Rivasplata

Federal Government

United States Fish and Wildlife Services Susan Wynn

United States Army Corps of Engineers David Zoutendyke

MITIGATION MONITORING AND REPORTING PROGRAM NEW CENTURY CENTER PROJECT

The California Environmental Quality Act (CEQA), Section 21081.6, requires that a Mitigation Monitoring and Reporting Program be adopted upon certification of an environmental impact report (EIR) in order to ensure that the mitigation measures are carried out. The Mitigation Monitoring and Reporting Program should specify the entity responsible for monitoring the program, what the mitigation is, and when in the process it should be accomplished.

The Mitigation Monitoring and Reporting Program for the New Century Center project falls under the jurisdiction of the City of San Diego. The following is a description of the Mitigation Monitoring and Reporting Program to be completed for this project.

A. TRANSPORTATION AND CIRCULATION

1) Intersection Improvements

Mitigation

1. Prior to the approval of any site plan that would increase the aggregate square footage developed within the project site beyond the redevelopment increment (3,160 p.m. peak hour trips) ("Redevelopment Increment Site Plan"), the applicant shall submit to the City of San Diego Development Services Department, a Transportation System Phasing Plan identifying which of the potentially impacted intersections identified as Intersection Improvements A through F are operating at LOS E or F or when such improvements would need to be implemented in order to maintain LOS D or better conditions. The Phasing Plan shall be subject to review and approval by the City.

Although the project's fair share (the percentage of the total additional traffic contributing to the need for the identified improvement) is less than 100 percent of the improvement costs, to fully mitigate the project's direct and cumulative impacts (except cumulative freeway impacts), the project applicant has agreed to construct the improvements as subdivider improvements.

Intersections improvements A through F and the project's fair share traffic contribution to these improvements are as follows:

A. Clairemont Mesa Boulevard at Ruffin Road (87 percent fair share):

- Add one eastbound through lane
- Add one eastbound left-turn lane
- Add one westbound left-turn lane
- Add one northbound right-turn lane
- Add one northbound through lane

B. Clairemont Mesa Boulevard at Kearny Villa Road (70 percent fair share):

- Add one southbound left-turn lane
- Add one eastbound through lane
- Add one northbound left-turn lane
- Add one southbound through lane

C. Clairemont Mesa Boulevard at Shawline Street (41 percent fair share):

- Add one westbound right-turn lane
- Add one southbound through lane

D. Balboa Avenue at Ruffin Road (70 percent fair share):

- Add one southbound right-turn lane
- Add one northbound right-turn lane

E. Balboa Avenue at Convoy Street (68 percent fair share):

- Add one westbound right-turn lane
- Add one northbound right-turn lane

F. Kearny Villa Road/SR-163/Century Park (97 percent fair share):

- Add one southbound right-turn lane
- Restripe the eastbound approach to provide two left-turn lanes, one through lane, and one shared through/right-turn lane
- Restripe the westbound approach to provide two left turn lanes and one shared through/right-turn lane

Monitoring

The City of San Diego Development Services Department shall review and approve the Transportation System Phasing Plan submitted by the project applicant prior to approval of any site plan that would increase the aggregate square footage developed within the project site beyond the redevelopment increment (3,160 p.m. peak hour trips). Based on the Transportation System Phasing Plan, the City will determine which of the potentially impacted intersections are operating at LOS E or F or when improvements would need to be implemented to maintain LOS D or better conditions.

Mitigation

2. Prior to the approval of the Redevelopment Increment Site Plan, the applicant shall demonstrate with respect to each of the intersections identified as Intersection Improvements A through F that one of the following has occurred:

- a. The above-referenced traffic improvements have been implemented; or,

- b. The Phasing Plan approved by the City reasonably demonstrates that LOS D or better conditions can be maintained until subsequent phases of project development at which time Intersection Improvements A through F, as applicable, shall be implemented.

Monitoring

Prior to the approval of the Redevelopment Increment Site Plan, the City of San Diego Development Services Department shall verify that intersection improvements have been implemented or that said improvements can be deferred to subsequent phases of project development.

2) Ramp Metering

Mitigation

3. Prior to any development above the Redevelopment Increment, in the event that traffic at the SR-163/Kearny Villa Road northbound onramp exceeds the meter rate during the p.m. peak hour, either Caltrans will increase the ramp meter rate to ensure that a significant impact does not occur to City streets; or a) in the event a significant impact will occur during the first phase of development above the Redevelopment Increment, the applicant will install, on a fair share basis, an HOV bypass lane to the satisfaction of Caltrans and the City Engineer; or b) in the event a significant impact will occur during subsequent phases of development, the applicant shall either install, on a fair share basis, an HOV bypass lane to the satisfaction of Caltrans and the City Engineer or shall post a bond or other security satisfactory to the City Engineer ensuring that the HOV bypass lane shall be constructed prior to such significant impact.

Monitoring

The City of San Diego Development Services Department shall verify that Caltrans has either increased the ramp meter rate or the applicant has installed additional improvements (fair share) if ramp meter rates have been exceeded.

3) Interchanges

Mitigation

4. Prior to any development above the Redevelopment Increment, and within 90 days after the City and Caltrans have approved the Project Study Report (PSR) for the SR-163/Clairemont Mesa Boulevard interchange and its associated construction budget, construction of the interchange improvements shall be assured to the satisfaction of the City Engineer.

Prior to any development above the Redevelopment Increment, the applicant shall demonstrate that the following has occurred:

- The City and Caltrans have approved a Project Study Report (PSR) that recommends “partial cloverleaf” improvements (without widening of the existing

structures) and a construction budget for the SR-163/Clairemont Mesa Boulevard interchange as described further in the Kimley-Horn and Associates Traffic Impact Analysis (see Figure 4.3-3 in Appendix B of the Program EIR), or any other alternative project sufficient to address the Year 2006 conditions identified through the PSR process. The City has initiated a Capital Improvement Program project for construction of the project approved through the PSR project. The applicant has advanced the funding for construction of the required improvements consistent with an approved construction budget. However, such sums shall be reduced by the amount of fair share contributions collected by the City of San Diego from other development projects which impact the SR-163/Clairemont Mesa Boulevard interchange and by any funds which have been specifically allocated to the construction of such improvements as set forth in the Kearny Mesa Community Facilities Financing Plan.

Monitoring

Prior to any development above the Redevelopment Increment, the City of San Diego Development Services Department shall verify that the applicant has advanced funds for construction of improvements to the SR-163/Clairemont Mesa Boulevard interchange. The City will reimburse the applicant for funds in exceedance of fair share requirements.

4) Development Impact Fees

Mitigation

5. Upon issuance of each building permit subsequent to the approval of the Redevelopment Increment Site Plan, the applicant shall pay development impact fees as required by the Kearny Mesa Community Facilities Financing Plan. Note: to the extent that the applicant's construction of traffic improvements results in contributions in excess of the applicant's fair share, credits may be obtained against the payment of additional development impact fees for improvements to SR-163 and Clairemont Mesa Boulevard in accordance with the conditions of approval for Vesting Tentative Map 96-0165.

Monitoring

Upon issuance of each building permit, the City of San Diego Development Services Department shall verify that the applicant has paid any applicable development impact fees. Payment of fees shall be subject to credits as set forth in the Development Agreement and/or conditions of approval for VTM 96-0165.

5) Plan Amendments

Mitigation

6. The applicant shall apply for an amendment to the Kearny Mesa Community Facilities Financing Plan to include the "over and above" Community Plan

improvements identified as necessary at buildout in the Kimley-Horn and Associates Traffic Impact Analysis.

Monitoring

Prior to approval of the redevelopment increment site plan, the City of San Diego Development Services Department shall verify that the applicant has applied for an amendment to the Kearny Mesa Community Facilities Financing Plan.

B. BIOLOGICAL RESOURCES

1) Coastal Sage Scrub/Coastal California Gnatcatcher

Mitigation

1. Prior to issuance of grading permits for Planning Area 5A, 6A, 6C, or 6D, impacts to approximately 9.0 acres of coastal sage scrub shall be mitigated to the satisfaction of the City Manager, through one of the following: (a) payment of fees or (b) acquisition of off-site habitat.

- (a) Mitigation monies will be deposited in the City of San Diego's Habitat Acquisition Fund (Fund #10571), as established by City Council Resolution R-275129, adopted on February 12, 1990. The process for determining the amount of mitigation monies deposited will be as follows:

Staff members from the Development Services Department will request from the Real Estate Assets Department an estimate of average cost of habitat land in the focused habitat acquisition area closest to the project site. Focused acquisition areas have been identified by the MSCP as large areas of habitat critical for biodiversity preservation and the success of the MSCP. The closest focused acquisition area to the proposed project is the East Elliot/Sycamore Canyon area. The Real Estates Assets Department will base the estimate on previous appraisals and comparable land costs of land within the focused acquisition area. The applicant will be required to contribute the estimated average per acre land cost multiplied by the required mitigation acreage plus an additional 10 percent to cover administration costs.

Based on today's approximate land value of \$15,000 per acre, the project applicant would be required to contribute \$148,500 ($\$15,000 \times 9.0 \text{ acres} + \$13,500 \text{ administration cost}$). The actual payment amount would be determined 60 days prior to the issuance of a grading permit based upon the general land values at that time.

- (b) Acquisition or dedication in fee title or conservation easement of 9.0 acres of off-site coastal sage scrub habitat for permanent preservation, such as other General Dynamics properties in the San Diego area. This would provide adequate mitigation for the coastal sage scrub-related impacts.

Monitoring

The City's Development Services Department shall verify that fees or acquisition of off-site coastal sage scrub habitat has been accomplished by the project applicant in a manner acceptable to the City Manager. This shall be accomplished prior to issuance of grading permits for Planning Area 5A, 6A, 6C, or 6D.

2) Vernal Pools and Associated Species

Mitigation

Two alternatives exist for compensatory vernal pool mitigation: on-site preservation and enhancement of the vernal pools in the 4.3-acre vernal pool preserve established in the Southern Section, and/or off-site mitigation through the preservation of off-site habitat.

2. Prior to issuance of a grading permit for Planning Areas 5A, 6A, or 6C containing vernal pools, the following conditions will be met to the satisfaction of the City Manager:
 - a. Preservation of 0.4 acre of high quality vernal pool habitat within the 4.3-acre vernal pool preserve, including the elimination of Electronics Way contiguous to the habitat. A conservation easement or property title shall be given to the City or a mutually agreed upon third party for the 0.4 acre of vernal pool habitat.
 - b. Creation of (at a minimum) 1,500 square feet of new vernal pool basin area, within portions of the vernal pool preserve. The new basin area shall be inoculated with San Diego mesa mint, San Diego button-celery, and San Diego fairy shrimp, and monitored for five years. A plan identifying the location, methodology, and success criteria will be submitted for approval by the City of San Diego, U.S. Army Corps of Engineers, and U.S. Fish and Wildlife Service. The created habitat and the vernal pool preserve shall be subject to a conservation easement, or deeded in fee to the City, or mutually agreed upon third party. (Note: creation of 1,500 square feet of vernal pool basin area will increase the total area of vernal pool habitat within the conservation bank from 17,461 to 18,961 square feet.)
 - c. Enhancement of existing vernal pool habitat through removal of various types of trash and debris from the vernal pool preserve area including a number of vernal pool basins.
 - d. Permanent protection through installation of exclusion fencing along with planting of a native plant buffer to prevent damage to the vernal pool ecosystem (including watershed areas) from incursion by vehicles or foot traffic.
 - e. Preparation of a Management and Reporting Program, including the identification of a long-term management entity.

-or-

- 3a. Prior to issuance of a grading permit on Planning Areas 5A, 6A, or 6C containing vernal pools, the following conditions shall be met to the satisfaction of the City Manager:
- a. The habitat identified off-site must be superior to that present within the Southern Section. Among other factors which may be considered would be the presence of greater numbers of vernal pool indicator species, other sensitive species, and/or endangered species.
 - b. The approximate 496 square feet of vernal pool basin which supports San Diego mesa mint shall be mitigated at a 4:1 ratio (e.g., approximately 1,984 square feet of vernal pool basin) and can only be mitigated with vernal pool habitat which contains San Diego mesa mint. In the event no such pools can be identified within the MSCP planning area, the property owner shall be required to mitigate impacts to the endangered species pools in accordance with the on-site mitigation program described above.
 - c. All remaining vernal pool basins within the Eastern Section (totaling approximately 8,395 square feet) shall be mitigated off-site at a ratio of 2:1, resulting in an aggregate off-site mitigation requirement of approximately 16,790 square feet of vernal pool basin within the MSCP planning area. In the event off-site vernal pools meeting the criteria set forth in this mitigation program and totaling the aggregate square footage required to be mitigated cannot be located, any remaining mitigation requirements must be satisfied through the on-site mitigation program described above.
 - d. In addition to preserving the vernal pool basins, a sufficient amount of watershed must be preserved in order to maintain the viability of the targeted vernal pools and the City and resource agencies must otherwise be satisfied that these off-site mitigation parcels are capable of being preserved and managed in the long term.
 - e. For each square foot of vernal pool basin within the Eastern Section lost as a result of development, at least 1-square-foot of the off-site basin area described in measures b. and c. above must be restored or enhanced pursuant to a vernal pool enhancement plan approved by the City and the resource agencies.
 - f. Preparation of a Management and Reporting Program, including identification of a long-term management entity.

Monitoring

The City's Development Services Department shall verify that the mitigation program for the Southern Section vernal pool preserve area has been initiated to the satisfaction of the City Manager, U.S. Army Corps of Engineers, and U.S. Fish and Wildlife Service prior to the issuance of a grading permit for Planning Areas 5A, 6A, or 6C. Management and monitoring requirements shall be specified and conducted for a period of five years.

Mitigation

- 3b. Mitigation for the loss of vernal pools within the Eastern Section would be achieved as follows: the vernal pools in the Eastern Section which support San Diego mesa mint, consisting of approximately 496 square feet, will require mitigation from the vernal pool preserve at a ratio of 3 square feet for every 1 foot of basin area impacted (an aggregate of approximately 1,488 square feet), and all other vernal pools within the Eastern Section (approximately 8,395 square feet) will be mitigated from the vernal pool preserve at a ratio of 2:1 (an aggregate of approximately 16,790 square feet).

Monitoring

The City's Development Services Department shall verify that the mitigation program has been initiated to the satisfaction of the City Manager, U.S. Army Corps of Engineers, and U.S. Fish and Wildlife Service prior to the issuance of a grading permit for Planning Areas 5A, 6A, or 6C. Management and monitoring requirements shall be specified and conducted for a period of five years.

3) San Diego Mesa Mint

Mitigation

4. Prior to issuance of a grading permit for Planning Area 6A, a restoration plan containing the following elements shall be approved by the City and the resource agencies:
- a. Areas of impacted basins supporting San Diego mesa mint shall be salvaged by removing approximately 2 to 3 centimeters of topsoil and aboveground biomass for translocation to created pools in the conservation bank area. For Basin S8, fairy shrimp inoculum shall be collected prior to collection of San Diego mesa mint inoculum;
 - b. The soil and plant material shall be stored in cardboard boxes in a cool dry place until compensatory vernal pool basins are created in the Southern Section vernal pool preserve. Vernal pool creation shall be conducted between July 1 and November 1 in order to avoid the rainy season;
 - c. Inoculum from the affected pools shall be distributed to the created basins. In addition, inoculum from existing pools in the Southern Section, supporting San Diego mesa mint, shall be collected by a biologist approved by USFWS (no more than 2 percent from any basin) and distributed in the created basins. Collection shall be conducted between September 1 and November 1 and all inoculum shall be distributed to the created basins between October 1 and November 1.

Monitoring

The City's Development Services Department shall verify that the mitigation program has been initiated to the satisfaction of the City Manager and U.S. Fish and Wildlife Service prior to the issuance of a grading permit for Planning Area 6A.

4) **San Diego Fairy Shrimp Mitigation**

Mitigation

5. Prior to issuance of a grading permit for Planning Areas 5A and 6A, a restoration plan containing the following elements shall be approved by the resource agencies. Fairy shrimp inoculum for each created vernal pool basin shall be obtained from vernal pool basins S6, S7, and S8 (see Mitigation Measure 4a above) prior to grading. Inoculum shall be collected between July 1 and November 1 by collecting chunks of soil approximately 3 to 4 inches across and approximately 3 inches in depth. Inoculum shall be collected by individuals familiar with the ecology of fairy shrimp and shall generally be collected from the center of the basins. Inoculum shall be placed in the created basins between October 1 and November 1.

Monitoring

The City's Development Services Department shall verify that the restoration plan has been initiated to the satisfaction of the City Manager and U.S. Fish and Wildlife Service prior to the issuance of a grading permit for Planning Areas 5A and 6A.

5) **Vernal Pool/San Diego Mesa Mint/San Diego Fairy Shrimp**

Mitigation

6. Prior to issuance of a grading permit for Planning Areas 5A, 6A, or 6C, the project applicant shall:
 - a. Provide the City Manager with a copy of a Conservation Bank Agreement with respect to the Southern Section, duly executed by the resource agencies and the developer or other evidence of compliance with the requirements of the federal and state Endangered Species Act and Section 404 of the Clean Water Act, as satisfactory to the Development Services Department.
 - b. Provide the City Manager with either (1) reasonable evidence that conservation credits from the vernal pool preserve have been applied to offset impacts to the Eastern Section at the mitigation ratios described above, or (2) reasonable evidence that the resource agencies have accepted off-site mitigation for the loss of vernal pools, San Diego mesa mint and San Diego fairy shrimp habitat as provided above, or (3) reasonable evidence that a combination of (1) and (2) have occurred such that all vernal pool basins within the Eastern Section have been fully mitigated through application of credits from the vernal pool preserve and preservation of off-site vernal pool basins meeting the mitigation criteria set forth herein.

Monitoring

The City's Development Services Department shall verify compliance with the federal and state Endangered Species Acts and Section 404 of the Clean Water Act to the satisfaction of the City Manager, the U.S. Fish and Wildlife Service, and U.S. Army

Corps of Engineers prior to the issuance of a grading permit for Planning Areas 5A, 6A, or 6C.

C. NOISE

1) Construction Noise

Mitigation

1. Prior to the recordation of the first final map, the following condition shall be shown on grading plans to the satisfaction of the City Manager:
 - a. Wherever possible, noise-generating construction equipment shall be shielded from nearby businesses by noise-attenuating buffers such as temporary fencing or structures:
 - b. Construction equipment shall be properly outfitted and maintained with noise reduction devices to minimize construction-generated noise.

Monitoring

The City's Development Services Department and/or the City's Noise Abatement Office of Building Inspection will verify that conditions have been placed on grading plans prior to the recordation of the first final map. The conditions will be satisfactory to the City Manager.

Mitigation

2. Prior to issuance of building permits, the applicant shall show setbacks and/or sound walls and/or berms and/or other design features on building plans to the satisfaction of the City Manager so that the proposed project's exterior use areas for offices along Ruffin Road, Electronics Way east of Kearny Villa Road, and Convair Drive east of Kearny Villa Road are not exposed to noise levels greater than 70 CNEL. If the applicant decides only to use setbacks, the recommended setbacks from the roadway centerline distances are provided in Table 4.10-4 of the New Century Center EIR.

Prior to issuance of certificates of occupancy, the City Manager shall verify compliance with building plans.

Monitoring

The City's Development Services Department and/or the City's Noise Abatement Office of Building Inspection will verify that noise abatement measures (structural and/or non-structural) are identified on building plans prior to the issuance of building permits for offices along Ruffin Road, Electronics Way east of Kearny Villa Road, and Convair Drive east of Kearny Villa Road. The abatement program will be satisfactory to the City Manager. The City's building inspector would then inspect the site to ensure conformance with the approved plans.

D. PALEONTOLOGICAL RESOURCES

Mitigation

1. Prior to issuance of a grading permit, the applicant shall submit a soils report with each grading plan to determine the locations of Lindavista and/or Friars Formations on-site. If the soils report identifies the presence of these formations and the grading plan shows cutting where they are located, the applicant shall retain a qualified paleontologist to implement a monitoring program with the provisions specified below.
2. The applicant shall provide verification that a qualified paleontologist and/or paleontological monitor has been retained to implement the monitoring program. Verification shall be in the form of a letter from the applicant to the City Manager. A qualified paleontologist is defined as an individual with a Ph.D. or M.S. degree in paleontology or geology, and who is a recognized expert in the application of paleontological procedures and techniques such as screen-washing of materials and identification of fossil deposits. A paleontological monitor is defined as an individual who has experience in the collection and salvage of fossil materials, and who is working under the direction of a qualified paleontologist. All persons involved in the paleontological monitoring program shall be approved by EAS prior to any pre-construction meeting.

Monitoring

The City's Development Services Department will verify that a soils report has been submitted. If project grading will cut into the Lindavista and/or Friars Formations, the City will verify that a qualified paleontologist has been retained prior to the issuance of a grading permit.

Mitigation

3. The qualified paleontologist shall attend any pre-construction meetings to discuss grading plans with the excavation contractor. The requirement for paleontological monitoring shall be noted on the grading plans.

Monitoring

The City's Development Services Department will verify the attendance of a qualified paleontologist at pre-construction meetings. This requirement will be noted on the grading plans.

Mitigation

4. The paleontologist or paleontological monitor shall be on-site half-time during the original cutting of previously undisturbed sediments of the Lindavista Formation and on-site full-time during the original cutting of the Friars Formation to perform periodic inspections of excavations, and, if necessary, to salvage exposed fossils. The frequency of inspections will be determined by the paleontological monitor and

will depend on the rate of excavation, the materials excavated, and the abundance of fossils.

5. In the event that well-preserved fossils are found, the paleontologist shall have the authority to divert, direct, or temporarily halt grading activities in the area of discovery to allow evaluation and recovery of exposed fossils. At the time of discovery, the paleontologist shall immediately notify EAS staff of such finding. EAS shall approve salvaging procedures to be performed before construction activities are allowed to resume.
6. All collected fossil remains shall be cleaned, sorted, and cataloged following standard professional procedures. The collection should be donated to a scientific institution with a research interest in the materials (such as the San Diego Natural History Museum).
7. Mitigation Monitoring and Reporting Program requires that a monitoring results report shall be submitted to the City Manager prior to issuance of building permits. The monitoring results report, with appropriate graphics, shall summarize the results, analysis, and conclusions of the paleontological monitoring program, even if negative.

Monitoring

The City's Development Services Department will verify the implementation of the paleontological monitoring and data recovery program to the satisfaction of the City Manager.

E. PUBLIC UTILITIES

1) Solid Waste

Mitigation

1. Prior to the issuance of building permits, the project applicant shall prepare a waste management plan, subject to approval by the City of San Diego Environmental Services Department. The construction manager shall be involved in the development of the waste management plan for the construction and post-construction phases of the project consisting of the following elements, where appropriate:
 - type of materials expected to enter the waste stream
 - quantity of material
 - source separation techniques to be used
 - on-site storage of separated materials
 - method of transportation to be used
 - destination of materials
 - buy-recycled program to be implemented

The waste management plan shall include specific goals for waste reduction and recycling. It shall emphasize source separation, and specify material reuse and recycling, where possible.

These measures shall be noted as conditions of the Planned Commercial Development (PCD) permit and the Planned Industrial Development (PID) permit. EAS and the Environmental Services Department shall review grading and building plans to ensure that the notes have been provided.

~~2. Mitigation for the ongoing impacts of the proposed project shall include:~~

2. Prior to the issuance of building permits, the project applicant shall prepare a waste management plan, subject to approval by the City of San Diego Environmental Services Department. Development of the waste management plan for the ongoing solid waste impacts of the proposed project shall include:

- Source reduction, source separation and recycling measures shall focus on paper goods, yard waste, plastic, wood waste, and glass;
- "Buy-recycled" policies, such as price preferences for recycled products;
- Source reduction policies;
- Off-site composting;
- In-house recycling;
- Drop-off sites;
- Monetary compensation for equipment and service needs;
- Employee education;
- Customer education; and
- Manufacturing design modification to promote source reduction or recycling.

The waste management plan shall include specific goals for waste reduction and recycling. It shall emphasize source separation, and specify materials reuse and recycling, where possible.

These measures shall be noted as conditions of the PCD and PID permits. EAS and the Environmental Services Department shall review building plans to ensure the notes have been provided.

Monitoring

The City's EAS and Environmental Services Department will review building plans to verify that the measures are noted. These measures are conditions of the Planned Commercial Development and Planned Industrial Development permits.

2) Storm Water Drainage

Mitigation

1. Prior to recordation of a Final Map, a final drainage plan for the proposed project shall be submitted to the City Engineer demonstrating that analytical assumptions in the December 1996 drainage study are still valid and that post-development runoff rates are consistent with existing levels. Site design shall incorporate on-site

detention concepts to ensure that post-development stormwater discharges will not exceed existing levels.

Monitoring

The City Engineer will review a final drainage plan for the project prior to the recordation of a final map. On-site detention facilities will be shown in appropriate on-site locations subject to the approval of the City Engineer.

FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE PROPOSED NEW CENTURY CENTER MASTER PLAN

The California Environmental Quality Act (CEQA) requires that no public agency shall approve or carry out a project which identifies one or more significant effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

- (1) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.
- (2) Changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.
- (3) Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

(Sec. 21081 of the California Environmental Quality Act)

CEQA further requires that, where the decision of the public agency allows the occurrence of significant effects which are identified in the final EIR, but are not at least substantially mitigated, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record (Sec. 15093 of the CEQA Guidelines).

The following Findings and Statement of Overriding Considerations have been submitted by the project applicant as candidate findings to be made by the decision making body. The Land Development Review Division does not recommend that the discretionary body either adopt or reject these findings. They are attached to allow readers of this report an opportunity to review the applicant's position on this matter.

DRAFT CANDIDATE FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS REGARDING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE NEW CENTURY CENTER PROJECT

The following Findings and Statement of Overriding Considerations are made relative to the Final Program Environmental Impact Report (EIR) for the New Century Center project (the "Project") (LDR No. 96-0165/SCH No. 96031091). The Program EIR is incorporated by reference herein.

The New Century Center Project is a 244-acre site located in the Kearny Mesa Community in the City of San Diego ("City"). The Project is for a General Plan Amendment ("GPA") to the City of San Diego Progress Guide and General Plan, Kearny Mesa Community Plan Amendment ("CPA"), New Century Center Master Plan, rezone "RZ", Planned Commercial Development and Planned Industrial Development ("PCD and PID") Permits, Vesting Tentative Map ("VTM"), Resource Protection Ordinance ("RPO") Permit, and Development Agreement.

The Final Program EIR for the Project evaluates the following environmental issues in relation to the Project: land use; transportation and circulation; air quality; biological resources; cultural resources; visual/aesthetics; public health and safety; geology, soils, and erosion; hydrology and water quality; noise; paleontological resources; and, public utilities. The Final Program EIR also analyzes the cumulative and growth-inducing impacts of the Project, as well as alternatives to the Project.

The Final Program EIR indicates that the Project's direct impacts on the following environmental issues are less than significant, or can be reduced to less-than-significant levels if all mitigation measures recommended in the Final Program EIR are implemented: inconsistency with the City's General Plan, with the exception of the RPO related to effects on wetlands and biologically sensitive lands; impacts to level of service for intersections, roadway segments, and interchanges; impacts to on-site coastal sage scrub, the coastal California gnatcatcher, southern mixed chaparral, ruderal habitat, orange-throated whiptail lizards, knotweed spineflower, Ashy Spike-moss, and Orcutt's brodiaea; noise impacts associated with daily traffic volume increases; stationary noise sources and aircraft noise; potential impacts on paleontological resources; potential impacts to the storm drain system; short-term construction-related air emissions and long-term local air quality emissions; impacts to cultural resources; impacts to aesthetics; impacts on public health and safety; potential impacts associated with seismic activity, surface water runoff, and exposed soils; and, impacts on public utilities including water service, and sewer service.

The Final Program EIR indicates that the Project's direct impacts on the following environmental issues will remain significant even after all feasible mitigation measures recommended in the Final Program EIR are implemented: inconsistency with the RPO; long-term regional air quality emissions produced from Project vehicles (exceedances of the City's significance thresholds with respect to CO, ROG, and NO_x emissions), impacts to vernal pool basins including San Diego mesa mint and San Diego fairy shrimp; and, impacts associated with short-term construction noise.

The Final Program EIR indicates that the Project's cumulative impacts on the following environmental issues will remain significant even after all feasible mitigation measures in the Final Program EIR are implemented: inconsistency with the RPO; traffic on freeway segments; long-term regional air quality emissions; impacts to vernal pool basins including San Diego mesa mint and San Diego fairy shrimp; and, solid waste generation.

This Statement of Findings and Overriding Considerations ("Statement") is based upon substantial evidence in the administrative record for the Project ("Administrative Record"), which is hereby incorporated by reference. This Statement is not intended to be inclusive of all facts contained within the Administrative Record which support the findings set forth herein, but rather to identify certain of the principal facts in the Administrative Record which provide substantial evidence supporting the findings set forth herein. Additional facts in support of the City's findings may be found in the Final Program EIR, the staff reports prepared for both the Planning Commission and the City Council, the transcripts of the various public hearings on the Project, and the Administrative Record as a whole. All references to Project design features and considerations shall include, without limitation, the General Plan Amendment, Community Plan Amendment, Rezone, Vesting Tentative Map, Planned Commercial Development Permit, Planned Industrial Development Permit, New Century Center Master Plan, New Century Center Development Standards, and the New Century Center Design Guidelines. Findings concerning the City's certification of the Final Program EIR are contained in Resolution ____.

A. SECTION 21081(a) FINDINGS

The City, having reviewed and considered the information contained in the Final Program EIR, the appendices to the Final Program EIR, and the Administrative Record, finds, pursuant to CEQA and the CEQA Guidelines, that changes or alterations have been required in, or incorporated into, the Project which mitigate, avoid, or substantially lessen potentially significant environmental effects as identified in the Final Program EIR in the following categories: (1) land use; (2) transportation and circulation; (3) biological resources; (4) noise; (5) paleontological resources; (6) public utilities; and, (7) public health and safety.

1. Land Use

Potential Impacts: Absent amendments to the Progress Guide and General Plan, Kearny Mesa Community Plan, and Zoning Map, the Project would be inconsistent with existing land use designations and zoning, and goals/objectives related to the retention of industrial land for industrial/business park uses.

Development of the eastern section of the site will conflict with the regulatory standards of the RPO with respect to sensitive biological resources because the project results in encroachments and other impacts to wetlands and biologically sensitive lands in the eastern section beyond the limited encroachments set forth in the RPO. This is considered a significant direct and cumulative impact.

The project will incrementally contribute to cumulative impacts to the following freeway segments: Interstate 15 (Interstate 8 to Aero Drive and Clairemont Mesa Boulevard to State Route 52), State Route 52 (Interstate 805 to Interstate 15), and Interstate 805 (Murray Ridge Road to Clairemont Mesa Boulevard). These impacts are significant and unavoidable.

Facts in Support of Finding: The Project includes proposed amendments to the Progress Guide to change the land use designation on the western portion of the site from Industrial to Commercial. An amendment to the Kearny Mesa Community Plan would change the site's designation of Industrial and Business Park on the western portion of the site to General Commercial and would designate Missile Park (Planning Area 7) as Open Space/Park. These changes, along with other modifications to the Progress Guide and

Kearny Mesa Community Plan reflected in the General Plan Amendment and Community Plan Amendment, would maintain consistency between the land use designations, objectives, and goals contained in the Progress Guide and Community Plan, on the one hand, and the Project, on the other.

The Project approvals also include a rezoning of the Property which would result in Planning Areas 1 and 2 being designated with "CA" zoning designation and Planning Area 7 (Missile Park) being rezoned to OS-TRD. These changes would not have a significant impact on the region's jobs-housing balance because the retail, office, and industrial jobs created by the Project would provide additional employment opportunities for existing residents. ~~and would not result in people moving into the area and creating additional demands on existing housing and public services.~~

Impacts to vernal pools and biologically sensitive lands will be offset through the creation of a 4.3-acre on-site conservation bank for the preservation and enhancement of vernal pool habitat, as well as through off-site acquisition of equally suitable Diegan coastal sage scrub habitat. Impacts to the RPO allowances for biologically sensitive lands, excepting wetlands, are mitigated below a level of significance. Impacts to vernal pools remain a significant project-specific and cumulative impact.

Freeway impacts are reduced or avoided to the extent feasible through the proposed implementation of changes to freeway ramp metering and improvements to the SR-163/Clairemont Mesa Boulevard interchange but cannot feasibly be mitigated to a level considered less than significant.

2. Transportation and Circulation

Potential Impact: The Project will generate approximately 81,300 average daily trips (ADT) upon full build out, an increase of approximately 11,000 ADT over traffic levels assumed in the Kearny Mesa Community Plan. The Project would reduce the level of service (LOS) to various intersections, roadway segments, and arterials, as described further in the Final Program EIR. Intersections in the Project study area which would, in the absence of mitigation, operate at LOS E or worse under the Year 2006 Traffic Analysis are:

- Clairemont Mesa/Ruffin Road-LOS F (p.m. peak)
- Clairemont Mesa/Kearny Villa Road-LOS F (a.m. and p.m. peaks)
- Clairemont Mesa/Shawline Street-LOS F (p.m. peak)
- Balboa Avenue/Ruffin Road-LOS F (a.m. and p.m. peaks)
- Balboa Avenue/Convoy Street-LOS F (p.m. peak)
- Kearny Villa Road/SR-163 northbound ramps-LOS F (a.m. and p.m. peaks)
- SR-163/Clairemont Mesa Boulevard northbound offramp-LOS F (a.m. and p.m. peaks)

Roadway segments in the Project study area which would, absent mitigation, operate at LOS E or worse under the Year 2006 Analysis are as follows:

- Clairemont Mesa Boulevard (Kearny Villa Road to Mercury Street and Shawline Street to I-805)-LOS E/F and LOS E, respectively
- Balboa Avenue (Ruffin Road to Mercury Street and Convoy Street to Sportmart entrance)-LOS E and LOS F, respectively

- Ruffin Road (Balboa Avenue to Convair Drive and Chesapeake Drive to Kearny Villa Road)-LOS F and LOS E, respectively

The Project will also have a potentially significant impact upon regional facilities, specifically the SR-163/Clairemont Mesa Boulevard interchange.

Facts in Support of Finding: The Final Program EIR identifies project design features and intersection improvements which would restore acceptable levels of service to all intersections and roadway segments identified as being potentially deficient. The Project's impacts to the SR-163/Clairemont Mesa Interchange have been mitigated by requiring the applicant to advance the funding necessary to construct the improvements required to restore levels of service under the Year 2006 traffic analysis. Any further cumulative impacts associated with the Project will be lessened because the applicant is paying development impact fees and/or constructing or funding traffic improvements (including the funding for the SR-163/Clairemont Mesa Boulevard interchange) in excess of the Project's fair share impacts.

Cumulative impacts associated with Project traffic to freeway segments would remain significant after implementation of the mitigation measures and Project design features. These impacts are addressed in Section C.3 and Section D below.

3. Biological Resources

Potential Impacts: The Project would remove approximately 9.0 acres of Diegan coastal sage scrub, resulting in a direct impact to one pair of coastal California gnatcatchers and indirect impacts to an additional pair.

The Project would remove 16 vernal pool basins within the Eastern Section of the Property (as defined in the Final Program EIR) covering approximately 0.2 acre. The removal would result in potential impacts to 44 individuals of San Diego mesa mint, occupying approximately 496 square feet of vernal pool basin in the Eastern Section, and would also impact three pools identified as supporting San Diego fairy shrimp, covering approximately 1,165 square feet.

Facts in Support of Findings: Pursuant to the RPO, impacts to coastal sage scrub habitat may be mitigated through (1) payment of a fee for the purchase of habitat within key biological areas (i.e., areas within the Multiple Species Conservation Program area) (based on today's approximate land value of \$15,000 per acre, the project applicant would be required to contribute \$148,500 [$\$15,000 \times 9.0 \text{ acres} + \$13,500 \text{ administration cost}$]). The actual payment amount would be determined 60 days prior to the issuance of a grading permit based upon the general land values at that time); or, (2) acquisition of off-site coastal sage scrub habitat within key biological areas for permanent preservation. Mitigation measures have been incorporated in the Final Program EIR requiring the Project to implement one or the other of these mitigation measures which would reduce impacts to below a level of significance.

Mitigation measures have been included in the Final Program EIR which require the applicant to implement either an on-site or off-site preservation, restoration, and enhancement program designed to ensure that no net loss of function and value for

wetlands and vernal pool habitat occurs as a result of development of the Eastern Section. These measures include preservation of 0.4 acre of high quality vernal pool habitat within the Southern Section of the Property as a vernal pool preserve; restoration of the habitat within the vernal pool preserve through the removal of debris, the installation of fencing, the establishing of a native plant buffer, and the relocation of an existing dirt road; and the creation of at least 1,500 square feet of new vernal pool basin within the vernal pool preserve. The off-site mitigation measures identified require levels of preservation, restoration, and enhancement exceeding the acreages impacted by development of the Eastern Section, thereby ensuring no net loss of function or value.

Notwithstanding the mitigation of impacts to wetlands and vernal pool habitat and the various endangered species associated therewith, any loss of vernal pool basin is considered to be a significant impact. This impact is addressed further in Section C.3 and Section D below.

4. Noise

Potential Impact: The Project could potentially result in significant short-term exterior construction noise impacts at on-site and adjacent land uses. In addition, prior to mitigation, Project traffic could produce potentially significant long-term on-site noise levels at exterior use areas, such as exterior vending machine areas and outdoor eating areas associated with onsite structures, along Ruffin Road, Electronics Way east of Kearny Villa Road, and Convair Drive east of Kearny Village Road, which would be exposed to noise levels greater than 70 CNEL.

Facts In Support of Findings: Construction noise levels would be substantially lessened through implementation of mitigation measures requiring that wherever possible noise-generating construction equipment shall be shielded from nearby businesses by noise-attenuating buffers, and that construction equipment is properly outfitted and maintained with noise reduction devices. Further reductions in construction-related noise are not considered technologically feasible.

With respect to traffic-related noise impacts, the Final Program EIR contains a mitigation measure requiring the applicant to demonstrate that through setbacks or other Project design features, the impacts to exterior use areas along Ruffin Road, Electronics Way east of Kearny Villa Road, and Convair Drive east of Kearny Villa Road, are not exposed to noise levels greater than 70 CNEL.

5. Paleontological Resources

Potential Impacts: Grading activities may occur around an elevation of 410 feet and could, absent mitigation, potentially impact paleontological resources in the Lindavista and Friars formations.

Facts In Support of Findings: Mitigation measures contained in the Final Program EIR require the applicant to submit a soils report with each grading plan to determine the locations of the Lindavista and Friars formations on-site. In the event the soils report identifies the presence of these formations and the grading plan would disturb same, the applicant has been required to retain a qualified paleontologist to implement a monitoring program. The implementation of this program, as reflected in additional mitigation

measures, would ensure that potential direct and cumulative impacts to paleontological resources are reduced below a level of significance.

6. Public Utilities

Potential Impacts: Based on the City's thresholds of significance for solid waste generation, the proposed uses within the Project would result in significant ongoing direct and cumulative waste generation impacts.

Facts In Support of Finding: The Project's direct project-related solid waste impacts would be substantially lessened through the implementation of mitigation measures set forth in the Final Program EIR which require the applicant to prepare and implement a waste management plan which would include specific goals for waste reduction and recycling.

Notwithstanding implementation of the mitigation measures contained in Final Program EIR, cumulative impacts of solid waste generation associated with the Project remain significant. These impacts are addressed in Section C.3 and Section D below.

Potential Impact: The Project, prior to mitigation, would result in storm water runoff which exceeds the capacity of the off-site drainage systems at discharge points along the Project boundary and downstream of the site.

Facts In Support of Finding: Mitigation incorporated in the Final Program EIR requires that a final drainage plan be submitted to the City Engineer demonstrating that post-development runoff rates are consistent with existing levels and that on-site retention concepts have been incorporated to ensure that post-development storm water discharges will not exceed existing levels.

7. Public Safety

Potential Impact: Active industrial operations within the Property for nearly forty years resulted in the use, storage, recycling, and waste generation of hazardous materials. A number of structures on the site contained asbestos and lead paint. In addition, the Project site contained a number of underground storage tanks and a "trich farm" within which hazardous solvent materials were recycled. As a result of the historical uses of the Project site, the potential exists that the Project will expose people to health hazards associated with on-site contamination.

Facts In Support of Finding: In connection with the demolition activities on the site undertaken prior to Project approval, the applicant has adopted an Environmental Assessment Program which includes a comprehensive sampling, analysis, and remediation plan to address potential public safety issues. Implementation of this program and compliance with applicable regulatory requirements of the San Diego County HMMD, the San Diego Regional Water Quality Control Board, CAL/OSHA, and CAL/EPA would preclude adverse effects from hazardous materials upon the public health and safety.

B. SECTION 21081(b) FINDINGS

The City Council, having reviewed and considered the information contained in the Final Program EIR, the appendices to the Final EIR, and the Administrative Record, finds, pursuant to CEQA and the CEQA Guidelines, that the following changes or alterations are within the responsibility and jurisdiction of another public agency and can and should be adopted by that other Agency:

1. Regional Facilities

Impact: The combination of Project traffic and cumulative traffic results in a deficient level of service to the SR-163/Clairemont Mesa Boulevard interchange. Additionally, although the potential impacts associated with ramp meter rates to be set for the SR-163/Clairemont Mesa Boulevard ramp are speculative, if such rates were below anticipated demand, potential queuing could occur on Kearny Mesa Road.

Facts In Support of Finding: The SR-163/Clairemont Mesa Boulevard interchange is located within a Caltrans right-of-way. As a result, construction of interchange improvements required to restore acceptable levels of service require the approval of Caltrans. As discussed Section A.2 above, mitigation measures requiring the applicant to fund the construction of improvements necessary to address the interchange's Year 2006 operating condition are incorporated in the Final Program EIR.

The setting of meter rates is a balancing process intended to optimize the freeway system while at the same time considering delays in the City's street system. Although the variable nature of the ramp meter rates and the uncertain nature of queuing makes it difficult to identify certain significant impacts at this time, any future adjustment of the ramp meter rates to avoid queuing would require the approval of Caltrans. The Program EIR incorporates a feasible mitigation measure--the project applicant's construction, on a fair share basis, of an HOV bypass lane--which would potentially alleviate queuing on Kearny Villa Road. Given the uncertainties of future impacts, and reasonable design constraints with respect to the ramp in question, further mitigation is considered infeasible. See Section D below regarding the City's findings of overriding considerations.

C. SECTION 21081(c) FINDINGS

The City, having reviewed and considered the information in the Final Program EIR, the appendices to the Final EIR, and the Administrative Record, finds, pursuant to CEQA and the CEQA Guidelines, that (a) the Final Program EIR considers a reasonable range of Project alternatives; and (b) specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the Project alternatives identified in the Final Program EIR as well as other alternatives or mitigation measures which would reduce the following impacts below a level of significance: (1) the Project's inconsistency with the development regulations of the City's RPO; (2) cumulative impacts to certain freeway segments; (3) exceedences of the City's significance thresholds with respect to CO, ROG, and NO_x emissions associated with Project traffic; (4) the loss of vernal pool basins which include San Diego mesa mint and San Diego fairy shrimp; (5) short-term construction-related noise; and, (6) cumulative solid waste generation.

Facts In Support of Findings:

1. Reasonable Range of Project Alternatives

Under CEQA Guidelines Section 15126(d)(1), the alternatives discussed in an EIR are intended to “focus on alternatives to the Project or its location which are capable of avoiding or substantially lessening any significant effects of the Project, even if these alternatives would impede to some degree the attainment of the Project objectives, or would be more costly.” CEQA Guidelines Section 15126(d)(5) states that the “range of alternatives required in an EIR is governed by a ‘rule of reason’ that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the Project.”

The Final Program EIR includes five alternatives, four of which were intended to eliminate or reduce one or more of the significant environmental effects noted above. The fifth alternative is a design alternative. The range of alternatives considered presents a reasonable range of development choices, including no development on the Project site (the “No Project ‘A’ Alternative”); development at reduced intensity on only a portion of the Project site (the “Reduced Intensity Alternative”); development which includes a different mixture of land uses, including residential (the “Mixed Use With Residential Component Alternative”); development in accordance with the existing Kearny Mesa Community Plan (the “No Project ‘B’ Alternative”); and a design alternative involving a regional retailing complex (the “Regional Retailing and Industrial Business Park Alternative”). One of these alternatives, No Project “A,” would eliminate or substantially lessen most of the significant impacts noted. The Reduced Intensity Alternative would lessen impacts in each impact area noted, although in a number of areas these impacts would not be reduced below a level considered significant (impacts to freeway segments, air quality, cumulative solid waste generation). The Mixed Use Alternative would reduce impacts to freeway segments and air quality, although neither would be reduced below a level considered significant. The Community Plan Alternative would preserve the current land use and zoning designations for the property, but would not substantially lessen any of the significant impacts noted. The design alternative produced impacts generally considered the same or greater than the proposed Project.

The Final Program EIR considered but rejected an alternative location for the Project. The Final Program EIR did not include an analysis of a specific alternative location because there are no known alternative sites which could meet most of the Project objectives, while avoiding or substantially lessening the significant effects identified. There are no known alternative Project sites with similar acreage, or freeway access and visibility. Moreover, a number of the principal objectives of the Project-- taking advantage of the Property's location near the confluence of four major freeways; creating an economically viable and market responsive reuse plan for the Property in accordance with Community Plan directives to adopt a master plan for the General Dynamics site; promoting a diversified economic base to help promote revitalization of the Kearny Mesa Community; and retaining portions of Missile Park for public recreational purposes--can only be accomplished on or in the vicinity of the Property. The Kearny Mesa Community does not contain any other sites which would reasonably permit these objectives to be accomplished. Additionally, while the selection of an alternative site could address the Project's inconsistency with the development standards in the City's RPO and the significant impacts to vernal pools within

the Eastern Section, any similar sized Project would not substantially lessen impacts to freeway segments, air quality, or solid waste generation.

2. Infeasibility of Project Alternatives

- (a) **No Project "A" Alternative.** The No Project "A" Alternative assumes that the demolition of all existing structures on the site is completed and that no further development will occur. While this alternative would eliminate or substantially lessen most of the Project impacts,¹ it would not achieve any of the important economic, employment, social, aesthetic, or public policy objectives identified in the Final Program and in the Kearny Mesa Community Plan. Failure to develop the Project site would: eliminate potentially significant employment opportunities, including opportunities for highly trained workers; eliminate a potentially significant source of future revenues for the City; negatively impact efforts to revitalize the Kearny Mesa Community; and jeopardize the ability to retain portions of Missile Park for public recreational purposes. These considerations make the implementation of the No Project "A" Alternative infeasible within the meaning of CEQA and the CEQA Guidelines.
- (b) **No Project "B" Alternative (Community Plan).** Under this alternative, the existing Community Plan and zoning designations for the Property would be retained. Upon build out, this alternative would result in approximately 5,107,800 square feet of industrial business park uses, and 99,100 of specialty retail uses along Clairemont Mesa Blvd. The uses contemplated in the Community Plan would produce development at a greater level of intensity than that proposed by the Project and, as a result, would produce environmental impacts which equal or exceed those of the Project in almost every area. Among other adverse environmental impacts, this alternative would produce approximately 2,100 additional a.m. peak hour trips and approximately 780 outbound p.m. peak hour trips, thereby exacerbating traffic conditions, and producing additional air quality and noise impacts.

This alternative would also be less effective than the Project in achieving a number of the principal economic, social, and redevelopment objectives of the City. It is unlikely that the Property could absorb in excess of 5,000,000 square feet of industrial development in the desired five to ten year period of redevelopment. Absorption over a longer period of time would substantially increase exposure to a business cycle recession thereby impairing the job generation and fiscal impact objectives of the City. The retention of the existing land use designations would not permit the type of innovative, multi-use development which is now, and is likely to be, a critical factor in

¹ Cumulative growth within the Kearny Mesa Community would still result in deficient levels of service for the impacted freeways identified in the Final Program EIR. Additionally, while the elimination of development within the Eastern Section would avoid direct impacts to the vernal pools contained in this area, the need to investigate and potentially remediate the presence of hazardous materials in underground structures believed to be located within or adjacent to the vernal pool areas in the Eastern Section would result in direct impacts independently of the Project, and the failure to incorporate the Project's restoration and enhancement mitigation in the Southern Section could expose the higher quality pools in this area to greater long-term risk than the Project, as mitigated.

attracting employment generating uses to the site. A project which focused almost exclusively on industrial users would likely not attract targeted growth industries such as high-tech, telecommunications, bio-tech, and corporate users which produce the type of high wage employment desired by the City. Additionally, without the mixed-use ingredients contemplated in the Project, this alternative would not produce the amenities, the use synergy, and enhanced work environment desired to reinvigorate the Kearny Mesa Community. For all these reasons, it is unlikely, that this alternative would lead to the timely redevelopment of the site and the concomitant economic, social, aesthetic, and employment benefits associated therewith.

- (c) **Reduced Intensity Alternative.** This alternative would reduce development within the Property by approximately 40 percent (as compared to the Project), while preserving substantial open space within the currently undeveloped portion of the site. Although this alternative would substantially reduce daily traffic generation, it would not eliminate the Project's significant cumulative impact on various freeway segments. Additionally, as noted in Section C.2(a) above, while eliminating development within the Eastern Section would avoid development-related disturbance of the vernal pool habitat contained therein, the absence of a preservation, restoration, and enhancement program with respect to the higher quality vernal pool habitat within the Southern Section of Property, as proposed as part of Project mitigation, would expose these pools to greater long-term risk than the Project, as mitigated. It is questionable whether impacts to the vernal pool habitat within the Eastern Section could be avoided under any circumstances in light of the applicant's need to investigate subsurface conditions to determine whether hazardous materials may be present in certain underground structures believed to be located within or adjacent to the vernal pool area. Further, if extension of the circulation system through the undeveloped area was prohibited in order to minimize impacts to the Eastern Section vernal pools (as suggested by one commentator), this alternative would undermine the development of a flexible circulation system and create additional traffic impacts beyond those created by the Project. As a result of the foregoing, the environmental benefits of this alternative are considered marginal.

Conversely, the impacts of this alternative upon a number of the principal objectives of the City as set forth in the Final Program EIR are considered significant. This alternative would reduce Industrial and Business Park acreage within the Project site by approximately 35.6 acres, thereby depriving the City of substantial employment generating uses, including potential opportunities for employing highly trained workers. The large reduction of industrial acreage in favor of open space preservation and the resulting loss of employment generating uses would also conflict with the existing objectives of the Kearny Mesa Community Plan. The reduction in development would also substantially impair efforts to successfully support the costs associated with the amenities and infrastructure improvements necessary to develop the remaining portions of the Property. The 40 percent reduction in development and the lost acreage within the eastern portion of the Property would make it unlikely that the Project developer would provide all of the amenities, including Market Square, necessary to develop the entertainment and mixed-use areas of the remaining property. Reduction in development intensity and industrial acreage would also make the Project substantially less attractive to high end users seeking to relocate to a larger urban center. To the extent the Property does not attract entertainment-oriented mixed uses due to the loss of amenities, infrastructure improvements, and critical mass,

development of the Property pursuant to this alternative would likely focus on lower end industrial uses, posing the same feasibility issues noted in Section C.2(b) above. These considerations make the implementation of the Reduced Intensity Alternative infeasible within the meaning of CEQA and the CEQA Guidelines.

- (d) **Mixed-Use Alternative.** Under this alternative, the land uses included within the Project would be implemented with the addition of 500 units of varying market rate residential products in the Industrial and Business Park area of the site, thereby displacing approximately 54 acres of employment generating uses. The addition of residential uses in the center of the Project would reduce the amount of traffic generated by the Project and result in proportionate reductions of air contaminants. However, this alternative would also expose residents to potential air quality and noise impacts that would not occur with the Project and would not eliminate any of the significant environmental effects created by the Project. This alternative would also create potential impacts to schools, potentially expose residents to public safety issues associated with industrial operations (including the handling of hazardous materials) and would introduce a potential additional source of impact to the vernal pool preserve in the Southern Section of the Project. While it is expected that these additional potentially significant impacts can be mitigated to a level that is considered less than significant, measures necessary to achieve such mitigation could impose additional constraints on the remaining land uses, and may make such development (particularly industrial development), less desirable. As a result of the foregoing, environmental benefits associated with this alternative, if any, are considered marginal.

The introduction of residential uses in the center of the Project would not be consistent with the City's General Plan and the Kearny Mesa Community Plan and, as noted above, could result in land use incompatibilities which would discourage timely development of other sections of the Property if they would be developed at all. A major obstacle in implementing this alternative is locating residential uses in a commercial/industrial area which historically has had none and, as a result, does not have any residential amenities such as schools, everyday shopping (grocery stores, etc.), parks, or other basic residential services (day care, libraries, etc.). Without reorienting development of all or substantially all of the site or adjacent areas to residential uses—which would undermine most of the principal objectives of the Project (job generation, revitalizing the Kearny Mesa business community, etc.)—these residential amenities could not be provided in reasonable proximity to the residential uses proposed. As a result, it is anticipated that the demand for residential units would be extremely limited, if such demand developed at all. These considerations make implementation of the residential/mixed-use alternative infeasible within the meaning of CEQA and the CEQA Guidelines.

- (e) **Regional Retailing and Industrial Business Park Alternative.** This design alternative was not intended to reduce environmental impacts associated with the proposed Project but rather to provide an alternative development program involving a regional retailing complex. This alternative would result in a substantial increase in traffic and would produce associated air quality and noise impacts. As a result, this alternative would be considered environmentally inferior to the Project.

The regional retailing component of this Project would produce fewer and lower quality jobs and would not achieve the mixed-use synergy desired as one of the principal

objectives of the Project. Additionally, the applicant has indicated that a regional retail center could not compete effectively with other regional centers located in the City and therefore would be unlikely to attract the capital necessary for this type of development. In light of these considerations, this alternative is infeasible within the meaning of CEQA and the CEQA Guidelines.

3. Infeasibility of Other Alternatives and Mitigation Measures

The Final Program EIR identifies various significant impacts which cannot feasibly be mitigated to a level of insignificance. The reason further alternatives or mitigation measures are considered infeasible are explained below.

- (a) Inconsistency with RPO Development Regulations. Despite the mitigation measures summarized in Section A.3 above, the loss of any vernal pool or wetlands habitat exceeds the encroachment permitted under the City's RPO. Although a RPO permit may still be approved through the alternative compliance process, and the proposed mitigation has been found reasonable under the circumstances, the Project remains inconsistent with the RPO development regulations. Any development of the Eastern Section of the Property would also be deemed inconsistent with these development regulations. Additionally, it is questionable whether impacts to the vernal pool habitat within the Eastern Section could be avoided under any circumstances in light of the applicant's need to investigate subsurface conditions to determine whether hazardous materials may be present in certain underground structures believed to be located within or adjacent to the vernal pool area.
- (b) Cumulative Impacts to Freeway Segments. Build out of the Kearny Mesa Community, including the Project site, will result in cumulative impacts to various freeway segments, specifically: I-15 (I-8 to Aero Drive and Clairemont Mesa Blvd. to SR-52); SR-52 (I-805 to I-15); and I-805 (Murray Ridge Road to SR-52). Congested conditions would occur within these freeway segments even if no development occurred within the Project. Thus, while less intense development proposals might avoid freeway congestion somewhat, such benefits would be only incremental and would not reduce the significance of the cumulative impacts.
- (c) Air Quality. Long-term regional CO, ROG, and NO_x emissions from mobile and stationary sources generated by the Project would exceed the City of San Diego's guidelines and are deemed to be "significant." However, because the City's threshold for the criteria pollutants is relatively low, most development projects would exceed these levels and also be deemed significant. Thus, although the Reduced Intensity Alternative and the Mixed-Use Residential Component Alternative would reduce on-site development and would result in corresponding reduction of air quality impacts, these alternatives and all other alternatives identified in the Final Program EIR except the No Project "A" Alternative, would exceed the City's thresholds. The infeasibility of the No Project "A" Alternative is addressed in the findings set forth above and any further alternative or mitigation measure sufficient to achieve reductions in emissions below the City's thresholds would be infeasible for the same reasons. As a result, cumulative impacts associated with emissions of CO, ROG, and NO_x are considered significant and unavoidable.

- (d) The Loss of Vernal Pool Basins Within the Eastern Section of the Property. As discussed above, the loss of vernal pool habitat would occur with any development of the Eastern Section and would appear to be unavoidable due to the potential presence of hazardous material under the pools. Additionally, as noted in the Final Program EIR, while the preservation of vernal pools within the Eastern Section would be preferable to development, mitigation measures incorporated in the Final Program EIR, including the preservation, restoration, and enhancement of higher quality vernal pool habitat in the Southern Section of the Property, will reduce the risk of impacts to these vernal pools and ensure no net loss of function or value of the wetlands and vernal pool habitat on site.
- (e) Short-term Construction Noise. With the exception of the No Project "A" Alternative which assumes no further development of the site, all of the project alternatives would result in short-term construction-related noise impacts. Although these noise levels would be substantially lessened for these alternatives through implementation of mitigation measures, these impacts would remain unavoidable. Further reductions in construction-related noise are not considered technologically feasible.
- (f) Cumulative Solid Waste Generation. Any substantial development within the Project site would be expected to produce direct impacts upon the City's landfill and, based upon the City's thresholds, would be considered significant. Thus, even the 40 percent reduction in development reflected in the Reduced Intensity Alternative would result in significant cumulative solid waste impacts. Further reductions in the intensity of development would be considered infeasible for the same reasons set forth above.

D. STATEMENT OF OVERRIDING CONSIDERATIONS

The City, having reviewed and considered the information contained in the Final Program EIR, the appendices to the Final EIR, and the Administrative Record, finds, pursuant to CEQA and the CEQA Guidelines, that specific overriding economic, legal, social, technological, or other benefits of the Project outweigh any and all significant effects that the Project will have on the environment, and that on balance, the remaining significant effects are found acceptable given these overriding considerations:

1. The Project will create a substantial number of construction jobs and permanent jobs, and growth opportunities, including opportunities for highly trained workers.
2. The Project will generate significant revenues and have a positive net fiscal impact on the City.
3. The Project will take advantage of its location near the confluence of four major freeways by promoting a more marketable commercial focus on the freeway-visible portion of the site and multi-use office/industrial uses on the remainder of the site than that currently contemplated in the Kearny Mesa Community Plan.
4. The Project will take better advantage of emerging market opportunities and foster a socially desirable blend of recreational, cultural, commercial, and employment opportunities.

5. The Project will establish an important central focus within the Kearny Mesa Community and help expand employment opportunities and promote revitalization of the surrounding area.
6. The Project will retain portions of Missile Park for public recreational purposes.
7. The Project will establish a vernal pool preserve within the Southern Section of the Property thereby increasing the amount of high quality vernal pool habitat and promoting long-term preservation of several endangered species.
8. The Project will provide a number of improvements to the off-site circulation system, as well as funding for the critical SR-163/Clairemont Mesa Boulevard interchange, in excess of the Project's direct impacts, thereby providing facilities which will serve other portions of the community and facilitating additional desirable development within Kearny Mesa.
9. Pursuant to the Development Agreement, the Project will be providing certain extraordinary benefits to the City, including funding for the (a) Serra Mesa Library, (b) other community facilities within Kearny Mesa, (c), and the I-15 auxiliary lane. The extraordinary benefits will also include the dedication and conservation of over 1,000 acres of habitat within the Sycamore Canyon area of the City.