



Mitigated Negative Declaration

Land Development
Review Division
(619) 446-5460

Project No. 84791

SUBJECT: Acute Care Pavilion Expansion: SITE DEVELOPMENT PERMIT (SDP), PLANNED DEVELOPMENT PERMIT (PDP), AND CONDITIONAL USE PERMIT (CUP) AMENDMENT to existing CUP 4741/ SDP 4742/ PDP 267312 and MHPA BOUNDARY ADJUSTMENT to demolish an existing parking lot, expand and construct a new 5-level, 272,274-square-foot building addition to an existing hospital on a 26.98-acre site, within the Children's Hospital and Health Center Campus. Additionally, an associated emergency generator facility contained within a one story, 85 by 40 feet building would be constructed on an adjacent 2.39-acre, included within the 26.98-acre site. An existing propane tank would be relocated adjacent to the new generator facility. The CUP amendment would also allow the addition of 12 guest units to the previously approved Ronald McDonald House (project no. 92628), provide a comprehensive sign plan for the Acute Care Pavilion and previously approved Parking Garage/Ronald McDonald House Facility, (project no. 2784) and reduce the number of required parking stalls in the previously approved Parking Garage from 1,051 to 1,035. A SDP would be required for the project's encroachment into Environmentally Sensitive Lands. A PDP would be required to permit a deviation from the CO-1-2 Zone maximum building height of 60 feet to a maximum height of 96 feet and to allow development within the 10 foot front yard setback requirement of the underlying CO-1-2 Zone. A CUP Amendment would be required for hospital uses within a commercial zone. Additionally, the MHPA Boundary Adjustment is required to mitigate MHPA encroachment by construction of the proposed emergency generator facility. The site is zoned CO-1-2 and lies within the Serra Mesa Community Plan area. Legal Description: Lots 1 and 3, Children's Hospital and Health Center, Map No. 12901. Applicant: Children's Hospital.

- I. PROJECT DESCRIPTION: See attached Initial Study.
- II. ENVIRONMENTAL SETTING: See attached Initial Study.
- III. DETERMINATION:

The City of San Diego conducted an Initial Study which determined that the proposed project could have a significant environmental effect in the following area(s): Biological Resources, Paleontological Resources Transportation and Land Use (Multiple Species Conservation Program). Subsequent revisions in the project proposal create the specific mitigation identified in Section V of this Mitigated Negative Declaration. The project, as revised, now avoids or mitigates the potentially significant environmental effects previously identified, and the preparation of an Environmental Impact Report will not be required.

- IV. DOCUMENTATION:

The attached Initial Study documents the reasons to support the above Determination.

- V. MITIGATION, MONITORING AND REPORTING PROGRAM:

To ensure that site development would avoid significant environmental impacts, a Mitigation, Monitoring, and Reporting Program (MMRP) is required. Compliance with the mitigation measures is the responsibility of the applicant. The basis for the MMRP can be found in the Initial Study. The mitigation measures are described below.

GENERAL

1. Prior to the issuance of a Notice to Proceed (NTP) or any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, the Assistant Deputy Director (ADD) environmental designee of the City's Land Development Review Division (LDR) shall verify that the following statement is shown on the grading and/or construction plans as a note under the heading *Environmental Requirements*: "Children's Hospital Acute Care and Emergency Generator Facility is subject to Mitigation, Monitoring, and Reporting Program (MMRP) and shall conform to the mitigation conditions as contained in the Mitigated Negative Declaration (Project No. 84791)."
2. The owner/permittee shall make arrangements to schedule a pre-construction meeting to ensure implementation of the MMRP. The meeting shall include the Resident Engineer, the Qualified Biologist, and the City's Mitigation Monitoring Coordination (MMC) Section.

BIOLOGICAL RESOURCES

Prior to the issuance of a Notice to Proceed (NTP) or any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits, and/or Building Plans/Permits, the ADD environmental designee of the City's LDR Division shall ensure the following mitigation measures are incorporated into the project design and are included on all appropriate construction documents.

I. Prior to Permit Issuance

A. Land Development Review (LDR) Plan Check

1. Prior to the Notice to Proceed (NTP) or issuance for any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, whichever is applicable, but prior to the first preconstruction meeting, direct and indirect impacts to 1.55 acres of Tier II Diegan coastal sage scrub shall be mitigated at a 1:1 ratio. The upland impacts shall be mitigated to the satisfaction of the ADD environmental designee through the following methods: Preservation, Conservation, and Acquisition.
2. Prior to the Notice to Proceed (NTP) or issuance for any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, whichever is applicable, but prior to the first preconstruction meeting, the applicant shall place 1.04-acres of coastal sage scrub habitat (affected by generator noise) into an open space easement on-site; acquire

0.90 acres of Tier II habitat within the MHPA at East Elliott by payment into the City's Habitat Acquisition Fund the amount necessary to purchase 0.90 acres (the current per contribution amount for the Habitat Acquisition Fund is \$25,000 per acre and an additional 10 percent administration fee); and preserve in perpetuity 0.44 acres of the on-site adjusted MHPA (Tier II habitat). All costs associated with the long-term management of the on-site preserved areas shall be the responsibility of the Owner/Permittee or its designated representative.

B. Letters of Qualification Have Been Submitted to ADD

1. Prior to issuance of any grading permits and/or the first pre-construction meeting, the owner/permittee shall provide a letter of verification to the ADD of LDR stating that a qualified biologist, as defined in the City of San Diego Biological Resource Guidelines, has been retained to implement the biological resources Mitigation Monitoring and Reporting Program as detailed below:
2. At least thirty days prior to the pre-construction meeting, a second letter shall be submitted to the MMC section which includes the name and contact information of the Biologist and the names of all persons involved in the Biological Monitoring of the project.
3. The qualified biologist shall supervise the placement of construction fencing (orange construction fencing, silt fencing, or other appropriate barriers) along the limits of disturbance as shown on the approved Exhibit A prior to any clearing or grading activities to protect the off-site sensitive vegetation. All construction activities (including staging areas) shall be restricted to the development area as shown on the approved Exhibit A. The qualified biologist shall inspect all construction fencing prior to construction and shall monitor construction activities to avoid impacts on adjacent sensitive vegetation.
4. All construction activities (including staging areas) shall be restricted to the development areas as shown on the approved Exhibit A. The project biologist shall monitor construction activities as needed to ensure that construction activities do not encroach into biologically sensitive areas beyond the limits of disturbance as shown on the approved Exhibit A.

II. Precon Meeting

A. Monitor Shall Attend Precon Meetings

1. Prior to beginning any work that requires monitoring, the Applicant shall arrange a Precon Meeting that shall include the Biologist, Biological Monitors, Construction Manager, and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified Biologist shall attend any grading related Precon Meetings to make comments and/or suggestions concerning the monitoring program with the Construction Manager and/or Grading Contractor.

2. Identify Areas to Be Monitored – At the Precon Meeting, the Biologist shall submit to MMC a copy of the site/grading plan (reduced to 11” x 17”) that identifies areas to be protected, fenced and monitored as well as areas that may require delineation of grading limits.
3. When Monitoring Will Occur – Prior to the start of work, the Biologist shall also submit a construction schedule to MMC through the RE or BI, as appropriate, indicating when and where monitoring is to begin and shall notify MMC of the start date for monitoring.

III. During Construction

A. Biological Monitor Shall Be Present During Grading/Excavation

1. The Biological Monitor shall be on site to ensure that grading limits are observed and shall document activity via the Consultant Site Visit Record (CSVVR). This record shall be sent to the RE or BI, as appropriate, each month. The RE or BI, as appropriate, will forward copies to MMC. The biological monitor shall have the authority to divert work or temporarily stop operations to avoid significant impacts. It is the Construction Manager’s responsibility to keep the monitors up-to-date with current plans.
2. No staging/storage areas for equipment and materials shall be located within or adjacent to habitat outside of the grading limits
3. Natural drainage patterns shall be maintained as much as possible during construction. Erosion control techniques, including the use of sandbags, hay bales, and/or the installation of sediment traps, shall be used to control erosion and deter drainage during construction activities into the adjacent open space.

IV. Post Construction

A. Submittal of Draft Monitoring Reports to MMC

1. The Applicant or Project Biologist, as appropriate, shall submit two copies of the Draft Monitoring Report which describes the results, analysis, and conclusions of all phases of the Biological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring.
2. MMC shall return the Draft Monitoring Report to the Applicant or Project Biologist for revision, for preparation of the Final Report.
3. The Applicant or Project Biologist shall submit revised Draft Monitoring Report to MMC for approval.
4. MMC shall provide written verification to the Applicant or Project Biologist of the approved report.
5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.

B. Submittal of Final Monitoring Reports to MMC

1. The Applicant or Project Biologist shall submit one copy of the approved Final Monitoring Report to the RE or BI, as appropriate, and one copy to MMC, within 90 days after notification from MMC that the draft report has been approved.

2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC.

AVIAN NOISE MITIGATION MEASURES

COASTAL CALIFORNIA GNATCATCHER (Federally Threatened)

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

NO CLEARING, GRUBBING, GRADING, OR OTHER CONSTRUCTION ACTIVITIES SHALL OCCUR BETWEEN MARCH 1 AND AUGUST 15, THE BREEDING SEASON OF THE COASTAL CALIFORNIA GNATCATCHER, UNTIL THE FOLLOWING REQUIREMENTS HAVE BEEN MET TO THE SATISFACTION OF THE CITY MANAGER:

- a. A QUALIFIED BIOLOGIST (POSSESSING A VALID ENDANGERED SPECIES ACT SECTION 10(a)(1)(A) RECOVERY PERMIT) SHALL SURVEY THOSE HABITAT AREAS WITHIN THE MHPA THAT WOULD BE SUBJECT TO CONSTRUCTION NOISE LEVELS EXCEEDING 60 DECIBELS [dB(A)] HOURLY AVERAGE FOR THE PRESENCE OF THE COASTAL CALIFORNIA GNATCATCHER. SURVEYS FOR THE COASTAL CALIFORNIA GNATCATCHER SHALL BE CONDUCTED PURSUANT TO THE PROTOCOL SURVEY GUIDELINES ESTABLISHED BY THE U.S. FISH AND WILDLIFE SERVICE WITHIN THE BREEDING SEASON PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION. IF GNATCATCHERS ARE PRESENT, THEN THE FOLLOWING CONDITIONS MUST BE MET:
 1. BETWEEN MARCH 1 AND AUGUST 15, NO CLEARING, GRUBBING, OR GRADING OF OCCUPIED GNATCATCHER HABITAT SHALL BE PERMITTED. AREAS RESTRICTED FROM SUCH ACTIVITIES SHALL BE STAKED OR FENCED UNDER THE SUPERVISION OF A QUALIFIED BIOLOGIST; AND
 2. BETWEEN MARCH 1 AND AUGUST 15, NO CONSTRUCTION ACTIVITIES SHALL OCCUR WITHIN ANY PORTION OF THE SITE WHERE CONSTRUCTION ACTIVITIES WOULD RESULT IN NOISE LEVELS EXCEEDING 60 dB(A) HOURLY AVERAGE AT THE EDGE OF OCCUPIED GNATCATCHER HABITAT. AN ANALYSIS SHOWING THAT NOISE GENERATED BY CONSTRUCTION ACTIVITIES WOULD NOT EXCEED 60 dB(A) HOURLY AVERAGE

AT THE EDGE OF OCCUPIED HABITAT MUST BE COMPLETED BY A QUALIFIED ACOUSTICIAN (POSSESSING CURRENT NOISE ENGINEER LICENSE OR REGISTRATION WITH MONITORING NOISE LEVEL EXPERIENCE WITH LISTED ANIMAL SPECIES) AND APPROVED BY THE CITY MANAGER AT LEAST TWO WEEKS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES. PRIOR TO THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES DURING THE BREEDING SEASON, AREAS RESTRICTED FROM SUCH ACTIVITIES SHALL BE STAKED OR FENCED UNDER THE SUPERVISION OF A QUALIFIED BIOLOGIST; OR

3. AT LEAST TWO WEEKS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES, UNDER THE DIRECTION OF A QUALIFIED ACOUSTICIAN, NOISE ATTENUATION MEASURES (e.g., BERMS, WALLS) SHALL BE IMPLEMENTED TO ENSURE THAT NOISE LEVELS RESULTING FROM CONSTRUCTION ACTIVITIES WILL NOT EXCEED 60 dB(A) HOURLY AVERAGE AT THE EDGE OF HABITAT OCCUPIED BY THE COASTAL CALIFORNIA GNATCATCHER. CONCURRENT WITH THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES AND THE CONSTRUCTION OF NECESSARY NOISE ATTENUATION FACILITIES, NOISE MONITORING* SHALL BE CONDUCTED AT THE EDGE OF THE OCCUPIED HABITAT AREA TO ENSURE THAT NOISE LEVELS DO NOT EXCEED 60 dB(A) HOURLY AVERAGE. IF THE NOISE ATTENUATION TECHNIQUES IMPLEMENTED ARE DETERMINED TO BE INADEQUATE BY THE QUALIFIED ACOUSTICIAN OR BIOLOGIST, THEN THE ASSOCIATED CONSTRUCTION ACTIVITIES SHALL CEASE UNTIL SUCH TIME THAT ADEQUATE NOISE ATTENUATION IS ACHIEVED OR UNTIL THE END OF THE BREEDING SEASON (AUGUST 16).

* Construction noise monitoring shall continue to be monitored at least twice weekly on varying days, or more frequently depending on the construction activity, to verify that noise levels at the edge of occupied habitat are maintained below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. If not, other measures shall be implemented in consultation with the biologist and the City Manager, as necessary, to reduce noise levels to below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. Such measures may include, but are not limited to, limitations on the placement of construction equipment and the simultaneous use of equipment.

2. IF COASTAL CALIFORNIA GNATCATCHERS ARE NOT DETECTED

DURING THE PROTOCOL SURVEY, THE QUALIFIED BIOLOGIST SHALL SUBMIT SUBSTANTIAL EVIDENCE TO THE CITY MANAGER AND APPLICABLE RESOURCE AGENCIES WHICH DEMONSTRATES WHETHER OR NOT MITIGATION MEASURES SUCH AS NOISE WALLS ARE NECESSARY BETWEEN MARCH 1 AND AUGUST 15 AS FOLLOWS:

- a. IF THIS EVIDENCE INDICATES THE POTENTIAL IS HIGH FOR COASTAL CALIFORNIA GNATCATCHER TO BE PRESENT BASED ON HISTORICAL RECORDS OR SITE CONDITIONS, THEN CONDITION A.III SHALL BE ADHERED TO AS SPECIFIED ABOVE.
- b. IF THIS EVIDENCE CONCLUDES THAT NO IMPACTS TO THIS SPECIES ARE ANTICIPATED, NO MITIGATION MEASURES WOULD BE NECESSARY.

RAPTOR MITIGATION

1. Prior to the issuance of grading permits, a qualified biologist shall determine the presence or absence of occupied raptor nests within the project site, with written results submitted to the Assistant Deputy Director (ADD) of Land Development Review Division (LDR).
 - a. If active raptor nests are identified during the pre-grading survey and project construction has the potential to impact raptors during the raptor breeding season (February 1 – September 15) within or adjacent to the MHPA, an appropriate avoidance area must be identified and flagged. This restriction shall be noted on all grading and construction plans. If raptor nests are located within the distances listed above, weekly biological monitoring of these nests shall be conducted by the project biologist during the breeding season (February 1 through September 15) with written results submitted to the ADD of LDR. If no raptor nests are discovered in the trees to be removed, no further mitigation is required as long as the trees are not within the avoidance buffer area of any identified raptor nests.
2. During Construction
 - a. If raptor nests are discovered during construction activities, the biologist shall notify the Resident Engineer (RE).
 - b. The RE shall stop work in the vicinity of the nests. The qualified biologist shall mark all pertinent trees and delineate the appropriate “no construction” buffer area or as noted in Biological Resources – Raptors measure 1.B. (above), around any nest sites, satisfactory to the ADD of LDR. The buffer shall be maintained until the qualified biologist determines, and demonstrates in a survey report satisfactory to the ADD of LDR that any young birds have fledged.

3. Post Construction

- a. The biologist shall be responsible for ensuring that all field notes and reports have been completed, all outstanding items of concern have been resolved or noted for follow up, and that focused surveys are completed, as appropriate.
- b. Within three months following the completion of monitoring, two copies of the Final Biological Monitoring Report (even if negative) and/or evaluation report, if applicable, which describes the results, analysis, and conclusions of the Biological Monitoring Program (with appropriate graphics) shall be submitted to Mitigation Monitoring Coordination (MMC) for approval by the ADD of LDR.
- c. For any unforeseen additional biological resources impacted during monitoring, the rehabilitation, revegetation, or other such follow up action plan(s) shall be included as part of Final Biological Monitoring Report.

LAND USE (MULTIPLE SPECIES CONSERVATION PROGRAM)

- I. Portions of the Acute Care Pavilion Expansion project are located within and adjacent to the Multi-Habitat Planning Area (MHPA). Therefore, the following MHPA Land Use Adjacency Guidelines will be made conditions of project approval.
 1. Prior to initiation of any ground disturbing activities, the construction foreman shall discuss the sensitive nature of the adjacent habitat with the crew and subcontractor.
 2. Prior to the start of construction, the construction limits shall be clearly delineated by a survey crew prior to brushing, clearing, or grading. The limits of grading shall be defined with silt fencing and checked by the biological monitor before initiation of trenching activities and/or ground disturbing activities.
 3. Prior to the issuance of any construction permit, the Mayor or mayoral designee shall review the landscape plans to ensure that no invasive non-native plant species have been proposed for areas adjacent to the MHPA.
 4. All lighting adjacent to the MHPA shall be shielded, unidirectional, low pressure sodium illumination (or similar) and directed away from preserve area using appropriate placement and shields.
 5. No staging/storage areas for equipment and materials shall be located within or adjacent to habitat retained in open space area. No equipment maintenance shall be conducted within or near the adjacent open space.
 6. Natural drainage patterns shall be maintained as much as possible during construction. Erosion control techniques, including the use of sandbags, hay bales, and/or the installation of sediment traps, shall be used to control erosion and deter drainage during construction activities into the adjacent open space. Drainage from all development areas adjacent to the MHPA shall be directed away from the MHPA, or if not possible, must not drain directly into the MHPA, but instead into sedimentation basins, grassy swales, and/or mechanical trapping devices as

- specified by the City Engineer.
7. No trash, oil, parking, or other construction related activities shall be allowed outside the established limits of grading. All construction related debris shall be removed off-site to an approved disposal facility.
 8. Prior to the preconstruction meeting, the ADD of LDR (or designee) shall verify that the Multi-Habitat Planning Area (MHPA) boundaries and the project restrictions regarding the California gnatcatcher (above) are shown on the construction plans.

PALEONTOLOGICAL RESOURCES

I. Prior to Permit Issuance

A. Land Development Review (LDR) Plan Check

1. Prior to Notice to Proceed (NTP) for any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, but prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Paleontological Monitoring have been noted on the appropriate construction documents.

B. Letters of Qualification have been submitted to ADD

1. The applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the paleontological monitoring program, as defined in the City of San Diego Paleontology Guidelines.
2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the paleontological monitoring of the project.
3. Prior to the start of work, the applicant shall obtain approval from MMC for any personnel changes associated with the monitoring program.

II. Prior to Start of Construction

A. Verification of Records Search

1. The PI shall provide verification to MMC that a site-specific records search has been completed. Verification includes, but is not limited to a copy of a confirmation letter from San Diego Natural History Museum, other institution or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.

B. PI Shall Attend Precon Meetings

1. Prior to beginning any work that requires monitoring, the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified paleontologist shall attend any

grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Paleontological Monitoring program with the Construction Manager and/or Grading Contractor.

- a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.
2. Identify Areas to be Monitored
Prior to the start of any work that requires monitoring, the PI shall submit a Paleontological Monitoring Exhibit (PME) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits. The PME shall be based on the results of a site-specific records search as well as information regarding existing known soil conditions (native or formation).
3. When Monitoring Will Occur
 - a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
 - b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate conditions such as depth of excavation and/or site graded to bedrock, presence or absence of fossil resources, etc., which may reduce or increase the potential for resources to be present.

III. During Construction

A. Monitor Shall be Present During Grading/Excavation/Trenching

1. The monitor shall be present full-time during grading/excavation/trenching activities as identified on the PME that could result in impacts to formations with high and moderate resource sensitivity. **The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities.**
2. The monitor shall document field activity via the Consultant Site Visit Record (CSVr). The CSVr's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (**Notification of Monitoring Completion**), and in the case of ANY discoveries. The RE shall forward copies to MMC.
3. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as trenching activities that do not encounter formational soils as previously assumed, and/or when unique/unusual fossils are encountered, which may reduce or increase the potential for resources to be present.

B. Discovery Notification Process

1. In the event of a discovery, the Paleontological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the RE or BI, as appropriate.

2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
 3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.
- C. Determination of Significance
1. The PI shall evaluate the significance of the resource.
 - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required. The determination of significance for fossil discoveries shall be at the discretion of the PI.
 - b. If the resource is significant, the PI shall submit a Paleontological Recovery Program (PRP) and obtain written approval from MMC. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume.
 - c. If resource is not significant (e.g., small pieces of broken common shell fragments or other scattered common fossils) the PI shall notify the RE, or BI as appropriate, that a non-significant discovery has been made. The Paleontologist shall continue to monitor the area without notification to MMC unless a significant resource is encountered.
 - d. The PI shall submit a letter to MMC indicating that fossil resources will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that no further work is required.

IV. Night Work

- A. If night work is included in the contract
1. When night work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
 2. The following procedures shall be followed.
 - a. No Discoveries
In the event that no discoveries were encountered during night work, The PI shall record the information on the CSVr and submit to MMC via fax by 9am the following morning, if possible.
 - b. Discoveries
All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction.
 - c. Potentially Significant Discoveries
If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction shall be followed.
 - d. The PI shall immediately contact MMC, or by 8AM the following morning to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.
- B. If night work becomes necessary during the course of construction
1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum

- of 24 hours before the work is to begin.
2. The RE, or BI, as appropriate, shall notify MMC immediately.
- C. All other procedures described above shall apply, as appropriate.

VI. Post Construction

- A. Submittal of Draft Monitoring Report
1. The PI shall submit two copies of the Draft Monitoring Report (even if negative) which describes the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring,
 - a. For significant paleontological resources encountered during monitoring, the Paleontological Recovery Program shall be included in the Draft Monitoring Report.
 - b. Recording Sites with the San Diego Natural History Museum
The PI shall be responsible for recording (on the appropriate forms) any significant or potentially significant fossil resources encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines, and submittal of such forms to the San Diego Natural History Museum with the Final Monitoring Report.
 2. MMC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.
 3. The PI shall submit revised Draft Monitoring Report to MMC for approval.
 4. MMC shall provide written verification to the PI of the approved report.
 5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.
- B. Handling of Fossil Remains
1. The PI shall be responsible for ensuring that all fossil remains collected are cleaned and catalogued.
 2. The PI shall be responsible for ensuring that all fossil remains are analyzed to identify function and chronology as they relate to the geologic history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate
- C. Curation of fossil remains: Deed of Gift and Acceptance Verification
1. The PI shall be responsible for ensuring that all fossil remains associated with the monitoring for this project are permanently curated with an appropriate institution.
 2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.
- D. Final Monitoring Report(s)
1. The PI shall submit two copies of the Final Monitoring Report to MMC (even if negative), within 90 days after notification from MMC that the draft report has been approved.
 2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC which includes the

Acceptance Verification from the curation institution.

TRANSPORTATION/CIRCULATION

Prior to the issuance of the first building permit for the project, the applicant shall assure by permit and bond, the installation of a full access traffic signal at the south leg of Berger Avenue and Mesa College Drive including the interconnect to the planned Caltrans signal at the north leg of Berger Avenue and Interstate 805 Southbound on-ramp and Mesa College Drive, satisfactory to the City Engineer. Should the City of San Diego determine that the westbound left-turn movement is not feasible due to the proposed project signal's proximity to the Caltrans signal, then the proposed project shall install a traffic signal at the south leg of Berger Avenue and Mesa College Drive without the westbound left-turn movement allowed, satisfactory to the City Engineer.

VI. PUBLIC REVIEW DISTRIBUTION:

Draft copies or notice of this Mitigated Negative Declaration were distributed to:

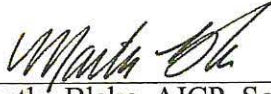
- Federal Government
 - U.S. Fish and Wildlife Services
- State Government
 - California Department of Fish and Game (32)
 - California Department of Transportation (31)
 - Regional Water Quality Control Board (44)
 - State Clearinghouse (57)
- City of San Diego
 - Councilmember Frye, District 6 (MS 10A)
 - Planning Department-MSCP (MS 5A)
 - Development Services Department (MS 501)
- Serra Mesa Planning Group (263A)
- Serra Mesa Community Council (264)
- Kearny Mesa Community Planning Group (265)
- Kearny Mesa Town Council (263)
- Mary Johnson (263B)
- Children's Hospital-Greg Konar (Agent)
- Project Design Consultants (Architect)
- Sierra Club, PI No. 165
- California Native Plant Society, PI No. 170
- Audubon Society, PI No. 167
- Center for Biological Diversity, PI No. 176
- Endangered Habitat League, PI No. 182
- San Diego Natural History Museum (213)

VII. RESULTS OF PUBLIC REVIEW:

- () No comments were received during the public input period.
- () Comments were received but did not address the draft Mitigated Negative Declaration finding or the accuracy/completeness of the Initial Study. No response is necessary. The letters are attached.

- (x) Comments addressing the findings of the draft Mitigated Negative Declaration and/or accuracy or completeness of the Initial Study were received during the public input period. The letters and responses follow.

Copies of the draft Mitigated Negative Declaration, the Mitigation, Monitoring and Reporting Program, and any Initial Study material is available in the office of the Land Development Review Division for review, or for purchase at the cost of reproduction.



Martha Blake, AICP, Senior Planner
Development Services Department

December 15, 2006
Date of Draft Report

February 1, 2007
Date of Final Report

Analyst: H. Warren

STANFORD WEINBERG
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January 16, 2007

VIA E-MAIL ATTACHMENT AND U.S. MAIL

City of San Diego Development Services Center
Martha Blake, Senior Planner
1222 First Avenue, MS 501
San Diego, CA 92101

Re: Draft Mitigated Negative Declaration
Children's Hospital Acute Care Pavilion Expansion
Project Number 84791

Dear Ms. Blake:

On behalf of Service Employees International Union, United Healthcare Workers - West ("SEIU-UHW"), we provide these comments ("Comment Letter") on the Mitigated Negative Declaration ("MND") prepared by the City of San Diego Land Development Review Division ("City") for the Children's Hospital Acute Care Pavilion Expansion Project ("Project").

SEIU-UHW recognizes the important role the Children's Hospital plays in providing necessary and essential services to the community and supports their plan to expand cancer and other acute treatment facilities for children. But this Project, which will include demolishing an existing parking lot and constructing a new 5-level, 272,274 square-foot building, is of enormous proportions and needs thorough environmental review of potential impacts that only an Environmental Impact Report ("EIR") provides. A Mitigated Negative Declaration for a project of this size is generally disfavored, but this MND provides virtually no analysis or mitigation measures.

This Comment Letter will reveal how the MND fails to provide basic project description information and analysis on impacts the Project may have to aesthetics, air quality, geology and soils, hazardous materials, land use and planning, noise, transportation and circulation, population and housing, growth inducement, and cumulative impacts. It also provides almost no mitigation measures, but those that it does propose consist of future investigations and analysis, which do not constitute proper mitigation under the California Environmental Quality Act ("CEQA").

¹ Public Resources Code §§ 21000 et seq.

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1. Comment noted.
2. According to Section 12080(c)(2) of CEQA and Section 15070(b) of the CEQA Guidelines, a Mitigated Negative Declaration (MND) can be adopted if it is determined that although the Initial Study (IS) identifies that the project may have potentially significant effects on the environment, revision in the project plans and/or mitigation measures, which would avoid or mitigate the effects to below a level of significance, have been made or agreed to by the applicant. The Initial Study for this project has determined that the proposed project may result in potentially significant environmental effects but that said effects can be reduced to below a level of significance through the implementation of the mitigation measures identified in the MND and contained in the Mitigation Monitoring and Reporting Plan. Therefore, an MND is deemed the appropriate document to provide the necessary environmental evaluation.
3. Please refer to responses below.
4. The MND provides feasible, effective mitigation measure for all identified significant impacts. CEQA does not establish a minimum amount of mitigation measures required. Instead, CEQA requires each significant impact identified in an MND to be mitigated to below a level of significance, regardless of the number of mitigation measures required to do so.

The completion of all studies needed to identify specific aspects of mitigation measures is not required prior to adoption of an MND. Courts have recognized that in some situations, the formulation of precise mitigation measures is infeasible or impractical at the time of MND adopted. In those cases, it is enough for the agency to commit itself to working out feasible measures at a later date, so long as the impacts are treated as significant at the time of MND adoption. In a similar vein, where mitigation is known to be feasible, yet practical considerations prohibit devising measures early in the process, an agency may commit itself to eventually devising measures that will satisfy specific performance criteria articulated at the time the project is approved. In those situations, the agency may rely on its commitment as evidence that the significant impact will be mitigated. *Sacramento Old City Association v. City Council of Sacramento*, 229 Cal. App. 3d 1011, 1028-1030 (1999).

5 Along with many thousands of members of the general public, SEIU-UHW members live, work, and pay taxes in the area affected by the Project. They are concerned about sustainable land use and development in the City and the development of health care facilities that embody sound environmental principles. Poorly planned and environmentally detrimental projects may jeopardize future jobs by inspiring a backlash against necessary and appropriate expansion of health care facilities that may employ SEIU-UHW's members.

6 Additionally, SEIU-UHW's members live in the communities that suffer the impacts of environmentally detrimental projects. Union members breathe the same polluted air, encounter the same traffic congestion, endure the same noise pollution, and suffer the same health impacts as other members of the nearby community. Furthermore, SEIU-UHW members are also patients and caregivers in the San Diego community. SEIU-UHW wishes to ensure that expanded medical facilities are constructed in a manner that safeguards the health and safety of patients and employees.

7 We all support acute treatment facilities for children. But the significance of the Project does not mean that the City can overlook the law. Regardless of the type of project, CEQA requires full protection to the community. With a project of this magnitude, and with potential impacts already identified, this Project requires an EIR. Moreover, the MND does not comply with the requirements of CEQA. The City should not approve the Project or grant any permits for the Project until an EIR is prepared and circulated for public review and comment.

8 The repercussions of not preparing an EIR to the Project Applicant is a delayed start time to construction and money to prepare an EIR. The repercussions to the community is a violation of their rights under CEQA to an environmental analysis of potential impacts to their daily lives from the Project, as well as potential mitigation measures that will ease the impacts from the construction period and/or ease other operations impacts for the life of the Project. For these reasons, a proper EIR analysis is vital and required under CEQA in for a project of this magnitude. See CEQA Guidelines §§ 15064(a)(1), (f)(1).

I. LEGAL STANDARD

11 It is well settled that CEQA establishes a "low threshold" for initial preparation of an EIR, especially in the face of conflicting assertions concerning the possible effects of a proposed project. The *Pocket Protectors v. City of Sacramento*, 124 Cal.App.4th 903, 928 (2005). *An EIR is required whenever substantial evidence in the administrative record supports a "fair argument" that significant impacts may occur, even if other substantial evidence supports the opposite conclusion.* Guidelines §§ 15064(a)(1), (f)(1).

An impact need not be momentous or of a long enduring nature; the word "significant" "covers a spectrum ranging from 'not trivial' through 'appreciable' to 'important' and even 'momentous.'" *No Oil, Inc. v. City of Los Angeles*, 13 Cal.3d 68, 83 n. 16 (1974). The fair argument test thus reflects a "low threshold requirement for initial preparation of an EIR" and expresses "a preference for resolving doubts in favor of environmental review." *Stanislaus Audubon Society, Inc. v. County of Stanislaus*, 33 Cal.App.4th 144, 151 (1995).

5. Comment noted.

6. The implementation of the design features included in the project along with the mitigation measures identified in the MND would provide "protection" to the community by avoiding significant impacts.

7. As discussed in response to Comment No. 2, the IS and MND adequately satisfy CEQA and no EIR is necessary.

8. The MND is the appropriate level of environmental review required by CEQA and the CEQA guidelines.

9. The MND discusses significant project impacts and provides mitigation measures to those impacts. The commenter fails to state what impacts the MND fails to address.

10. CEQA Guidelines 15064(a)(1) and (f)(1) require the preparation of an EIR if a project may have a significant effect on the environment. As discussed in response to Comment No. 2, the MND is appropriate for the proposed project because the applicant has agreed or will be required to implement mitigation measures which would avoid or mitigate the effects to below a level of significance. In addition, commenter has failed to produce substantial evidence which would trigger a fair argument that there may be significant impacts to the environment.

11. This comment identifies no specific environmental issues that are not addressed in the MND. Furthermore, the proposed MND adequately addresses and analyzes impacts for which a fair argument could be made for an impact and concludes that the mitigation measures would avoid significant impacts related to these issues.

11
Cont. Further, where the agency fails to study an entire area of environmental impacts, deficiencies in the record "enlarge the scope of fair argument by lending a logical plausibility to a wider range of inferences." *Sundstrom v. County of Mendocino*, 202 Cal.App.3d 296, 311 (1988). In marginal cases, where it is not clear whether there is substantial evidence that a project may have a significant impact and there is a disagreement among experts over the significance of the effect on the environment, the agency "must treat the effect as significant" and prepare an EIR. Guidelines § 15064(g); *City of Carmel-By-The-Sea v. Board of Supervisors*, 183 Cal.App.3d 229, 245 (1986).

II. THE MND'S DESCRIPTION OF THE PROJECT IS INADEQUATE.

In order for a CEQA document to adequately evaluate the environmental ramifications of a project, it must first provide a comprehensive description of the project itself. "An accurate, stable and finite project description is the *sine qua non* of an informative and legally sufficient EIR." *San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus*, 27 Cal.App.4th 713, 730 (1994).

12 As a result, courts have found that even if an environmental document is adequate in all other respects, the use of a "truncated project concept" violates CEQA and mandates the conclusion that the lead agency did not proceed in the manner required by law. *San Joaquin Raptor*, 27 Cal.App.4th at 729-30. Furthermore, "[i]n accurate project description is necessary for an intelligent evaluation of the potential environmental effects of a proposed activity." *Id.* at 730 (citation omitted). Thus, an inaccurate or incomplete project description renders the analysis of significant environmental impacts inherently unreliable.

The MND for the proposed Project does not have a "Project Description" section and simply does not describe the Project as it is currently proposed. Section I of the Initial Study entitled "Purpose and Main Features" states that the Project proposes to amend existing permits to expand the Children's Hospital facility by constructing a new 272,274 square-foot, 5-level building addition to the existing hospital facility. (MND's Initial Study, p. 1) There are a few paragraphs listing buildings that will be built as part of the Project along with the number beds or parking spaces provided. The following is typical language in this brief discussion.

"The proposed Acute Care Pavilion would contain a new Medical Surgical unit with 16 operating units and 84 recovery beds; a Hematology/Oncology unit with 28-bed; a Neonatal Intensive Care unit with 32 beds; and a Bone Marrow Transplant unit with 10-beds. Outpatient and support services would also be provided in the new building."

(MND's Initial Study, pp. 1 and 2) This proposed description omits any discussion of numerous, essential aspects of the Project that have the potential to result in significant impacts. This omitted information includes, but is not limited to:

- 13 [
- Any plan for construction or description of construction phases, including the length of time for construction;

12. The Initial Study contains a detailed project description and is part of the MND. A project description need only identify those attributes of a proposed project which could translate into physical impacts on the environment. The Purpose and Main Features discussion of the Initial Study describes the proposed project in enough detail to be able to determine the potential impacts. Further, as indicated in Section 15063(d)(1) of the CEQA Guidelines, the Initial Study need only contain "in brief form... a description of the project...". Additional information identified in the following comments do not reveal any unidentified significant environmental impacts, but do provide additional project description in responses to Comments Nos. 13 through 24, as appropriate.

13. Construction of the proposed facilities is expected to take approximately 31 months. Initial grading and demolition is expected to span a period of no more than one month. As the duration of construction would not be protracted over a number of years, there are no physical impacts on the environment that were not appropriately addressed and mitigated in the MND.

- 14 [Design details, including but not limited to lighting.²
- 15 [A complete description of the hazardous materials that will be used during the construction phase and during hospital operations;
- 16 [Total grading (cut and fill) for Project development, including heights, depths and locations of cut and fill (best shown on a site plan with cross sections);
- 17 [Need for off-site disposal sites for spoils and/or importation of fill and the locations for the sources of fill and disposal sites for spoils and/or hazardous materials removed during construction;
- 18 [Total site coverage over existing coverage, including with roads, driveways;
- 19 [Construction activities, including duration and type of activities, construction traffic and vehicle types, construction staging areas, and the like;
- 20 [Proposed landscaping plans indicating whether native plants or potentially invasive species will be used, and which existing trees will be removed and which retained;
- 21 [Complete listing of proposed drainage facilities and best management practices that will be implemented during and after construction;
- 22 [The number of new jobs to be created by each phase of the project, including future phases (e.g. occupation of the fourth floor);
- 23 [The general range of wages of new employees and ability to afford housing within a 20-mile and 40-mile radius of the project site;
- 24 [Any other project features that could result in an impact to the environment.

25 [Without this information about the Project, the public and decision-makers will not be able to balance the Project's benefits against its environmental cost and evaluate feasible alternatives and mitigation measures. An adequate project description, including the information listed above, must be the basis for any revised environmental document.

In short, the MND's inadequate, incomplete, and incorrect project description plainly frustrates the core goals of CEQA: to provide a vehicle for intelligent public participation and to provide an adequate environmental impact analysis. See *County of Inyo v. City of Los Angeles*, 71 Cal.App.3d 185, 197 (1977).

² That the Application and the Applicant's proposed findings contain some of this information does not excuse its absence in the City's environmental analysis. These "findings" do not represent the independent judgment of the City.

14. The proposed acute care building would not include exterior lighting except minimal lighting for walkways and security purposes. The emergency generator would also include minimal lighting for security purposes. Furthermore, the project would be required to conform to the City's light regulations which would avoid impacts to astronomical operations. Thus, no significant impacts would be associated with project lighting.
15. No unusual hazardous substances would be involved in the construction of the proposed facilities. Incidental fuel and lubricant spills associated with construction equipment may occur but would be controlled by Best Management Practices (BMPs) which would be required pursuant to the Storm Water Pollution Protection Plan and Municipal Code Section 43.0308. While products used in the course of activities within the proposed facilities would constitute hazardous substances, the hospital will be extending an existing Hospital Facility, Hazardous Materials Business Plan for Rady Children's Hospital. This Plan would prevent significant environmental impacts associated with the presence of hazardous substances.
16. A grading discussion is not necessary for the project description. However, the Paleontological Resources discussion does include grading quantities. Grading for the proposed project would require excavation of approximately 15,000 cubic yards of cut material and 3,900 cubic yards of fill. The excavation of cut is expected to be 16 feet deep. This amount of grading is not considered unusual for a project of this scale and therefore, cross-sectional representation is unnecessary. As discussed in response to Comment No. 48, no air quality impact would occur. Please see the grading plan for more detailed information (Attachment 1).
17. An estimated 11,100 cubic yards of material would be exported from the site. The ultimate destination of this material cannot be predicted at this time. Exported material is typically transported to another construction site in need of additional material. Export material would be required to be deposited at a location which has been previously approved by the City for such material as required by City grading ordinances.
18. The land which would support the proposed uses is already developed; the remainder of the site which is not currently developed would be unaffected by the proposed facilities. The area north of Birmingham Drive already is developed with a parking lot. The area south of Birmingham which would support the emergency generator building is already used for a propane storage tank. The project would expand the development footprint, south of Birmingham, by approximately 0.19 acres. The remaining 2.2 acres, south of Birmingham, would remain undeveloped. This encroachment into 0.19 acres of previously undeveloped site is addressed in the discussion of biological impacts and determined to be potentially significant but mitigated by payment of funds to be used by the City for offsite habitat acquisition.

19. For traffic related to the construction phase, the applicant estimates that up to 200 construction workers may be present on a single day and each construction worker would make up to three trips per day. Also, up to 10 deliveries could be made to the site each day. The total traffic associated with the construction phase would be approximately 634 ADT.

Assuming a total daily excavation of up to 1,500 cubic yards a day and a truck capacity of 15 cubic yards, the export of material could generate up to 100 truck trips per day. The total traffic related to both the excavation and construction phase would be 734 ADT. The majority of the truck trips would occur between the hours of 8:30 am and 3:30 pm due to the fact that the City does not typically allow traffic control outside of these hours. However, on some days, specific construction activities may necessitate truck deliveries before 8:30 am. For example, the amount of concrete and the need for a continuous "pour" would likely require longer hours of delivery during construction of the subterranean parking. However, in general, construction truck trips would occur outside of peak commute hours.

While construction traffic would contribute to congestion, the impact would not be significant due to the temporary nature of the activity and relatively low percentage of construction traffic represented within the overall traffic volumes. In addition, standard requirements, from the City of San Diego Regional Standard Drawings, imposed by the City through construction traffic control plans include limiting traffic control to time periods which would not overlap with peak commuter traffic.

20. Please refer to the Landscape Plan included as Attachment 2a and b. As noted on Attachment 2b, no invasive non-native plants are to be allowed adjacent to the MHPA.
21. The specific BMPs that will be included in the Stormwater Pollution Protection Plan will be determined by the contractor in accordance with the provisions of Order 2001-01, the City of San Diego adopted the Land Development Manual including Storm Water Standards as the City's local Standard Urban Storm Water Mitigation Plan (SUSMP). The Storm Water Standards identify mitigation strategies required to protect storm water quality for development and new development within the City of San Diego.

The City's Storm Water Standards establish a series of standard permanent BMPs which are to be implemented by new development. In addition, additional requirements are identified for specific types of development projects, referred to as priority projects. Priority projects include residential, commercial (less than 100,000 square feet), automotive repair, restaurants, parking lots and streets.

Permanent BMPs are intended to be implemented in the following progression:

- Site Design;
- Source Control; and
- Treatment Control.

Site design BMPs are intended to maintain or reduce post-project runoff to pre-development conditions. Design techniques include minimizing impervious areas; conserving natural areas; and landscaping.

Source control BMPs include proper storage of hazardous materials; trash controls; Integrated Pest Management; efficient landscape and irrigation design; and education such as storm drain stenciling and signage. Priority projects are required to implement appropriate source controls including equipping streets and parking areas with inlet filters or natural swales; permeable paving; and covering activities associated with potential pollutants (e.g. loading docks and vehicle maintenance areas).

Treatment control BMPs are intended to be applied only after site design and source control BMPs have been incorporated into proposed development. Priority projects are required to design a single or combination of treatment control BMPs to infiltrate, filter and/or otherwise treat project runoff. The treatment must be designed to meet numeric sizing treatment standards which require treatment of runoff resulting from an 85th percentile storm event which represents approximately the first 0.6 inch of rain. Treatment control measures may include biofilters, detention basins, infiltration basins, ponds, drainage inserts, filtration and hydrodynamic separator systems.

Standards are also established for short-term construction BMPs to control water quality including:

- Perimeter protection BMPs;
- Sediment control and sediment control tracking BMPs;
- Standby BMP materials;
- "Weather Triggered" action plan (40 percent chance of rain);
- Physical or vegetation erosion control BMPs as soon as grading/excavation is completed;
- Limiting area being cleared or graded to amount that can be adequately protected;
- Washout area;
- Storage areas for materials and wastes;
- Remnant trash and debris shall be removed or stored daily;

- Storage, service, cleaning and maintenance area for vehicles identified and protected;
- Onsite materials for spill control/containment;
- Non-storm water discharge must be eliminated or controlled;
- Erosion control BMPs must be upgraded for storms within rainy season;
- Physical or vegetation erosion control BMPs must be installed prior to rainy season and maintained throughout season;
- Vegetation erosion control must be established prior to rainy season to be considered a BMP;
- Limiting area of exposed soil to amount that can be adequately protected; and
- Disturbed area not completed and not being actively graded must be fully protected if left for seven or more calendar days.

Erosion control BMPs include physical stabilization (e.g., geotextiles, mats, and mulch) and vegetation stabilization (e.g. retaining existing vegetation and establishing interim vegetation). Silt control BMPs include silt fencing, gravel bags, fiber rolls, de-silting basins, and energy dissipaters. Materials management BMPs relate to proper materials and equipment storage.

The project is considered a "priority project" per the City of San Diego Storm Water Standards based on the Storm Water Standards Checklist.

22. It is estimated that approximately 88 new jobs would be created once the project is constructed. The number of jobs per phase is not a CEQA issue except as it may relate to traffic congestion. The average daily traffic assumed by the traffic analysis takes these new jobs into account.
23. The general range of wages is not a CEQA issue and would not aid in any environmental impact analysis.
24. All project features that may have an environmental impact are disclosed in the MND and supporting documents.
25. As addressed above, the information regarding the project contained in the MND is adequate to provide full disclosure of the aspects of the proposed project that may result in physical impacts on the environment.

III. THE MND'S DESCRIPTION OF THE PROJECT SETTING IS INADEQUATE.

26 [CEQA requires that an initial study contain "an identification of the environmental setting" Guidelines § 15063(d)(2). For example, a recent case found adequate an "environmental setting" section that set forth the existing site conditions, facilities, and recreational uses, and contained a brief description of the existing physical conditions, including the topography and types of habitats and vegetation. *Lighthouse Field Beach Rescue v. City of Santa Cruz*, 2005 WL 1876147 (Aug. 10, 2005). The court held that the environmental setting discussion in this initial study, which was several pages long, "met the minimum requirements of the Guidelines." *Id.*

27 [Here, in contrast, the environmental setting of the Project is set forth in two short paragraphs. See MND's Initial Study, pp. 2 and 3. The first paragraph of the so-called "setting" discussion sets forth the location of the Project. The second paragraph states the Project site's proximity to the nearest fire station. There is no detail about existing site conditions. For instance, the document mentions that the site is "surrounded by hospital, medical office, structured parking, and transportation use", but gives no details of the size, proximity or exact use of those facilities. Nor does it describe the surrounding physical environment, other than "the site sits on top of a large cut slope, approximately 90-feet in height." *Id.* Without this kind of critical information on the environmental setting of the Project, the MND's description of the Project setting fails to meet the minimum requirements of CEQA.

In order for the public and decision-makers to be able to fully understand the environmental impacts of this project, more information about the Project setting is clearly needed. Such information includes, but is not limited to, the following:

- 28 [The character of the neighboring community;
- 29 [The nearest sensitive receptors to air pollution, such as residential dwelling or schools;
- 30 [Whether the hospital as it is currently designed holds any historical or architectural value;
- 31 [The present ambient air quality, background lighting, background noise and traffic levels in the vicinity;
- 32 [Existing drainage patterns, storm drain inlets, catch basin, and channels and how they link to the greater watershed;
- 33 [Existing trees on site;
- 34 [The status of existing essential public services and utilities (e.g., the capacity of water and wastewater facilities; etc.);
- 35 [Cumulative projects, including major construction in the area during the period when the project will be under construction.

- 26. The environmental setting description includes sufficient information including the location, existing onsite uses, and surrounding uses to provide a meaningful context for the discussions of environmental impacts. The environmental setting is a general overview. As necessary, more specific information related to the environmental setting is provided in the discussion of each major issue in the Initial Study.
- 27. The project site is located on an 18.02-acre surface parking lot currently used for the Children's Hospital complex and 2.34 acres of primarily vacant land, a small portion of which is presently used for a propane tank. Immediately north of the project site is the main entrance to the hospital, further north are other medical buildings associated with the Children's Hospital complex. Children's Way is adjacent to the project site to the east; further east is a new parking structure which is currently under construction; a new Ronald McDonald House will be constructed over this new parking structure. Interstate 805 (I-805) lies to the east of this parking structure. South of the project site is a strip of open land adjacent to I-805. West of the project site is surface parking associated with the Children's Hospital complex. Further west is the Sharp Memorial Hospital complex. Further details on the size, proximity and exact uses of surrounding uses are not required and would not change the results of the impact analysis.
- 28. As discussed above, the project is located in an area characterized by large medical facilities which reflect the character of the proposed project. These medical facilities are separated from residential areas to the east by I-805. Uses to the north, south and west are commercial in nature and have a similar character. Thus, the MND appropriately concludes that the project would not result in significant impacts related to aesthetics or neighborhood character.
- 29. As discussed in responses to Comments No. 47 and 48, the nearest sensitive receptors related to air pollution are the hospital uses that surround the proposed facility. Residential uses to the east are separated by I-805 which is a much greater source of air emissions.
- 30. A discussion of historical value is specialized information not required in the environmental setting. Historical impacts are considered in the Initial Study under the heading Historical Resources.
- 31. The purpose of the environmental setting is to discuss general existing physical characteristics. The air quality, lighting, noise and traffic information is considered in each appropriate section of the Initial Study.
- 32. A discussion of drainage issues is specialized information not required in the environmental setting. Drainage impacts are considered in the Initial Study under the Hydrology/Water Quality heading.

33. Please refer to the Landscape Plan included as Attachment 2a and b.
34. A discussion of public services and utilities is specialized information not required in the environmental setting. Public services and utilities impacts are considered in the Initial Study under the Public Services heading.
35. The purpose of the environmental setting is to discuss general existing physical characteristics. Planned projects in the area are not part of the existing conditions. Cumulative impacts, including the analysis of planned projects, are considered in the Initial Study under the heading of Mandatory Findings of Significance.

- 30 [The number of existing inpatient beds.
- 31 [The availability of housing for employees at the existing medical center;
- 32 [The range of wages generally paid to new employees at the medical center.

31 [This information, or data from which this information could be extrapolated, is readily available from the Project Applicants, the census, City plans and policies, housing studies, and other sources. An adequate description of the Project setting, including the information listed above, must be the basis for any revised environmental document.

IV. THE CITY MUST PREPARE AN EIR THAT ANALYZES THE POTENTIALLY SIGNIFICANT EFFECTS OF THE PROPOSED PROJECT.

40 [As stated above, the test for preparation of an EIR is *whether substantial evidence in the administrative record supports a "fair argument" that the project may have significant impacts on the environment.* Guidelines §§ 15064(a)(1), (f)(1). A fair argument clearly can be made that the proposed Project, with its 272,274 square-foot, five-level building and 84 additional beds, may have significant impacts on aesthetics, air quality, geology and soils, hazardous materials, land use and planning, noise, transportation and circulation, population and housing, growth inducement. The Project will also add to cumulatively significant environmental impacts resulting from a number of past, present, and future projects in the region.

40 [Despite these potential impacts, the City failed to prepare an EIR. Instead, an MND was prepared that, other than "X's" on a checklist, fails to provide any analysis of most of these potential impacts. The Discussion section of the Initial Study provides sections on "issues [that] were considered during the environmental review of this project and determined to be potentially significant." This includes small sections entitled Biological Resources, Land Use, Noise, Paleontological Resources, Transportation/Circulation, and Hydrology/Water Quality. There is no discussion whatsoever mentioning aesthetics, geology and soils, hazardous materials, population and housing, growth inducement, and essential services and utilities. There is no real analysis in the document why these categories of analysis were ignored. For all of these reasons, an EIR must be prepared to analyze all these potential impacts.

1. The Project Will Have Potentially Significant Impacts on Transportation and Circulation That Have Not Been Adequately Analyzed or Disclosed, Including by the 2006 Traffic Study

41 [As detailed in the attached letter dated January 15, 2007 from Daniel T. Smith, Jr., of Smith Engineering & Management, the Project will have potentially significant parking, transportation and circulation impacts that have not been adequately analyzed or disclosed in the MND. Mr. Smith's letter and Curriculum Vitae are attached hereto as Exhibit A.

2. The Project Will Have Potentially Significant Aesthetic Impacts.

36. The number of existing in-patient beds for the Children's Hospital complex is not relevant to the environmental setting or analysis of the new facilities.
37. The availability of housing for employees at the existing Children's Hospital complex is not part of the environmental setting and is not relevant to the analysis of the new facilities.
38. The general range of wages is not a CEQA issue.
39. As described in the preceding responses, the information identified is not relevant to the evaluation of environmental impacts related to the proposed facilities.
40. Based on the responses to the individual comments which follow on specific environmental issues, no fair arguments exist which would justify the preparation of an EIR. No substantial evidence has been submitted which would support a fair argument that there may be a significant impact to the environment. The MND is required to include all significant impacts and mitigation measures, which it does. There is no requirement to provide expanded analysis of impacts found to be not significant. The MND is adequate and the City has provided further discussion in the following responses to provide additional support for the conclusions of the IS and MND.
41. As discussed in the traffic engineers responses to the letter provided by Smith Engineering (please refer to responses to comments 63 through 71), the traffic improvements to be required by the City are sufficient to fully mitigate traffic impacts associated with the proposed project. Furthermore, these responses reinforce the conclusion that the traffic improvements would not have a significant impact on traffic flow in the area.

42 Under CEQA, it is the state's policy to "[t]ake all action necessary to provide the people of this state with . . . enjoyment of *aesthetic*, natural, scenic, and historic environmental qualities." Pub. Res. Code § 21001(b) (emphasis added). Thus, courts have recognized that aesthetic issues "are properly studied in an EIR to assess the impacts of a project." *The Pocket Protectors v. City of Sacramento*, 124 Cal.App.4th 903, 937 (2004) (overturning a mitigated negative declaration and requiring an EIR where proposed project potentially affected street-level aesthetics). "The opinions of area residents, if based on direct observation, may be relevant as to aesthetic impact and may constitute substantial evidence in support of a fair argument; no special expertise is required on this topic." *Id.* Here, the MND has no discussion of aesthetic impacts and ignores the significant visual impacts that would accompany the Project's five-floor 272,274 square-foot building.

The accepted approach to analyzing visual and aesthetic impacts is as follows:

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- a. Describe the criteria for significance thresholds.
 - b. Characterize the existing conditions of the project site and the surrounding area by photograph and description, and select key viewpoints within the area, including scenic corridors and landscapes.
 - c. Use photomontages or visual simulations, to illustrate the change in character of the project site before and after project implementation.
 - d. Identify feasible mitigation measures and alternatives to reduce or eliminate significant impacts.
 - e. Where mitigation measures are proposed, use the simulations to illustrate the change in character before and after project mitigation measures are imposed (e.g., landscaping at various stages of growth, setbacks, clustering, reduced scale and height, building color modification).

46 An analysis consistent with this approach would allow decision makers and the public to evaluate the aesthetic impacts of the Project. The City has failed to take *all* of these steps and nonetheless concludes in the MND that all aesthetic impacts will be less than significant is completely unsupported. Because the MND includes very few visual representations of what the Project will look like and no images of the Project's surroundings, it is the reader is left to imagine what the Project site currently looks like and what the site will look like upon completion of the Project. The MND does not provide any basis to support its conclusion that the Project will not have an impact on aesthetics. This argument, together with the arguments above, constitute a fair argument that significant impacts may occur as a result of this Project, and therefore the City must prepare an EIR to analyze these impacts.

3. The Project Will Have Potentially Significant Air Pollution Impacts.

47 The MND concludes that the Project will have no impact on air quality, but provides no analysis whatsoever for this conclusion. A typical air quality analysis, even in a MDN, will include

42. An analysis of aesthetics is in the Initial Study under the Aesthetics/Neighborhood Character heading. Analysis is provided in bold and underlined text, and determined that impacts would be not significant. While the conclusion that the project would not result in a significant impact on aesthetics or neighborhood character is considered appropriate, the following discussion is provided to further justify this conclusion.

As previously discussed, the proposed development site is already developed with surface parking and a propane storage tank (see Attachment 3). As illustrated in Attachment 4, the proposed facilities would be consistent with the hospital and medical uses which surround the site to the north, east and west. Surrounding buildings within this medical complex range from one to four stories high.

The proposed project would consist of a new five-story, 272,274 square-foot building addition to an existing hospital and an emergency generator facility contained within a one-story, 85 by 40 feet building. The proposed project would also include landscaping (see Attachment 2a and b).

The project site is not identified in the Serra Mesa Community Plan as an important visual resource. Nor does the site lie within any important public viewsheds.

The proposed facilities would be most visible from Birmingham Way and Children's Way. Those traveling along Birmingham Way and Children's Way would be able to see the proposed five-story building. The buildings would be similar in bulk, scale and materials to the other buildings within the Children's Hospital complex. The emergency generator building would not substantially affect views from these two roads due to the single-story construction and small footprint. In addition, landscaping would be planted around the building to soften the appearance from these two roadways.

Motorists traveling along northbound and southbound I-805 may be able to see the upper portion of the building, however, much of the view would be blocked by the south parking structure, which is currently under construction. In addition, due to the fact that the freeway is at a much lower elevation than the proposed project, motorists would have to look up and over the top of the parking structure to view the proposed project. Motorists traveling along northbound I-805 would be able to see the generator building, however, due to the single-story construction, small footprint, and landscape screening, no impact would occur.

Since the project site is not an important visual resource, does not lie within an important viewshed, and looks like the surrounding buildings, the project would not result in any significant aesthetic impacts. Similarly, as the proposed project would be similar in height, bulk and scale to the surrounding structures, the project would not result in any significant neighborhood character impacts.

43. The significance thresholds are listed in the Initial Study under the Aesthetics/Neighborhood Character heading. They are based on Appendix G of CEQA as well as the City's Significance Determination Thresholds.
44. The comment mistakes CEQA requirements. The level of analysis is dependent upon the circumstances associated with the project being analyzed. In the case of the proposed project, there is no reason to provide more detailed photographic or narrative documentation because the fact that the project would be surrounded by similar uses on three sides and bounded by a major freeway on the fourth side obviates the need for more detailed evaluation.
45. As no significant aesthetic impacts have been identified, no mitigation measures or alternatives are required.
46. As discussed above, there would be no significant aesthetic or neighborhood character impacts associated with the project. This conclusion is adequately supported for the reasons stated in the previous responses without the need for additional photographic or computer simulation documentation. As no impacts are identified, no mitigation measures are necessary and an EIR is not required.
47. Please refer to responses to Comment Nos. 13 and 19 for a discussion of construction timelines and equipment. Also refer to response to Comment No. 48 for a discussion of air quality.

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 information on potential impacts from construction and daily operation of the project. Because the project description is inadequate, it is unclear what will be involved in the demolition of the existing parking garage and any other structures before commencing construction. Nor is there a description of the type of proposed construction, construction schedule, length of construction, equipment and vehicles used, etc., therefore it is unclear how the City could conclude that the Project will not create any operational or construction impacts to the surrounding air quality.

Particulate matter is emitted from two sources, engine exhaust and fugitive dust. The health impacts of particulate matter depend on its size, and the size depends on its source. Combustion sources, such as vehicle exhaust, predominantly emit particulate matter with an aerodynamic diameter of less than or equal to 2.5 micrometers ("PM2.5"), while fugitive dust consists predominantly of particulate matter less than 10 micrometers ("PM10").

Historically, health impacts due to particulate matter were regulated through ambient air quality standards for PM10. However, a substantial amount of important new research has been published, documenting new health impacts at much lower concentrations and for different size fractions of particulate matter than was previously known and reflected in ambient air quality standards. (U.S. EPA 04/96;³ U.S. EPA 03/01.⁴)

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 This new research documents that the inhalation of particulate matter, particularly the smallest particles, causes a variety of health effects, including premature mortality, aggravation of respiratory (e.g., cough, shortness of breath, wheezing, bronchitis, asthma attacks) and cardiovascular disease, declines in lung function, changes to lung tissues and structure, altered respiratory defense mechanisms, and cancer, among others. (U.S. EPA 04/96; 61 FR 65638.⁵) A recent article linked long-term exposure to combustion-related fine particulate air pollution to cardiopulmonary and lung cancer mortality.⁶ Particulate matter is a non-threshold pollutant, which means that there is some possibility of an adverse health impact at any concentration. (See *American Trucking v. EPA: Unjustified Revival of the Nondelegation Doctrine*, 23-SPG Environs Envtl. L. & Pol'y J. 17, 26.)

Any project that causes a violation or contributes substantially to an existing violation of an ambient air quality standard results in a significant air quality impact. The MND fails to determine whether Project construction or operational emissions would cause violations or contribute to existing violations of several State or federal ambient air quality standards for any pollutants, including: PM2.5, PM10, NOX (nitrogen oxides), SO2 (sulfur dioxide), ROG (reactive organic gases), CO (carbon monoxide), and TAC (toxic air contaminants). These

³ U.S. Environmental Protection Agency, Air Quality Criteria for Particulate Matter, Report EPA/600/P-95-001aF through 001cF, April 1996.

⁴ U.S. Environmental Protection Agency, Air Quality Criteria for Particulate Matter, Second External Review Draft, March 2001.

⁵ National Ambient Air Quality Standards for Particulate Matter: Proposed Decision, Federal Register, v. 61, no. 241, December 13, 1996, pp. 65638-65675.

⁶ A.A. Pope et al., Lung Cancer, Cardiopulmonary Mortality, and Long-term Exposure to Fine Particulate Air Pollution, *Journal of the American Medical Association*, v. 287, no. 9, pp. 1132-1141.

48. Based on additional air quality assessment prepared by TAHA (Attachment 5), construction of the proposed project has the potential to create air quality impacts through the use of heavy-duty construction equipment and through vehicle trips generated from construction workers traveling to and from the project site. Construction activities would result in emissions of volatile organic compounds (VOC), nitrogen oxides (NOX), carbon monoxide (CO), sulfur oxides (SOX), and particulate matter 2.5 and ten microns or less in diameter (PM2.5 and PM10, respectively). More specifically, fugitive dust emissions would primarily result from demolition (e.g., removal of the existing surface parking lot) and site preparation (e.g., excavation) activities. NOX emissions would primarily result from the use of construction equipment. During the finishing phase, paving operations and the application of architectural coatings (e.g., paints) and other building materials would release VOCs.

The California Air Resources Board's URBEMIS2002 emissions inventory model was used to estimate daily construction emissions, which can vary substantially from day to day, depending on the level of activity, the specific type of operation and, for dust, the prevailing weather conditions. This conservative analysis assumed worst-case conditions in order to obtain maximum daily emissions.

Table 1 shows the estimated daily emissions associated with each construction phase. As shown, daily construction regional emissions would not exceed the SDAPCD regional thresholds for VOC, NOX, CO, SOX, PM2.5, or PM10. As such, construction air quality emissions would result in a less-than-significant impact.

TABLE 1
 Estimated Daily Construction Emissions

Construction Year and Phase	Pounds Per Day					
	VOC	NO _x	CO	SO _x	PM _{2.5} /a/	PM ₁₀
Demolition	6	77	69	<1	7	26
Site Preparation	13	122	95	<1	21	87 /b/
Building Construction	118	123	178	<1	4	5
Maximum Regional Total /a/	118	123	178	<1	21	87
Regional Significance Threshold	137	250	550	250	55 /c/	100

/a/ PM_{2.5} emissions were calculated using as a fraction of PM₁₀. The applicable PM_{2.5} to PM₁₀ ratio was obtained from *Final Methodology to Calculate Particulate Matter (PM) 2.5 and PM 2.5 Significance Thresholds* published by the South Coast Air Quality Management District (October 2006).

/b/ The estimation of PM₁₀ emissions during the site preparation phase assumed that 75 percent of the project site (3.2 acres) would be disturbed in one day.

/c/ The SDAPCD does not have a threshold for PM_{2.5}. The PM_{2.5} threshold of 55 pounds per day was obtained from the South Coast Air Quality Management District.

SOURCE: TAHA, 2006

pollutants will be emitted by the construction diesel-powered equipment, the hauling trucks clearing out the demolition and bringing new materials, road dust, car exhaust from increased traffic trips - all directly caused by the Project. The health impacts from these pollutants can be enormous and must be analyzed.

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The MDN also fails to identify any sensitive receptors close to the Project site, such as schools and residential dwellings, which may be affected by the increase in air quality. There are several mitigation measures and best practice suggestions available to keep the air safe for the community. But without an EIR, the community will not benefit from any of them.

The MND admits that the Project "could" result in temporary emissions such as dust from grading operations and states that, "standard dust control practices would be implemented during grading and construction operations." See MND's Checklist, p. 5. There is no description of what pollutants may be emitted, the potential health impacts from these pollutants, the practices that will be implemented, actual mitigation measures in place to assure the practices, or an explanation of how these practices may alleviate pollutant emissions.

An environmental impact on a Project of this size without these examinations violates CEQA and endangers the health of the surrounding community.

4. The MND Fails to Mitigate the Project's Significant Geology and Soils Impacts.

4
The MND's geology and soils discussion is also severely flawed because it contains virtually no information to support the conclusion that impacts related to geology and soils will be less than significant after mitigation. The Initial Study recognizes large-feet in height slope, but fails to analyze any impact from the Project. The Project Description also fails to describe how much grading will be necessary or whether site grading will require materials to be imported or exported from the Project site.

9
Grading almost by definition requires that the earth removed, or the earth filled in, during grading be transported from or to the site. This transportation, in turn, has potentially significant air quality and transportation impacts, as it requires increased truck trips to and from the site. None of these impacts are analyzed in the MND. Because there is a fair argument that hauling fill to or from the site may have significant air quality and traffic impacts, the City must prepare an EIR to analyze them.

5. An EIR Must Be Prepared to Analyze the Project's Hazards and Hazardous Materials Impacts.

5
The Initial Study mentions that some hazardous materials may be used. Construction activities typically involve at a minimum the use of potentially hazardous materials, including fuels, oils, and transmission fluids. The City states that "the project proposed to extend an existing hospital facility," in response to the checklist question whether the project will create any known health hazard. This answer is unresponsive. There is no indication what hazardous materials may be impacted and what the "hazardous materials business plan for Rady Children's Hospital" is. If

49. As indicated in the Initial Study, the City's Geologic Hazards Maps shown a category 52 for the area. Compliance with the Uniform Building Code and standard grading and foundation practices would avoid any significant risk to the proposed facilities.
50. As discussed in responses to Comment Nos. 16 and 19 the grading operation would not have a significant impact on air quality or traffic.
51. As discussed in response to Comment No. 15, no significant hazardous materials impacts would be associated with the proposed construction or future use of the proposed facilities.

51/01/ this plan is already in place, then it's unclear whether it will assist with additional hazardous waste impact, if any, created by the Project. Hospitals routinely deal in hazardous materials, and transport them to and from the site.

These possibilities create a fair argument that construction and operational activities may have significant environmental impacts, and thus an EIR must be prepared to analyze them.

6. An EIR Must Be Prepared to Analyze the Project's Land Use and Planning Impacts.

52/ The lack of environmental review included in the MND for land use and planning impacts also prohibits the City from approving this Project. As detailed below, the MND completely fails to discuss the potentially significant land use and planning impacts of the conflict between the proposed Project and the City's Planning and Zoning Code, and omits any mention of the possible inconsistency between the proposed Project's use and General Plan designation. For these reasons, the MND clearly fails to provide adequate environmental review under CEQA.

7. The Project May Have Potentially Significant Noise Impacts.

53/ The MND simply glosses over permanent and potentially significant noise impacts that can be expected from the construction and addition of a 272,274 square-foot building. The MND admits that construction of the project may produce "temporary noise" impacts, and that these impacts may affect raptor and gnatcatcher nests, but conducts no analysis of what these noise levels may reach to. But no mitigation is proposed. The MND also admits operational noise from a proposed emergency generator facility could also affect gnatcatchers. Again, no mitigation measures are proposed. See MND's Initial Study Checklist, p. 9.

54/ There is also no analysis regarding noise from the increase in the number of hospital beds, which will result in an increase in traffic to the hospital (caused by visitors, increased staff commuting, etc.) as well as increased frequency of ambulance sirens (caused by ambulances transporting more patients to the hospital). Without any analysis, no mitigation measures will be proposed. Because a fair argument exists that the Project may have significant noise impacts on the surrounding communities, and because the MND failed to analyze this potentially significant impact, the City must analyze these issues in an EIR.

8. The Project May Have Significant Impacts on Population and Housing.

55/ Under CEQA, any environmental review must analyze the proposed project's potential impacts related to population, housing and jobs. Although the MND is silent on these issues, it appears that the Project will likely create the need for hundreds of new employees, who, in turn, will place an increased demand on the local housing market. The increase in employment and consequent demand for additional housing are considered to be "economic and social effects" under CEQA, and therefore may not, by themselves, constitute a significant environmental impact. (CEQA Guidelines Section However, where these impacts directly lead to significant, physical environmental impacts, they must be considered in an EIR. (CEQA Guidelines Sections 15131, 15064(f) and 15382.) The Project will increase the demand for additional housing by

52. In the City of San Diego, the General Plan land use designation is determined by the applicable community plan. The project site is located within the Serra Mesa Community Plan. The Serra Mesa Community Plan land use designation for the site is "institutional" which also applies to the surrounding 79-acre Health-Institutional Complex (Sharp Hospital, Children's Hospital, San Diego Medical Center) located between State Route 163 and Interstate 805. The Health-Institutional Complex and its future expansion is clearly identified in the Serra Mesa Community Plan. The proposed Acute Care Pavilion is an institutional use and is consistent with the uses intended for the Health-Institutional Complex. On, March 16, 2006 the Serra Mesa Planning Group voted 7-0-1 to support the proposed Acute Care Pavilion project.

The zoning for the project site is CO-1-2. Hospital uses are allowed in the CO-1-2 zone subject to the approval a Conditional Use Permit (CUP). The project complies with all zone requirements (setbacks, FAR, landscaping etc.) with the exception of the 60-foot height limit and the 10-foot front setback. A Planned Development Permit (PDP) is required to allow the proposed height and setback deviations.

The proposed height deviation from 60 feet to 96 feet is needed to allow a more efficient use of limited land within the Children's Hospital campus. Several buildings on the Children's Hospital Campus and in the larger Health-Institutional Complex exceed the 60-foot height limit, including a new tower under construction on the Sharp Hospital Campus which is approximately 117 feet in height.

The proposed setback deviation from 10 feet to 6 feet 8 inches is needed to permit curbside ladder access as required by the City of San Diego Fire Department.

The proposed setback deviation from 10 feet to 0 feet is needed to accommodate an open-air exterior stairway. The stairway is necessary to provide alternative egress from the building. The proposed setback reduction for the stairway complies with the visibility area requirements set forth in Section 113.0273 of the Land Development Code.

The proposed setback deviations occur in only two locations on a curving portion of Birmingham Way. Setback deviations in these locations would not adversely affect the Serra Mesa Community Plan.

In addition to the PDP, the project requires a Site Development Permit (SDP) to address an approximately 0.14-acre grading impact within the City's Multiple Habitat Protection Area (MHPA). The MHPA extends into a separate 2.39-acre portion of the site project site where the emergency generators will be located. The mitigation for direct impacts to the MHPA will occur through an MHPA boundary adjustment resulting in no net loss of MHPA land. This mitigation

alleviates any potential negative impacts by improving the quality of the MHPA in the project vicinity.

Approval of the CUP, PDP, and SDP will insure that the project is fully consistent with the City's General Plan and Zoning Code. Therefore, with the proposed mitigations for the MHPA/Biological impacts, the project would have no significant land use and planning impacts.

53. Page 8 of the IS section ("Noise") and the discussion of biological impacts on page 5 of the IS address noise concerns.

Potential noise impacts from the emergency generator are documented in a technical study prepared for the MND by Charles Salter and Associates. Typically, the grading noise is the highest and is presumed to be 89 dB(A) at 50 feet with no mitigation. At this level, the unattenuated 60 dBA Leq contour could extend as far as 1,500 feet from the grading equipment. Detailed estimates of the likely radius of the 60 dBA Leq contour in potential gnatcatcher habitat under varying degrees of noise attenuation were included in this study. Based on this analysis, the MND/IS concludes that noise in excess of 60 dBA Leq would be anticipated despite the amount of attenuation included in the emergency power facilities. In light of this fact, the MND/IS identifies specific mitigation measures to reduce this indirect impact on the coastal California gnatcatcher to below a level of significance. These measures are also described in response to Comment No. 57.

Potential construction noise impacts are identified on pages 5 and 8 of the IS. Here the IS concludes that noise generated by construction equipment and periodic operation of the emergency generator could have a significant impact on breeding activities of the coastal California gnatcatcher as well as raptors. Past studies in the literature have documented the fact that construction activities and grading in particular can generate noise levels in excess of the 60 dBA Leq normally considered disruptive to breeding behaviors of birds. However, the actual affect would be dependent on the type of equipment selected by the grading contractor and the proximity of birds to any grading activities that occur during their breeding season. As predicting these two factors would be speculative at the time the MND/IS was prepared, the MND includes mitigation measures that require a determination of these two factors prior to commencement of construction. At this time, the proximity of birds to construction activities during the breeding period would be determined. If potential impacts could occur, the mitigation measures require limiting construction activities, construction of noise attenuation barriers and/or other controls to keep noise levels below 60 dBA Leq and/or set back construction activities from raptor nests.

As discussed in response to Comment No. 57, CEQA and the courts have allowed defining specific mitigation later in the process as long as the impact is identified and performance standards have been defined.

generating new jobs (although the MND does not state how many new jobs will be created). This is a potentially significant adverse physical environmental impact that must be addressed in the EIR.

The questions posed in CEQA Guidelines Appendix G, Section IX ("Population and Housing") indicate that direct or indirect growth-inducement caused by new businesses or the creation of a need for the construction of more housing, can be considered significant environmental impacts. Because of the increasing lack of affordable housing in the San Diego region, as well as the City's own housing policies, another criterion would also appropriately be considered as a threshold of significance: Would the project increase the demand for affordable housing? In this case, there is a fair argument that the Project would increase the demand for affordable housing in the area, and a detailed analysis of this impact must be conducted in an EIR.

This Project, by creating new jobs, will increase the demand for housing and decrease the availability of rental units in the area. The MND completely ignored these potential impacts. Other potential impacts related to population and housing include, but are not limited to, the following:

- The project will further reduce the "jobs - housing" balance, resulting in longer commutes, significant vehicle trips and air quality impacts not disclosed or analyzed in the MND.
- Cumulative impacts resulting from the increase in population, housing demand and employment caused by this and other projects. None of these potentially significant impacts are analyzed in the MND.
- In order to analyze and accurately characterize these population and housing impacts, an EIR must be prepared which includes, at the very least, the following information:
- Total new housing demand generated by the Project, secondary growth and cumulative projects;
- The housing affordability range for that new demand;
- The number of new employees of the medical center expected to reside in San Diego;
- Housing available to accommodate total new demand in San Diego and neighboring communities caused by the Project;
- All potential impacts associated with new housing demand within the San Diego region;
- The expected new traffic and transit trips based on where employees will reside and details of those trips, including geographic range; impacts to road/transit capacity. This information should be used to revise traffic and transit analyses in the EIR;

54. Based on additional traffic noise assessment prepared by TAHA (Attachment 5) the increase in ADT associated with the proposed facilities would not increase the traffic noise on nearby streets by a measurable amount. It is generally accepted that a doubling of traffic along a roadway segment is needed to result in an audible (i.e., three decibels) ambient noise level increase. The project traffic study provides future without project and future with project average daily traffic (ADT) for two roadway segments near the project site: Children's Way and Birmingham Way. The future without project and future with project ADT volumes along Children's Way are 6,250 and 7,420 vehicles, respectively. Future with project conditions would result in a 19 percent ADT increase along Children's Way. The future without project and future with project ADT volumes along Birmingham Way are 6,140 and 6,640 vehicles, respectively. Future with project conditions would result in an 8.1 percent ADT increase along Birmingham Way. As shown, ADT along Children's Way and Birmingham Way would not double when the future with project conditions are compared to the future without project conditions. Therefore, the proposed project would not result in an audible mobile noise level increase along Children's Way and Birmingham Way.

55. CEQA does not apply to economic and social effects of a project unless there is a direct or indirect physical change resulting from a project. If there is a potential physical change such as the one suggested by the commenter, there must be substantial evidence existing that the change will be significant to require an EIR. Here, the minimal number of new jobs created by the proposed project would not result in any significant physical changes in the environment. Jeff Lawler, Manager - Decision Support & Productivity Reporting for Rady Children's Hospital, states the full time equivalent (FTE) employee positions for the hospital would increase by approximately 83 with the net increase of 84 additional hospital beds and by 5 FTEs with the additional 12 units associated with the relocated Ronald McDonald House for a total of 88 new jobs.

The region is anticipated to have a sufficient existing labor pool to fill the non-specialized positions such as clerical and maintenance. However, it is generally recognized that there is a shortage of qualified employees to fill the professional positions related such as nursing, clinical staff, radiologist, etc. Thus, any demand for new housing in the region would be related only to the specialized jobs. Approximately two-thirds of new jobs (58) created by the project would be of a specialized nature. Therefore, some of the people expected to fill these specialized jobs would potentially come from outside the region. However, even if all 58 positions were filled by people outside the region, the additional demand for the entire 58 homes would not represent a substantial demand in the region and would not rise to a level of significance for CEQA analysis. SANDAG estimates approximately 15,000 new jobs a year will be created in the region and that approximately 12,000 new homes will be added annually to the region's housing stock. The potential demand for 58 homes generated by the project

represents less than 0.5 percent of the homes that SANDAG estimates will be added.

In light of the fact that the demand potentially generated by the proposed project would not be substantial in light of the demand anticipated in the region, no analysis of the potential housing and population effects of the proposed project is warranted. The minimal demand for new housing would not result in any significant physical changes in the environment. Nor would it create a substantial social or economic effect on the region.

- Additional air quality impacts associated with commute patterns. This information should be used to revise air quality information in the EIR;
- The extent to which new employees will need general public assistance (e.g. food stamps), health care, and housing assistance, among other social services.

In the absence of this information and analysis it is not possible to conclude that impacts related to population increases, housing and employment will be less than significant. In sum, a fair argument exists that the Project may have significant impacts on population and housing in the area. The City must prepare an EIR to analyze these impacts and propose mitigation measures to reduce them.

9. The Project May Have Significant Growth-Inducing Impacts.

CEQA requires that an environmental document include a "detailed statement" setting forth the growth-inducing impacts of the proposed project. See Public Resources Code § 21100(b)(5); *City of Antioch v. City Council of Pittsburgh*, 187 Cal.App.3d 1325, 1337 (1986) (invalidating negative declaration that failed to consider growth-inducing impacts). The statement must "[d]iscuss the ways in which the proposed project could foster economic growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment." CEQA Guidelines § 15126.2(d). It must also discuss how a project may "encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively" or "remove obstacles to population growth." *id.*

The proposed Project, which, if completed, will create hundreds of new jobs, and will thereby have a significant growth-inducing impact. The MND did not even raise the issue of the Project's growth-inducing impacts, much less demonstrate that these impacts will be less-than-significant. An EIR must be prepared that analyzes the growth inducing impacts of this Project.

10. An Environmental Impact Report is Required to Analyze the Project's Biological Resources Impacts

The MND concludes that the Project may have significant impacts on sensitive animal species, including the gnatcatchers and raptor nests. The MND concludes that noise levels during construction would generally be required to be below 60 dB, even though ambient noise level is currently above that level, at 73 dB Leq during peak traffic hours. There is no estimate of what construction noise may reach, even though with a good project description that includes a construction plan, this should not be hard to provide.

The MND does provide a proposed mitigation and monitoring plan. It is unclear from the MND what exactly the monitoring plan is, but it appears to require the applicant to hire a biologist to monitor periodically construction and include meetings with and letters to the City's "Mitigation Monitoring Coordination" (MMC) Section. See, MND, p. 2.

The problem is that because there is very little project description, because the construction plans and schedule are unclear, the "mitigation plan" only contains future studies and analysis as

56. The proposed project would not result in significant growth inducing impacts. Hospitals are responsive to growth, not growth inducing. As discussed earlier, the jobs created by the proposed expansion would not generate a substantial demand for new housing or services that would result in significant physical impacts on the environment. Furthermore, the project would be located in an area which is already supporting numerous similar uses and the utilities and roadways needed to serve the proposed project already exist in the area.

57. An EIR is not required because potential biological impacts would be reduced to below a level of significance by the mitigation measures that will be required to be implemented by the project applicant. As noted in the MND, impacts to biological resources are related to the loss of sensitive vegetation (Diegan coastal sage scrub) and impacts to sensitive bird species (coastal California Gnatcatcher and raptors). Furthermore, the MND identifies feasible, enforceable mitigation measures which would reduce these impacts to below a level of significance

Sensitive Vegetation (Diegan coastal sage scrub)

The proposed project would result in the direct loss of a very small area of Diegan coastal sage scrub (0.04 acre).

Sensitive Bird Species (coastal California gnatcatcher and raptors)

Coastal California Gnatcatcher. The proposed project would have direct and indirect impacts on the coastal California gnatcatcher. The direct impact would be related to the elimination of 0.04 acres of Diegan coastal sage scrub which is the bird's preferred habitat.

The indirect impacts would occur within 1.51 acres of gnatcatcher habitat adjacent to the proposed emergency generation building. The indirect impact to the gnatcatcher would occur when the emergency generator associated with this facility is periodically tested during the bird's breeding season.

Noise studies conducted as part of the MND identified a number of measures which will be taken to reduce the noise produced by the generator testing (e.g. mufflers and barriers). However, despite these actions, the study concluded that the generator testing would still create noise levels in excess of 60 dBA Leq in

adjacent habitat which could be used by the gnatcatchers. As noise levels in excess of 60 dBA Leq are considered to potentially disrupt breeding activities of this bird, the noise impact to 1.51 acres was considered significant. It is important to note that this conclusion is conservative in nature in that it ignores the fact that the noise levels in the area affected by the generator testing are already over 60 dB Leq from traffic noise on I-805 which lies to the immediate east of the affected area.

Construction noise also has the potential to impact adjacent habitat. Typically, the grading noise is the highest and is presumed to be 89 dB(A) at 50 feet with no mitigation. At this level, the unattenuated 60 dBA Leq contour could extend as far as 1,500 feet from the grading equipment. However, grading noise was determined to be fully mitigated through limitations placed on the grading operation during the breeding season.

Thus, the EIR concludes that the project would have combined impact on 1.55 acres of gnatcatcher habitat which includes the 0.04 acres of direct loss and the 1.51 acres of gnatcatcher habitat that could be adversely affected by periodic generator-testing noise during the breeding season.

Raptors. The MND concludes that any raptors nesting on the site or within 300 to 500 feet (depending on species) of construction would be potentially adversely affected by indirect construction impacts. Preconstruction surveys for gnatcatchers as well as raptors will occur if construction is to occur during their respective breeding seasons to ensure impacts are not significant.

Mitigation

The City, with the concurrence of CDFG and USFWS, is requiring a series of actions by the project applicant which, when taken together, adequately compensate for both the direct loss of Diegan coastal sage scrub and the potential impact to the gnatcatcher. Together, these measures would preserve 2.38 acres of Diegan coastal sage scrub and potential gnatcatcher habitat resulting in an overall compensation ratio of 1.5:1.

As specified in the MND, the mitigation will include:

- Permanent preservation of 0.44 acre of Diegan coastal sage scrub within the land around the proposed emergency generation facility but outside the project noise-affected habitat.
- Permanent preservation of 1.04 acre of Diegan coastal sage scrub within the land around the proposed emergency generation facility but inside the project noise-affected habitat would allow this area to continue to provide foraging opportunities.

construction plans become divuiged. However, requiring or allowing an applicant to adopt prospective mitigation measures which are to be recommended in a future study, but which are not incorporated into the project before the proposed Negative Declaration is released for public review, is not allowed. (*Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296) Under CEQA, such deferred analysis and mitigation of these important impacts are unlawful. "A negative declaration requiring formulation of mitigation measures at a future time violates the rule that members of the public and other agencies must be given an opportunity to review mitigation measures before they are approved." *Gentry v. City of Murrieta*. 36 Cal.App.4th 1359, 1393 (1995); see also Pub. Res. Code § 21080(c)(2); Guidelines § 15070(b)(1). Courts routinely invalidate mitigation measures, such as this one, that defer formulation of the precise terms of the measure until after project approval. See, e.g., *Endangered Habitats League v. County of Orange*, 2005 WL 1528925, *10 (June 29, 2005) (rejecting mitigation measure for construction noise that merely required a report to be prepared and followed, or allowed approval by a county department without setting any standards for approval); *League for Protection of Oakland's Architectural & Historic Resources v. City of Oakland*, 52 Cal.App.4th 896, 909 (1997) (invalidating MND for demolition of historic building, finding that tentative and vague proposal to incorporate unspecified design features of building in new structure was insufficient mitigation). This is exactly what is proposed in the "mitigation and monitoring plan" for this MND.

Specific habitat restoration is possible. For example, when the U.S. Navy developed the Weapons Support Facility Seal Beach, Fallbrook Detachment at Camp Pendleton Marine Corps Base in northern San Diego County, 0.6 acres of coastal sage scrub inhabited by the California gnatcatcher had to be destroyed. As mitigation for the loss of habitat, the Navy restored disturbed habitat in a neighboring area at a ratio of 2:1 (1.2 acres of new habitat).⁷ CHSD will be impacting 1.55 acres of Diegan coastal sage scrub.

Further, according to the EIR for Alexandria Technology Center's multi-story building and parking structure project, construction and traffic noise would adversely affect the Gnatcatcher in surrounding areas. Mitigation measures required all construction equipment to have functioning mufflers, construction staging areas to be as far as possible from biological conservation areas, the submittal of noise analyses, and other precautions.⁸

Further, the preservation organization California Partners in Flight (CalPIF) has already established a strategic plan for protecting and managing the habitat of the Gnatcatcher: the Coastal Scrub and Chaparral Bird Conservation Plan recommends managing disturbances to the Gnatcatchers habitat as well as prioritizing the monitoring of population and demographics trends.⁹ Details can be found at: <http://www.prbo.org/calpif/htmldocs/scrub.html>.

⁷ "Coastal Sage Scrub Restoration for Gnatcatcher Mitigation on Weapons Support Facility Seal Beach, Fallbrook Detachment," San Diego State University Soil Ecology and Research Group, Fourth Annual Report, February 18, 2003. <http://www.sciences.sdsu.edu/SERG/restorationproj/chaparraland/falwasp4.htm>

⁸ Report to San Diego Planning Commission No. 06-174, Alexandria Technology Center-Sorrento View, Project No. 4466. Issued June 16, 2006; presented at July 13, 2006 Commission bearing. Available at <http://www.sandiego.gov/planning-commission/#resources>

⁹ http://www.prbo.org/calpif/htmldocs/species/scrub/california_gnatcatcher.html

- Payment of sufficient funds to the City to allow it to purchase and preserve 0.90 acres of Diegan coastal sage scrub within East Elliot.

In addition, the mitigation measures limit grading to reduce impacts on gnatcatchers during their breeding season. These controls and limitations include:

- A survey shall be completed prior to construction between the March 1st and August 15th. If gnatcatchers are observed adjacent to construction, construction activities shall not occur unless the following actions are taken:
 - Installation of flagging and/or fencing around the area determined to be occupied by gnatcatchers;
 - Presence of a qualified biological monitor during grading who would be empowered to divert work or temporarily stop operations to avoid impacting nearby gnatcatchers; and
 - As necessary, construction of noise attenuation barriers (e.g. walls) to maintain construction noise levels below 60 dBA Leq.

The following mitigation will be applied to protect nesting raptors:

- A survey of areas within 500 feet of construction will be made prior to and construction between February 1st and September 15th to determine if any raptor nesting is occurring. If nesting is occurring, a qualified biologist shall determine the appropriate setback for construction operations. This setback shall be maintained until the biologist has determined that young birds have fledged.

58. The commenter is correct. The mitigation measure does require monitoring of the construction phase by a qualified biologist to make sure that the disturbance area does not extend beyond the area assumed in the biology report to be required to construct the emergency generation facility. A qualified biologist is required to:

- Attend preconstruction meetings to educate construction personnel;
- Be onsite during grading to assure disturbance does not occur beyond the construction fencing;
- Inspect the site during grading to assure that the grading is limited to areas defined by the construction fencing; and
- File a report with the City at the end of construction to document the monitoring that occurred.

In order to prevent construction noise from interfering with breeding activities of the coastal California gnatcatcher within the sage scrub surrounding the construction area, a biologist with the appropriate Section 10(a)(1)(A) permit will be required to:

- Conduct a survey of the affected area before construction commences during the breeding season (March 1 through August 15);
- Identify areas where construction noise in excess of 60 dBA Leq may encroach during the breeding season without noise attenuation;
- Verify that noise attenuation measures would reduce construction noise to less than 60 dBA Leq through bi-weekly site visits while construction is occurring adjacent to these areas during the breeding season; and
- File a report with the City at the end of construction to document the monitoring that occurred.

Impacts to nesting raptors would be avoided by the mitigation which requires a qualified biologist to:

- Examine trees within 500 feet of construction to determine the presence of raptor nests during the breeding season (February 1 and September 15);
- If nests are detected, construction activities shall be setback a distance of 500 feet and the biologist shall determine the status of the nests on a weekly basis during the breeding season; and
- File a report with the City at the end of construction to document the monitoring that occurred.

The studies needed to determine whether significant impacts would occur to gnatcatchers or raptors have not been deferred. These studies were conducted and resulted in the determination that significant impacts would occur from construction noise and emergency generator testing in the absence of noise attenuation. In response to this determination, specific mitigation measures are required as part of the MND. The studies addressed in those studies are not intended to determine the potential for impact but rather to refine the actions that will be required to achieve the goal of the mitigation measure.

As discussed in response to Comment No. 4, the completion of all studies needed to identify specific aspects of mitigation measures is not required prior to certification of the MND. Courts have recognized that in some situations, the formulation of precise mitigation measures is infeasible or impractical at the time of MND certification. In those cases, it is enough for the agency to commit itself to working out feasible measures at a later date, so long as the impacts are treated as significant at the time of MND certification. In a similar vein, where mitigation is known to be feasible, yet practical considerations prohibit devising measures early in the process, an agency may commit itself to eventually devising measures that will satisfy specific performance criteria articulated at the time the project is approved. In those situations, the agency may rely on its commitment as evidence that the significant impact will be mitigated.

59 In addition to unlawful deferral of mitigation, the MND provides no specific measures for mitigation or habitat restoration, despite feasible mitigation measures. An EIR must be prepared to analyze substantive mitigation measures.

11. An Environmental Impact Report Is Required to Analyze the Project's Cumulative Impacts

60 CEQA unequivocally requires lead agencies to disclose and analyze a project's "cumulative impacts," defined as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts." Guidelines § 15355. A lead agency must prepare an EIR if a project's possible impacts, though "individually limited," prove "cumulatively considerable." § 21083(h); Guidelines § 15064(i). The MND fails to provide any information about other projects planned or proposed in the area that, along with the proposed Project, could have potentially significant cumulative impacts.

For example, there is no cumulative analysis of the impact with Sharp Memorial Hospital's recent construction project, a new 7-story 315,621 sq ft. clinical care tower, to open spring of 2008. There are also several shopping centers within a few miles of the Project site. The MND fails to take any of these into account. The proposed Project, when considered in conjunction with these new commercial developments, could have potentially significant environmental impacts, including traffic, aesthetic, air quality, and land use and planning impacts. Accordingly, the City must prepare an EIR to analyze these cumulative impacts.

61 Furthermore, all California hospitals are required to upgrade their facilities to seismic standards by January 1, 2008. Cumulative impacts must be analyzed.

VI. CONCLUSION

62 For the reasons set forth above, the only prudent course for the City is to defer action on the Children's Hospital Project until an EIR is prepared that complies with CEQA.

Sincerely,

Nicole M. Phillips

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Enclosures
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59. Habitat restoration is not warranted by the project impacts. As stated earlier, the actual loss of Diegan coastal sage scrub is limited to 0.04 acres. The combined acquisition and protection of 2.28 acres of coastal sage scrub both within East Elliot and through long-term preservation of land around the proposed emergency generation facility is more than adequate to compensate for the loss of 0.04 acres of habitat.

As suggested in the comment, mitigation identified on page 5 of the MND would place specific limitations on construction activities during the gnatcatcher breeding season. Noise attenuation would be required on construction equipment and/or through the construction of noise barriers. Where attenuation would be insufficient, limitations would be imposed on the location and duration of construction equipment producing high noise levels.

60. Cumulative projects were considered in the MND, within the Initial Study checklist, issue C under the heading Mandatory Findings of Significance. The cumulative projects include Sharp Memorial Hospital expansion (Acute Care Facility) and Cambridge project (medical office buildings). These are considered in the traffic analysis and the biological resources analysis, and potential impacts were less than significant. Sharp Memorial Hospital's recent construction project is included and referred to as the Sharp Hospital Acute Care Facility. This facility will replace the existing hospital, increasing the amount of hospital beds by 12 new beds. It is unclear what new shopping centers the commenter is referring to, and how they would combine with impacts of the proposed project to result in significant cumulative impacts.

61. Seismic upgrades to existing structures around the proposed project are not yet in the planning process and may not be for years due to funding constraints.

62. As indicated in the MND/IS and these responses, there is no justification for requiring an EIR be prepared for the proposed project. All potentially significant impacts are identified and mitigation measures are identified which would effectively reduce those impacts to below a level of significance.



SMITH ENGINEERING & MANAGEMENT

January 15, 2007

Ms. Nicole Phillips
Weinberg, Roger & Rosenfeld
1001 Marina Village Parkway, Suite 200
Alameda, CA 94501-1091

**Subject: Childrens Hospital Acute Care Pavilion Expansion Project Mitigated
Negative Declaration**

P07001

Dear Ms. Phillips:

63 Per your request I have reviewed the Initial Study and proposed Mitigated Negative Declaration for the Childrens Hospital Acute Care Pavilion Expansion Project in San Diego and the traffic impact study by Linscott, Law & Greenspan dated October 18, 2006 that supports the Initial Study. Hereinafter, the subject report is referred to as "the ISMND" and the subject project is referred to as "the project" and the supporting traffic study is referred to as the "traffic impact study". My review has concentrated on the transportation/traffic/parking issues posed by the project.

My qualifications to perform this review include registration as a Civil and Traffic Engineer in California, 38 years of professional transportation/traffic engineering consulting practice in California including preparation and review of transportation/traffic components of environmental documents. My resume is attached herewith. This letter documents comments and conclusions resultant from my review.

Traffic Generation of the Subject Project is Understated and Unclear Because of an Unclear Project Definition

64 The project involves construction of a 272,274 gross square foot, 154 bed acute care hospital. However, 70 of the beds reflect transfer of activities from the existing main hospital within the complex. Hence, the traffic impact study appropriately estimates the acute care pavilion's traffic generation as equivalent to a new 84 bed hospital. However, the report indicates that the space vacated within the main hospital as the result of the activities of the units associated with the 70 beds transferred to the new pavilion will be occupied by relocation of the current convalescent home. It is unclear if this involves an expansion of the convalescent home use or what activity will occupy

63. Comment noted. Additional traffic assessment has been prepared by Linscott, Law and Greenspan Engineers (LLG), please refer to Attachment 6.

64. The existing convalescent home will not be expanded so, therefore, there would not be any additional traffic generated by the convalescent home. The space utilized by the existing convalescent home would be used by existing uses that would have more comfortable space to work within. Thus, no additional traffic would be generated.

64 Cont. the present convalescent home site. The traffic impact study does not identify any trip generation changes for the campus associated with increases in convalescent use or for reuse of the current convalescent home site. Hence, the analysis of trip generation changes associated with the new acute care pavilion appear to be incomplete.

On a proportional basis of square footage per bed, the new pavilion is freeing about 123,760 square feet of space in the existing hospital for convalescent use. If this space is additive to the convalescent use on the site, it would cause the addition of approximately 47 trips to the AM peak hour and 52 trips to the PM peak hour traffic.

65 In addition to the above, the traffic impact study assumes that the addition of 12 residence units to the Ronald McDonald House facility on site that is also associated with the Acute Care Pavilion project would cause zero increase in site traffic generation. This assumption, based on the premise that families who use the facility to maintain a high level of visitation with young patients undergoing acute care would make virtually no trips on and off site, is completely unreasonable. Families obviously arrive and depart at the ends of a period in residency and this arrival and departure may involve separate trips from those associated with the patients' arrivals and departures. During the time in residency, family members may need to depart and return for work, school, personal business or choose to depart and return for other reasons such as meals, purchase of incidental items or recreation. Rather than having a zero trip generation, it is more likely that these residence units would have a trip generation similar to a motel or apartment. Twelve units of such uses would generate an additional 6 to 8 trips in the AM peak hour and an additional 7 trips in the PM peak hour.

Taken together, the trip generation analysis failure to account for the expansion of convalescent space and/or re-use of the existing convalescent space and the failure to account for the expansion of the number of residence units at Ronald McDonald House could involve understatement of as many as 55 AM peak trips and up to 59 PM peak trips, levels that could affect the conclusions of the analysis.

Proposed Traffic Mitigation Measure Uncertain

66 The traffic impact study and the ISMND conclude that the project would have a significant traffic impact at the intersection of the south leg of Berger Drive with Mesa College Drive. The intersection is currently stop controlled on Berger and uncontrolled on Mesa College Drive. The traffic study and the ISMND propose the superficially obvious traffic mitigation of installing a traffic signal at this location.

However, the mitigation proposed opens the subject intersection to full traffic movements; the existing configuration has a solid median on Mesa College Drive

65. The traffic report did not assume additional traffic for the additional 12 units to be added to the relocated Ronald McDonald House (RMH) because these units would be used by parents who are already visiting children staying at the hospital. As a result of having a place to stay, the expanded accommodations at the RMH would be expected to actually reduce trips because parents would not have to make multiple trips during the day to visit their children. While it is true that the residences will make their own incidental trips, this would ill be more than offset by the decrease in trips to/from the hospital. Therefore, it is correct to assume no increase in daily traffic.

Even if the additional 12 units should generate trips, the additional trips would not change the conclusions of the original traffic study. Using a "hotel" trip rate of 10 ADT/unit to predict traffic generated by the additional RMH units, up to 120 Average Daily Trips (ADT) and 10 peak hour trips would be generated. This increase would not change the LOS calculations in the traffic study.

66. The commenter erroneously infers that the project's mitigation of signaling the Mesa College Drive/Berger Avenue intersection would reduce turning opportunities onto Mesa College Drive. In reality, the mitigation would increase left-turn opportunities onto Mesa College Drive (See Figure A). As Figure A shows, the proposed improvements at Berger Avenue would provide an additional opportunity to turn left from the hospital campus onto westbound Mesa College Drive.

In addition, as stated in the traffic study, the Mesa College Drive/Berger Avenue intersection is currently limited to right-turns. With the proposed mitigation measure, northbound and westbound left-turns would be allowed. This will have the positive affect of reducing the need for these movements at adjacent intersections, principally the Mesa College Drive/Health Center Drive intersection where volumes for both of these movements are high. The operations at the Mesa College Drive/Health Center Drive intersection will be improved by the mitigation and therefore additional analysis is not warranted.

66
67
through its intersection with the south leg of Berger Avenue so there can be no left turn movements from Berger northbound to Mesa College westbound or from Mesa College westbound to Berger southbound. If the intersection is opened to full traffic movements including the now-precluded left turns as proposed in the mitigations, there would be large scale shifts of traffic that now must go elsewhere to turn left into or out of the entire medical campus. There has been absolutely no analysis of the functionality and consequences of this in the current ISMND and supporting traffic impact study. There is only about 125 feet of separation between the subject intersection and the intersection of the north leg of Berger and the I-805 southbound on ramp with Mesa College Drive. This separation may be insufficient for queue storage of vehicles attempting to turn left from Mesa College Drive westbound, making it infeasible to allow this left turn movement. However, since the ISMND and its supporting traffic study never analyzed how traffic would be redistributed if the intersection were to be opened to left turns, the feasibility of the signal as proposed is uncertain.

67
The ISMND attempts to address this uncertainty by stating that if the mitigation of signalization with full movements provided proves infeasible, then the project will just install the signal without provision for the westbound left turn. However, this is also inadequate because there has been no analysis of whether there would be sufficient queue storage space between the two intersections even if no westbound left turn movement is provided-for. Hence, the entire proposed traffic mitigation measure, signalization of the intersection may be infeasible. As long as this uncertainty remains, the project's significant traffic impact cannot be considered mitigated and the Mitigated Negative Declaration cannot be adopted.

68
The ISMND and the supporting traffic study also fail to report that, because of the proposed median change and the skewed and curving alignments at the intersection, the proposed mitigation would involve a significant physical reconstruction of the intersection, not just a simple installation of traffic signal gear.

Additional Observations of Traffic Impact Study Not Acted Upon in ISMND

69
To its credit, the traffic impact study notes that none of the previously recommended traffic improvement measures that were to have been made within the medical campus have been installed. The ISMND fails to respond by requiring those overdue measures to be put in place as a current traffic mitigation.

ISMND and the Traffic Impact Study Never Document Adequacy of Parking

70
The traffic impact study reasonably describes the loss of parking due to the removal of an existing surface parking lot on the site of the proposed Acute Care Pavilion site, the

67. Page 16 of the traffic analysis addresses the potential queuing issue on Mesa College Drive between Berger Avenue and the I-805 southbound on-ramp by allowing for the elimination of the westbound left-turn movement onto Berger Avenue. (See Figure A). Table 8.1 of the traffic study shows that the traffic signal is primarily needed at the Mesa College Drive/Berger Avenue intersection to reduce long queues/delays for the northbound right-turn movement out of Berger Avenue and onto the eastbound side of Mesa College Drive. As indicated earlier, the proposed signal would have positive benefit by enabling motorists seeking to go west on Mesa College Drive to do so at Berger Avenue rather than having to travel westbound on Frost Avenue to Health Center Drive.

The commenter's concern regarding potential queuing storage for left-turn movements from westbound Mesa College Drive onto southbound Berger Avenue could be avoided by prohibiting this left-turn movement should the addition of a signal at the intersection of the I-805 ramp with Mesa College Drive cause a queuing problem.

68. The commenter is correct in stating that modifications would be required to install the signal at Mesa College Drive and Berger Avenue. The most notable would be the removal of the berm in Mesa College Drive that currently prevents left turns onto Berger Avenue. However, these improvements are not of an unusual nature that would warrant specific discussion in the traffic study.
69. The traffic study that was completed for the proposed project was appropriately focused on the potential impacts of the proposed facilities. It used the most up-to-date traffic volumes and roadway improvements. Based on the results of this traffic study, it was appropriately concluded that the impacts of the proposed facilities would be limited to intersection of Berger Avenue and Mesa College Drive. In response to this fact, the project will be required to install a signal at this intersection. No other improvements are required to accommodate project traffic.

Applying the conclusions of the traffic study completed in 1991 is inappropriate for two primary reasons. First, it was completed 15 years ago. Traffic volumes and buildout assumptions have changed substantially since the report was prepared. For example, the amount of development assumed to have occurred by

70 cont. parking requirements of the Acute Care Pavilion, the parking to be provided in the new parking structure across Childrens' Way from the Acute Care Pavilion and the net parking supply that would be available within the entire medical campus. The traffic impact study concludes that the demand generated by the Acute Care Pavilion (and presumably the replacement for the surface parking spaces the Acute Care Pavilion displaces) will be provided in the new parking structure across the street. However, this conclusion is unsupported because the parking demand for all the uses in the entire medical campus is never defined in the study. It is obvious that the new parking structure is intended to serve more than as replacement parking for the surface parking lost and for the added demand created by the new Acute Care Pavilion, but it is impossible to conclude whether or not the parking supply is adequate since the overall demand remains undefined. The analysis should be revised to quantify parking demand for the entire complex.

Conclusion

71 In my opinion, all of the foregoing makes the current ISMND deficient and unsuited for adoption. This completes my current comments on this matter.

Sincerely,

SMITH Engineering & Management
A California Corporation



Daniel T. Smith Jr., P.E.
President

now has not occurred. Second the study was more broad-based in that it considered traffic from all of the various hospitals and medical buildings located in the area.

70. The parking demand for the entire Children's Hospital Campus - including existing and proposed uses has been quantified in Table 2 below. It should be noted that this analysis applies current LDC parking requirements to past development, which may have been approved under different parking regulations. It also takes into account projected use transfers between existing facilities.

TABLE 2
Parking Analysis - Analysis of Existing and Proposed Campus Development
under Existing Code Requirements
(After Construction of Acute Care Pavilion)

Existing or Proposed Facility and Projected Use ¹	2000 LDC Code Required Parking	No. of Beds, Square Feet, or Units	Required Parking (spaces)
Hahn Pavilion	NA ²	NA	NA
Nelsen Building (Outpatient Med. Clinic & Hospital)	4 spaces per 1,000 sf 2 spaces per bed	11,895 sf 64 beds	48 128
Rose Pavilion (Hospital & Outpatient Med. Clinic)	2 spaces per bed 4 spaces per 1,000 sf	114 beds 17,943 sf	228 72
Specialty Clinic (Outpatient Med. Clinic)	4 spaces per 1,000 sf	24,279 sf	98
Medical Office Building (Medical Offices)	4 spaces per 1,000 sf	85,432	342
Children's Convalescent Hospital - Skilled Nursing Facility (Intermediate Care Facilities & Nursing Facilities)	1 space per bed	59 beds	59
Parking Garage/RMH Facility (Multiple Dwelling Units: One Bedroom or Studio over 400 sf)	1.5 spaces per unit	47 units	71
Acute Care Pavilion (Hospital & Medical Clinic)	2 spaces per bed 4 space per 1,000 sf	154 beds 15,000 sf	308 60
		Total	1,414

¹ Excludes the North Parking Structure and various smaller support facilities and buildings that do not have LDC parking requirements.

² The Hahn Pavilion contains hospital support facilities that do not have specific LDC parking requirements but are assumed to be covered by the parking requirements of the principal hospital use. Such support facilities include operating rooms, surgical services, radiology lab, pharmacy, cafes, administrative offices, plant maintenance and other similar types of secondary uses.

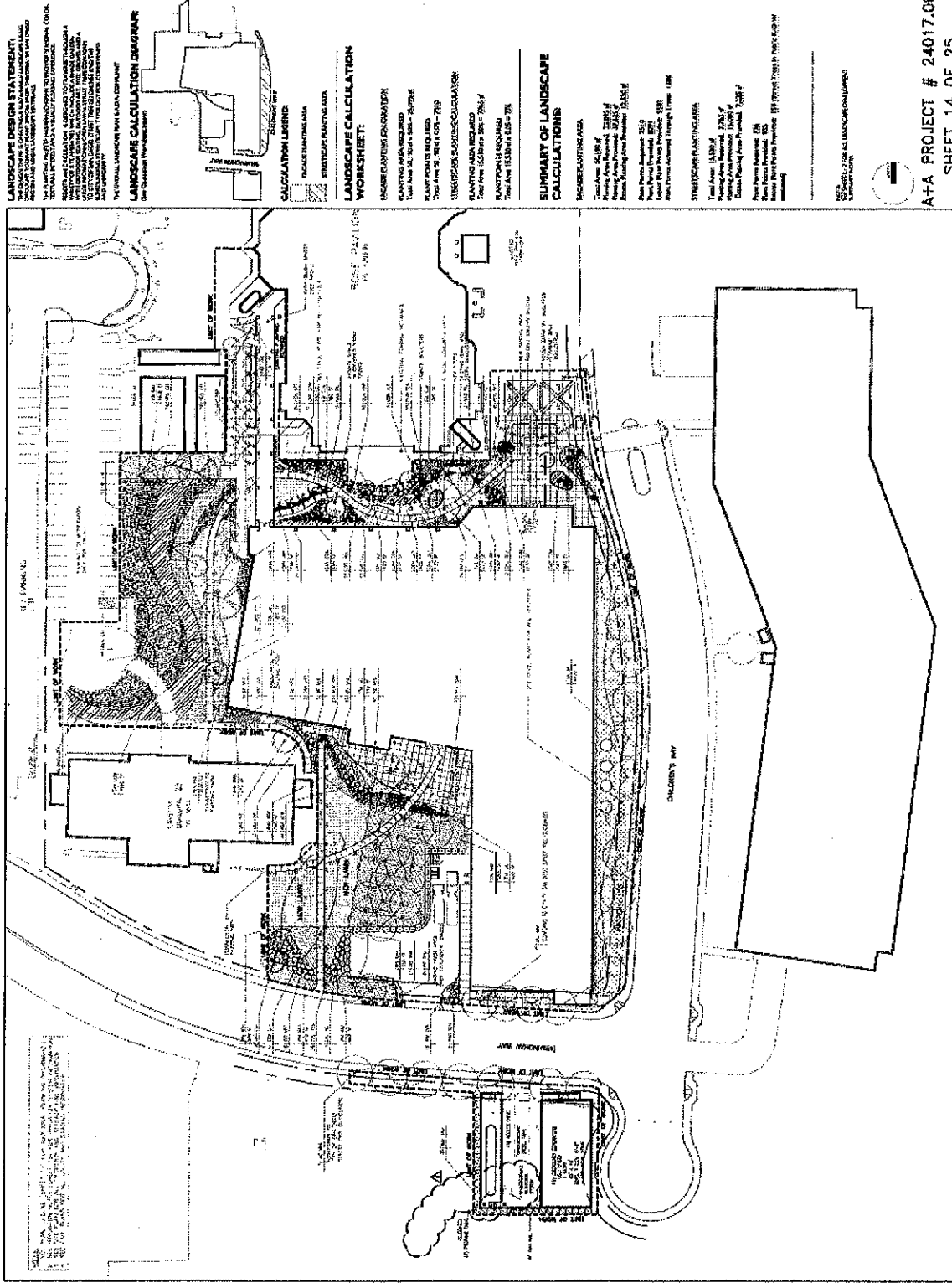
The total required parking under the current LDC after construction of the Acute Care Pavilion would be 1,414 spaces. As shown in Table 3, a total of 2,286 spaces will be available at that time, resulting in a surplus of 872 spaces.

TABLE 3 Available Parking on Rady Children's Hospital Campus		
Parking Lot	Current	Projected At Project Completion
Lot A	356	47 ¹
Lot E	23	23
OHS	2	2
Bldg. 14/19	11	11
Lots C & D	170	170
North Structure (Structure B)	998	998
South Structure (Structure F) Under construction	0	1,035 ²
Total	1,560	2,286

¹ Subsequent to the MND, it was determined that 47 spaces would remain within the original Lot A after construction of the Acute Care Pavilion.

² 1,051 spaces required by CUP 4741. The current CUP amendment proposes to reduce the parking structure spaces to 1,035 spaces.

71. As indicated in the MND and responses to Comment Nos. 64 through 70, there is no justification for the determination that the MND should not be adopted.



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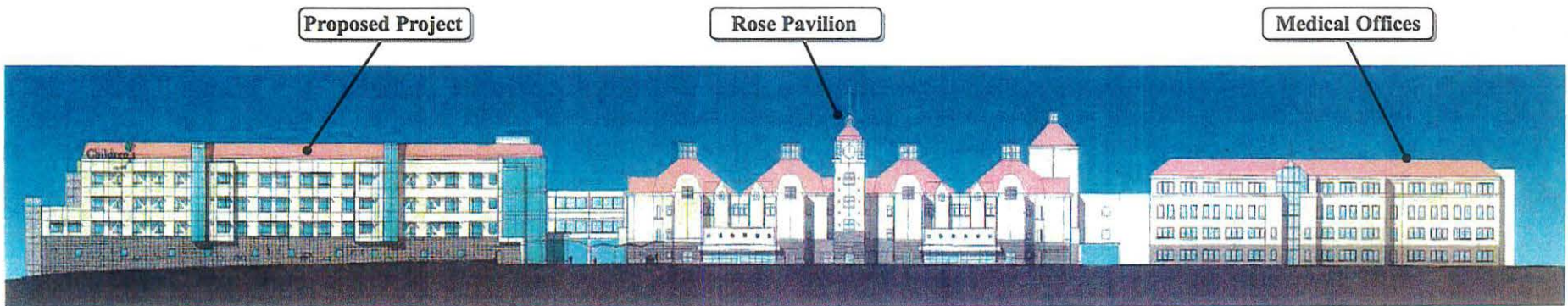


Aerial Photograph — Attachment 3

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Memorandum

TO: Bruce McIntyre, Senior Vice President
Project Design Consultants

FROM: Sam Silverman, Senior Environmental Scientist
Terry A. Hayes Associates LLC

DATE: January 23, 2007

RE: San Diego Children's Hospital Expansion Air Quality and Noise Analysis

Terry A. Hayes Associates LLC (TAHA) has completed a construction air quality analysis and a mobile noise analysis for the San Diego Children's Hospital Expansion project. The proposed project is located near the intersection of Birmingham Way and Children's Way in the City of San Diego. The proposed project would demolish an existing parking lot and construct a five-level, 272,274-square-foot addition to the existing hospital and an emergency generator facility contained within a one-story, 85-by 40-foot building. The purpose of this memorandum is to quantify construction emissions and determine the significance of these emissions when compared to the San Diego Air Pollution Control District (SDAPCD) thresholds. In addition, the potential impact related to increased mobile noise levels due to project-related traffic was assessed.

CONSTRUCTION AIR QUALITY ANALYSIS

Construction of the proposed project has the potential to create air quality impacts through the use of heavy-duty construction equipment and through vehicle trips generated from construction workers traveling to and from the project site. Construction activities would result in emissions of volatile organic compounds (VOC), nitrogen oxides (NO_x), carbon monoxide (CO), sulfur oxides (SO_x), and particulate matter 2.5 and ten microns or less in diameter (PM_{2.5} and PM₁₀, respectively). More specifically, fugitive dust emissions would primarily result from demolition (e.g., removal of the existing surface parking lot) and site preparation (e.g., excavation) activities. NO_x emissions would primarily result from the use of construction equipment. During the finishing phase, paving operations and the application of architectural coatings (e.g., paints) and other building materials would release VOCs.



The California Air Resources Board's URBEMIS2002 emissions inventory model was used to estimate daily construction emissions, which can vary substantially from day to day, depending on the level of activity, the specific type of operation and, for dust, the prevailing weather conditions. This conservative analysis assumed worst-case conditions in order to obtain maximum daily emissions.

Table 1 shows the estimated daily emissions associated with each construction phase. As shown, daily construction regional emissions would not exceed the SDAPCD regional thresholds for VOC, NO_x, CO, SO_x, PM_{2.5}, or PM₁₀. As such, construction air quality emissions would result in a less-than-significant impact.

TABLE 1: ESTIMATED DAILY CONSTRUCTION EMISSIONS						
Construction Year and Phase	Pounds Per Day					
	VOC	NO_x	CO	SO_x	PM_{2.5} /a/	PM₁₀
Demolition	6	77	69	<1	7	26
Site Preparation	13	122	95	<1	21	87 /b/
Building Construction	118	123	178	<1	4	5
Maximum Regional Total /a/	118	123	178	<1	21	87
Regional Significance Threshold	137	250	550	250	55 /c/	100

/a/ PM_{2.5} emissions were calculated using as a fraction of PM₁₀. The applicable PM_{2.5} to PM₁₀ ratio was obtained from Final-Methodology to Calculate Particulate Matter (PM) 2.5 and PM 2.5 Significance Thresholds published by the South Coast Air Quality Management District (October 2006).
/b/ The estimation of PM₁₀ emissions during the site preparation phase assumed that 75 percent of the project site (3.2 acres) would be disturbed in one day.
/c/ The SDAPCD does not have a threshold for PM_{2.5}. The PM_{2.5} threshold of 55 pounds per day was obtained from the South Coast Air Quality Management District.
SOURCE: TAHA, 2006

MOBILE NOISE ANALYSIS

The proposed project is located in the vicinity of land uses that are considered especially sensitive to loud noise levels (e.g., the existing Children's Hospital). The proposed project would generate approximately 1,680 daily vehicle trips.¹ These new vehicle trips would result in increased mobile noise levels along roadway segments near the project site.

¹Linscott, Law, and Greenspan Engineers, *Children's Hospital Acute Care Pavilion Traffic Analysis*, October 20, 2006.
 2007-015

It is generally accepted that a doubling of traffic along a roadway segment is needed to result in an audible (i.e., three decibels) ambient noise level increase. The project traffic study provides future without project and future with project average daily traffic (ADT) for two roadway segments near the project site: Children's Way and Birmingham Way.² The future without project and future with project ADT volumes along Children's Way are 6,250 and 7,420 vehicles, respectively. Future with project conditions would result in a 19 percent ADT increase along Children's Way. The future without project and future with project ADT volumes along Birmingham Way are 6,140 and 6,640 vehicles, respectively. Future with project conditions would result in an 8.1 percent ADT increase along Birmingham Way. As shown, ADT along Children's Way and Birmingham Way would not double when the future with project conditions are compared to the future without project conditions. Therefore, the proposed project would not result in an audible mobile noise level increase along Children's Way and Birmingham Way.

CONCLUSION

The San Diego Children's Hospital Expansion project would generate air pollutant emissions during construction activity and would increase mobile noise levels on the roadway network surrounding the project site. However, as shown in the above analysis, construction emissions would be below the project-level significance thresholds set forth by the SDAPCD. In addition, increased traffic as a result of the proposed project would not audibly increase noise levels along the local roadway network. As such, the San Diego Children's Hospital Expansion project would result in a less-than-significant construction air quality and mobile noise impact.

Enclosures: URBEMIS2002 Output File

01/24/2007 9:20 AM

URBEMIS 2002 For Windows 8.7.0

File Name: J:\Projects\San Diego Children's Hospital 2007-015\construction.urb
 Project Name: San Diego Childrens Hospital Expansion
 Project Location: South Coast Air Basin (Los Angeles area)
 On-Road Motor Vehicle Emissions Based on EMFAC2002 version 2.2

SUMMARY REPORT
 (Pounds/Day - Summer)

CONSTRUCTION EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10 TOTAL	PM10 EXHAUST	PM10 DUST
*** 2007 ***							
TOTALS (lbs/day,unmitigated)	12.94	122.25	95.43	0.09	87.02	3.64	83.38
*** 2008 ***							
TOTALS (lbs/day,unmitigated)	13.87	88.31	114.04	0.00	3.42	3.30	0.12
*** 2009 ***							
TOTALS (lbs/day,unmitigated)	13.81	85.25	115.55	0.00	3.22	3.10	0.12
*** 2010 ***							
TOTALS (lbs/day,unmitigated)	118.27	123.19	178.60	0.00	4.43	4.18	0.25

DETAIL REPORT
 (Pounds/Day - Summer)

Construction Start Month and Year: December, 2007
 Construction Duration: 31
 Total Land Use Area to be Developed: 4.2 acres
 Maximum Acreage Disturbed Per Day: 3.15 acres
 Single Family Units: 0 Multi-Family Units: 0
 Retail/Office/Institutional/Industrial Square Footage: 275774

CONSTRUCTION EMISSION ESTIMATES UNMITIGATED (lbs/day)

Source	ROG	NOx	CO	SO2	PM10 TOTAL	PM10 EXHAUST	PM10 DUST
*** 2007***							
Phase 1 - Demolition Emissions							
Fugitive Dust	-	-	-	-	22.68	-	22.68
Off-Road Diesel	2.01	57.62	63.29	-	2.37	2.37	0.00
On-Road Diesel	3.56	19.63	3.31	0.04	0.46	0.38	0.08
Worker Trips	0.09	0.22	2.20	0.00	0.01	0.00	0.01
Maximum lbs/day	5.63	77.47	68.80	0.04	25.52	2.75	22.77
Phase 2 - Site Grading Emissions							
Fugitive Dust	-	-	-	-	83.16	-	83.16
Off-Road Diesel	10.46	69.21	84.33	-	2.63	2.63	0.00
On-Road Diesel	2.39	52.82	8.90	0.09	1.22	1.01	0.21
Worker Trips	0.09	0.22	2.20	0.00	0.01	0.00	0.01
Maximum lbs/day	12.94	122.25	95.43	0.09	87.02	3.64	83.38
Max lbs/day all phases	12.94	122.25	95.43	0.09	87.02	3.64	83.38

*** 2008***

Phase 3 - Building Construction								
Bldg Const Off-Road Diesel	13.24	87.94	106.29	-	3.29	3.29	0.00	
Bldg Const Worker Trips	0.63	0.37	7.75	0.00	0.13	0.01	0.12	
Arch Coatings Off-Gas	0.00	-	-	-	-	-	-	
Arch Coatings Worker Trips	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
Asphalt Off-Gas	0.00	-	-	-	-	-	-	
Asphalt Off-Road Diesel	0.00	0.00	0.00	-	0.00	0.00	0.00	
Asphalt On-Road Diesel	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
Asphalt Worker Trips	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
Maximum lbs/day	13.87	88.31	114.04	0.00	3.42	3.30	0.12	
Max lbs/day all phases	13.87	88.31	114.04	0.00	3.42	3.30	0.12	

*** 2009***

Phase 3 - Building Construction								
Bldg Const Off-Road Diesel	13.24	84.91	108.40	-	3.10	3.10	0.00	
Bldg Const Worker Trips	0.57	0.34	7.15	0.00	0.13	0.01	0.12	
Arch Coatings Off-Gas	0.00	-	-	-	-	-	-	
Arch Coatings Worker Trips	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
Asphalt Off-Gas	0.00	-	-	-	-	-	-	
Asphalt Off-Road Diesel	0.00	0.00	0.00	-	0.00	0.00	0.00	
Asphalt On-Road Diesel	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
Asphalt Worker Trips	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
Maximum lbs/day	13.81	85.25	115.55	0.00	3.22	3.10	0.12	
Max lbs/day all phases	13.81	85.25	115.55	0.00	3.22	3.10	0.12	

*** 2010***

Phase 3 - Building Construction								
Bldg Const Off-Road Diesel	13.24	82.13	110.43	-	2.87	2.87	0.00	
Bldg Const Worker Trips	0.52	0.31	6.58	0.00	0.13	0.01	0.12	
Arch Coatings Off-Gas	96.94	-	-	-	-	-	-	
Arch Coatings Worker Trips	0.48	0.24	6.20	0.00	0.13	0.01	0.12	
Asphalt Off-Gas	0.48	-	-	-	-	-	-	
Asphalt Off-Road Diesel	6.55	39.44	55.06	-	1.25	1.25	0.00	
Asphalt On-Road Diesel	0.08	1.13	0.29	0.00	0.03	0.03	0.00	
Asphalt Worker Trips	0.03	0.02	0.43	0.00	0.01	0.00	0.01	
Maximum lbs/day	118.27	123.19	178.60	0.00	4.43	4.18	0.25	
Max lbs/day all phases	118.27	123.19	178.60	0.00	4.43	4.18	0.25	

Phase 1 - Demolition Assumptions

Start Month/Year for Phase 1: Dec '07

Phase 1 Duration: .5 months

Building Volume Total (cubic feet): 1572000

Building Volume Daily (cubic feet): 54000 - Adjusted to account for a maximum of 25 haul trips per day.

On-Road Truck Travel (VMT): 750

Off-Road Equipment

No.	Type	Horsepower	Load Factor	Hours/Day
2	Other Equipment	190	0.620	8.0
2	Rubber Tired Loaders	165	0.465	8.0
2	Tractor/Loaders/Backhoes	79	0.465	8.0

Phase 2 - Site Grading Assumptions

Start Month/Year for Phase 2: Dec '07

Phase 2 Duration: 1 months

On-Road Truck Travel (VMT): 2018

Off-Road Equipment

No.	Type	Horsepower	Load Factor	Hours/Day
1	Excavators	180	0.580	8.0
1	Graders	174	0.575	8.0
2	Other Equipment	190	0.620	8.0
2	Rubber Tired Loaders	165	0.465	8.0

Phase 3 - Building Construction Assumptions

Start Month/Year for Phase 3: Jan '08

Phase 3 Duration: 29.5 months

Start Month/Year for SubPhase Building: Jan '08

SubPhase Building Duration: 29.5 months

Off-Road Equipment

No.	Type	Horsepower	Load Factor	Hours/Day
2	Cranes	190	0.430	4.0
3	Other Equipment	190	0.620	8.0
2	Rough Terrain Forklifts	94	0.475	8.0
2	Rubber Tired Loaders	165	0.465	8.0
2	Tractor/Loaders/Backhoes	79	0.465	8.0

Start Month/Year for SubPhase Architectural Coatings: Apr '10

SubPhase Architectural Coatings Duration: 3 months

Start Month/Year for SubPhase Asphalt: Jun '10

SubPhase Asphalt Duration: 0.5 months

Acres to be Paved: 2

Off-Road Equipment

No.	Type	Horsepower	Load Factor	Hours/Day
2	Pavers	132	0.590	8.0
2	Paving Equipment	111	0.530	8.0
2	Rollers	114	0.430	8.0

Changes made to the default values for Land Use Trip Percentages

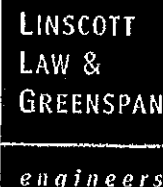
Changes made to the default values for Construction

The user has overridden the Default Phase Lengths

Site Grading Fugitive Dust Emission Rate changed from 10 to 26.4 - Consistent with City of San Diego Guidelines.

Site Grading Truck Haul Capacity (yds3) changed from 20 to 5 - Adjusted to account for a maximum of 100 haul trips per day. The actual haul truck capacity would be 12 to 20 cubic yards.

Architectural Coatings: # ROG/ft2 (non-res) changed from 0.0185 to 0.0116 - Consistent with SDPACD Rule 67 (Architectural Coatings)



January 26, 2007

Mr. Tim Jacoby
Children's Hospital
3020 Children's Way
San Diego, CA 92123

LLG Reference: 3-06-1642

Subject: Response to January 15, 2007 Letter from Smith Engineering and Management

Dear Mr. Jacoby:

The purpose of this letter is to respond to the Smith Engineering and Management letter, with the comments numbered in the margin (see attached) corresponding to the numbering below.

1. The existing convalescent home will not be expanded so, therefore, there would not be any additional traffic generated by the convalescent home. The space utilized by the existing convalescent home will be used by existing uses that would have more comfortable space to work within. Thus, no additional traffic would be generated.
2. The traffic report did not assume additional traffic for the additional 12 units to be added to the relocated Ronald McDonald House (RMH) because these units would be used by parents who are already visiting children staying at the hospital. As a result of having a place to stay, the expanded accommodations at the RMH would be expected to actually reduce trips because parents would not have to make multiple trips during the day to visit their children. While it is true that the residences will make their own incidental trips, this would ill be more than offset by the decrease in trips to/from the hospital. Therefore, it is correct to assume no increase in daily traffic.

Even if the additional 12 units should generate trips, the additional trips would not change the conclusions of the original traffic study. Using a "hotel" trip rate of 10 ADT/unit to predict traffic generated by the additional RMH units, up to 120 Average Daily Trips (ADT) and 10 peak hour trips would be generated. This increase would not change the LOS calculations in the traffic study.

3. The commenter erroneously infers that the project's mitigation of signaling the Mesa College Drive/Berger Avenue intersection would reduce turning

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Philip M. Linscott, PE (1924-2000)
Jack M. Greenspan, PE (Ret)
William A. Law, PE (Ret)
Paul W. Wilkinson, PE
John P. Keating, PE
David S. Shender, PE
John A. Boardman, PE
Clare M. Look-Jaeger, PE
Richard E. Barretto, PE
Keil D. Maberry, PE

opportunities onto Mesa College Drive. In reality, the mitigation would increase left-turn opportunities onto Mesa College Drive (See Figure A). As Figure A shows, the proposed improvements at Berger Avenue would provide a second opportunity to turn from the hospital campus onto westbound Mesa College Drive where only the one at Health Center Drive exists today.

In addition, as stated in the traffic study, the Mesa College Drive/Berger Avenue intersection is currently limited to right-turns. With the proposed mitigation measure, northbound and westbound left-turns would be allowed. This will have the positive affect of reducing the need for these movements at adjacent intersections, principally the Mesa College Drive/Health Center Drive intersection where volumes for both of these movements are high. The operations at the Mesa College Drive/Health Center Drive intersection will be improved by the mitigation and therefore additional analysis is not warranted.

4. Page 16 of the traffic analysis addresses the potential queuing issue on Mesa College Drive between Berger Avenue and the I-805 southbound on-ramp by allowing for the elimination of the westbound left-turn movement onto Berger Avenue. (See Figure A). Table 8.1 of the traffic study shows that the traffic signal is primarily needed at the Mesa College Drive/Berger Avenue intersection to reduce long queues/delays for the northbound right-turn movement out of Berger Avenue and onto eastbound Mesa College Drive. As indicated earlier, the proposed signal would have the positive benefit of enabling northbound motorists on Berger Avenue to access westbound Mesa College Drive directly without needing to make a U-turn at a point somewhere east of Berger Avenue.

The commenter's concern regarding potential queuing storage for left-turn movements from westbound Mesa College Drive onto southbound Berger Avenue could be avoided by prohibiting this left-turn movement should the addition of a signal at the Berger Avenue and Mesa College Drive intersection cause a queuing problem.

5. The commenter is correct in stating that modifications would be required to install the signal at Mesa College Drive and Berger Avenue. The most notable would be the removal of the median in Mesa College Drive that currently prevents left turns onto Berger Avenue. However, these improvements are not of an unusual nature that would warrant specific discussion in the traffic study.
6. The traffic study that was completed for the proposed project was appropriately focused on the potential impacts of the proposed facilities. It used the most up-to-date traffic volumes and roadway improvements. Based on the results of this traffic study, it was appropriately concluded that the impacts of the proposed facilities would be limited to intersection of Berger

Mr. Tim Jacoby
January 26, 2007
Page 3

LINSCOTT
LAW &
GREENSPAN

engineers

Avenue and Mesa College Drive. In response to this fact, the project will be required to install a signal at this intersection. No other improvements are required to accommodate project traffic.

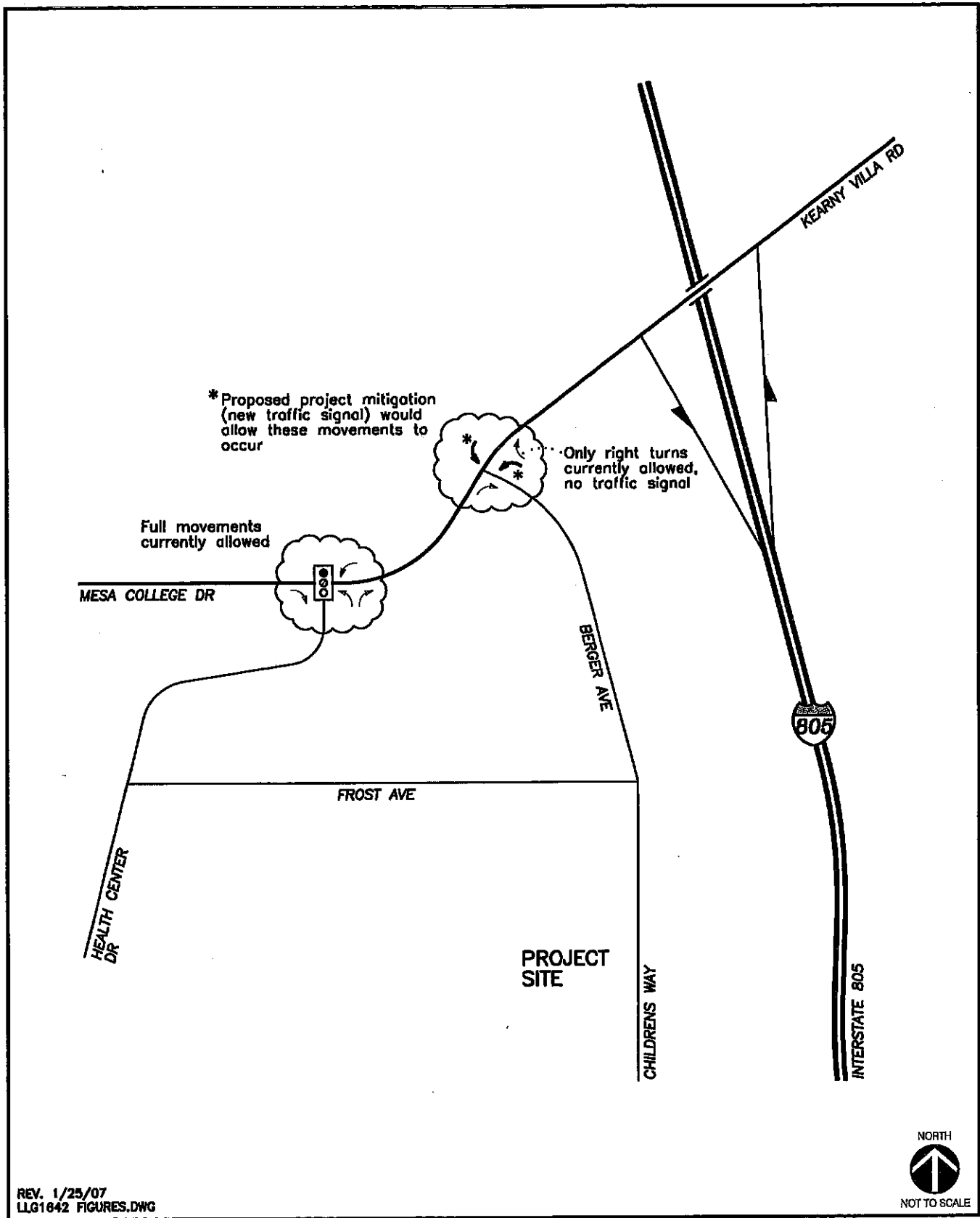
Applying the conclusions of the traffic study completed in 1991 is inappropriate for two primary reasons. First, it was completed 15 years ago. Traffic volumes and buildout assumptions have changed substantially since the report was prepared. For example, the amount of development assumed to have occurred by now has not occurred. Second the study was more broad-based in that it considered traffic from all of the various hospitals and medical buildings located in the area.

Please call if you have any questions.

Sincerely,

Linseott, Law & Greenspan, Engineers


John Boarman, P.E.
Principal



REV. 1/25/07
LLG1642 FIGURES.DWG

NORTH
↑
NOT TO SCALE

Figure A

RESUME

John Boarman, P.E.
Principal

PROFESSIONAL REGISTRATION

Civil Engineer, California (C 50033)
Traffic Engineer, California (TR 1855)

EDUCATION

Purdue University, Master of Science in Civil Engineering

PROFESSIONAL EXPERIENCE

Transportation Engineer: Linscott, Law & Greenspan

PROFESSIONAL MEMBERSHIPS

Institute of Transportation Engineers, Associate Member
Association of Environmental Professionals, Member

AREAS OF PROFESSIONAL COMPETENCE

Traffic Sections of Environmental Impact Studies and Reports
Traffic Impact Studies
Parking Studies
Transportation Planning

REPRESENTATIVE ASSIGNMENTS

Mr. Boarman has personally prepared, participated in or directed the preparation of several hundred traffic impact studies and reports and their subsequent integration into Environmental Impact Reports, Statements and Assessments (EIR, EIS, EIA). His work has included not only traffic impact studies but studies of parking impact and sufficiency, site access and circulation, and internal auto, pedestrian and public transit traffic circulation.

Mr. Boarman has worked closely with other professionals in the preparation and presentation of environmental documentation to citizens groups, local government engineers and planners, Transportation Commissions, Planning Commissions, and City Councils. He has also made presentations to the California Coastal Commission.

Mr. Boarman has managed traffic studies for several high profile projects including the San Diego Convention Center Expansion, the Eastlake Trails, Woods, and Vistas Developments in Chula Vista, the Hotel Del Coronado Expansion, the Qualcomm Stadium Expansion, The Imperial Valley Mall, Fanita Ranch, The Del Mar Fairgrounds Master Plan, and the North Embarcadero Visionary Plan. He has also conducted numerous parking studies including studies for Downtown Coronado, the Oceanside Harbor area, and the San Diego Convention Center Expansion.

City of San Diego
Development Services Department
Land Development Review Division
1222 First Avenue, Mail Station 501
San Diego, CA 92101
(619) 446-5460
(619) 446-5392

INITIAL STUDY
Project No. 84791

SUBJECT: Acute Care Pavilion Expansion: SITE DEVELOPMENT PERMIT (SDP), PLANNED DEVELOPMENT PERMIT (PDP), AND CONDITIONAL USE PERMIT (CUP) AMENDMENT to existing CUP 4741/ SDP 4742/ PDP 267312 and MHPA BOUNDARY ADJUSTMENT to demolish an existing parking lot, expand and construct a new 5-level, 272,274-square-foot building addition to an existing hospital on a 26.98-acre site, within the Children's Hospital and Health Center Campus. Additionally, an associated emergency generator facility contained within a one story, 85 by 40 feet building would be constructed on an adjacent 2.39-acre, included within the 26.98-acre site. An existing propane tank would be relocated adjacent to the new generator facility. The CUP amendment would also allow the addition of 12 guest units to the previously approved Ronald McDonald House (project no. 92628), provide a comprehensive sign plan for the Acute Care Pavilion and previously approved Parking Garage/Ronald McDonald House Facility, (project no. 2784) and reduce the number of required parking stalls in the previously approved Parking Garage from 1,051 to 1,035. A SDP would be required for the project's encroachment into Environmentally Sensitive Lands. A PDP would be required to permit a deviation from the CO-1-2 Zone maximum building height of 60 feet to a maximum height of 96 feet and to allow development within the 10 foot front yard setback requirement of the underlying CO-1-2 Zone. A CUP Amendment would be required for hospital uses within a commercial zone. Additionally, the MHPA Boundary Adjustment is required to mitigate MHPA encroachment by construction of the proposed emergency generator facility. The site is zoned CO-1-2 and lies within the Serra Mesa Community Plan area. Legal Description: Lots 1 and 3, Children's Hospital and Health Center, Map No. 12901. Applicant: Children's Hospital.

I. PURPOSE AND MAIN FEATURES:

The project proposes to amend existing Cup No. 4741, SDP No.4742, and PDP No. 267312, which previously amended CUP No. 87-1096, to expand the Children's Hospital facility by constructing a new 272,274 square-foot, 5-level building addition to the existing hospital facility. The CUP amendment would also allow the addition of 12 guest units to the previously approved

Ronald McDonald House (project no. 92628), provide a comprehensive sign plan for the Acute Care Pavilion and previously approved Parking Garage/Ronald McDonald House Facility, (project no. 2784) and reduce the number of required parking stalls in the previously approved Parking Garage from 1,051 to 1,035. The proposed Acute Care Pavilion would contain a new Medical Surgical unit with 16 operating units and 84 recovery beds; a Hematology/Oncology unit with 28-beds; a Neonatal Intensive Care unit with 32 beds; and a Bone Marrow Transplant unit with 10-beds. Outpatient and support services would also be provided in the new building. The existing surgical unit and Hematology/Oncology unit would be relocated from the main hospital to the new Acute Care Pavilion. The vacated areas would be used for relocation of an existing convalescent home. Construction of the Acute Care Pavilion would result in a net increase of 84 hospital beds. Access to the Acute Care Pavilion would be from Children's Way. The entry lobby and an ADA accessible passenger loading area would be provided on the north side of the building. Service access to the Acute Care Pavilion would be available from Birmingham Way. A driveway and loading dock would be located on the west side of the building (See Figure 4).

Parking demand for the 84 bed increase would be 168 spaces (2.0 parking spaces per bed), which would be provided within a six-level, 1,035- space parking structure, approved by City Council on December 1, 2005 (Project No. 2784). The parking structure would be completed in 2007 prior to occupancy of the Acute Care Pavilion. The parking garage would be located on the east side of Children's Way and would connect to the main campus by a mid-block pedestrian crossing. Construction of the Acute Care Pavilion would require removal of a surface parking lot resulting in a loss of 356 surface parking spaces. However, sufficient parking would be provided by a new parking facility to be completed in 2007 before completion of the acute care facility. When the Acute Care Pavilion is completed, 2,225 on-site parking spaces would be available to the entire Children's Hospital Campus.

Additionally, an associated emergency generator facility contained within a one story, 85 by 40 feet building would also be constructed on a separate 2.39-acre parcel on the south side of Birmingham Way near the terminus of Children's Way. An existing propane tank would be relocated adjacent to the new generator facility (See figure 5).

A Conditional Use Permit would be required for hospitals, intermediate care facilities and nursing facilities located within the CO-1-2 Zone. A Site Development Permit (SDP) would be required for the project's proposed impacts to Environmentally Sensitive Lands. A PDP would be required to permit a deviation from the CO-1-2 Zone maximum building height of 60 feet to a maximum height of 96 feet and to allow development within the 10 feet front yard setback requirement of the underlying CO-1-2 Zone. Additionally, the MHPA Boundary Line Adjustment is required to mitigate MHPA encroachment by construction of the emergency generator facility. See Section IV for additional discussion on the boundary adjustment.

II. ENVIRONMENTAL SETTING:

The project site is located on an 18.04-acre parking lot and a vacant 2.39-acre site within the Serra Mesa Community Plan area in the CO-1-2 (commercial office) zone and is surrounded by hospital, medical office, structured parking, and transportation uses. The site sits on top of a large cut slope, approximately 90-feet in height, located at the southeasterly portion of the Children's

Hospital and Health Center Campus, on the west side of Children's Way, south of Frost Street, west of Interstate 805, and north of Birmingham Way. The proposed project is located within and adjacent to the City's Multi-Habitat Planning Area (MHPA), which is located in a canyon just south of the proposed project. (See figure 5).

The proposed development site is within an existing urbanized area currently served by fire, police, and emergency medical services. The location of the proposed development is approximately 1.5 miles south of the City of San Diego Fire Station No. 28, which is at 3880 Kearny Villa Road. Response time from this station to the project site is approximately 3.1 minutes. The project site is also located within the City of San Diego Police Department's Eastern Division, Beat 314, which has an average emergency response time of 7.52 minutes for priority "E" calls (2005).

III. ENVIRONMENTAL ANALYSIS: See attached Initial Study Checklist.

IV. DISCUSSION:

The following issues were considered during the environmental review of this project and determined to be potentially significant:

BIOLOGICAL RESOURCES

A biological technical report entitled *Children's Hospital Emergency Generator Facility; Biological Technical Report Project #84791* dated June 14, 2006, was prepared by HELIX Environmental Planning, Inc., for the proposed project to identify potential adverse impacts to sensitive biological resources. An acoustical analysis entitled, *Children's Hospital and Health Center Noise Mitigation to the MHPA Boundary Acoustical Recommendations* dated April 11, 2006 was also prepared for the proposed project by Charles M. Salter Associates, Inc., to conduct measurements within the MHPA near the proposed generator building and compare the noise environment to the City of San Diego's acoustical criterion for equipment noise at the MHPA boundary. Both reports are summarized below.

The 24.59-acre portion of the project site consists of a surface parking lot located on the south side of the Children's Hospital Campus, adjacent to the Rose Pavilion and contains no biological resources. The approximately 2.39-acre portion of the project site supports four vegetation communities within its boundaries: (see table 1) Southern willow scrub, Diegan coastal sage scrub, Non-native grasslands, and Non-native vegetation.

Approximately 0.06 acres of Southern willow scrub a sensitive (wetland community) habitat exist as a single patch in an on-site drainage, at the southwest portion of the site. Southern willow scrub consists of dense, broadleaved, winter-deciduous stands of trees dominated by shrubby willows (*Salix spp.*), and generally in association with mule fat (*Baccharis salicifolia*).

Approximately 1.99-acres of Diegan coastal sage scrub (Tier II sensitive habitat) exist on-site and is the dominant vegetation community. It exists in the center portion of the site and is represented by California buckwheat (*Eriogonum fasciculatum*), California sagebrush (*Artemisia californica*),

black sage (*Salvia mellifera*), laurel sumac (*Malosma laurina*), and lemonadeberry (*Rhus integrifolia*). 0.04-acres, of the 1.99-acres of Diegan coastal sage scrub are disturbed.

Approximately 0.06 acres of Non-native grasslands, (Tier IIIB sensitive habitat) exist on-site. Non-native grasslands consist of weedy annual grasses, which may be associated with numerous species of showy-flowered native annual forbs. This association generally occurs on gradual slopes with deep, fine-textured, often clay soils. The NNG on-site occupies 0.06-acres in the southwestern portion of the project site.

Approximately 0.14-acres of Non-native vegetation, (Tier IV sensitive habitat) exist on-site. Non-native vegetation consists of areas that are dominated by cultivated species or species that have escaped cultivation and become naturalized. The approximately 0.14-acres of non-native vegetation observed on site occurs adjacent and parallel to Birmingham Way and immediately surrounding the existing facilities. This vegetation is dominated by eucalyptus (*Eucalyptus sp.*), and Brazilian pepper (*Schinus trebinthifolius*).

Additionally, approximately 0.09-acres of Disturbed habitat, (Tier IV sensitive habitat) exist on-site. Disturbed habitat consists of areas that are compacted or graded and that support very little vegetation. It occurs around the propane tank, near the emergency generator site, in the northern portion of the project site. 0.05-acres of Developed habitat, (Tier IV sensitive habitat) also exist on-site. Developed habitat occurs where permanent structures and /or pavement have been placed, or where landscaping is clearly tended and maintained, preventing growth of native vegetation. This habitat exists on site immediately surrounding a propane tank at the northeast boundary of the site.

Vegetation Community		Tier	Area (acre[s])
Wetland Communities			
Southern willow scrub		---	0.06
Upland Communities			
Diegan coastal sage scrub		II	1.99
Non-native grassland		IIIB	0.06
Non-native vegetation		IV	0.14
Disturbed habitat		IV	0.09
Developed habitat		IV	0.05
		TOTAL	2.39

The proposed project would directly impact 0.04-acre of Diegan coastal sage scrub ([DCSS] Tier II habitat) and indirectly impact 1.51-acres of Diegan coastal sage scrub. Mitigation would be required for impacts to 1.55-acres of DCSS habitats.

In addition to the above discussed vegetation communities, sensitive plants and animals also occupy the project site and may be impacted. Sensitive species are considered unusual or limited

in that: they are only found in the San Diego region; are a local representative of a species or association of species not otherwise found in the region; or are severely depleted within the region. High interest plants include those listed by the California Natural Diversity Database ([CNDDDB] 2006) and California Native Plant Society ([CNPS] 2006).

One sensitive animal species, a pair of California gnatcatchers (*Polioptila californica californica*) was observed flying within the project footprint, through the MHPA on site during surveys (Helix 2006). Although gnatcatchers were clearly not nesting at the time of surveys (the male was chasing the female), and the site does not provide the typical gnatcatcher nest environment (steep slopes in a canyon subject to high noise levels from the adjacent freeway), it is assumed the canyon is part of gnatcatchers' territory. Gnatcatchers could nest in the sage scrub habitat in the MHPA, where portions of the project site lies.

Since a gnatcatcher pair was observed within the MHPA on site during the spring 2006 surveys (Helix 2006), noise levels during construction would generally be required to be below 60 dB hourly Leq. Current noise levels reach 73 dB Leq during peak traffic hours at the eastern edge of the MHPA (Charles Salter and Associates 2006), so the ambient MHPA noise level is currently higher than levels that are typically allowed for new construction. Should the project construction occur during the bird breeding season (March 1 -- August 15) however, focused surveys for this species would be required as outlined in Section V of the Mitigation Monitoring Reporting Program (MMRP) of the Mitigated Negative Declaration (MND).

In addition, trees within the survey area and adjacent to the project site, provide marginal raptor nesting habitat, and their removal would potentially affect raptor nesting habitat. Indirect impacts from construction related noise could result in displacement of sensitive mammals or birds occurring in the canyon below the proposed impact area, which may result in decreased reproductive success or increase mortality. Such indirect impacts to raptors or any federal or state listed species, such as the California gnatcatcher, would be considered significant. There is the potential for raptor species to nest in eucalyptus trees adjacent to the site within the MHPA at the southwesterly site boundaries. Direct and indirect impacts to an active raptor nest are not allowed under the federal Migratory Bird Treaty Act. Indirect impacts to a raptor nest that are generally considered significant include any construction activities within 300 to 500 feet (depending on raptor species) of an active nest. Raptor nest are generally active between (February 1 and July 15). However, the project applicant's compliance with the Migratory Bird Treaty Act and Section 3503 of the California Fish and Game Code would preclude impacts to any active nests.

Vegetation Community	Tier	Impacts (acre[s])	
		Direct	Indirect
Diegan coastal sage scrub	II	0.04	1.51
Non-native vegetation	IV	0.10	0.04
Disturbed habitat	IV	0.04	0.05
Developed land	IV	0.04	0.01
Total		0.22	1.61

Due to existing and proposed development in proximity to the proposed project, on the hospital campus, cumulative impacts were assessed. Although impacts to sensitive biological resources on a project site may not be significant when considered alone, when multiple development projects occur in one area, impacts to sensitive biological resources may be cumulatively significant. If found to be significant, cumulative project impacts to vegetation communities, jurisdictional areas, and sensitive species would need to be mitigated to below a level of significance in accordance with CEQA. The MSCP was promulgated to address direct and cumulative impacts to listed species and species that could become listed in the future. By implementing mitigation measures in accordance with the City's Subarea Plan and Environmentally Sensitive Lands regulations, the MSCP is expected to preserve covered species and habitats at a level that will prevent their extirpation or extinction. By conforming to these mitigation requirements and with the direct impact being so small, any cumulative impacts would remain below a level of significance.

LAND USE

The project proposes an emergency generator that would require periodic testing. An acoustical analysis was conducted entitled, *Children's Hospital and Health Center Noise Mitigation to the MHPA Boundary Acoustical Recommendations*, by Charles M Salter Associates, Inc. dated April 11, 2006 concluded that, without any mitigation features, Emergency Generator Noise (EEG) noise at the MHPA would be as loud as 88 dB at the MHPA boundary, which exceeds the peak traffic hour criterion for noise levels. Therefore, a Boundary Line Adjustment was requested and approved (November 14, 2006) (See Generator Noise-Figure 3)

Approximately 1.55 acres of land within the MHPA would be impacted by the proposed project (0.04-acres direct and 1.51-acres indirect). A boundary line adjustment that was approved by California Department of Fish and Games and U.S. Fish and Wildlife Staff November 14, 2006, would remove that impacted acreage from the MHPA and add 0.14-acres on-site into the MHPA. An additional 0.90-acres would be added to the MHPA in East Elliot, for no net loss of MHPA habitat. (Figure 5; Table 4)

Vegetation Community	MSCP Tier	MHPA Addition			MHPA Subtraction			Net Difference
		On-site	Off-site	Total	Direct Impacts	Indirect Impacts	Total	
Diegan coastal sage scrub	II	0.14	0.90	1.04	0.04	0.87	0.91	+0.13
Non-native vegetation	IV	--			0.09	0.01	0.10	-0.10
Disturbed habitat	IV	--			<0.01	<0.02	0.02	-0.02
Developed	IV				<0.01	<0.01	0.01	-0.01
Total		0.14	0.90	1.04	0.14	0.90	1.04	0.00

In addition, an open space easement will be placed over most of the remaining habitat on site, including 1.04 acres of coastal sage scrub that would be subject to indirect noise impacts, which provides habitat protection for other non-noise sensitive species and plants.

While no net gain in MHPA acreage would occur, the boundary adjustment would increase Tier II habitat (Diegan coastal sage scrub) by 0.13 acre, resulting in higher habitat value within the preserve. Low quality habitats (non-native vegetation, disturbed and developed land) would be removed from the MHPA. The MHPA adjustment removes 0.91 acre of coastal sage scrub from the MHPA on site, and adds only 0.14 acre; however, an open space easement will be placed over the majority of the coastal sage scrub lost from the MHPA designation in the canyon (Figure 5).

Although a fairly substantial area of acreage is proposed for removal from the MHPA, it should be noted that actual direct impacts (0.04 acre) to the MHPA and gnatcatcher habitat are much smaller. Because the project would result in the preservation of 1.04 acre conservation easement on-site within the MHPA, preserve 0.44-acres of DCSS in perpetuity on-site and purchase 0.90-acres of Tier II habitat at East Elliot, the adjustment maintains gnatcatcher habitat on-site and

increases it off-site. The boundary adjustment area at the southeastern portion of the project site would also increase preservation of one covered plant species (San Diego barrel cactus) by increasing the area of barrel cactus within the on-site MHPA.

Vegetation Community	MHPA Addition (acres)	MHPA Subtraction (acres)	Net
Diegan Coastal Sage Scrub	1.04*	0.91	+0.13
Non-native Vegetation	0.00	0.10	-0.10
Disturbed Habitat	0.00	0.02	-0.02
Developed Habitat	0.00	0.01	-0.01
TOTAL	1.04	1.04	0.00

* Includes 0.14 acres onsite and 0.90 offsite

NOISE

Should construction occur during the gnatcatcher breeding season (March 1 through August 15) or during raptor breeding season (generally February 1 through July 15), any nesting gnatcatchers and/or raptors may be disturbed due to noise from construction. Any construction activity within 300 to 500 feet (depending on the species) of an active raptor nest would be considered significant, and construction noise that increases the ambient noise level within the MHPA if gnatcatchers were nesting would be considered significant.

Operational noise from a proposed emergency generator facility could also affect gnatcatchers in the MHPA. Despite assessment of alternative design options, orienting the generator in the least impactful configuration, applying silencers to the generators, and building a noise wall around the site, noise generated by generator testing would be greater than 60 dB in the MHPA (Charles Salter & Associates 2006). Both the 15-minute weekly and monthly one-hour test would produce noise in excess of 60db hourly Leq in the MHPA independently of the noise generated by adjacent I-805. The 15-minute test 60 dB Leq contour would extend to an estimated 130 feet into the MHPA, and the one-hour test would extend the 60dB Leq to an estimated 190 feet into the MHPA (See figure 3). Despite the short duration and temporary nature of the testing in an already very noisy environment, the increased noise in the MHPA occupied by gnatcatchers would be considered significant by the City and would not be allowed without a compensatory MHPA adjustment. A total of 1.51-acres of Diegan coastal sage scrub would be indirectly impacted by operational noise and would require mitigation (See Table 2). Mitigation for noise impacts is under the Land Use and Biological Resources Sections discussed above.

PALEONTOLOGICAL RESOURCES

The project site is underlain by the Lindavista Formation, Stadium Conglomerate, and Mission Valley Formations which exhibits moderate to high paleontological resource sensitivity in the project area. Grading for the proposed project would require excavation and removal of approximately 15,000 cubic yards of cut material, 3,900 cubic yards of fill, and would extend to depths of approximately 16-feet below the surface. According to the *City of San Diego Paleontology Guidelines* (City of San Diego 2002), impacts to paleontological resources are considered potentially significant for areas with a high sensitivity if grading would exceed 1,000 cubic yards and extend to a depth of 10 or more feet. Because project grading would exceed both of these thresholds, the proposed project could result in a potentially significant impact to paleontological resources. Therefore, the project would require paleontological monitoring during grading and excavation activities. The project applicant would be required to implement the mitigation measures as detailed in Section V, MMRP of the attached MND, to reduce project-specific impacts to below a level of significance.

TRANSPORTATION/CIRCULATION

The governing document for the project area, in terms of traffic impacts and mitigation, is the 1994 City of San Diego Long Range Plan for Expansion and Improvement (LRPEI) for Children's Hospital. This document stipulates that several improvements are necessary to be implemented as development projects add traffic to the Children's Hospital area. The proposed acute care facility expansion and emergency generator project would generate project traffic of 1,680 average daily trips (ADT). The total trip generation would remain within "Stage I Threshold of the LRPEI (see Transportation Phasing figure 6).

A project-specific traffic report was prepared by Linscott Law and Greenspan Engineers on October 18, 2006, which analyzed potential traffic impacts at principal intersections and roadways in the project study area concluded that a significant traffic impact would occur at the intersection of Mesa College Drive and Berger Avenue under existing plus cumulative plus project conditions. Additionally, level of service would decrease from LOS (E) to LOS (F) at this intersection.

As mitigation, the proposed project would install a full access traffic signal at the south leg of Berger Avenue and Mesa Drive, including interconnect to the planned Caltrans signal at the north leg of Berger Avenue and Interstate 805 Southbound On-Ramp and Mesa College Drive, satisfactory to the City Engineer. Installation of the traffic signal would reduce traffic impacts to below a level of significance.

Parking requirements for the proposed project are based on the City of San Diego's Land Development Code. The project's parking requirements are 2.0 spaces per bed. Therefore the parking demand for the 84-bed increase is 168 spaces. This parking demand will be accommodated in the 1,035-space parking structure currently under construction on the east side of Children's Way. It was approved by City Council on December 1, 2005 (Project No. 2784). It would provide six-level parking and would be completed in 2007, prior to occupancy of the Acute Care Pavilion. The parking garage would connect to the main campus by a mid-block pedestrian

crossing. Construction of the Acute Care Pavilion would require removal of surface parking (Lot A) resulting in a loss of 356 surface parking spaces (see parking summary below). When the Acute Care Pavilion is completed, 2,225 on-site parking spaces would be available to the entire Children's Hospital Campus. The proposed project would provide sufficient on campus parking.

**TABLE 5
CHILDREN'S HOSPITAL PARKING SUMMARY ^a**

Parking Lot	Current (2005)	Projected (2012)	Projected (2030) ^b
Lot A	356	0	0
Lot E	23	23	0
OHS	2	2	0
Bldg. 14/19	11	11	0
Lot C & D	170	170	117
North Structure	998	998	998
South Structure (proposed)	0	1,035	1,035
National Guard Armory Shuttle (offsite)	200	0	0
TOTAL	1,760	2,239	2,150

Footnotes:

- a. Source: Parking summary obtained from Children's Hospital.
- b. Estimated parking. Parking beyond 2012 may be augmented, as needed depending on future development.

The following issue was considered during review and determined not to be significant:

HYDROLOGY/WATER QUALITY

A water quality technical report entitled, *Water Quality Technical Report, Children Hospital and Health Center-Acute Care Addition* was prepared for the proposed project by RBF Consulting dated March 10, 2006, additionally, an associated preliminary drainage report entitled, *Preliminary Hydrology Study for Conditional Use Permit Children Hospital and Health Center Acute Care Pavilion San Diego* was also prepared for the proposed project by RBF Consulting, dated March 10, 2006. The proposed project is located in the 434-square mile San Diego watershed (HAS 907.1), the project site is connected via storm drain to an unnamed tributary of Murray Canyon Creek, which is connected to the San Diego River. The San Diego River is downstream of the site, approximately 1.3 miles to the south. Adjacent land use consists of mostly commercial/industrial zoning. According to the referenced reports, the proposed project would decrease the amount of impervious area on the project site. The amount of impervious area on the site is approximately 2.51-acres.

Under the existing conditions the site captures runoff at three separate storm drains structures around the site. The site receives no offsite runoff. The proposed facilities managing runoff from the site include: on site drainage facilities that would convey runoff towards existing 30" RCP storm drain that crosses Birmingham Way south of the site and 24" RCP storm drain east of the facility crossing Children's Way. BMPs identified as feasible for this project include stormwater treatment units (i.e. Stormceptor) and fossil filters.

The site is not expected to generate significant amounts of pollutants. However, the following constituents are commonly found on similar developments and could affect water quality:

- Pesticides and nutrients from landscaped areas.
- Sediment discharge and oxygen demand due to construction activities and post-construction areas left bare.
- Trash and debris deposited in the drain inlets and hydrocarbons from paved areas.
- Oils and grease
- Oxygen demanding substances

The most immediate receiving water for the project site is Murray Canyon Creek. According to the California 2002 303(d) list published by the San Diego Regional Water Quality Control Board (RWQCB Region 9), Murray Canyon Creek is not listed as an impaired water body. Downstream are the San Diego River and the Pacific Ocean. The mouth of the San Diego River is listed as impaired for high Coliform and Bacteria and the Pacific Ocean for bacteria indicators.

Comprehensive, permanent post-construction water quality best management practices (BMP's), consistent with those detailed in the Water Quality Technical Report, would be incorporated into the project plans to reduce the amount of pollutants (i.e., oil, grease, heavy metals) and sediments discharged from the site, satisfactorily to the City Engineer. Compliance with the City of San Diego's Storm Water Standards would avoid or reduce water quality impacts to below a level of significance.

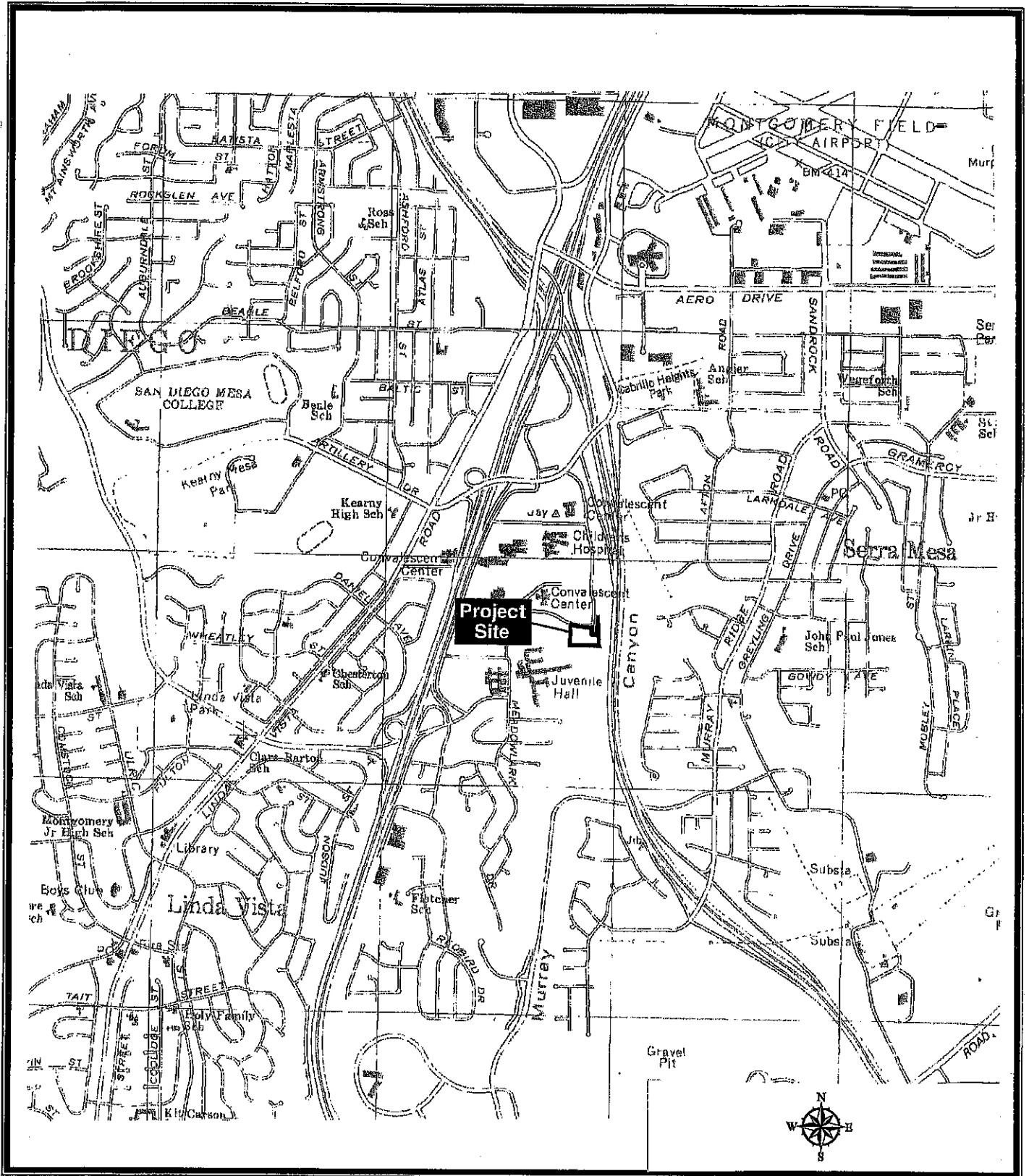
V. RECOMMENDATION:

On the basis of this initial evaluation:

- The proposed project would not have a significant effect on the environment, and a **NEGATIVE DECLARATION SHOULD BE PREPARED**.
- Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described in Section IV above have been added to the project. A **MITIGATED NEGATIVE DECLARATION** should be prepared.
- The proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** should be required.

PROJECT ANALYST: Herbert Warren

Attachments: Figure 1: Location Map
Figure 2: Site Plan
Figure 3: Building Plan
Figure 4: Elevations
Figure 5: MHPA
Figure 6: Transportation Phasing
Initial Study Checklist



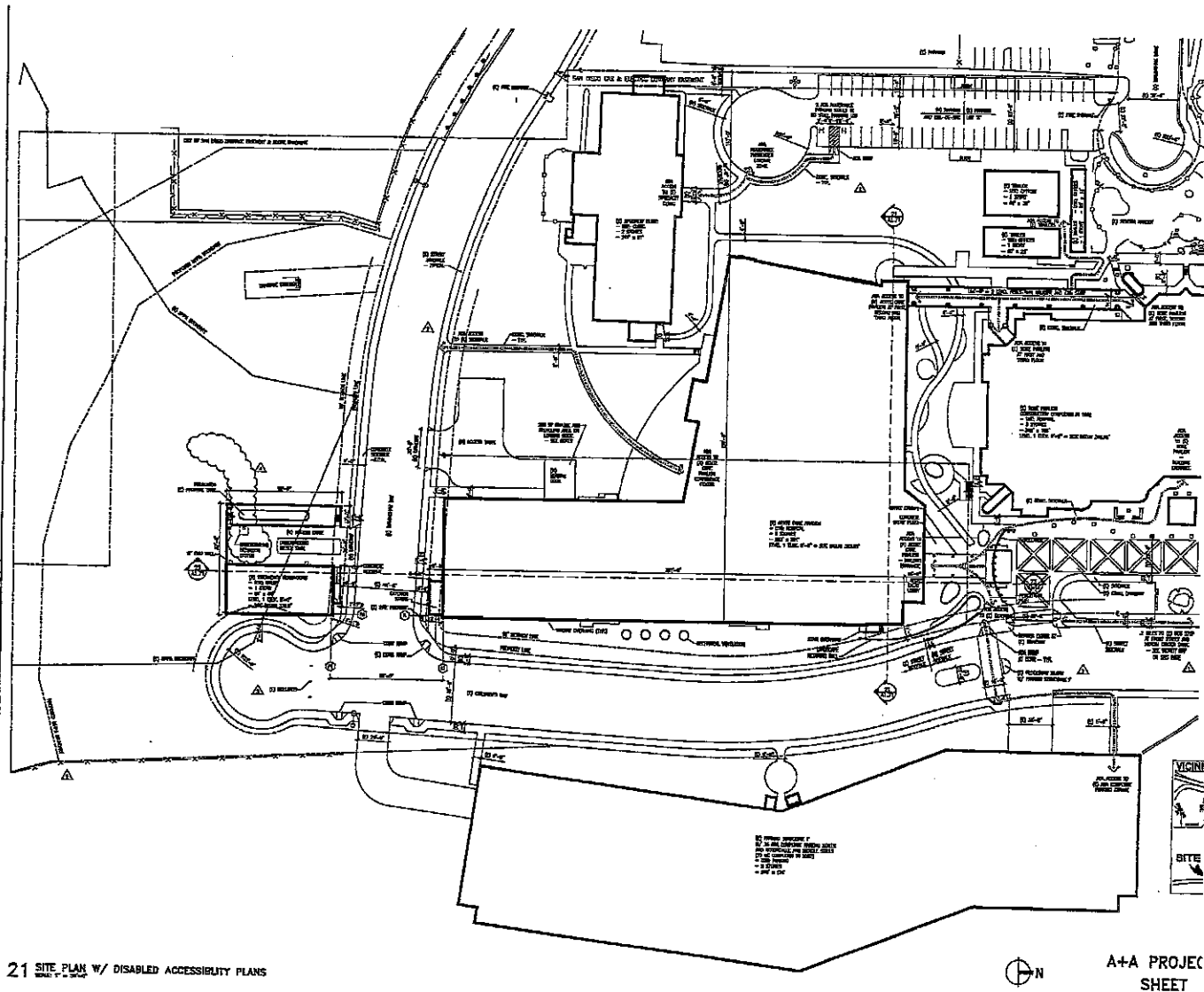
Children's Hospital Acute Care Expansion and Emergency Generator Facility

Location Map

Environmental Analysis Section. Project No. 84791
CITY OF SAN DIEGO · DEVELOPMENT SERVICES

Figure

1



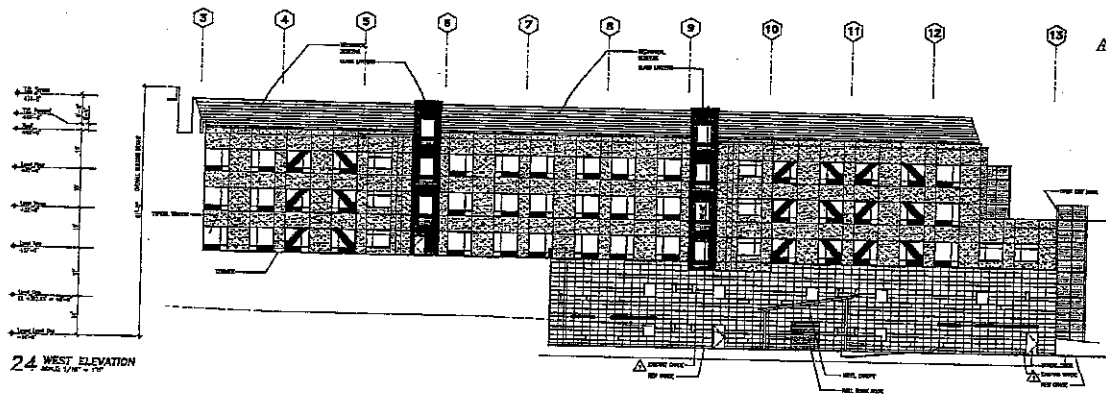
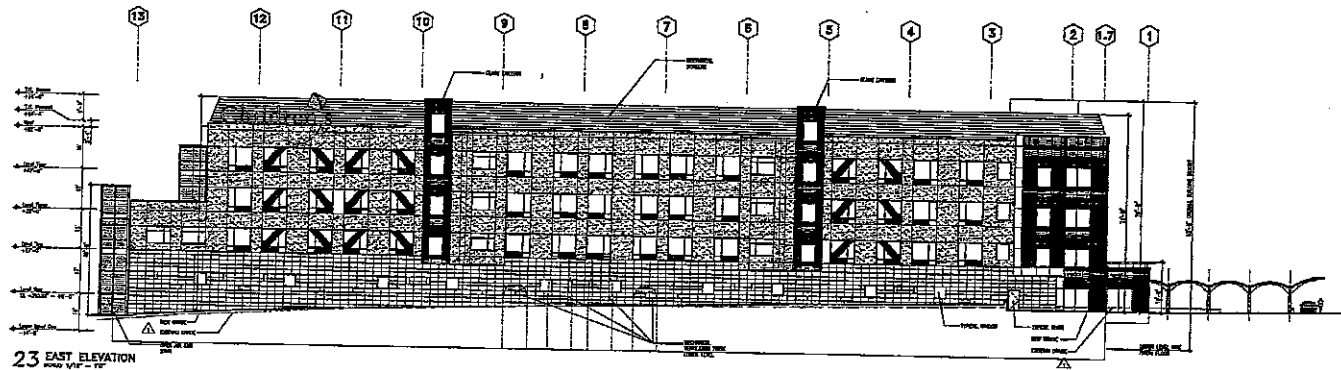
Children's Hospital Acute Care Expansion and Emergency Generator Facility



Site Plan

Environmental Analysis Section - Project No. 84791
CITY OF SAN DIEGO · DEVELOPMENT SERVICE

Figure
2



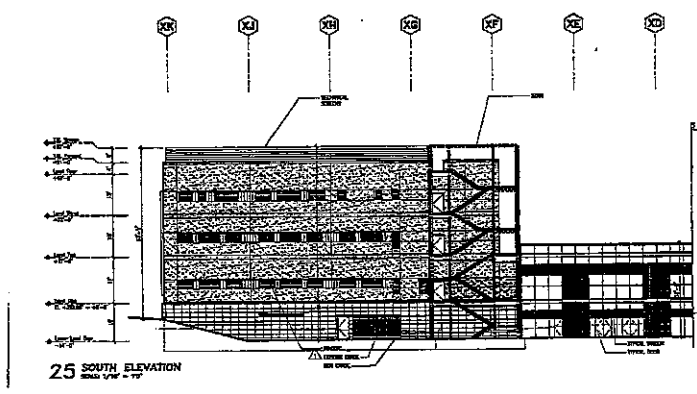
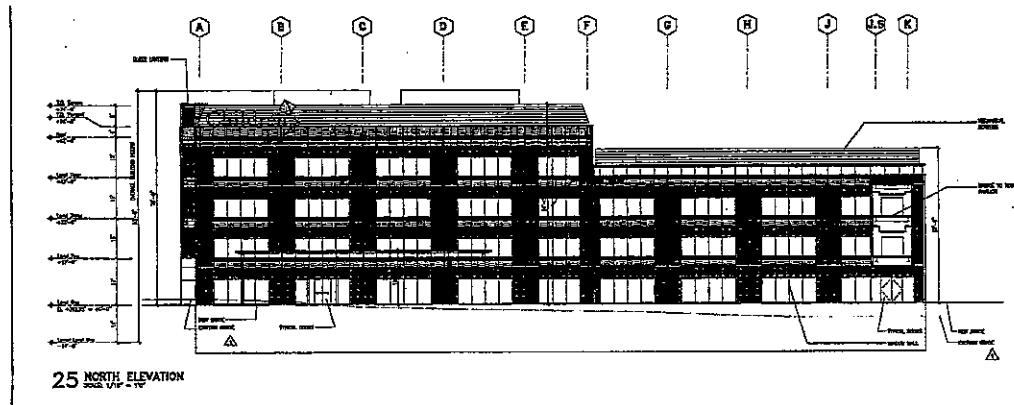
Children's Hospital Acute Care Expansion and Emergency Generator Facility



Elevations

Environmental Analysis Section - Project No. 84791
CITY OF SAN DIEGO · DEVELOPMENT SERVICES

Figure
3



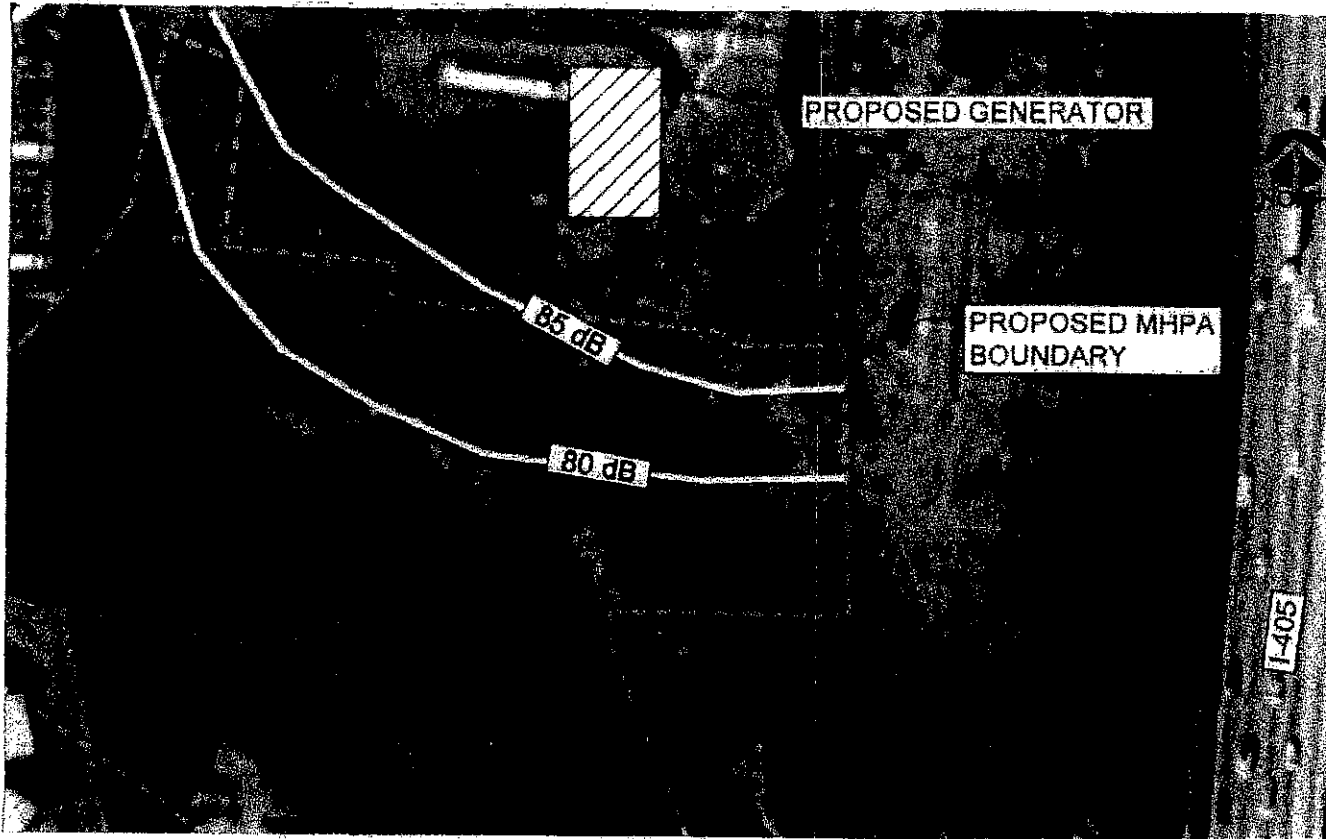
Children's Hospital Acute Care Expansion and Emergency Generator Facility



Elevations

Environmental Analysis Section - Project No. 84791
 CITY OF SAN DIEGO · DEVELOPMENT SERVICES

Figure
3



Children's Hospital Acute Care Expansion and Emergency Generator Facility



Generator Noise

Environmental Analysis Section - Project No. 84791
CITY OF SAN DIEGO · DEVELOPMENT SERVICES

Figure
4

LEGEND

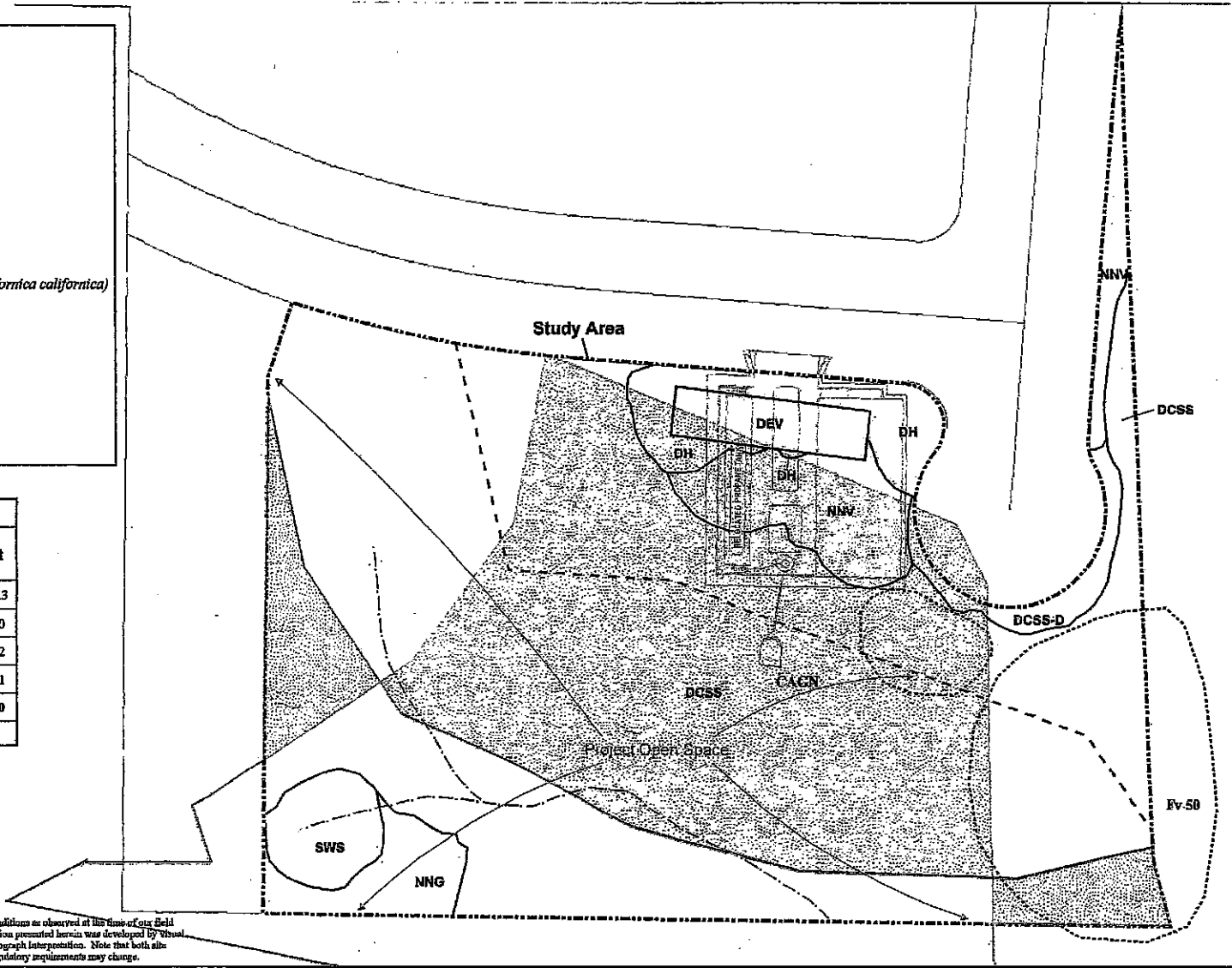
- Vegetation**
SWS Southern Willow Scrub
DCSS Diegan Coastal Sage Scrub
DCSS-D Diegan Coastal Sage Scrub Disturbed
NNG Non-native Grassland
NNV Non-native Vegetation
DH Disturbed Habitat
DEV Developed

- Sensitive Resources**
VI San Diego County Sunflower (*Viguiera laciniata*)
Fv San Diego Barrel Cactus (*Ferocactus viridescens*)
CAGN Coastal California Gnatcatcher Pair (*Polyptilla californica californica*)

- Extent of Sensitive Resource
 - - - Direct Project Impacts
 Existing MHPA
 Project Impacts to MHPA (MHPA Subtraction)
 MHPA Addition
 Proposed MHPA Boundary
 Drainage Feature

MHPA Boundary Adjustment			
Vegetation Community	MHPA Addition (acres)	MHPA Subtraction (acres)	Net
Diegan Coastal Sage Scrub	1.04*	0.91	+0.13
Non-native Vegetation	0.00	0.10	-0.10
Disturbed Habitat	0.00	0.02	-0.02
Developed Habitat	0.00	0.01	-0.01
Total	1.04	1.04	0.00

* Initial = 0.14 acres within and 0.50 outside



50 25 0 50 Feet

Job No: CHC-04 Date: 06/13/05

Note: This map is based on site conditions as observed at the time of our field investigations. The information presented herein was developed by visual inspection and/or aerial photograph interpretation. Note that both site conditions and applicable regulatory requirements may change.

Vegetation and Sensitive Resources/MHPA Adjustment

Children's Hospital Acute Care Expansion and Emergency Generator Facility

Vegetation/MHPA Adjustment
Environmental Analysis Section - Project No. 84791
CITY OF SAN DIEGO · DEVELOPMENT SERVICES

Figure 5

TRANSPORTATION PHASING

PROPOSED IMPROVEMENTS

EXISTING CONDITION

STAGE I - 9,946 ADT

<p>1-1 GENESEE AVENUE/SR 163/HEALTH CENTER DRIVE</p> <ul style="list-style-type: none"> • <u>Restripe the SR-163 southbound off-ramp at Genesee Avenue</u> to provide an exclusive right turn lane, a shared right turn/left turn lane, and an exclusive left-turn lane. • <u>Restripe Genesee Avenue under the SR-163 overpass</u> to provide two lanes eastbound as well as westbound. Restripe and widen east of the bridge to provide three lanes eastbound to Health Center Drive. • <u>Prohibit southbound to eastbound left turns from Health Center Drive to Starling Drive (Genesee Avenue)</u> during the afternoon peak period. 	<ul style="list-style-type: none"> • Two right turn lanes and one left turn lane on southbound off-ramp. • Genesee Avenue Westbound - Two lanes. Genesee Avenue Eastbound - One lane under the bridge, two lanes east of northbound 163 off-ramp to Genesee Avenue East. • No prohibition.
<p>1-2 MESA COLLEGE DRIVE/I-805</p> <ul style="list-style-type: none"> • <u>Signalize the intersection of Mesa College Drive/I-805 Southbound on-ramp.</u> • <u>Provide an exclusive eastbound right turn lane on Mesa College Drive at the I-805 southbound on-ramp,</u> in addition to two eastbound through lanes. The center (through) lane should permit eastbound right turns by high occupancy vehicles from Mesa College Drive to I-805 southbound. The I-805 on-ramp should be modified to enable the delivery of two right turn lanes from Mesa College Drive. This improvement will require coordination with and the approval of Caltrans since it involves a freeway improvement. 	<ul style="list-style-type: none"> • Mesa College Drive Eastbound - One through lane; one shared through/right turn lane. • 805 Southbound On-Ramp - One general use lane; one H.O.V. lane.
<p>1-3 MESA COLLEGE DRIVE/HEALTH CENTER DRIVE</p> <ul style="list-style-type: none"> • <u>Restripe the northbound approach on Health Center Drive at the intersection of Health Center Drive/Mesa College Drive</u> to provide one left turn lane, one center shared left turn/right turn/through lane and one right turn lane. 	<ul style="list-style-type: none"> • Two left turn lanes, one shared through/right turn on Health Center Drive.

Children's Hospital Acute Care Expansion and Emergency Generator Facility

Initial Study Checklist

Date:	October 23, 2006
Project No.:	84791
Name of Project:	Children's Hospital Acute Care Pavilion Expansion and Emergency Generator

III. ENVIRONMENTAL ANALYSIS:

The purpose of the Initial Study is to identify the potential for significant environmental impacts which could be associated with a project pursuant to Section 15063 of the State CEQA Guidelines. In addition, the Initial Study provides the lead agency with information which forms the basis for deciding whether to prepare an Environmental Impact Report, Negative Declaration or Mitigated Negative Declaration. This Checklist provides a means to facilitate early environmental assessment. However, subsequent to this preliminary review, modifications to the project may mitigate adverse impacts. All answers of "yes" and "maybe" indicate that there is a potential for significant environmental impacts and these determinations are explained in Section IV of the Initial Study.

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
I. AESTHETICS / NEIGHBORHOOD CHARACTER – Will the proposal result in:			
A. The obstruction of any vista or scenic view from a public viewing area? <u>No designated public vista or scenic views are identified on the project site.</u>	—	—	<u>X</u>
B. The creation of a negative aesthetic Site or project? <u>No such negative aesthetic site would be created by the proposed project.</u>	—	—	<u>X</u>
C. Project bulk, scale, materials, or style which would be incompatible with surrounding development? <u>The proposed bulk, scale, materials and style of the project would be compatible with the surrounding</u>	—	—	<u>X</u>

**development and consistent with the
Serra Mesa Community Plan and
Development Guidelines.**

- | | | | | |
|----|--|---|---|----------|
| D. | Substantial alteration to the existing character of the area?
<u>See I.C.</u> | — | — | <u>X</u> |
| E. | The loss of any distinctive or landmark tree(s), or a stand of mature trees?
<u>No such distinctive landmark tree or stand of mature trees exists on the site.</u> | — | — | <u>X</u> |
| F. | Substantial change in topography or ground surface relief features?
<u>No such changes would result.</u> | — | — | <u>X</u> |
| G. | The loss, covering or modification of any unique geologic or physical features such as a natural canyon, sandstone bluff, rock outcrop, or hillside with a slope in excess of 25 percent?
<u>No such unique geological or physical features exist on the site.</u> | — | — | <u>X</u> |
| H. | Substantial light or glare?
<u>The project would not create substantial light or glare.</u> | — | — | <u>X</u> |
| I. | Substantial shading of other properties?
<u>The proposed project would not result in substantial shading of adjacent properties.</u> | — | — | <u>X</u> |

II. AGRICULTURE RESOURCES / NATURAL RESOURCES / MINERAL RESOURCES – Would the proposal result in:

- | | | | | |
|----|---|---|---|----------|
| A. | The loss of availability of a known mineral resource (e.g., sand or gravel) that would be of value to the region and the residents of the state?
<u>The project site is within an urban area and is not suitable for mining of mineral resources.</u> | — | — | <u>X</u> |
|----|---|---|---|----------|

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
B. The conversion of agricultural land to nonagricultural use or impairment of the agricultural productivity of agricultural land? <u>The project site is located within an urbanized area. No such agricultural lands exist on-site.</u>	—	—	<u>X</u>
 III. AIR QUALITY – Would the proposal:			
A. Conflict with or obstruct implementation of the applicable air quality plan? <u>The proposed project would not conflict with or obstruct implementation of applicable air quality plan.</u>	—	—	<u>X</u>
B. Violate any air quality standard or contribute substantially to an existing or projected air quality violation? <u>The proposed project could result in temporary emissions such as dust from grading operations. However, standard dust control practices would be implemented during grading and construction operations.</u>	—	—	<u>X</u>
C. Expose sensitive receptors to substantial pollutant concentrations? <u>See III.A and B above.</u>	—	—	<u>X</u>
D. Create objectionable odors affecting a substantial number of people? <u>See III.A and B above.</u>	—	—	<u>X</u>
E. Exceed 100 pounds per day of Particulate Matter 10 (dust)? <u>See III.A and B above.</u>	—	—	<u>X</u>
F. Alter air movement in the area of the project? <u>The five story building structure would not alter the air movement of the area.</u>	—	—	<u>X</u>
G. Cause a substantial alteration in moisture, or temperature, or any change in climate, either locally or regionally? <u>The project would not cause such alterations.</u>	—	—	<u>X</u>

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
IV. BIOLOGY – Would the proposal result in:			
A. A reduction in the number of any unique, rare, endangered, sensitive, or fully protected species of plants or animals? <u>The project would directly impact Diegan Coastal Sage Scrub, a Tier II sensitive habitat, Non-native Grassland, Tier III-B sensitive habitat and disturbed wetlands. A biological resources report would be required. See Initial Study discussion, Section IV, Biological Resources.</u>	—	<u>X</u>	—
B. A substantial change in the diversity of any species of animals or plants? <u>See IV.A above.</u>	—	<u>X</u>	—
C. Introduction of invasive species of plants into the area? <u>Any project landscaping would adhere to the City's Landscaping Standards.</u>	—	—	<u>X</u>
D. Interference with the movement of any resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors? <u>No such corridors exist on-site.</u>	—	—	<u>X</u>
E. An impact to a sensitive habitat, including, but not limited to streamside vegetation, aquatic, riparian, oak woodland, coastal sage scrub or chaparral? <u>See IV.A.</u>	—	<u>X</u>	—
F. An impact on City, State, or federally regulated wetlands (including, but not limited to, coastal salt marsh, vernal pool, lagoon, coastal, etc.) through direct removal, filling, hydrological interruption or other means? <u>See IV.A.</u>	—	<u>X</u>	—
G. Conflict with the provisions of the City's Multiple Species Conservation Program Subarea Plan or other approved local, regional or state habitat conservation			

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
plan?	—	<u>X</u>	—

The proposed project site is partially within the MHPA and would have to comply with the MSCP. See Initial Study discussion, Section IV, Biological Resources.

V. ENERGY – Would the proposal:

A. Result in the use of excessive amounts of fuel or energy (e.g. natural gas)?	—	—	<u>X</u>
<u>Project would not result in the use of excessive amounts of fuel or energy. Standard consumption is expected.</u>			

B. Result in the use of excessive amounts of power?	—	—	<u>X</u>
<u>See V.A.</u>			

VI. GEOLOGY/SOILS – Would the proposal:

A. Expose people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards?	—	—	<u>X</u>
<u>According to the City's Seismic Safety Study Maps, the project site lies within the geologic hazard category No. 52 with favorable geologic structure, low risk.</u>			

B. Result in a substantial increase in wind or water erosion of soils, either on or off the site?	—	—	<u>X</u>
<u>No such increase would result, either on- or off-site from the proposed project.</u>			

C. Be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	—	—	<u>X</u>
<u>See IV.A above.</u>			

VII. HISTORICAL RESOURCES – Would the proposal result in:

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
A. Alteration of or the destruction of a prehistoric or historic archaeological site? <u>The project site is located outside of the City's mapped historical resources sensitivity area and no archaeological resources were identified within the proposed project area.</u>	—	—	<u>X</u>
B. Adverse physical or aesthetic effects to a prehistoric or historic building, structure, object, or site? <u>See VII.A.</u>	—	—	<u>X</u>
C. Adverse physical or aesthetic effects to an architecturally significant building, structure, or object? <u>See VII.A.</u>	—	—	<u>X</u>
D. Any impact to existing religious or sacred uses within the potential impact area? <u>See VII.A.</u>	—	—	<u>X</u>
E. The disturbance of any human remains, including those interred outside of formal cemeteries? <u>See VII.A.</u>	—	—	<u>X</u>
VIII. HUMAN HEALTH / PUBLIC SAFETY / HAZARDOUS MATERIALS: Would the proposal:			
A. Create any known health hazard (excluding mental health)? <u>The project proposes to extend an existing hospital facility, hazardous materials business plan for Rady Children's Hospital is currently being implemented. No health hazards would occur.</u>	—	—	<u>X</u>
B. Expose people or the environment to a significant hazard through the routine transport, use or disposal of hazardous materials? <u>See VIII.A.</u>	—	—	<u>X</u>

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
C. Create a future risk of an explosion or the release of hazardous substances (including but not limited to gas, oil, pesticides, chemicals, radiation, or explosives)? <u>See VIII.A.</u>	—	—	<u>X</u>
D. Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan? <u>No such impairment or interference with plan would result from the project.</u>	—	—	<u>X</u>
E. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or environment? <u>The proposed project site is not located on any such hazardous materials sites.</u>	—	—	<u>X</u>
F. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? <u>No such significant public hazard would be created.</u>	—	—	<u>X</u>

IX. HYDROLOGY/WATER QUALITY – Would the proposal result in:

A. An increase in pollutant discharges, including down stream sedimentation, to receiving waters during or following construction? Consider water quality parameters such as temperature dissolved oxygen, turbidity and other typical storm water pollutants. <u>The proposed project is required to comply with City's stormwater regulations. See Initial Study discussion, Section IV, Hydrology/Water Quality.</u>	—	—	<u>X</u>
B. An increase in impervious surfaces and associated increased runoff? <u>See IX.A.</u>	—	—	<u>X</u>
C. Substantial alteration to on- and off-site drainage patterns due to changes in runoff flow rates or volumes?	—	—	<u>X</u>

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
<u>No substantial alterations in drainage patterns would result .</u>			
D. Discharge of identified pollutants to an already impaired water body (as listed on the Clean Water Act Section 303 (d) lists)? <u>The proposed project would not discharge into such impaired water body. See Initial Study discussion, Section IV, Hydrology/Water Quality.</u>	—	—	<u>X</u>
E. A potentially significant adverse impact on ground water quality? <u>See IX.A.</u>	—	—	<u>X</u>
F. Cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses? <u>See IX.A.</u>	—	—	<u>X</u>
X. LAND USE – Would the proposal result in:			
A. A land use which is inconsistent with the adopted community plan land use designation for the site or conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over a project? <u>The proposed project would be consistent with all jurisdictional land use plans including the Serra Mesa Community Plan.</u>	—	—	<u>X</u>
B. A conflict with the goals, objectives and recommendations of the community plan in which it is located? <u>See X.A.</u>	—	—	<u>X</u>
C. A conflict with adopted environmental plans, including applicable habitat conservation plans adopted for the purpose of avoiding or mitigating an environmental effect for the area? <u>Portions of the proposed project lies within the MHPA and would have to comply with MSCP Adjacency Guidelines. See Initial Study discussion, Section IV, Biological Resources.</u>	—	<u>X</u>	—

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
D. Physically divide an established community? <u>The proposed project would not divide a community.</u>	—	—	<u>X</u>
E. Land uses which are not compatible with aircraft accident potential as defined by an adopted Airport Land Use Compatibility Plan? <u>The proposed project site is not located within an Airport Land Use Compatibility Plan.</u>	—	—	<u>X</u>
XI. NOISE – Would the proposal result in:			
A. A significant increase in the existing ambient noise levels? <u>A temporary increase in noise may occur during project construction. Additionally, operational noise due to periodic emergency generator testing may increase existing ambient noise levels. See Initial Study discussion, Section IV, Noise.</u>	—	<u>X</u>	—
B. Exposure of people to noise levels which exceed the City's adopted noise ordinance? <u>See XI.A above.</u>	—	—	<u>X</u>
C. Exposure of people to current or future transportation noise levels which exceed standards established in the Transportation Element of the General Plan or an adopted Airport Land Use Compatibility Plan? <u>No such exposures would result from the proposed project.</u>	—	—	<u>X</u>
XII. PALEONTOLOGICAL RESOURCES: Would the proposal impact a unique paleontological resource or site or unique geologic feature? <u>The proposed project is underlain with the geologic Lindavista, Stadium Conglomerate, and Mission Valley Formations which have been assigned moderate to high fossil resource potential. Paleontological monitoring</u>			
	—	<u>X</u>	—

would be required as the site may have significant paleontological resources. See Mitigation, Monitoring and Reporting Program (MMRP), Section V and Initial Study discussion, Section IV, Paleontological Resources.

Yes Maybe No

XIII. POPULATION AND HOUSING – Would the proposal:

A. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

The proposed project would not induce population growth.

— — X

B. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

The proposed project would not displace any housing.

— — X

C. Alter the planned location, distribution, density or growth rate of the population of an area?

The proposed project would not alter the population characteristics of the community.

— — X

XIV. PUBLIC SERVICES – Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service level ratios, response times or other performance objectives for any of the public services:

A. Fire protection?
Is Provided.

— — X

B. Police protection?
Is Provided.

— — X

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
C. Schools? <u>The project is an expansion to an existing hospital. No such impacts would result.</u>	—	—	<u>X</u>
D. Parks or other recreational facilities? <u>See XIV. C.</u>	—	—	<u>X</u>
E. Maintenance of public facilities, including roads? <u>Development Impact Fees are required for the proposed project.</u>	—	—	<u>X</u>
F. Other governmental services? <u>See XIV. C.</u>	—	—	<u>X</u>
XV. RECREATIONAL RESOURCES – Would the proposal result in:			
A. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? <u>No such substantial physical deterioration of facilities would result with proposed hospital use.</u>	—	—	<u>X</u>
B. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? <u>The proposed project would not require construction of recreation facilities.</u>	—	—	<u>X</u>
XVI. TRANSPORTATION/CIRCULATION – Would the proposal result in:			
A. Traffic generation in excess of specific/community plan allocation? <u>The proposed project would cause negative impacts to traffic at the south leg of Berger Avenue and Mesa Drive. See Initial Study discussion, Section IV, Transportation/Circulation.</u>	—	<u>X</u>	—

- | | |
|---|---------------------------------|
| <p>B. An increase in projected traffic which is substantial in relation to the existing traffic load and capacity of the street system?
<u>See XVI.A.</u></p> | <p>— <u> X </u> —</p> |
| <p>C. An increased demand for off-site parking?
<u>All required parking would be provided on-site.</u></p> | <p>— — <u> X </u></p> |
| <p>D. Effects on existing parking?
<u>The project would remove an existing parking lot. See Initial Study discussion, Section IV, Transportation.</u></p> | <p>— <u> X </u> —</p> |
| <p>E. Substantial impact upon existing or planned transportation systems?
<u>No such impact would occur.</u></p> | <p>— — <u> X </u></p> |
| <p>F. Alterations to present circulation movements including effects on existing public access to beaches, parks, or other open space areas?
<u>No such access exists on site.</u></p> | <p>— — <u> X </u></p> |
| <p>G. Increase in traffic hazards for motor vehicles, bicyclists or pedestrians due to a proposed, non-standard design feature (e.g., poor sight distance or driveway onto an access-restricted roadway)?
<u>Implementation of the proposed project would not increase traffic hazards.</u></p> | <p>— — <u> X </u></p> |
| <p>H. A conflict with adopted policies, plans or programs supporting alternative transportation models (e.g., bus turnouts, bicycle racks)?
<u>The project would not conflict with any such plans or programs.</u></p> | <p>— — <u> X </u></p> |

XVII. UTILITIES

Would the proposal result in a need for new systems, or require substantial alterations to existing utilities, including:

- | | |
|--|---------------------------------|
| <p>A. Natural gas?
<u>Is provided.</u></p> | <p>— — <u> X </u></p> |
|--|---------------------------------|

- | | | | |
|---|---|---|----------|
| B. Communications systems?
<u>Is provided.</u> | — | — | <u>X</u> |
| C. Water?
<u>Is provided.</u> | — | — | <u>X</u> |
| D. Sewer?
<u>Is provided.</u> | — | — | <u>X</u> |
| E. Storm water drainage?
<u>The proposed project would require construction of a partial storm water drainage system which would connect to the existing drainage system, and would comply with City's Regulations.</u> | — | — | <u>X</u> |
| F. Solid waste disposal?
<u>Is Provided.</u> | — | — | <u>X</u> |

XVIII. WATER CONSERVATION – Would the proposal result in:

- | | | | |
|---|---|---|----------|
| A. Use of excessive amounts of water?
<u>The proposed project would not result in excessive water use.</u> | — | — | <u>X</u> |
| B. Landscaping which is predominantly non-drought resistant vegetation?
<u>Required landscaping would be consistent with the City's Landscaping Manual.</u> | — | — | <u>X</u> |

XIX. MANDATORY FINDINGS OF SIGNIFICANCE:

- | | | | |
|---|---|----------|---|
| A. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?
<u>There is a potential for impacts to biological resources, paleontological resources, transportation/circulation.</u> | — | <u>X</u> | — |
|---|---|----------|---|

Yes Maybe No

land use and noise. See Initial Study discussion, Section IV, Biological Resources Paleontological Resources, Transportation/Circulation, Land Use and Noise.

- B. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time while long-term impacts would endure well into the future.)

— — X

Project would not have the potential to achieve short-term, to the disadvantage of the long-term, environmental goals.

- C. Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environment are significant.)

— — —

The project considered cumulative impacts. Compliance to the mitigation measures outlined in the MMRP Section of this MND would be required. See Initial Study Discussion, Section IV, Biological Resources.

- D. Does the project have environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly?

— — X

The project would not have environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly.

INITIAL STUDY CHECKLIST

REFERENCES

I. Aesthetics / Neighborhood Character

City of San Diego Progress Guide and General Plan.

Community Plan.

Local Coastal Plan.

II. Agricultural Resources / Natural Resources / Mineral Resources

City of San Diego Progress Guide and General Plan.

U.S. Department of Agriculture, Soil Survey - San Diego Area, California, Part I and II, 1973.

California Department of Conservation - Division of Mines and Geology, Mineral Land Classification.

Division of Mines and Geology, Special Report 153 - Significant Resources Maps.

Site Specific Report:

III. Air N/A

California Clean Air Act Guidelines (Indirect Source Control Programs) 1990.

Regional Air Quality Strategies (RAQS) - APCD.

Site Specific Report:

IV. Biology

City of San Diego, Multiple Species Conservation Program (MSCP), Subarea Plan, 1997

City of San Diego, MSCP, "Vegetation Communities with Sensitive Species and Vernal Pools" maps, 1996.

X City of San Diego, MSCP, "Multiple Habitat Planning Area" maps, 1997.

___ Community Plan - Resource Element.

___ California Department of Fish and Game, California Natural Diversity Database, "State and Federally-listed Endangered, Threatened, and Rare Plants of California,"
January
2001.

___ California Department of Fish & Game, California Natural Diversity Database, "State and Federally-listed Endangered and Threatened Animals of California,"
January 2001.

X City of San Diego Land Development Code Biology Guidelines.

X Site Specific Report:
Children's Hospital Emergency Generator Facility; Biological Technical Report Project #84791, Revised June 14, 2006 (Helix Environmental Planning, Inc.).

V. Energy N/A

VI. Geology/Soils

X City of San Diego Seismic Safety Study.

X U.S. Department of Agriculture Soil Survey - San Diego Area, California, Part I and II, December 1973 and Part III, 1975.

___ Site Specific Report:

VII. Historical Resources

X City of San Diego Historical Resources Guidelines.

X City of San Diego Archaeology Library.

___ Historical Resources Board List.

___ Community Historical Survey:

___ Site Specific Report:

VIII. Human Health / Public Safety / Hazardous Materials

- San Diego County Hazardous Materials Environmental Assessment Listing, 2006.
- San Diego County Hazardous Materials Management Division
- FAA Determination
- State Assessment and Mitigation, Unauthorized Release Listing, Public Use Authorized 1995.
- Airport Comprehensive Land Use Plan.
- Site Specific Report:

IX. Hydrology/Water Quality

- Flood Insurance Rate Map (FIRM).
- Federal Emergency Management Agency (FEMA), National Flood Insurance Program - Flood Boundary and Floodway Map.
- Clean Water Act Section 303(b) list, dated May 19, 1999, http://www.swrcb.ca.gov/tmdl/303d_lists.html.
- Site Specific Report:

Water Quality Technical Report; Children's Hospital and Health Center-Acute Care Addition, March 10, 2006. Preliminary Hydrology Study for Conditional Use Permit Children's Hospital and Health Center Acute Care Pavilion March 10, 2006, RBF Consulting.

X. Land Use

- City of San Diego Progress Guide and General Plan.
- Community Plan.
- Airport Comprehensive Land Use Plan
- City of San Diego Zoning Maps

___ FAA Determination

XI. Noise

X Community Plan

X Site Specific Report:
Children's Hospital and Health Center Noise Mitigation to the MHPA Boundary
Acoustical
Recommendations, June 2, 2006, Charles M. Salter Associates Inc.

___ San Diego International Airport - Lindbergh Field CNEL Maps.

___ Brown Field Airport Master Plan CNEL Maps.

X Montgomery Field CNEL Maps.

___ San Diego Association of Governments - San Diego Regional Average Weekday Traffic Volumes.

___ San Diego Metropolitan Area Average Weekday Traffic Volume Maps, SANDAG.

___ City of San Diego Progress Guide and General Plan.

XII. Paleontological Resources

X City of San Diego Paleontological Guidelines.

___ Deméré, Thomas A., and Stephen L. Walsh, "Paleontological Resources City of San Diego," Department of Paleontology San Diego Natural History Museum, 1996.

X Kennedy, Michael P., and Gary L. Peterson, "Geology of the San Diego Metropolitan Area, California. Del Mar, La Jolla, Point Loma, La Mesa, Poway, and SW 1/4 Escondido 7 1/2 Minute Quadrangles," California Division of Mines and Geology Bulletin 200, Sacramento, 1975.

___ Kennedy, Michael P., and Siang S. Tan, "Geology of National City, Imperial Beach and Otay Mesa Quadrangles, Southern San Diego Metropolitan Area, California," Map Sheet 29, 1977.

___ Site Specific Report:

XIII. Population / Housing

___ City of San Diego Progress Guide and General Plan.

X Community Plan.

___ Series 8 Population Forecasts, SANDAG.

___ Other

XIV. Public Services

___ City of San Diego Progress Guide and General Plan.

X Community Plan.

XV. Recreational Resources

___ City of San Diego Progress Guide and General Plan.

X Community Plan.

___ Department of Park and Recreation

___ City of San Diego - San Diego Regional Bicycling Map

___ Additional Resources:

XVI. Transportation / Circulation

___ City of San Diego Progress Guide and General Plan.

X Community Plan.

___ San Diego Metropolitan Area Average Weekday Traffic Volume Maps, SANDAG.

___ San Diego Region Weekday Traffic Volumes, SANDAG.

X Site Specific Report: Traffic Analysis Children's Hospital Acute Care Pavilion October 18, 2006, Linscott Law And Greenspan Engineers.

XVII. Utilities N/A

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XVIII. Water Conservation N/A

— Sunset Magazine, New Western Garden Book. Rev. ed. Menlo Park, CA: Sunset Magazine.

Revised 01/04

