



THE CITY OF SAN DIEGO

ENVIRONMENTAL IMPACT REPORT

Project No. 240716
SCH No. 2015081031

SUBJECT: Carroll Canyon-Mixed Use: GENERAL PLAN/COMMUNITY PLAN AMENDMENT, REZONE, VESTING TENTATIVE MAP and PLANNED DEVELOPMENT PERMIT. The project proposes demolition of on-site office buildings and redevelopment of the project site with a mixed-use development that would include up to 260 multi-family residential units and approximately 10,700 square feet of commercial retail space. The project proposes several buildings that would accommodate residential units, small retail stores, and restaurants. The multi-family residential buildings would be located in the northern three-fourths of the site. Retail/restaurant pads would be located in the southern portion of the site along Carroll Canyon Road. Buildings would range in heights of one story to four stories and would equal 386,000 square feet.

To implement the Carroll Canyon Mixed-Use project, the project applicant is requesting approval of an Amendment to the Scripps Miramar Ranch Community Plan to change the land use designation from Industrial Park to Residential (15-29 du/net ac) and Community Shopping and associated General Plan Amendment to change the land use designation for the project site from Industrial Employment to Multiple Use. The project site would be Rezoned from the existing IP-2-1 (Industrial-Park) to RM-3- 7 (Residential – Multiple Unit) and CC-2-3 (Commercial – Community) to allow for development of the mixed-use project. Development would occur in accordance with the proposed Planned Development Permit (PDP) to allow deviations to maximum wall heights, setbacks, lot frontage, maximum building height, and signage, and to allow restaurant use within the RM-3-7 zone with limitations on size, location, and hours; and a Vesting Tentative Map. Applicant: Sudberry Development Inc.

Update **January 31, 2018.** The EIR that was considered at the Planning Commission Hearing on December 14, 2017 contained an errata sheet which provided minor revisions to correct typographical corrections and clarifications. In addition, there was a clarification made to the No Project/No Build Alternative. The errata sheet has been included as part of the Final EIR. The clarifications from the errata sheet will be shown in ~~double strikethrough~~ and/or double underline.

UPDATE: June 23, 2017. Clarifications/revisions, minor typographical corrections, and additional information have been added to this document, in response to comments submitted when compared to the draft EIR. In accordance with the California Environmental Quality Act Section 15088.5, the addition of new information that clarifies, amplifies, or makes insignificant modifications and would not result in new impacts or no new mitigation does not require recirculation. Pursuant to Section 15088.5(a) of the CEQA Guidelines: "Significant new information" requiring recirculation includes, for example, a disclosure of additional data or other information showing that:

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

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

ENVIRONMENTAL DETERMINATION:

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

Based on the analysis conducted for the project described above, the City of San Diego, as the Lead Agency, has prepared the following Environmental Impact Report. The analysis conducted identified that the project could result in significant impacts to the following issue area(s): Land Use, Transportation/Circulation (Significant and unmitigated), Noise, Biological Resources and Paleontological Resources.

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

PUBLIC REVIEW DISTRIBUTION:

The following agencies, organizations, and individuals received a copy or notice of the draft Environmental Impact Report and were invited to comment on its accuracy and sufficiency. Copies of the Environmental Impact Report, the Mitigation Monitoring and Reporting Program and any technical appendices may be reviewed in the offices of the Development Services Department, or purchased for the cost of reproduction.

Federal Government

U.S. Fish and Wildlife Service (23)

State of California

Caltrans, District 11 (31)

California Department of Fish and Wildlife (32)

State Clearinghouse (46A)

California Department of Transportation (51A)

City of San Diego

Mayor's Office (91)

Councilmember Bry, District 1 (MS 10A)

Councilmember Zapf, District 2 (MS 10A)

Councilmember Ward, District 3 (MS 10A)

Councilmember Cole, District 4 (MS 10A)

Councilmember Kersey, District 5 (MS 10A)

Councilmember Cate, District 6 (MS 10A)

Councilmember Sherman, District 7 (MS 10A)

Councilmember Alvarez, District 8 (MS 10A)

Councilmember Gomez, District 9 (MS 10A)

Development Services Department

EAS – Jeff Szymanski

Transportation- Jim Lundquist

Engineering – Jeff Tamares

Geology – James Quinn

Landscaping – Terre Lien

Planning Review – Joseph Stanco

Project Manager – John Fisher

Planning Department

Long Range – Tony Kempton

Plan-Airport – Vickie White

Plan-Facilities Financing – Angela Abeyta

San Diego Police Department

Michael Pridemore (MS776)

San Diego Fire and Recue

Larry Trame (MS603)

Environmental Services Department

Lisa Wood (MS1102-A)

Central Library (81A)

Scripps Miramar Ranch Branch Library (81ff)
City Attorney (59)

Other Interested Groups, Organizations, and Individuals

Scripps Miramar Ranch Planning Group (437)
Beeler Canyon Conservancy (436)
Alliant International University (438)
Scripps Ranch Civic Association (440)
Walter Library USIU (441)
San Diego Association of Governments (108)
Metropolitan Transit System (112)
San Diego Gas & Electric (114)
Metropolitan Transit System (115)
Sierra Club (165)
San Diego Natural History Museum (166)
San Diego Audubon Society (167)
San Diego Audubon Society (167A)
California Native Plant Society (170)
Endangered Habitats League (182A)
Carmen Lucas (206)
South Coastal Information Center (210)
San Diego History Center (211)
San Diego Archaeological Center (212)
Ron Christman (215)
Clint Linton (215B)
Frank Brown – Inter-Tribal Cultural Resources Council (216)
Campo Band of Mission Indians (217)
San Diego County Archaeological Society, Inc. (218)
Kumeyaay Cultural Heritage Preservation (223)
Kumeyaay Cultural Repatriation Committee (225)
Native American Distribution [Notice Only] (225A-S)

RESULTS OF PUBLIC REVIEW:

- () No comments were received during the public input period.
- () Comments were received but did not address the accuracy or completeness of the draft environmental document. No response is necessary and the letters are incorporated herein.
- (X) Comments addressing the accuracy or completeness of the draft environmental document were received during the public input period. The letters and responses are incorporated herein.


Kerry M. Santoro
Deputy Director
Development Services Department

January 11, 2016
Date of Draft Report

June 23, 2017
Date of Final Report

January 31, 2018
Date of Updated Report

Analyst: Jeffrey Szymanski

LETTERS OF COMMENTS AND RESPONSES

CARROLL CANYON MIXED-USE PROJECT DRAFT EIR COMMENT LETTERS

The following comment letters were received from agencies, organizations, and individuals during the public review of the draft EIR. A copy of each comment letter along with corresponding staff responses has been included.




In accordance with CEQA Guidelines Section 15204(a), review of an EIR should focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated. According to Section 15204(a), [t]he adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR. Many of the comments received during public review of the Carroll Canyon Mixed-Use Project Draft EIR did not address the adequacy and/or sufficiency of the environmental document; however, staff endeavored to provide responses as appropriate as a courtesy to the commenters. Where letters of comment have resulted in revisions to the January 2017 Draft EIR, those changes are indicated in the Final EIR in strike-out/underline format (where omitted text is shown as ~~stricken~~ and added text is shown as underlined). Revisions that have been made to the Final EIR do not affect the conclusions contained in the EIR or the adequacy of the environmental document.

Letter	Author	Address	Date	Representing	Page Number of Letter
STATE AGENCIES					
A	Scott Morgan Director, State Clearinghouse	State of California Governor's Office of Planning and Research State Clearinghouse and Planning Unit 1400 Tenth Street/P.O. Box 3044 Sacramento, CA 95812-3044	February 27, 2017	State of California Governor's Office of Planning and Research State Clearinghouse and Planning Unit	3
B	Gayle Totton Associate Governmental Project Analyst	State of California Native American Heritage Commission 1550 Harbor Boulevard West Sacramento, CA 95961	February 6, 2017	State of California Native American Heritage Commission	6
C	Johnson P. Abraham Project Manager	State of California Department of Toxic Substances Control 5796 Corporate Avenue Cypress, CA 90630	February 14, 2017	State of California Department of Toxic Substances Control	12

LETTERS OF COMMENTS AND RESPONSES

Letter	Author	Address	Date	Representing	Page Number of Letter
D	Jacob M. Armstrong, Chief Development Review Branch	State of California Department of Transportation District 11 4050 Taylor Street, MS 120 San Diego, CA 92110	February 28, 2017	State of California Department of Transportation	15
LOCAL AGENCIES					
E	Vincent Whipple Manager, Rincon Cultural Resources Department	Rincon Band of Luiseño Indians 1 W. Tribal Road Valley Center, CA 92082	January 18, 2017	Rincon Band of Luiseño Indians	17
F	Katie Hentrich Regional Planner	SANDAG 401 B Street, Suite 800 San Diego, CA 92101	February 27, 2017	San Diego Association of Governments	18
INDIVIDUALS					
G	Wallace Wulfeck, Chair	Scripps Ranch Planning Group (SRPG)	February 20, 2017	Scripps Ranch Planning Group (SRPG)	20
H	Joe Bourgeois Chairman of the Board	Golden State Environmental Justice Alliance P.O. Box 79222 Corona, CA 92877	February 20, 2017	Golden State Environmental Justice Alliance	36

LETTERS OF COMMENTS AND RESPONSES

COMMENT	RESPONSE
<div data-bbox="352 251 451 349"></div> <div data-bbox="493 267 924 365"> <p>STATE OF CALIFORNIA GOVERNOR'S OFFICE of PLANNING AND RESEARCH STATE CLEARINGHOUSE AND PLANNING UNIT</p> </div> <div data-bbox="966 251 1060 349"></div> <div data-bbox="336 357 472 397"> <p>EDMUND G. BROWN JR. GOVERNOR</p> </div> <div data-bbox="976 357 1050 397"> <p>KEN ALEX DIRECTOR</p> </div> <div data-bbox="420 389 535 414"> <p>February 27, 2017</p> </div> <div data-bbox="420 454 588 535"> <p>Jeffrey Szymanski City of San Diego 1222 First Avenue, MS-501 San Diego, CA 92101</p> </div> <div data-bbox="420 544 640 592"> <p>Subject: Carroll Canyon Mixed Use SCH#: 2015081031</p> </div> <div data-bbox="420 600 577 625"> <p>Dear Jeffrey Szymanski:</p> </div> <div data-bbox="420 633 1018 755"> <p>The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on February 24, 2017, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.</p> </div> <div data-bbox="420 755 913 787"> <p>Please note that Section 21104(c) of the California Public Resources Code states that:</p> </div> <div data-bbox="462 795 1008 876"> <p>"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."</p> </div> <div data-bbox="420 876 1018 950"> <p>These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.</p> </div> <div data-bbox="420 950 1018 1031"> <p>This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.</p> </div> <div data-bbox="420 1039 493 1063"> <p>Sincerely,</p> </div> <div data-bbox="409 1055 630 1161">  <p>Scott Morgan Director, State Clearinghouse</p> </div> <div data-bbox="420 1177 556 1226"> <p>Enclosures cc: Resources Agency</p> </div> <div data-bbox="504 1291 882 1339"> <p>1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044 (916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov</p> </div>	<div data-bbox="1081 803 1921 885"> <p>A-1 This letter acknowledges compliance with the State Clearinghouse review requirements for draft environmental documents.</p> </div>

A-1

LETTERS OF COMMENTS AND RESPONSES

A-1, cont.

COMMENT	RESPONSE
<p align="center">Document Details Report State Clearinghouse Data Base</p> <p>SCH# 2015081031 Project Title Carroll Canyon Mixed Use Lead Agency San Diego, City of</p> <hr/> <p>Type EIR Draft EIR</p> <p>Description The project proposes demolition of on site office buildings and redevelopment of the project site with a mixed use development that would include up to 260 multi family residential units and approximately 10,700 sf of commercial retail space. The project proposes several buildings that would accommodate residential units, small retail stores, and restaurants. The multi family residential buildings would be located in the northern three-fourths of the site. Retail/restaurant pads would be located in the southern portion of the site along Carroll Canyon Road. Buildings would range in heights of one story to four stories and would equal 386,000 sf.</p> <p>To implement the Carroll Canyon Mixed use project, the project applicant is requesting approval of an amendment to the Scripps Miramar Ranch community plan to change the land use designation from industrial park to residential (15-29 du/net ac) and community shopping and associated general plan amendment to change the land use designation for the project site from industrial employment to multiple use. The project site would be rezoned from the existing IP-2-1 to RM-3-7 to allow for development of the mixed use project. Development would occur in accordance with the proposed planned development permit to allow deviation to max wall heights, setbacks, lot frontage, and max building height; and a vesting tentative map.</p> <hr/> <p>Lead Agency Contact</p> <p>Name Jeffrey Szymanski Agency City of San Diego Phone (619) 446-5324 Fax email Address 1222 First Avenue, MS-501 City San Diego State CA Zip 92101</p> <hr/> <p>Project Location</p> <p>County San Diego City San Diego Region Lat / Long 32.89847° N / 117.0647° W Cross Streets Carroll Canyon Road / east of I-15 Parcel No. 437-260-41 Township 15S Range 2W Section 5 Base</p> <hr/> <p>Proximity to:</p> <p>Highways I-15 Airports MCAS Miramar Railways Waterways Carroll Canyon Creek Schools Scripps Ranch HS Land Use Industrial/Industrial Park (IP-2-1)</p> <hr/> <p>Project Issues Biological Resources; Noise; Traffic/Circulation; Landuse; Other Issues</p> <hr/> <p>Reviewing Agencies Resources Agency; California Coastal Commission; Department of Fish and Wildlife, Region 5; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Caltrans, Division of Aeronautics; Caltrans, District 11; Regional Water Quality Control Board, Region 9; Department of Toxic Substances Control; Native American Heritage Commission; State Lands Commission</p> <hr/> <p><small>Note: Blanks in data fields result from insufficient information provided by lead agency</small></p>	

LETTERS OF COMMENTS AND RESPONSES

COMMENT	RESPONSE
<p data-bbox="325 235 1039 267">Document Details Report State Clearinghouse Data Base</p> <p data-bbox="325 300 1039 324">Date Received 01/11/2017 Start of Review 01/11/2017 End of Review 02/24/2017</p> <p data-bbox="325 1331 1039 1356">Note: Blanks in data fields result from insufficient information provided by lead agency</p>	

A-1, cont.

LETTERS OF COMMENTS AND RESPONSES


COMMENT	RESPONSE
<p>STATE OF CALIFORNIA NATIVE AMERICAN HERITAGE COMMISSION 1550 Harbor Blvd., Suite 100 West Sacramento, CA 95691 Phone (916) 373-3710 Fax (916) 373-5471 Email: naahc@naahc.ca.gov Website: http://www.naahc.ca.gov Twitter: @CA_NAHC</p> <p>Edmund G. Brown Jr., Governor</p> <p>February 6, 2017</p> <p>Jeffrey Szymanski City of San Diego 1222 First Avenue MS-501 San Diego, CA 92101</p> <p>sent via e-mail: jszymanski@sandiego.gov</p> <p>Re: SCH# 2015081031, Carroll Canyon Mixed Use Project, City of San Diego; San Diego County, California</p> <p>Dear Mr. Szymanski:</p> <p>The Native American Heritage Commission (NAHC) has reviewed the Draft Environmental Impact Report prepared for the project referenced above. The review included the Executive Summary of Project Impacts, and the Environmental Impact Analysis, prepared by the City of San Diego. We have the following concerns:</p> <ul style="list-style-type: none"> There is no Tribal Cultural Resources section or subsection in the Executive Summary as per California Natural Resources Agency (2016) "Final Text for tribal cultural resources update to Appendix G: Environmental Checklist Form," http://resources.ca.gov/ceqa/docs/ab52/Clean-final-AB-52-App-G-text-Submitted.pdf There is no documentation of government-to-government consultation by the lead agency under SB-18 or AB-52 with Native American tribes traditionally and culturally affiliated to the project area as required by statute, or that mitigation measures were developed in consultation with the tribes. Discussions under AB-52 may include the type of document prepared and proposed mitigation. Mitigation for inadvertent finds of Archaeological Resources, Cultural Resources, Tribal Cultural Resources or human remains is missing. If groundbreaking activities are included in the project, these sections are required. There are no mitigation measures specifically addressing Tribal Cultural Resources separately. Mitigation measures must take Tribal Cultural Resources into consideration as required under AB-52, with or without consultation occurring. Mitigation language for archaeological resources is not always appropriate for or similar to measures specifically for handling Tribal Cultural Resources. Tribal Cultural Resources assessments are not documented. These should adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources. <p>The California Environmental Quality Act (CEQA)¹, specifically Public Resources Code section 21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment.² If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an environmental impact report (EIR) shall be prepared.³ In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources with the area of project effect (APE).</p> <p>CEQA was amended in 2014 by Assembly Bill 52. (AB 52).⁴ AB 52 applies to any project for which a notice of preparation or a notice of negative declaration or mitigated negative declaration is filed on or after July 1, 2015. AB 52 created a separate category for "tribal cultural resources", that now includes "a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment." Public Agencies shall, when feasible, avoid damaging effects to any tribal cultural resource.⁵ Your project may also be subject to Senate Bill 18 (SB 18) (Burton, Chapter 905, Statutes of 2004), Government Code 85352.3, if it also involves the adoption of or</p> <p>¹ Pub. Resources Code § 21000 et seq. ² Pub. Resources Code § 21084.1; Cal. Code Regs., tit. 14, § 15084.5 (b); CEQA Guidelines Section 15084.5 (b) ³ Pub. Resources Code § 21080 (d); Cal. Code Regs., tit. 14, § 15084 subd. (a)(1); CEQA Guidelines § 15084 (a)(1) ⁴ Government Code 6552.3 ⁵ Pub. Resources Code § 21074 ⁶ Pub. Resources Code § 21084.2 ⁷ Pub. Resources Code § 21084.3 (a)</p>	<p>B-1 Comment noted. The final EIR has been expanded to include within Section 7.0, <i>Effects Not Found to Be Significant</i>, subsection 7.5, <i>Tribal Cultural Resources</i>, a description of Tribal Cultural Resources (TCR). As presented in that section, the project has minimal potential for environmental effects associated with TCR due to the heavy disturbance from past activities along with its underlying geological structure.</p> <p>The project site is not located on the City of San Diego's Historical Sensitivity Map. It has also been graded and is fully developed. There are no known archaeological sites identified within or near the project boundaries. As a result, there are no cultural resources present onsite. Furthermore, the project site is underlain by surficial deposits and sedimentary bedrock. Therefore, it was concluded that the project has minimal potential for environmental effects associated with TCRs due to the heavy disturbance from past activities along with its underlying geological structure.</p> <p>B-2 On February 11, 2015, City staff issued a letter pursuant to SB 18 requirements for tribal notice regarding the project and its corresponding amendment to the Scripps Miramar Ranch Community Plan, offering 90 days to request consultation with the City of San Diego. No tribes responded during this period requesting consultation.</p> <p>In addition, City staff has consulted with Clinton Linton, Director of Cultural Resources with the Lipay Nation of Santa Ysabel, as referenced in Appendix O, <i>Miscellaneous Correspondence</i>, and has been added to the EIR. It was concluded that the project has minimal potential for environmental effects associated with cultural resources or remains due to the heavy disturbance from past activities along with its underlying geological structure.</p> <p>B-3 See Response No. B-1.</p> <p>B-4 See Response Nos. B-1 and B-2.</p> <p>B-5 See Response No. B-1.</p>

LETTERS OF COMMENTS AND RESPONSES

COMMENT	RESPONSE
	<p>B-6 Comments noted. See Response No. B-2. This portion of the letter presents a summary of Public Resources Code Section 21084.1, Assembly Bill 52, and Senate Bill 18, as well as the recommendations from the NAHC for implementing Tribal Cultural Resources consultations.</p>

LETTERS OF COMMENTS AND RESPONSES

B-6
(cont.)

COMMENT	RESPONSE
<p>amendment to a general plan or a specific plan, or the designation or proposed designation of open space. Both SB 18 and AB 52 have tribal consultation requirements. Additionally, if your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966⁸ may also apply.</p> <p>Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.</p> <p>Agencies should be aware that AB 52 does not preclude agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52. For that reason, we urge you to continue to request Native American Tribal Consultation Lists and Sacred Lands File searches from the NAHC. The request forms can be found online at: http://nahc.ca.gov/resources/forms/. Additional information regarding AB 52 can be found online at http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPA.pdf, entitled "Tribal Consultation Under AB 52: Requirements and Best Practices".</p> <p>The NAHC recommends lead agencies consult with all California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources.</p> <p>A brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments is also attached.</p> <p>Please contact me at gayle.totton@nahc.ca.gov or call (916) 373-3710 if you have any questions.</p> <p>Sincerely,</p>  <p>Gayle Totton, B.S., M.A., Ph.D. Associate Governmental Project Analyst</p> <p>Attachment</p> <p>cc: State Clearinghouse</p> <p><small>⁸ 154 U.S.C. 300101, 36 C.F.R. § 800 et seq.</small></p>	

LETTERS OF COMMENTS AND RESPONSES

COMMENT	RESPONSE
<p>Pertinent Statutory Information:</p> <p>Under AB 52: AB 52 has added to CEQA the additional requirements listed below, along with many other requirements: Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice. A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project.⁹ and prior to the release of a negative declaration, mitigated negative declaration or environmental impact report. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code § 65352.4 (SB 18)."¹⁰ The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation: a. Alternatives to the project. b. Recommended mitigation measures. c. Significant effects.¹¹ 1. The following topics are discretionary topics of consultation: a. Type of environmental review necessary. b. Significance of the tribal cultural resources. c. Significance of the project's impacts on tribal cultural resources. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency.¹² With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code sections 6254 (r) and 6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public.¹³ If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following: a. Whether the proposed project has a significant impact on an identified tribal cultural resource. b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code section 21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource.¹⁴ Consultation with a tribe shall be considered concluded when either of the following occurs: a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached.¹⁵ Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code section 21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code section 21082.3, subdivision (b), paragraph 2, and shall be fully enforceable.¹⁶ If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code section 21084.3 (b).¹⁷ An environmental impact report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs: a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code sections 21080.3.1 and 21080.3.2 and concluded pursuant to Public Resources Code section 21080.3.2. b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.</p> <p>⁹ Pub. Resources Code § 21080.3.1, subds. (f) and (g) ¹⁰ Pub. Resources Code § 21080.3.1 (b) ¹¹ Pub. Resources Code § 21080.3.2 (a) ¹² Pub. Resources Code § 21080.3.2 (a) ¹³ Pub. Resources Code § 21082.3 (a)(1) ¹⁴ Pub. Resources Code § 21082.3 (b) ¹⁵ Pub. Resources Code § 21080.3.2 (b) ¹⁶ Pub. Resources Code § 21082.3 (a) ¹⁷ Pub. Resources Code § 21082.3 (g)</p>	<p>B-7 This is an attachment to the comment letter from Gayle Totton, above, and relates to comment B-6. Please refer to Response No. B-6.</p>

COMMENT	RESPONSE
<p>c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code section 21080.3.1 (d) and the tribe failed to request consultation within 30 days.¹⁸ <i>This process should be documented in the Tribal Cultural Resources section of your environmental document.</i></p> <p>Under SB 18: Government Code § 65352.3 (a) (1) requires consultation with Native Americans on general plan proposals for the purposes of "preserving or mitigating impacts to places, features, and objects described § 5097.9 and § 5091.993 of the Public Resources Code that are located within the city or county's jurisdiction. Government Code § 65580 (a), (b), and (c) provides for consultation with Native American tribes on the open-space element of a county or city general plan for the purposes of protecting places, features, and objects described in Sections 5097.9 and 5097.993 of the Public Resources Code.</p> <ul style="list-style-type: none"> • SB 18 applies to local governments and requires them to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf • Tribal Consultation: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.¹⁹ • There is no Statutory Time Limit on Tribal Consultation under the law. • Confidentiality: Consistent with the guidelines developed and adopted by the Office of Planning and Research,²⁰ the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code sections 5097.9 and 5097.993 that are within the city's or county's jurisdiction.²¹ • Conclusion Tribal Consultation: Consultation should be concluded at the point in which: <ul style="list-style-type: none"> o The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or o Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation.²² <p>NAHC Recommendations for Cultural Resources Assessments:</p> <ul style="list-style-type: none"> • Contact the NAHC for: <ul style="list-style-type: none"> o A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE. o A Native American Tribal Contact List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures. • The request form can be found at http://nahc.ca.gov/resources/forms/. • Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine: <ul style="list-style-type: none"> o If part or the entire APE has been previously surveyed for cultural resources. o If any known cultural resources have been already been recorded on or adjacent to the APE. o If the probability is low, moderate, or high that cultural resources are located in the APE. o If a survey is required to determine whether previously unrecorded cultural resources are present. • If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey. <ul style="list-style-type: none"> o The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure. o The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center. <p>¹⁸ Pub. Resources Code § 21082.3 (d) ¹⁹ (Gov. Code § 65352.3 (a)(2)). ²⁰ pursuant to Gov. Code section 65040.2, ²¹ (Gov. Code § 65352.3 (b)). ²² (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).</p> <p style="text-align: center;">4</p>	


B-7
(cont.)

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B-7
(cont.)

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<p>Examples of Mitigation Measures That May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:</p> <ul style="list-style-type: none"> o Avoidance and preservation of the resources in place, including, but not limited to: <ul style="list-style-type: none"> ▪ Planning and construction to avoid the resources and protect the cultural and natural context. ▪ Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria. o Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following: <ul style="list-style-type: none"> ▪ Protecting the cultural character and integrity of the resource. ▪ Protecting the traditional use of the resource. ▪ Protecting the confidentiality of the resource. o Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places. o Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed.²³ o Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated.²⁴ <p>The lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.</p> <ul style="list-style-type: none"> o <u>Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources.</u>²⁵ In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities. o <u>Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items</u> that are not burial associated in consultation with culturally affiliated Native Americans. o <u>Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains.</u> Health and Safety Code section 7050.5, Public Resources Code section 5097.88, and Cal. Code Regs., tit. 14, section 15064.5, subdivisions (d) and (e) (CEQA Guidelines section 15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery. <p>²³ (Civ. Code § 815.3 (c)). ²⁴ (Pub. Resources Code § 5097.891). ²⁵ per Cal. Code Regs., tit. 14, section 15064.5(f) (CEQA Guidelines section 15064.5(f)).</p>	

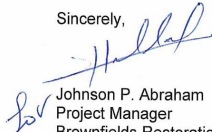
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	COMMENT	RESPONSE
C-1	<div data-bbox="346 235 1045 397">  <p>Department of Toxic Substances Control</p> <p>Matthew Rodriguez Secretary for Environmental Protection</p> <p>Barbara A. Lee, Director 5796 Corporate Avenue Cypress, California 90630</p> <p>Edmund G. Brown Jr. Governor</p> </div> <p>February 14, 2017</p> <p>Mr. Jeffrey Szymanski Environmental Planner City of San Diego Development Services Center 1222 First Avenue, MS 501 San Diego, California 92101</p> <p>DRAFT ENVIRONMENTAL IMPACT REPORT (EIR) FOR CARROLL CANYON MIXED USE PROJECT (SCH# 2015081031)</p> <p>Dear Mr. Szymanski:</p> <p>The Department of Toxic Substances Control (DTSC) has reviewed the subject EIR. The following project description is stated in the EIR: "The Carroll Canyon Mixed-Use project proposes redevelopment of the existing office complex with a mixed-use development that would include multi-family residential units, small retail shops, and restaurants. The existing 76,241 square feet of office buildings and associated facilities would be demolished and replaced with up to 260 multi-family residential units and approximately 10,700 square feet of commercial retail space."</p> <p>Based on the review of the submitted document DTSC has the following comments:</p> <ol style="list-style-type: none"> 1. The EIR should identify and determine whether current or historic uses at the project site may have resulted in any release of hazardous wastes/substances. A Phase I Environmental Site Assessment may be appropriate to identify any recognized environmental conditions. 2. If there are any recognized environmental conditions in the project area, then proper investigation, sampling and remedial actions overseen by the appropriate regulatory agencies should be conducted prior to the new development or any construction. 3. If the project plans include discharging wastewater to a storm drain, you may be required to obtain an NPDES permit from the overseeing Regional Water Quality Control Board (RWQCB). 	<p>C-1 Comments noted. These comments provide a summary of the proposed project description. No responses are necessary.</p> <p>C-2 As stated in Section 5.12 of the EIR, <i>Health and Safety</i>, the project proposes development of an existing mostly vacant office complex. The proposed mix of uses (residential, commercial retail, and restaurant) is not anticipated to result in hazardous emissions or handle hazardous or acutely hazardous materials. In addition, the project site is not located on a list of hazardous materials sites, as is discussed in Section 5.12 of the EIR, based on the EnviroFacts search undertaken for the proposed project.</p> <p>A Phase I Environmental Site Assessment (ESA) was conducted for the project site in 2010 (URS, August 6, 2010). The Phase I ESA concluded that there are no recognized environmental conditions associated with the project site. The Phase I ESA acknowledges an emergency generator and former flight simulator hydraulic equipment that exist as part of the structures remaining on-site from the original use (an airlines reservation call center, flight training classes, and flight simulator) pose a potential environmental concern. Additionally, the Phase I ESA notes that the existing buildings contain asbestos. This has also been included in the discussion within the Section 5.12 of the DEIR.</p> <p>Site development that involves demolition of structures must adhere to regulations in place that ensure adequate treatment and disposal of hazardous materials, as well as appropriate protection of workers to avoid potential health risks. Demolition of the existing buildings and improvements and disposal of any hazardous materials will be conducted in accordance with state and local regulations. The Asbestos National Emission Standard for Hazardous Air Pollutants (NESHAP), as specified under Rule 40, CFR 61, Subpart M, applies to asbestos removal and demolitions and is enforced locally by the San Diego Air Pollution Control District, under authority, per Regulation XI, Subpart M Rules 361.145 and 361.150. No health risks will occur. Prior to demolition, both friable and various nonfriable asbestos-containing materials (ACMs), if present,</p>

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	<p>will be removed from the structures per NESHAPS, Title 40 Code of Federal Regulations Part 61. In addition, all applicable laws and regulations will be followed, including provisions requiring notification of tenants, employees, maintenance and custodial personnel, and outside contractors, of the location of these materials, if present.</p> <p>C-3 See Response No. C-2.</p> <p>C-4 As discussed in Section 5.11 of the EIR, <i>Hydrology and Water Quality</i>, the project would be required to comply with the Hydromodification Management Plan (HMP) requirements as described in the City of San Diego Stormwater Standards Manual, and complies with the requirements of the San Diego Regional Water Quality Control Board. The project must comply with NPDES requirements for discharge of storm water runoff associated with construction activity.</p>

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C-5	<p>Mr. Jeffrey Szymanski February 14, 2017 Page 2</p> <p>4. The EIR states, "The project involves the demolition of 76,241 square feet of existing light industrial office development and the construction of up to 260 multi-family residential units and approximately 10,700 square feet of commercial retail uses, to include retail space and restaurants." If buildings or other structures are present/were historically present onsite, then lead-based paints or products, mercury, polychlorinated biphenyls (PCBs) in building materials and asbestos containing materials (ACMs) should be addressed in accordance with all applicable and relevant laws and regulations.</p> <p>5. If during construction/demolition of the project, soil and/or groundwater contamination is suspected, construction/demolition in the area should cease and appropriate health and safety procedures should be implemented. If it is determined that contaminated soil and/or groundwater exist, the EIR should identify how any required investigation and/or remediation will be conducted, and the appropriate government agency to provide regulatory oversight.</p> <p>If you have any questions regarding this letter, please contact me at (714) 484-5476 or email at Johnson.Abraham@dtsc.ca.gov.</p> <p>Sincerely,</p>  <p>Johnson P. Abraham Project Manager Brownfields Restoration and School Evaluation Branch Brownfields and Environmental Restoration Program - Cypress</p> <p>kl/sh/ja</p>	<p>C-5 The buildings on site are not known to contain hazardous substances, such as lead-based paints/products, mercury, and/or polychlorinated biphenyls (PCBs), with the exception of asbestos-containing materials (ACMs), as described in Response No. C-2. However, due to the age of the structures on site, it is possible for these materials to be encountered during demolition. Appropriate precautions would be taken if such hazardous materials were encountered. All applicable laws and regulations will be followed, including provisions requiring notification of tenants, employees, maintenance and custodial personnel, and outside contractors, of the location of these materials, if present.</p> <p>C-6 See Response No. C-1.</p>
C-6		


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<p>STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY</p> <p>EDMUND G. BROWN Jr., Governor</p> <p>DEPARTMENT OF TRANSPORTATION</p> <p>DISTRICT 11 PLANNING DIVISION 4050 TAYLOR STREET, M.S. 240 SAN DIEGO, CA 92110 PHONE (619) 688-6960 FAX (619) 688-4299 TTY 711</p> <p>February 28, 2017</p> <p>11-SD-15 PM 15.00 Carroll Canyon Mixed Use Project Draft EIR / SCH#2015081031</p> <p>Mr. Jeffrey Szymanski City of San Diego 1222 First Avenue, MS 501 San Diego, CA 92101</p> <p>Dear Mr. Szymanski:</p> <p>Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the project referenced above. The mission of Caltrans is to provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability. The Local Development-Intergovernmental Review (LD-IGR) Program reviews land use projects and plans to ensure consistency with our mission and state planning priorities.</p> <p>Caltrans would like to submit the following comments for the Carroll Canyon Mixed Use Project draft Environmental Impact Report (EIR) located near Interstate 15 (I-15):</p> <p>Any work performed within Caltrans right-of-way (R/W) will require discretionary review and approval by Caltrans and an encroachment permit will be required for any work within the Caltrans R/W prior to construction.</p> <p>As part of the encroachment permit process, the applicant must provide an approved final environmental document including the California Environmental Quality Act (CEQA) determination addressing any environmental impacts within the Caltrans' R/W, and any corresponding technical studies. If these materials are not included with the encroachment permit application, the applicant will be required to acquire and provide these to Caltrans before the permit application will be accepted. Identification of avoidance and/or mitigation measures will be a condition of the encroachment permit approval as well as procurement of any necessary regulatory and resource agency permits. Encroachment permit submittals that are incomplete can result in significant delays in permit approval.</p> <p>Improvement plans for construction within State Highway R/W must include the appropriate engineering information consistent with the state code and signed and stamped by a professional engineer registered in the State of California. Caltrans Permit Manual contains a listing of typical information required for project plans. All design and construction must be in conformance with the Americans with Disabilities Act (ADA) requirements.</p> <p><i>"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability"</i></p>	<p>D-1 Comments noted. These comments are informational and do not address the adequacy or completeness of the EIR. No response is necessary.</p>



D-1

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<p>Mr. Jeffrey Szymanski February 28, 2017 Page 2</p> <p>Additional information regarding encroachment permits may be obtained by contacting the Caltrans Permits Office at (619) 688-6158. Early coordination with Caltrans is strongly advised for all encroachment permits.</p> <p>If you have any questions, please contact Keri Robinson of the Caltrans Development Review Branch at (619) 688-3193 or by e-mail at keri.robinson@dot.ca.gov.</p> <p>Sincerely,</p>  <p>JACOB M. ARMSTRONG, Branch Chief Development Review Branch</p> <p><i>"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability"</i></p>	


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<p>RINCON BAND OF LUISEÑO INDIANS Cultural Resources Department 1 W. Tribal Road · Valley Center, California 92082 · (760) 297-2330 Fax: (760) 297-2339</p>  <p>January 18, 2017</p> <p>Jeffrey Szymanski The City of San Diego Development Services Center 1222 First Avenue, MS 501 San Diego, CA 92101</p> <p>Re: Carroll Canyon Mixed Use Project No. 240716</p> <p>Dear Mr. Szymanski:</p> <p>This letter is written on behalf of the Rincon Band of Luiseño Indians. Thank you for inviting us to submit comments on the Carroll Canyon Mixed Use Project No. 240716. Rincon is submitting these comments concerning your projects potential impact on Luiseño cultural resources.</p> <p>The Rincon Band has concerns for the impacts to historic and cultural resources and the finding of items of significant cultural value that could be disturbed or destroyed and are considered culturally significant to the Luiseño people. This is to inform you, your identified location is not within the Luiseño Aboriginal Territory. We recommend that you locate a tribe within the project area to receive direction on how to handle any inadvertent findings according to their customs and traditions.</p> <p>If you would like information on tribes within your project area, please contact the Native American Heritage Commission and they will assist with a referral.</p> <p>Thank you for the opportunity to protect and preserve our cultural assets.</p> <p>Sincerely, </p> <p>Vincent Whipple Manager Rincon Cultural Resources Department</p> <hr/> <p>Bo Mazzetti Tishmall Turner Steve Stallings Laurie E. Gonzalez Alfonso Kolb Tribal Chairman Vice Chairwoman Council Member Council Member Council Member</p>	<p>E-1 Comments noted. On February 11, 2015, City staff issued a letter pursuant to SB 18 requirements for tribal notice regarding the project and its corresponding amendment to the Scripps Miramar Ranch Community Plan, offering 90 days to request consultation with the City of San Diego. No tribes responded during this period requesting consultation. Additionally, local Native American tribes were provided with notification of the availability of the draft EIR.</p> <p>As presented in Section 7.0, <i>Effects Not Found to Be Significant</i>, the project area is not located within an area identified as having a high sensitivity level for archaeological resources, and further supported by a record search within the California Historic Resources Information Search (CHRIS) digital database failing to show any previously recorded sites within the project boundaries. Therefore, based upon the negative database search, the disturbed nature of the project site, and the project site's location outside of the City's Historical Resources Sensitivity Map, it was determined the project would not have a potential for impacts to historical and cultural resources.</p> <p>See also Response No. B-1.</p>

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F-1	<p>SANDAG</p> <p>401 B Street, Suite 800 San Diego, CA 92101-4231 (619) 699-1900 Fax (619) 699-1905 sandag.org</p> <p>February 27, 2017</p> <p>File Number 3300300</p> <p>Mr. Jeffrey Szymanski City of San Diego Development Services Department 1222 First Avenue, Mail Station 501 San Diego, CA 92101</p> <p>Dear Mr. Szymanski:</p> <p>SUBJECT: Carroll Canyon Mixed Use Draft Environmental Impact Report (Project No. 240716)</p> <p>Thank you for the opportunity to comment on the City of San Diego's Carroll Canyon Mixed Use Draft Environmental Impact Report (EIR). The San Diego Association of Governments (SANDAG) appreciates the City's efforts to implement policies included in San Diego Forward: The Regional Plan (Regional Plan) that help provide people with more travel and housing choices, protect the environment, create healthy communities, stimulate economic growth and reduce greenhouse gas emissions. SANDAG continues to work collaboratively with the City to achieve these objectives and has been communicating with staff (letter to City dated February 17, 2017) about reconsidering the location of a proposed <i>Rapid</i> transit route in order to better support the development goals of the proposed project as well as the policies presented in the Regional Plan.</p> <p>Transportation Demand Management</p> <p>The Carroll Canyon Mixed Use Draft EIR refrained from incorporating a Transportation Demand Management (TDM) program because "the proposed project would not generate over 50 tenant-occupants (employees)" (Draft EIR, page 233). TDM strategies are applicable to a wide array of projects and extend beyond employer outreach programs. Implementation of these strategies can help mitigate traffic impacts, reduce single-occupancy vehicle trips and alleviate parking demand. Examples of TDM strategies to consider include:</p> <ul style="list-style-type: none"> • Provision of safe bicycle and pedestrian facilities that connect residents and visitors to the existing and future proposed transit services on Carroll Canyon Road and to other nearby destinations such as Scripps Ranch High School. • In addition to the proposed bicycle racks throughout the property, consider secure bike parking (bike lockers or a bike station) for tenants of the multi-family residential properties. • Given the proximity to Interstate 15 (I-15) Express Lanes, promote carpooling and vanpooling to residents. The SANDAG TDM program (iCommute) offers ridematching services and a Regional Vanpool Program that provides a \$400 per month subsidy for eligible vans. Additionally, a Park & Ride facility is located nearby at I-15 and Mira Mesa Boulevard for the convenience of carpoolers and vanpoolers. <p>MEMBER AGENCIES Cities of Carlsbad Chula Vista Coronado Del Mar El Cajon Encinitas Escondido Imperial Beach La Mesa Lemon Grove National City Oceanside Poway San Diego San Marcos San Ramon Solana Beach Vista and County of San Diego</p> <p>ADVISORY MEMBERS Imperial County California Department of Transportation Metropolitan Transit System North County Transit District United States Department of Defense San Diego Unified Port District San Diego County Water Authority Southern California Tribal Chairmen's Association Mexico</p>	<p>F-1 Comments noted.</p> <p>F-2 Comments noted. Although the project does not incorporate a formal Transportation Demand Management program, the project maintains a number of transportation options and modes consistent with the City of San Diego General Plan that can help minimize traffic impacts and alleviate parking demand. Transit service currently exists east of the project site at Businesspark Avenue and Willow Creek Road as Metropolitan Transit Service Bus Route 964, which connects to the regional bus and light rail transit network, providing access to local and regional retail, employment, housing, educational, and recreational facilities.</p> <p>The project would promote multimodal transportation by facilitating non-motorized transportation options. The project has pedestrian circulation and linkage elements, including a non-contiguous sidewalk along Carroll Canyon Road and direct access to project uses from this sidewalk, as well as a clearly demarcated internal circulation network. A bike lane exists along Carroll Canyon Road and bicycle parking facilities are provided on-site for residents, employees, and visitors. The project provides a total of 68 bicycle parking spaces on-site in the form of bicycle racks, which would be dispersed throughout the project site in proximity to retail and residential buildings. Additionally, the residential parking is partially accommodated in individual garages, which would provide secure bicycle storage for residents. A total of 143 of the 260 residential units (55 percent) would have garages.</p>
F-2		

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F-2, cont.	<ul style="list-style-type: none"> Given the proximity to Bus <i>Rapid</i> Transit, promote and incentivize transit for tenants. Provision of carshare vehicles for tenants to reduce demand for a private automobile. Zipcar currently offers carshare service within the City of San Diego and provides carshare vehicles as amenities for tenants and employees of private residential, commercial, and mixed use properties. <p>The iCommute program can assist with promoting rideshare options as well as other regional services that encourage the use of transportation alternatives and reduce traffic congestion. Regional TDM programs include online ridematching services, multimodal trip planning, the Guaranteed Ride Home service, and support for bicycling. Information on the SANDAG TDM program can be accessed through www.iCommuteSD.com.</p> <p>Other Considerations</p>	
F-3	<p>SANDAG encourages the City to support bicycle and pedestrian use via project design and promote access to regional bike routes when available. SANDAG has a number of additional resources that can be used for additional information or clarification on topics discussed in this letter. These can be found on our website at sandag.org/igr:</p> <ol style="list-style-type: none"> SANDAG Regional Parking Management Toolbox Riding to 2050, the San Diego Regional Bike Plan Regional Multimodal Transportation Analysis: Alternative Approaches for Preparing Multimodal Transportation Analysis in Environmental Impact Reports Planning and Designing for Pedestrians, Model Guidelines for the San Diego Region Integrating Transportation Demand Management into the Planning and Development Process – A Reference for Cities 	F-3 Comments noted. These comments are informative and include a number of resources that may be consulted relative to project design and promoting access to regional active transportation networks.
F-4	<p>When available, please send any additional environmental documents related to this project to:</p> <p>Intergovernmental Review c/o SANDAG 401 B Street, Suite 800 San Diego, CA 92101</p> <p>We appreciate the opportunity to comment on the Carroll Canyon Mixed Use Draft EIR. If you have any questions, please contact me at (619) 595-5609 or via email at katie.hentrich@sandag.org.</p> <p>Sincerely,</p>  <p>KATIE HENTRICH Regional Planner</p>	F-4 Comment noted. SANDAG has been added to the City's distribution list for notice when the final project EIR is available for review.

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<p>Scripps Ranch Planning Group Comments on Carroll Canyon Mixed Use Draft EIR. Project No. 240716 SCH No. 2015081031</p>		
G-1	<p>The SRPG submitted its response to the Notice of Preparation (NOP) for this EIR in September, 2015. This response is included in the DEIR in Appendix A. Unfortunately however, most of the requests raised in the response were apparently ignored in preparation of the DEIR. We therefore ask that the Development Services Department (DSD) specifically address their disregard of public comment submitted in response to their own NOP. If DSD is going to ignore public comment, why bother to request it?</p> <p>At this point, the DEIR does not accurately and completely describe environmental effects that might result if the project is approved and implemented, as required by the California Environmental Quality Act.</p> <p>Specific Comments:</p> <p>-----</p>	G-1 Comments noted. See responses below.
G-2	<p>The DEIR, pg ES-4, claims that "Comment letters received during the NOP public scoping period expressed concern regarding traffic, biological resources, and Native American heritage." However, the comments we submitted also included concerns with consistency with the Community Plan and General Plan, Health and Safety, and Public Services and Facilities. These are ignored or not sufficiently addressed in the DEIR.</p> <p>-----</p>	G-2 Comment noted. Please see below for responses to comments presented in this letter.
G-3	<p>The DEIR, pg 3-3, improperly proposes revisions to the Miramar Ranch North Community Plan rather than the Scripps Miramar Ranch Community Plan.</p> <p>-----</p>	G-3 This correction has been made.
G-4	<p>Sec 2.2: "Commercial office development is located immediately east of the project site, with mixed-use commercial retail and commercial office development occurring south of the project site along Carroll Canyon Road.</p> <p>Revise to state: "The project site is located at the freeway entrance to the Scripps Ranch Business park. Commercial office development is located east and south of the project site along Carroll Canyon Road, with mixed-use retail and offices occurring immediately south of the project site."</p> <p>-----</p>	G-4 The project site is located within the Scripps Ranch Business Park. The requested revision has been made, with the correction of "freeway entrance to the Scripps Ranch Business [P]ark" with "southern freeway entrance to the Scripps Miramar Ranch community."
G-5	<p>Sec 2.4.2. and 2.5. Include statement: '...the site supports over 80 mature eucalyptus trees...'</p> <p>-----</p>	G-5 The requested revision has been made.

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	<p>Sec 3.1. Objectives:</p> <p>a.) Revise to state: "Utilize architecture and design elements to ensure high quality design and aesthetics in accordance with the goals stated in the Community Plan for construction materials and incorporation of open spaces."</p> <p>b.) Add: "Recognizing that the project site is located on one of three community evacuation routes, identify effective mitigations to avoid or minimize impacts to community egress and emergency vehicle ingress."</p> <p>-----</p> <p>The DEIR includes mention of MTS line 964a, apparently based on a schedule dated Sept. 8, 2009 (pg. 215 of Appendix B, Carroll Canyon Mixed Use Project Traffic Study). That line has since been discontinued. The current routing of 964 is not described.</p> <p>-----</p> <p><i>Land Use and Planning:</i></p> <p>The Land Use analysis fails to address the following items that are parts of the General and Community Plans, and that were specifically requested in our response to the NOP:</p> <ul style="list-style-type: none"> • <i>Encourage the development of a prestigious industrial park that provides desirable employment opportunities.</i> • <i>Encourage the retention and creation of middle-income employment by encouraging the development of measures that facilitate expansion of high technology business facilities that have the potential to create middle-income jobs likely to be filled by local residents.</i> ^{SEP} • <i>Support the creation of higher quality jobs with advancement opportunities and self-sufficient wages.</i> ^{SEP} • <i>Prioritize economic development efforts to attract and induce investment in local businesses.</i> <p>In particular, since the proposed project removes industrial land, it has some effects on the industrial park area, on the possibility for creation of high technology business facilities, and the potential to create middle income or higher quality jobs. Further, the proposed project will create low-income service jobs in the retail sector. Since the proposed project clearly conflicts with the applicable land use plans and policies, these effects must be addressed in the EIR, and their significance must be assessed.</p>	<p>G-6 Per CEQA §15124(b), project objectives should include a clear statement of the underlying purpose of the project that will help the lead agency develop a reasonable range of alternatives to evaluate in the EIR and will aid decision-makers in preparing findings or a statement of overriding considerations, if necessary. In addition, CEQA states the description of the project should include the aforementioned information but should not supply extensive detail beyond that needed for evaluation and review of the project impacts that result in a physical change to the environment. The DEIR includes eight project objectives. The commenter requests that the following underlined clause be added to the sixth project objective: "Utilize architecture and design elements to ensure high quality design and aesthetics <u>in accordance with the goals stated in the Community Plan for construction materials and incorporation of open spaces.</u>" The commenter provides no explanation why this proposed revision is warranted. Furthermore, the first project objective already calls for the project to "Create a coherent and cohesive building site and project design that is compatible in scale and character and enhances the existing community character in the Scripps Miramar Ranch community." In addition, in Table 5.1-2, the EIR finds the project will be consistent with the Scripps Miramar Ranch Community Plan with respect to open space and architectural form and character, which includes building materials. Further, the project will also provide public spaces associated with both the retail and residential portions of the project. Accordingly, this revision has not been made.</p> <p>G-7 Please refer to Response No. G-6. The commenter requests that the DEIR add a new objective. The new objective suggests that the project will impact community evacuation routes by referencing "mitigations to avoid or minimize impacts to community egress and emergency vehicle ingress." This focus on the potential impacts of a project instead of on the purpose of the project does not comport with CEQA Guidelines §15124(b). Furthermore, the seventh project objective already focuses on developing a project that implements necessary roadway improvements to improve circulation, which covers the targeted nature of the project objective proposed by the</p>

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	<p>commenter. As presented in EIR Section 5.12, <i>Health and Safety</i>, the project was not found to result in substantial impacts to an emergency response plan and/or services. Accordingly, this addition has not been made.</p> <p>G-8 Bus Route 964a was not referenced in the Public Review Draft EIR. It is shown on Figure 3 of the Appendix B, <i>Transportation Impact Analysis</i>, but that route has since been discontinued. Bus Route 964 was included, with the routing that is currently in effect. Current Bus Route 964 is described in Tables 5.1-1, <i>General Plan Consistency</i>, and 5.1-2, <i>Scripps Miramar Ranch Community Plan Consistency</i>, in EIR Section 5.1, <i>Land Use</i>.</p> <p>G-9 This is a general recommendation of the Industrial Element of the Scripps Miramar Ranch Community Plan. Many of the industrial parks near the project site, such as Scripps Ranch Technology Park and Scripps Ranch Business Park, meet this recommendation. As such, it does not implicitly apply to any specific site. The project proposes an amendment to the Scripps Miramar Ranch Community Plan to redesignate the project site for residential development, with concomitant rezones. Because the project is not developed with industrial uses, is formally removing the project site from industrial land use designation and zoning, and does not propose industrial uses, this general goal does not apply. In addition, the project will provide amenities that serve and complement existing industrial park uses in the surrounding area. For example, Section 5.1, <i>Land Use</i>, of the EIR explains that the project would create additional multi-family housing and community shopping located in proximity to employment uses and in an area currently without any housing opportunities and would create additional community-serving commercial options that can provide for retail commercial services in proximity of residents and an employment base, thereby reducing the need to travel outside the community for these services.</p> <p>G-10 This General Plan Policy (EP-E.1) is part of a subset of policies relative to City actions related to preserving, investing, encouraging, and supporting middle-income employment, under the category of</p>

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	<p>Employment Development, which contains goals of a broad distribution of economic opportunities through the City, higher standard of living through self-sufficient wages, and increase in citywide real median income per capita, and a city with an increase in the number of quality jobs for local residents. This section does not apply to any specific site or area, but rather is a broadly applicable strategy for the City at a government level. This policy is not relevant to a specific project; rather, this policy is a guiding policy for City middle-income employment. Because the project is not developed with industrial uses, is formally removing the project site from industrial land use designation and zoning, and does not propose industrial uses, this general goal does not apply.</p> <p>G-11 This General Plan policy (EP-E.3) is within the category of Employment Development, which contains goals of a broad distribution of economic opportunities throughout the City, higher standard of living through self-sufficient wages, and increase in citywide real median income per capita, and a city with an increase in the number of quality jobs for local residents. This section does not apply to any specific site or area, but rather is a broadly applicable strategy for the City at a government level. This policy is not relevant to a specific project; rather, this policy is a guiding policy for City middle-income employment. Because the project is not developed with industrial uses, is formally removing the project site from industrial land use designation and zoning, and does not propose industrial uses, this general goal does not apply.</p> <p>G-12 This General Plan policy (EP-G.2) is within the category of Community and Infrastructure Investment, which contains information relative to community revitalization through enhanced access to regional and national sources of private and public funding and private and public infrastructure that supports economic prosperity. The proposed project would enhance community investment through the inclusion of new private funding and infrastructure within the community. Additionally, the project would meet this policy intention by directly inducing investment in</p>

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	<p>local business through the inclusion of small-scale commercial retail spaces that may act as catalysts for local businesses.</p> <p>G-13 Relative to the removal of industrial land, this impact was analyzed within the Collocation/Conversion Suitability Factors Analysis, discussed in Section 5.1 and noted as being completed and on-file with the City of San Diego's Development Services Department (pg. 5.1-21). As is discussed in the EIR:</p> <p><i>"Justification for the proposed land use change (from Industrial Employment to Multiple Use) must be supported by an evaluation of the collocation/conversion suitability factors in Appendix C, EP-2 of the General Plan. A Collocation/Conversion Suitability Factors Analysis has been completed for the Carroll Canyon Mixed-Use project and is on-file with the City of San Diego's Development Services Department.</i></p> <p>The Collocation/Conversion Suitability Factors Analysis examines the impact of the proposed conversion of industrial land to a mix of residential, small shops, and restaurants. This analysis discusses how industrial lands and Prime Industrial Lands are impacted if a property is converted. The results of the Collocation/Conversion Suitability Factors Analysis conclude that the project's conversion to a mixed-use is suitable." (Carroll Canyon Mixed-Use Project Draft Environmental Impact Report, January 2017, pg. 5.1-21.) The Collocation/Conversion Suitability Factors Analysis is available for review at the City of San Diego Development Services Department.</p> <p>The Collocation/Conversion Suitability Factors Analysis provides detailed discussion of project suitability for conversion, which includes such determining factors as area characteristics, encroachment of non-industrial uses, proximity to transit, attractiveness to industrial uses (manufacturing, research and development, wholesale distribution, and warehousing uses), impact on Prime Industrial land, significance of residential/employment component, residential support facilities, airport land use compatibility, public health, public facilities, and separation of uses. The City accepted the Collocation/Conversion</p>

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	<p>Suitability Factors Analysis, determining the project conversion of industrial to mixed-use land uses would not result in an adverse impact on industrial land and the employment uses housed within these areas.</p> <p>The Collocation/Conversion Suitability Analysis recognized that the project site, as well as parcels to the east, is identified as Other Industrial Lands in the City's General Plan and is not identified as Prime Industrial Lands. Prime Industrial Lands are located to the south and north/northeast of the project site. The project area – including the Prime Industrial Lands located to the south and north/northeast of the site – has developed with a mix of office, commercial retail, light industrial, high technology, research and development, distribution, and educational uses. The Analysis concluded that the project area is attractive to the development of smaller scale and start-up light industrial uses, smaller independent companies and offices, and support services based on the types of uses currently located in the project area. In addition, the project area is attractive to larger base sector businesses, including corporate regional headquarters, larger manufacturers, technology companies and R&D companies. However, the project does not propose uses that would result in land use conflicts with nearby and adjacent light industrial uses.</p> <p>A field survey and Air Pollution Control District (APCD) permit records search were conducted for the project to determine if there are any sources of toxic or hazardous air contaminants/substances within ¼-mile of proposed residential uses. There are no Permits to Operate within ¼-mile of the project site and the project site is not located within ¼-mile of any identified sources of toxic or hazardous air contaminants/substances. There are five permitted businesses in the project area beyond ¼-mile, none of which would result in the release of toxic chemicals.</p> <p>Thus, there are no foreseeable impacts to Other Industrial Land and Prime Industrial Land businesses located in or that may locate in the</p>

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	<p>future from the proposed Carroll Canyon Mixed-Use project's development and occupancy. The proposed Carroll Canyon Mixed-Use project would blend into this existing development pattern by offering commercial uses within an area developed with existing commercial uses and by offering housing adjacent to existing employment use and lifestyle amenities. The proposed project would provide uses (including multi-family residential units, retail shops, and restaurants) that support the employment base created by light industrial land uses in a manner encouraged by the General Plan. Additionally, there are no uses in the project area that generate odors that are not characteristic of urban commercial office, retail, light industrial, and residential developments. There are no other known external environmental effects that would have an adverse impact on the project.</p> <p>Additionally, in accordance with the General Plan's goals for <i>Balanced Communities and Equitable Development</i>, the proposed project includes the provision of up to 260 for rent multi-family housing units within an established community. The project includes one-, two-, and three-bedroom units. Such a development would add to the diversity of housing type and price in the community. (See Section 5.1, <i>Land Use</i>, of the EIR.)</p> <p>The proposed project would also provide community-serving commercial retail space in the forms of shops and restaurants with pad space ranging in size from 3,100 square feet to 5,800 square feet. These would contribute to the smaller scale commercial stock of the community, adding to the balance of commercial development, as called for in the General Plan's <i>Balanced Communities and Equitable Development Policy</i>. By providing housing and employment uses within the same development, the project would provide a direct linkage between housing and jobs. Additionally, due to the project's location within an existing employment node and the extension of the existing pedestrian facilities along the project frontage, the project links residents living within the residential component of the project with employment sites via the established pedestrian and bicycle network.</p>

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	<p>Retail sector jobs created by the project will add to the many layers of employment opportunities within the community to allow for greater employment of residents regardless of educational background or work experience. In addition, the relative small size of the commercial retail pads would allow for the potential inclusion of local businesses within the project, which directly supports the local economy and may provide a wider range of income opportunities.</p>

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	<p>----- <i>Transportation / Traffic Analysis / Parking</i></p> <p>In our Response to the NOP, the SRPG specifically requested that the following bullet points be addressed in the DEIR. They were not addressed.</p>	
G-14	<ul style="list-style-type: none"> Coordinate with the California Department of Transportation (Caltrans) early in the development of the Draft Environmental Impact Report (EIR) on traffic impacts from the proposed project. Clearly describe the impacts and delineate requisite mitigations within the State Right of Way (ROW). Utilize the SANDAG Brief Guide of Vehicle Traffic Generation Rates for the San Diego Region to generate the projected trip generation rates associated with the proposed project. 	<p>G-14 The draft EIR was provided to Caltrans for review and comments, as noted in the Caltrans response letter. See Caltrans letter D and responses above.</p> <p>The City of San Diego has specific land use definitions and trip generation rates for projects in the City of San Diego, which were developed based on data from projects within the City and are generally consistent with SANDAG's trip generation rates. The City of San Diego's Trip Generation Manual includes trip generation rates for all of the project uses that include Fast Food Restaurant, Quality Restaurant, Retail, and Apartments; therefore City of San Diego trip generation rates were used.</p>
G-15	<p>Comment: The DEIR provides no evidence of coordination with CALTRANS. The DEIR did not use the SANDAG guidance for trip generation rates.</p>	
G-16	<ul style="list-style-type: none"> Conduct comprehensive data collection of baseline traffic volumes and LOS during peak AM and PM periods over several days of the week, not to include holiday periods, at the Carroll Canyon Road/I-15 SB and NB Ramps. Also, address the so-called "scissor" effect on I-15 between the Carroll Canyon SB Ramp and the Miramar Road exit ramp. 	<p>G-15 Caltrans reviewed and commented on the report (please see Caltrans letter D and Response No. G-14, above). See Response No. G-14 with respect to how trip generation rates were determined.</p>
G-17	<p>Comment: The DEIR states that analyses were conducted around November 2014. During that period portions of I-15 were under significant construction, so observed traffic volumes may not be reliable estimates of current conditions.</p>	<p>G-16 Appropriate baseline data was collected based on City of San Diego requirements that included daily freeway volumes, daily segment volumes, morning commuter peak volumes (7-9 AM), evening commuter peak volumes (4-6 PM), on-ramp meter rates and volumes, and on-ramp queuing observations. Additionally, Interstate-15 was appropriately analyzed based on City of San Diego requirements.</p>
G-18	<p>The DEIR on pg 5.2-26 notes that the freeway segment on I-15 between Carroll Canyon SB and the Miramar Road exit ramp will be at LOS E. There is no comment on the "scissor" effect: Access to I-15 SB at Carroll Canyon seriously conflicts with exiting I-15 SB at Miramar Rd. This situation will be especially hazardous, and mitigations must be identified.</p>	<p>G-17 The traffic study area including I-15 did not have any construction activities when the traffic counts were collected. Documentation of no construction activity can be seen using Google Earth and selecting a historical imagery date. For I-15, the latest available 2013 Caltrans data was used in the traffic study to which the imagery date of 10/27/2012 shows no construction on I-15. For the study intersections, traffic counts were collected on 11/5/2014 to which the Google Earth imagery date of 10/26/2014 also showed no construction at the study intersections.</p>
G-19	<ul style="list-style-type: none"> Address regionally significant arterial system segments and impacts on state highway facilities, particularly those providing freeway access or entry/egress from areas east of I-15. <p>Comment: The DEIR provided no analysis of other segments.</p>	

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	<p>Therefore, the traffic data was collected without construction activity and is a reliable estimate of current conditions.</p> <p>Additionally, I-15 had open travel lanes in both directions (it continued to provide vital N-S travel) and the ramps at Carroll Canyon Road were open and operational. Accordingly, the traffic patterns in the study area were representative of baseline traffic.</p> <p>G-18 The Transportation Impact Analysis (TIA) found that the project's contribution to I-15 during the AM and PM peak hour commuter periods would be below the City of San Diego Traffic Impact Study Manual's threshold for analyzing impacts to the freeway mainline. Nevertheless, the TIA analyzed whether the project would have a significant impact on the freeway mainline, and whether there would be a significant impact to the SB and NB I-15 metered on-ramps during the AM and PM peak hour commuter periods. The TIA found that the project would have no significant impact to either the I-15 freeway mainline or the SB or NB I-15 metered on-ramps at Carroll Canyon Road during the AM and PM peak hour commuter periods. For example, during the AM peak hour commuter peak (7:15 – 8:15 AM), there are approximately 1,003 vehicles entering SB I-15 from Carroll Canyon Road, and the project is calculated to add 29 vehicles to the on-ramp during this hour, or about 2.9 percent (29/1,003). During the PM peak hour commuter peak (4:45 – 5:45 PM), there are approximately 1,015 vehicles entering SB I-15 from Carroll Canyon Road, and the project is calculated to add 24 vehicles to the on-ramp during this hour, or about 2.4 percent (24/1,015). Accordingly, the project's less than significant impact to the I-15 freeway mainline and the SB metered on-ramp at Carroll Canyon Road was appropriately analyzed based on City of San Diego requirements.</p> <p>G-19 Interstate 15 was appropriately analyzed based on City of San Diego requirements. The study area for the project's traffic analysis was determined by the limits or extent of where 50 peak hour directional project trips would travel to or from the site and where 20 peak hour trips would use metered freeway on-ramps. The study area was</p>

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	<p>defined as set forth in the City's Traffic Impact Study Manual, July 1998. See DEIR Appendix B, page 4.</p>

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G-20	<ul style="list-style-type: none"> Evaluate several intersections: <i>Scripps Ranch Blvd at Scripps Lake Drive</i> <i>Scripps Ranch Blvd at Hibert Street</i> <i>Scripps Ranch Blvd at Mira Mesa Blvd</i> <i>I-15 at Mira Mesa Blvd</i> <i>Scripps Ranch Blvd at Aviary Drive</i> <i>Business Park Avenue at Willow Creek Rd.</i> <i>Pomerado Road at Willow Creek Road (particularly during school dropoff/pickup hours at Marshall Middle School).</i> <i>Pomerado Road at I-15.</i> <p>Comment: The DEIR provides no analysis of any of these intersections. Preparers of the DEIR will claim that these are not required as effects according to their traffic counts do not propagate that far away from the project. However, all these intersections are impacted during rush hours and particularly during Marshall Middle School and Scripps Ranch High School dropoff/pickup hours. These impacts are not included in the traffic counts. The DEIR must discuss these impacts and potential mitigations.</p>	<p>G-20 As discussed in Response No. G-18, the study area was based on the City of San Diego <i>Traffic Impact Study Manual</i> criteria. The study area also matches the 50 peak hour trip criteria documented by the San Diego Traffic Engineers' Council (SANTEC/ITE Regional Guidelines).</p>
G-21	<ul style="list-style-type: none"> As stated above, conduct extensive analysis of the impacts of the Project on the Community evacuation routes and mitigations to avoid or minimize impacts. <p>Comment: The DEIR provides no information on evacuation routes or mitigations. Carroll Canyon Rd has been identified by the community and the City and County as one of four evacuation egress routes for residents of many communities east of I-15. The EIR must identify effective mitigations to avoid or minimize impacts to community egress and emergency vehicle ingress.</p>	<p>G-21 The applicant has offered to provide a dedicated on-site storage area accessible to emergency personnel to quickly obtain signs, cones, or other emergency devices to help during evacuation. While Carroll Canyon Road is an identified evacuation route from the Scripps Ranch Community, construction and operation of the project would not obstruct the road or otherwise diminish its effectiveness as an evacuation route. Emergency personnel have reviewed emergency vehicle access elements.</p>
G-22	<ul style="list-style-type: none"> Identify financing and funding sources (by percentage) associated with traffic mitigations. <p>Comments: The DEIR provides information on the funding to be provided by this project, but gave no information on other funding sources for mitigations. There is no way to know if adequate funding for mitigations will ever be available.</p>	<p>G-22 The traffic study has identified mitigation measures for direct impacts and fair share percentages for horizon year cumulative impacts. As stated in the EIR (see Section 5.2, <i>Transportation/ Traffic Circulation/Parking</i>) and as a requirement of the project, the project owner/permittee will be required to pay a fair share of 9.4 percent toward the construction of an eastbound to southbound right turn lane addition to the I-15/Carroll Canyon Road southbound ramp. The CEQA Guidelines § 15130(a)(3) identify fair share mitigation measures as an effective way to allow a project to mitigate its contribution to a cumulative impact. CEQA Guidelines § 15126.4(a)(4) prohibits mitigation that would require the project to mitigate impacts that exceed the project's impacts. Other funding sources for this improvement have not been identified and the timing for its full construction cannot be guaranteed. Therefore, as concluded in the EIR, the impact remains significant and unmitigated, requiring that the decision-maker adopt a Statement of Overriding Considerations specifically stating that the project's overall benefits override the significant and unmitigated impact. It is the intention of City staff that the Mira Mesa Public Facilities Financing Plan will be updated to include this improvement (known as T7-A.)</p>
G-23	<p>-----</p> <p>Pg 5.1-17. While the goals and objectives in 5.1.1 cited increased access for pedestrian (foot, bicycle) transit to the project site, zone CC-2-3 is "intended to accommodate</p>	

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	<p>G-23 The proposed project does support commercial uses with an auto orientation, as the project site is located within suburban Scripps Miramar Ranch. However, as part of the Climate Action Plan and as part of general sustainable design practices, the project also supports the use of non-carbon-emitting and non-motorized modes of transportation. The project provides pedestrian circulation and linkage elements, including a non-contiguous sidewalk along Carroll Canyon Road and direct access to project uses from this sidewalk, as well as a clearly demarcated internal circulation network. A bike lane exists along Carroll Canyon Road and bicycle parking facilities are provided on-site for residents, employees, and visitors. Due to the project's location within an existing employment node and the extension of the existing pedestrian facilities along the project frontage, the project links residents living within the residential component of the project with employment sites via the established pedestrian and bicycle network.</p> <p>Consistent with Climate Action Plan Strategies, the project will provide three percent of the total parking spaces required for residential use with a listed cabinet, box, or enclosure connected to a conduit linking the parking spaces with the electrical service. Of the total listed cabinets, boxes, or enclosures provided, 50 percent will have the necessary electric vehicle supply equipment installed to provide active electric vehicle charging stations ready for use by residents. The project will also provide short-term bicycle parking spaces in excess of those required in the City's Municipal Code.</p>

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	development with an auto orientation.” The zoning and intended goals/objectives seem inconsistent.	G-24 This correction has been made.
	----- Pg 5.2-30 thru 5.2-31.	G-25 This correction has been made.
G-24	<ul style="list-style-type: none"> MM 5.2.2 and MM 5.2.3 are reversed. MM 5.2.2 addresses Impact 5.2.4 and MM 5.2.3 addresses impact 5.2.3. Replace the text for MM 5.2.2 with MM 5.2.3 and visa versa. 	G-26 See Response No. C-2.
G-25	<ul style="list-style-type: none"> Delete reference to MM 5.2.5. There are only four mitigations, not five. 	G-27 The project site's parcel and the parcel for the Scripps Ranch High School share a common border – the northern border of the project site's parcel and the southern border of the High School's parcel. However, the High School is not located immediately proximate to the project site. A drainage channel, ravine, and open areas separate the two uses. Residential structures proposed for construction on the project site will be approximately 750 feet from the nearest building on the High School site. Furthermore, commercial and residential uses are compatible uses. There are no special considerations that result from locating the proposed commercial and residential uses near a high school.
G-26	<p><i>Health and Safety:</i></p> <p>In the SRPG response to the NOP, we requested that the DEIR:</p> <ul style="list-style-type: none"> address the probable existence of asbestos in the existing buildings, the mitigations to avoid exposing the public to hazardous materials, and the effectiveness of the mitigations. <p>Comment: The DEIR did not even mention the possibility of asbestos in the existing buildings.</p>	G-28 As presented in Section 5.13, <i>Public Services and Facilities</i> , and based on estimates provided by the San Diego Unified School District, the project could generate 23 – 47 high school aged students, which could increase automobile trips accessing Scripps Ranch High School. However, there are no identified safety or security issues related to project traffic at school crossings and parking lots. Furthermore, even though the project shares a property boundary with Scripps Ranch High School, there is no direct pedestrian connection across that property boundary between the project and the High School. This is because the High School and the project are separated by a fence at the high school boundary and a substantial drainage ravine that runs between the two properties.
G-27	<p><i>Health and Safety, and Public Services and Facilities:</i></p> <p>In the SRPG response to the NOP we asked that the DEIR please address the implications for Safety and for Police services related to the following:</p> <ul style="list-style-type: none"> Identify any issues and special considerations resulting from the proximity and shared boundary of the proposed project with Scripps Ranch High School. 	G-29 The proposed project would not result in any greater concerns relative to criminal activity than any other existing commercial or residential use. Per CEQA, there is no logical nexus to analyze such a relationship, as residential and commercial uses are common – and often promoted – near schools. To the extent that the commenter is requesting an analysis of the impact of criminal
G-28	<ul style="list-style-type: none"> Review safety and security issues associated with increased traffic at school crossings and parking lots, including those that occur before and after regular school hours. 	
G-29	<ul style="list-style-type: none"> Review any potential increase in criminal activity associated with access to dwelling units, cars, and parking areas, such as burglaries, assaults, sex crimes, and/or drug sales and use, and relate these to safety of High School students and staff. <p>Comment: The DEIR provides no information concerning safety, security, traffic, or criminal activity concerning the proposed project and its proximity to the high school.</p>	

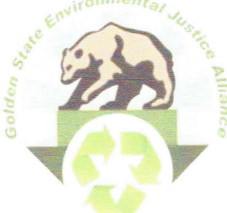
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	<p>activity on the project due to its proximity to the High School, CEQA does not require an analysis of the existing environment's impact on the project's future residents except in certain circumstances not applicable here. <i>See California Building Industry Ass'n v. Bay Area Air Quality Management Dist.</i> (2015) 62 Cal.4th 369.</p>

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G-30	<p><i>Cumulative Effects</i> In the SRPG response to the NOP, we asked that the DEIR ensure that the cumulative effects analysis thoroughly evaluate effects of the Project on:</p> <ul style="list-style-type: none"> • Traffic volume and LOS at the Carroll Canyon, Pomerado, Hibert, and Mira Mesa intersections with I-15 NB and SB during peak AM and PM periods. • Traffic volume and LOS at the Carroll Canyon, Pomerado, Hibert, and Mira Mesa intersections with I-15 NB and SB during emergency evacuations. <p>Comment: The DEIR evaluated effects at the Carroll Canyon intersections with I-15 but provided no analysis of any other intersections.</p> <p>Submitted February 2017 by the Scripps Ranch Planning Group.</p>	<p>G-30 The study area was based on the City of San Diego <i>Traffic Impact Study Manual</i> criteria. Please see Response Nos. G-18 and G-19.</p>

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<p style="text-align: right;">Page 1 of 8</p>  <p>Green Jobs & Green Communities P.O. Box 79222 Corona, CA 92877</p> <p>February 20, 2017</p> <p>VIA EMAIL</p> <p>Jeffrey Szymanski, Environmental Planner City of San Diego Development Services Center 1222 First Avenue, MS 501 San Diego, CA 92101 DSDEAS@sandiego.gov</p> <p>SUBJECT: CARROLL CANYON MIXED USE PROJECT NO. 240716 SCH NO. 2015081031</p> <p>To whom it may concern:</p> <p>Thank you for the opportunity to comment on the Environmental Impact Report (EIR) for the proposed Carroll Canyon Mixed Use project. Please accept and consider these comments on behalf of Golden State Environmental Justice Alliance. Also, Golden State Environmental Justice Alliance formally requests to be added to the public interest list regarding any subsequent environmental documents, public notices, public hearings, and notices of determination for this project. Send all communications to Golden State Environmental Justice Alliance P.O. Box 79222 Corona, CA 92877.</p>	<p>H-1 The commenter has been added to the public notice list for the project.</p>

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<p style="text-align: right;">Page 2 of 8</p> <p>1.0 Summary</p> <p>As we understand it, the proposed project includes the demolition of two existing office buildings and redevelopment of the site with up to 260 multi-family residential units and approximately 10,700 square feet of commercial retail space. The project proposes several buildings that would accommodate residential units, small retail stores, and restaurants. The multi-family residential buildings would be located in the northern three-fourths of the site. Retail/restaurant pads would be located in the southern portion of the site along Carroll Canyon Road. Buildings would range in heights of one story to four stories and would equal 386,000 square feet.</p> <p>H-2 Discretionary actions related to the development of the proposed project include: a General Plan Amendment to change the land use designation from Industrial Employment to Multiple Use; a Community Plan Amendment to change the current land use designation from Industrial Park to Residential (15-29 du/net ac) and Community Shopping; a Rezone of the site from IP-2-1 (Industrial— Park) to RM-3-7 (Residential – Multiple Unit) and CC-2-3 (Commercial – Community); a Planned Development Permit (PDP) to allow deviations to maximum wall heights, setbacks, lot frontage, and maximum building height; and a Vesting Tentative Map (VTM).</p> <p>2.0 Environmental Setting</p> <p>H-3 <i>Figure 2-5 Surrounding Land Uses</i> does not identify all of the land uses surrounding the project site. The open space/field to the north is not identified and neither is Scripps Ranch High School. The open space/field to the north is not accurately described until 5.8 Biological Resources where it is disclosed that it is a canyon supporting an ephemeral USGS dashed blue-line stream. <i>Figure 2-5</i> must be revised to accurately and fully disclose the land uses surrounding the project site.</p> <p>H-4 <i>Figure 2-6 City of San Diego General Plan Land Use Map</i> features a very small snap of the general project area. It is very difficult for the public to read this map and the public would benefit from an exhibit that exclusively focuses on the project vicinity. It is very difficult to ascertain but it appears that the canyon north of the project site is designated Park, Open Space & Recreation. The EIR must meaningfully disclose this information instead of burying it in a very small section of the map.</p>		<p>H-2 Comments noted. These paragraphs restate project details as outlined in Section 3.0 of the EIR, <i>Project Description</i>.</p> <p>H-3 <i>Figure 2-5, Surrounding Land Uses</i>, has been revised to clearly identify Scripps Ranch High School as located north of the project site. Section 2.5 of the EIR, <i>Surrounding Land Uses</i>, identifies land uses north of the project site to include a natural drainage corridor and Scripps Ranch High School.</p> <p>H-4 In accordance with CEQA section 15125(a), Section 2.0 of the EIR, <i>Environmental Setting</i>, contains a description of physical environmental conditions in the vicinity of the project, and is no longer than necessary to establish an understanding of the significant effects of the proposed project and its alternatives. <i>Figure 2-6</i> is a reproduction of <i>Figure LU-2</i> in the City's General Plan Land Use and Community Planning Element, which is available at:</p> <p>https://www.sandiego.gov/sites/default/files/lu2_gplanduse_streetsystem_feb2016.pdf.</p> <p>An updated version of <i>Figure LU-2</i> dated January 12, 2016, is available, and this version has been used for <i>Figure 2-6</i> of the EIR. The canyon north of the project is not designated Park, Open Space & Recreation.</p>

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<p style="text-align: right;">Page 3 of 8</p> <p>3.0 Project Description</p> <p><i>Figure 3.8 - Site Plan and Table 3-2 Proposed Deviations</i></p>		
H-5	The site plan depicts the property as six separate lots; however, the lots are not numbered on the site plan even though they are referred to by number later in Table 3-2 Project Deviations.	H-5 Lots are clearly shown in Figure 3-7, <i>Project Grading Plan</i> , which immediately precedes Table 3-2, <i>Project Deviations</i> , as well as within the Project Exhibits available for review at the City of San Diego.
H-6	Various setback deviations are requested with some labeled on the site plan, except for the 8'0" proposed setback on the east side of the property (uncertain which lot that is because they are not numbered on the site plan). There is also a proposed height deviation to increase the allowable height by 10 feet in the proposed RM-3-7 zone area of the project, but it is not stated if that deviation applies to all the buildings, only one, or only a few. The site plan does not label buildings with the proposed height deviation. Elevation 9 shows a residential elevation at +/- 40 feet height and that must be clarified as well.	H-6 All proposed setback deviations are labeled on Figure 3-8, <i>Site Plan</i> , including the 8'0" proposed setback on the east side of the property.
H-7		H-7 As described in Deviation No. 3 on Table 3-2, <i>Project Deviations</i> , the project proposes a height deviation of ten feet applicable to all buildings within the RM-3-7 zoned portion of the property.
H-8		H-8 It is not a requirement of the City of San Diego Municipal Code to label all buildings with proposed height deviations. The environmental analysis addresses building heights. During building permit review, City staff determines if the proposed building permit plans substantially conform to the conceptual development plans approved as part of the discretionary application. If it is determined that the building permit plans do not substantially conform, an amendment to the discretionary permit will be required.
H-9	Deviations to street frontage, lot width, lot area, and lot frontage are requested as four of the six lots are substandard for their proposed zone. However, the vesting tract map included shows the project site held as one parcel. There is no indication that the property will continue to be held as six separate lots. The development standards should be applied to the property as it is proposed in the vesting tract map - as one parcel. The site plan shows six separate lots in order to create the appearance of a hardship of land, thus resulting in the proposed deviations. However, there is no hardship or the hardship will at least be reduced significantly once all the lots are combined.	H-9 There is no restriction on the number of lots indicated on a single parcel of a Vesting Tentative Map. The fact that it will be held as six separate lots has no effect on the environmental analysis. NOTE: The project does not include a Vesting Tract Map, as noted in the comment letter, but rather a Vesting Tentative Map.
H-10	Further, the EIR states that lots 1, 5, and 6 straddle the RM-3-7 and CC-2-3 zones. The project proposes to rezone the entire site. The project proposal is creating its own hardship by not comprehensively zoning the site to avoid this issue.	H-10 Straddling the RM-3-7 and CC-2-3 zones is not uncommon and is not an environmental issue. As described in Section 3.2.2 of the EIR, <i>Proposed Zoning</i> , the project proposes to rezone the project site to include both RM-3-7 and CC-2-3 zones to ensure that development along Carroll Canyon Road occurs as retail and commercial, while also buffering development of residential uses on the northern portion of the site.
H-11	Deviation No. 7 proposes commercial signs in the residential zone, but does not state if the commercial signs will comply with the SMRCP's development criteria that "internally illuminated signs are strongly discouraged" (Commercial Element).	H-11 For the commercial space located in the residentially zoned (RM-3-7) portion of the project site, the intent is that signage would comply
H-12	Mitigation measures in Section 5.2 Transportation/Traffic Circulation/Parking include additional construction - road improvements - prior to issuance of the first building permit for the proposed project. This work is not included in the project description. The project description is incomplete and the EIR is not thoroughly accurate in evaluating the proposed project.	

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	<p>with what is allowed in the CC-2-3 zone, including allowing internally illuminated signs for commercial businesses.</p> <p>H-12 CEQA Section 15124 outlines the information to be included within the EIR Project Description, including project features. Mitigation measures MM 5.2-1 through MM 5.2-4, discussed in Section 5.2, <i>Transportation/Traffic Circulation/Parking</i>, are not considered project features, as they are mitigation. Therefore, they are not required to be included within the project description and exclusion of these measures does not render the project description inaccurate or incomplete. MM 5.2-1 and MM 5.2-2 involve improvements along the project frontage and up to the northbound on-ramp for I-15, which are shown in Figure 3-7. Physical changes associated with those impacts are included in the evaluation of impacts associated with the project Vesting Tentative Map and Grading Plan. MM 5.2-3 and MM 5.2-4 involve the fair share to future roadway improvements, all of which would occur within the rights of way and/or adjoining disturbed areas of Carroll Canyon Road and Carroll Canyon Road/I-15 intersections.</p>

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<p style="text-align: right;">Page 4 of 8</p> <p>5.1 Land Use</p> <p>H-13 The EIR lists proposals, objectives, and goals applicable to the project from the Scripps Miramar Ranch Community Plan (SMRCP). However, the EIR omits the statement from the SMRCP that “the community should maintain a low-density character” and that with respect to the High medium density land use “No additional use of this density is proposed in this Plan” (Residential Element - density ranges). The EIR cites the objective to “promote a variety of housing types and prices throughout the community in support of the citywide concept of balanced housing opportunities” which in the Residential Element is immediately followed by the objective to “encourage development of estate-type and custom lots to complete the spectrum of housing choices in Scripps Ranch”. It is clear that the SMRCP does not intend to further employ the High medium density in the plan area and focuses on estate residential as the density to complete the spectrum of housing choices in the area. The EIR is misleading to the public and decision makers by omitting this vital information from analysis. The EIR must be revised to include and analyze this information.</p> <p>H-14 The EIR does not present any applicable goals, policies, or objectives from the San Diego General Plan or SMRCP in relation to the existing industrial designation at the project site. The EIR must be revised to include analysis of the proposed project with regard for the existing applicable industrial designation.</p> <p>H-15 It is not stated if the proposed residential development would be integrated into one of the SMRCP’s existing Neighborhood Concept Plans (A-E) or create its own new Neighborhood Concept Plan. In order to be fully cohesive and integrate the proposed rezone with the SMRCP, this should be addressed in the EIR.</p> <p>5.2 Transportation/Traffic Circulation/Parking</p> <p>H-16 The proposed project would result in significant impacts 5.2-1, -2, -3, -4, and -5. Mitigation Measure 5.2-2 [Carroll Canyon Road/I-15 SB Ramp Intersection (Impact 5.2-3)] states that “prior to the issuance of the first building permit, the owner/permittee shall pay a fair share of 9.4 percent toward applicant-initiated eastbound to southbound right turn lane addition to the I-15/Carroll Canyon southbound ramp, satisfactory to the City Engineer”. An assessment of fees is appropriate when linked to a specific mitigation program. (<i>Anderson First Coalition v. City of Anderson</i> (2005) 130 Cal.App.4th 1173, <i>Save our Peninsula Comm. v. Monterey County Bd. Of Supers.</i> (2001) 87 Cal.App.4th 99, 141.) Payment of fees is not sufficient where there is no</p>		<p>H-13 The Scripps Miramar Ranch Community Plan was adopted in 1978 with the language quoted in the comment letter relative to envisioned density at that time (1978). In 1985, the Scripps Miramar Ranch Community Plan was amended for the Scripps Westview II project, redesignating medium-density residential to high-medium residential, clearly setting precedent for continued use of this residential density, in spite of the 1978 text. At the time the Scripps Miramar Ranch Community Plan was adopted, the housing demands and overall vision for the City of San Diego was vastly different from what exists today. Furthermore, the community plan was adopted prior to the incorporation of the City of San Diego’s City of Villages Strategy, the Climate Action Plan, and the Regional Housing Needs Assessment (RHNA) Plan. Since the adoption of the Scripps Miramar Ranch Community Plan in 1978, the City of Villages Strategy was incorporated into the City of San Diego General Plan.</p> <p>The City of Villages strategy focuses growth into mixed-use activity centers that are pedestrian-friendly districts linked to an improved regional transit system. A “village” is defined as the mixed-use heart of a community where residential, commercial, employment, and civic uses are all present and integrated. Each village will be unique to the community in which it is located. All villages will be pedestrian-friendly and characterized by inviting, accessible and attractive streets and public spaces. Public spaces will vary from village to village, consisting of well-designed public parks or plazas that bring people together. Individual villages will offer a variety of housing types affordable for people with different incomes and needs. Over time, villages will connect to each other via an expanded regional transit system.</p> <p>There are a variety of identified village propensities located to the north and west of the project site, such as high village propensity along I-15, particularly at Mira Mesa Boulevard, which reduces in intensity away from I-15. The proposed uses of the project fit with and support these surrounding villages. The project site is partially within a Transit Priority Area of the City’s Climate Action Plan. Additionally, the project creates the potential for a walkable village</p>

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	<p>extension where one previously was not anticipated due to the industrial land use designation.</p> <p>Additionally, since adoption of the Scripps Miramar Ranch Community Plan in 1978, the projected housing needs of the region have dramatically changed. Per the RHNA Plan, the forecast housing needs for the San Diego region is 435,171 dwelling units. Of those 435,171 dwelling units, the City of San Diego's housing burden is 233,805 dwelling units. The proposed project allows for Scripps Miramar Ranch to contribute positively to addressing the housing crisis in a manner that fits within established densities of the community, without proposing a density in excess of those identified in the Scripps Miramar Ranch Community Plan.</p> <p>Since adoption of the Scripps Miramar Ranch Community Plan in 1978, global climate change has become a paramount concern on the local, national, and global scale. California's landmark global climate change legislation, the Global Warming Solutions Act of 2006 (AB 32), established the State's goal of substantially reducing its GHG emissions to 1990 levels by 2020. Subsequent legislation, namely Senate Bill (SB) 97, adopted in 2007, addresses climate change by requiring lead agencies to analyze greenhouse gases (GHGs) under CEQA. Additionally, the Sustainable Communities and Climate Protection Act of 2008 (SB 375) requires each Metropolitan Planning Organization to prepare a Sustainable Communities Strategy as part of its Regional Transportation Plan that includes land use, transportation, and housing policies to reduce regional GHG emissions.</p> <p>Based on the 2011 California Air Resources Board's (ARB) Scoping Plan, the City of San Diego's Climate Action Plan (CAP) is a proactive step toward addressing the City's GHG emissions. The CAP provides a road map for the City to collaborate with communities in assessing vulnerability to future climate change, developing overarching adaptation strategies and implementing measures to enhance resilience. Compliance with the CAP is determined via the CAP Consistency Checklist, which evaluates such factors as land use</p>

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	<p>consistency, energy and water efficiency of buildings; clean and renewable energy; and bicycling, walking, transit, and land use. The proposed project is consistent with the CAP and facilitates San Diego's goals of addressing climate change by providing for an interconnected (internally and regionally) mix of uses that allows residents, employees, and visitors to limit their impact on the environment, in spite of the 1970s planning of the Scripps Miramar Ranch Community Plan that in no way could have anticipated the impacts of global climate change on all of humanity.</p> <p>Finally, the location of the proposed project at the edge of the community prevents disruption to the single-family character prevalent on the interior of the community. Multi-family development of condominiums and townhomes tends to be on the periphery of the community. The proposed project keeps with the established community-wide land use pattern of providing multi-family housing along the I-15 corridor, leaving single-family homes internal to the community undisturbed. The proposed project contributes to the spectrum of housing choices in the Scripps Miramar Ranch community that the community plan calls to be completed, by providing both new multi-family housing and rental housing, where the majority of housing is either single-family or for-sale product.</p> <p>H-14 One of the discretionary actions of the proposed project is an Amendment to the Scripps Miramar Ranch Community Plan, which includes removal of the project site from industrial land use designation and instead proposes it for residential and commercial retail uses. Thus, the Residential and Commercial Elements of the Community Plan have been reviewed and the proposed project is evaluated in context with those elements. The project's proposed change in land use is shown in the Community Plan Amendment (CPA) Figure 9, Industrial Element, and is reproduced in the EIR as Figure 3-4, Scripps Miramar Ranch Community Plan Industrial Element. As shown in Figure 3, Residential Element, of the CPA and reproduced in the EIR as Figure 3-2, Scripps Miramar Ranch Community Plan Residential Element, the project site is proposed</p>

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	<p>for residential development within new Neighborhood Concept Plan Area F. Because the project removes the industrial land use designation from the site within the Scripps Miramar Ranch Community Plan, and the project site is proposed to be designated as residential with the CPA, industrial goals, policies, and objectives of the Scripps Miramar Ranch Community Plan and the City of San Diego General Plan would no longer be applicable.</p> <p>Furthermore, in order to remove the industrial land use designation from the project site, a Collocation/Conversion Suitability Factors Analysis was prepared for the proposed project. The Collocation/Conversion Suitability Factors Analysis examines the impact of the proposed conversion of industrial land to a mix of residential, small shops, and restaurants. This analysis discusses how industrial lands and Prime Industrial Lands are impacted if a property is converted. The results of the Collocation/Conversion Suitability Factors Analysis conclude that the project's conversion to a mixed-use is desirable (Carroll Canyon Mixed-Use Project Draft Environmental Impact Report, January 2017, pg. 5.1-21).</p> <p>General Plan Economic Prosperity Policy EP-A.17 states:</p> <p><i>Analyze the collocation and conversion suitability factors listed in Appendix C, EP-2, when considering residential conversion or collocation in non-prime industrial land areas.</i></p> <p>With regards to a change in non-prime industrial land uses to residential use, among the General Plan Collocation/Conversion Suitability Factors that should be considered is the following:</p> <p><i>The significance of the proposed residential density to justify a change in land use.</i></p> <p>The project proposes a residential density of 15-29 dwellings per acre, which is the highest density allowed in the Community Plan. Therefore, the project would support this Collocation/Conversion Suitability Factor.</p>

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	<p>H-15 The creation of Neighborhood Concept Plan Area F is discussed in Section 3.2.1, Scripps Miramar Ranch Community Plan/General Plan Amendment, of the EIR. Area F includes a maximum of 260 dwelling units at a density of 15 to 29 du/ac for the entire project site. This section includes a summary of the features of Area F, as well as other CPA revisions. Area F is shown on Figure 3-2. Additionally, Area F and its development criteria relative to residential, community shopping, mobility, urban design, and sustainability are clearly discussed in the CPA on pages 23 and 23a and throughout the document. The proposed land use designation revisions and associated rezone are cohesively integrated into the Scripps Miramar Ranch Community Plan; these project elements are addressed in the EIR within the Project Description, as well as Section 5.1, Land Use.</p> <p>H-16 Section 5.2 of the EIR, Transportation/Traffic Circulation/Parking, clearly states the potential that mitigation measure MM 5.2-2 may not be completed by the study horizon year, resulting in Impact 5.2-2 remaining significant and unmitigated. Project approval will require that the decision-maker adopt all findings and a Statement of Overriding Considerations, which will address this potential unmitigated impact. Refer to Response No. G-22 for a discussion of fair share mitigation.</p>

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<p style="text-align: right;">Page 5 of 8</p> <p>evidence mitigation will actually result. (<i>Gray v. County of Madera</i> (2008) 167 Cal.App.4th 1099,1122.) The assessment of fees here is not adequate as there is no evidence mitigation will actually result. MM 5.2-2 represents uncertain mitigation and is improperly deferred in violation of CEQA.</p> <p>5.4 Air Quality</p> <p>H-17 A construction schedule is not given for the project in the EIR, but the Air Quality Analysis (Appendix C) assumes an 18 month construction schedule with overlapping construction, paving, and architectural coating phases. The EIR does not present any statement of impacts or potential mitigation measures from the overlap of construction phases. There is no statement that the construction phases will not occur concurrently. Also, there is no requirement that the project be completed over a certain number of days given. Construction may occur faster as well, which would result in significantly greater daily impacts.</p> <p>H-18 The AQA assumes a maximum 8 hour day of construction, 5 days per week. Section §59.5.0404 - Construction Noise of the San Diego Municipal Code permits construction between the hours of 7:00 AM - 7:00 PM, Monday - Saturday. The AQA does not present the “worst-case scenario” of construction equipment emitting pollutants for the legal 12 hours per day, 6 days per week. The Air Quality modeling must be revised to account for these legally possible longer construction days and increased number of construction days.</p> <p>H-19 The EIR and Air Quality Analysis state that the nearest sensitive receptors to the project site are residents located approximately 0.1 mile east. The EIR and Air Quality Analysis do not provide a map of the sensitive receptors or indicate where on their respective properties the sensitive receptors were placed for analysis. Health Risk Assessments are supposed to be conservative and modeling should have assessed what may happen to sensitive receptors given their exposure at their property lines. The EIR is deficient as an informational document and does not present adequate analysis regarding the sensitive receptors during the construction or operational phases.</p> <p>H-20 Additionally, there is no mention of Scripps Ranch High School (adjacent to the proposed project site) as a sensitive receptor in either the EIR or Air Quality Analysis. Both must be revised to include Scripps Ranch High School for analysis.</p> <p>H-21 The EIR states that “any odors present during construction would be temporary” but does not provide a CEQA definition of temporary odors or an exemption for temporary odors. The EIR</p>		<p>H-17. The construction schedule was based on estimates from the project applicant and assumed an 18-month duration. The California Emissions Estimator Model (CalEEMod) was used to calculate emissions from project construction, taking into account the overlap of building construction, paving, and architectural coatings application. As shown in both Table 5 of the Air Quality Technical Report, <i>Estimated Maximum Daily Construction Emissions</i>, and discussed under Issue 1 within Section 5.4.2 of the EIR, <i>Impact Analysis</i>, construction does not require mitigation because emissions are well below the City's significance thresholds. Construction activities are based on the current model and the best available information. The analysis provides an evaluation of the maximum daily emissions versus the significance thresholds, which takes into account simultaneous operation of construction equipment and construction vehicles. There is no need to require the project to be completed in the number of days assumed, nor would faster construction necessarily result in higher emissions, because construction would still be limited to a certain number of hours and thus a daily maximum emissions. The analysis is therefore reasonable, and no further revisions are warranted.</p> <p>H-18. CalEEMod is the industry standard for calculating construction and operational air quality emissions, and is accepted by the City of San Diego, San Diego Air Pollution Control District, and widely throughout the State of California. CalEEMod was developed for the California Air Pollution Officers Association (CAPCOA) in collaboration with California air districts, and the San Diego Air Pollution Control District “recommends use of the latest version of CalEEMod for estimating emissions from proposed land use development projects.” (http://www.sdapcd.org/content/sdc/apcd/en/air-quality-planning/ceqa.html)</p> <p>The CalEEMod model assumes that most construction activities would occur within an 8-hour period. This period does not include safety meetings, lunch breaks, or other times during the day when all construction equipment is not operating. Rather, the model</p>

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	<p>assumes that all construction equipment would be operational within the 8-hour period of maximum activity. The analysis is therefore reasonable and provides a reasonable estimate of maximum daily emissions. Accordingly, the City's Municipal Code permitting construction between 7 AM and 7 PM, Monday – Saturday, does not make the CalEEMod assumptions unreasonable. Also, the Air Quality Technical Report's use of an 8-hour period to calculate daily emissions does not affect its calculation of the project's total construction emissions. This is because the project will require a finite amount of construction activity to build, which the Air Quality Technical Report accurately calculates. Even if the project is constructed more quickly than estimated, the total volume of air quality emissions would not be expected to change. No revisions to the study are warranted.</p> <p>Nevertheless, to address the comment, the construction scenario was re-run within the CalEEMod assuming that equipment would have the potential to operate 12 hours per day. The model was also re-run assuming that coatings would be compliant with SDAPCD Rule 67.0.1, which went into effect on January 1, 2017. The results of the analysis indicate that emissions from construction would remain well below the City of San Diego's significance threshold. The tables are included below.</p>

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	<table><tr><th colspan="11">Estimated Maximum Daily Construction Emissions Carroll Canyon Mixed Use Project – 8 hrs/day construction</th></tr><tr><th>Construction Activity/Time</th><th>ROG</th><th>NOx</th><th>CO</th><th>SO₂</th><th>PM₁₀ Dust</th><th>PM₁₀ Exhaust</th><th>PM₁₀ Total</th><th>PM_{2.5} Dust</th><th>PM_{2.5} Exhaust</th><th>PM_{2.5} Total</th></tr><tr><td>Demolition</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr><tr><td>Fugitive Dust</td><td>-</td><td>-</td><td>-</td><td>-</td><td>0.45</td><td>0.00</td><td>0.45</td><td>0.07</td><td>0.00</td><td>0.07</td></tr><tr><td>Off-Road Diesel</td><td>4.51</td><td>48.36</td><td>36.07</td><td>0.04</td><td>-</td><td>2.45</td><td>2.45</td><td>-</td><td>2.29</td><td>2.29</td></tr><tr><td>On-Road Diesel</td><td>0.12</td><td>1.72</td><td>1.15</td><td>0.00</td><td>0.09</td><td>0.03</td><td>0.12</td><td>0.03</td><td>0.02</td><td>0.05</td></tr><tr><td>Worker Trips</td><td>0.06</td><td>0.07</td><td>0.74</td><td>0.00</td><td>0.12</td><td>0.001</td><td>0.12</td><td>0.03</td><td>0.00</td><td>0.03</td></tr><tr><td>TOTAL</td><td>4.69</td><td>50.15</td><td>37.96</td><td>0.04</td><td>0.66</td><td>2.481</td><td>3.14</td><td>0.13</td><td>2.31</td><td>2.44</td></tr><tr><td>Site Grading</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr><tr><td>Fugitive Dust</td><td>-</td><td>-</td><td>-</td><td>-</td><td>2.44</td><td>0.00</td><td>2.44</td><td>1.30</td><td>0.00</td><td>1.30</td></tr><tr><td>Off-Road Diesel</td><td>3.83</td><td>40.42</td><td>26.67</td><td>0.03</td><td>-</td><td>2.33</td><td>2.33</td><td>-</td><td>2.14</td><td>2.14</td></tr><tr><td>Worker Trips</td><td>0.06</td><td>0.07</td><td>0.74</td><td>0.00</td><td>0.12</td><td>0.00</td><td>0.12</td><td>0.03</td><td>0.00</td><td>0.03</td></tr><tr><td>TOTAL</td><td>3.89</td><td>40.49</td><td>27.41</td><td>0.03</td><td>2.56</td><td>2.33</td><td>4.89</td><td>1.33</td><td>2.14</td><td>3.47</td></tr><tr><td>Building Construction</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr><tr><td>Building Off Road Diesel</td><td>3.66</td><td>30.03</td><td>18.74</td><td>0.03</td><td>-</td><td>2.12</td><td>2.12</td><td>-</td><td>1.99</td><td>1.99</td></tr><tr><td>Building Vendor Trips</td><td>0.41</td><td>3.82</td><td>4.25</td><td>0.00</td><td>0.23</td><td>0.06</td><td>0.29</td><td>0.07</td><td>0.06</td><td>0.12</td></tr><tr><td>Building Worker Trips</td><td>0.78</td><td>0.92</td><td>10.09</td><td>0.02</td><td>1.68</td><td>0.01</td><td>1.69</td><td>0.44</td><td>0.01</td><td>0.46</td></tr><tr><td>TOTAL</td><td>4.85</td><td>34.77</td><td>33.08</td><td>0.05</td><td>1.91</td><td>2.19</td><td>4.10</td><td>0.51</td><td>2.06</td><td>2.57</td></tr><tr><td>Paving</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr><tr><td>Paving Off-Gas</td><td>0.02</td><td>-</td><td>-</td><td>-</td><td>-</td><td>-</td><td>-</td><td>-</td><td>-</td><td>-</td></tr><tr><td>Paving Off Road Diesel</td><td>2.09</td><td>22.39</td><td>14.82</td><td>0.02</td><td>-</td><td>1.26</td><td>1.26</td><td>-</td><td>1.16</td><td>1.16</td></tr><tr><td>Paving Worker Trips</td><td>0.05</td><td>0.06</td><td>0.67</td><td>0.00</td><td>0.12</td><td>0.00</td><td>0.12</td><td>0.03</td><td>0</td><td>0.03</td></tr><tr><td>TOTAL</td><td>2.16</td><td>22.45</td><td>15.49</td><td>0.02</td><td>0.12</td><td>1.26</td><td>1.38</td><td>0.03</td><td>1.16</td><td>1.19</td></tr><tr><td>Architectural Coatings</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr><tr><td>Architectural Coatings Off-Gas</td><td>47.12</td><td>-</td><td>-</td><td>-</td><td>-</td><td>-</td><td>-</td><td>-</td><td>-</td><td>-</td></tr><tr><td>Architectural Coating Off Road Diesel</td><td>0.37</td><td>2.37</td><td>1.88</td><td>0.00</td><td>-</td><td>0.20</td><td>0.20</td><td>-</td><td>0.20</td><td>0.20</td></tr><tr><td>Architectural Coating Worker Trips</td><td>0.14</td><td>0.17</td><td>1.83</td><td>0.00</td><td>0.34</td><td>0.00</td><td>0.34</td><td>0.09</td><td>0.00</td><td>0.09</td></tr><tr><td>TOTAL</td><td>47.63</td><td>2.54</td><td>3.71</td><td>0.00</td><td>0.34</td><td>0.20</td><td>0.54</td><td>0.09</td><td>0.20</td><td>0.29</td></tr><tr><td>MAXIMUM DAILY EMISSIONS¹</td><td>54.27</td><td>57.65</td><td>50.73</td><td>0.09</td><td>2.37</td><td>3.49</td><td>5.86</td><td>0.63</td><td>3.27</td><td>3.90</td></tr><tr><td>Significance Criteria</td><td>137</td><td>250</td><td>550</td><td>250</td><td></td><td></td><td>100</td><td></td><td></td><td>55</td></tr><tr><td>Significant?</td><td>No</td><td>No</td><td>No</td><td>No</td><td></td><td></td><td>No</td><td></td><td></td><td>No</td></tr></table> <p>¹Maximum ROG, CO, and SOx emissions during simultaneous building construction, paving, and architectural coatings application. Maximum NOx and PM emissions during grading.</p>	Estimated Maximum Daily Construction Emissions Carroll Canyon Mixed Use Project – 8 hrs/day construction											Construction Activity/Time	ROG	NOx	CO	SO ₂	PM ₁₀ Dust	PM ₁₀ Exhaust	PM ₁₀ Total	PM _{2.5} Dust	PM _{2.5} Exhaust	PM _{2.5} Total	Demolition											Fugitive Dust	-	-	-	-	0.45	0.00	0.45	0.07	0.00	0.07	Off-Road Diesel	4.51	48.36	36.07	0.04	-	2.45	2.45	-	2.29	2.29	On-Road Diesel	0.12	1.72	1.15	0.00	0.09	0.03	0.12	0.03	0.02	0.05	Worker Trips	0.06	0.07	0.74	0.00	0.12	0.001	0.12	0.03	0.00	0.03	TOTAL	4.69	50.15	37.96	0.04	0.66	2.481	3.14	0.13	2.31	2.44	Site Grading											Fugitive Dust	-	-	-	-	2.44	0.00	2.44	1.30	0.00	1.30	Off-Road Diesel	3.83	40.42	26.67	0.03	-	2.33	2.33	-	2.14	2.14	Worker Trips	0.06	0.07	0.74	0.00	0.12	0.00	0.12	0.03	0.00	0.03	TOTAL	3.89	40.49	27.41	0.03	2.56	2.33	4.89	1.33	2.14	3.47	Building Construction											Building Off Road Diesel	3.66	30.03	18.74	0.03	-	2.12	2.12	-	1.99	1.99	Building Vendor Trips	0.41	3.82	4.25	0.00	0.23	0.06	0.29	0.07	0.06	0.12	Building Worker Trips	0.78	0.92	10.09	0.02	1.68	0.01	1.69	0.44	0.01	0.46	TOTAL	4.85	34.77	33.08	0.05	1.91	2.19	4.10	0.51	2.06	2.57	Paving											Paving Off-Gas	0.02	-	-	-	-	-	-	-	-	-	Paving Off Road Diesel	2.09	22.39	14.82	0.02	-	1.26	1.26	-	1.16	1.16	Paving Worker Trips	0.05	0.06	0.67	0.00	0.12	0.00	0.12	0.03	0	0.03	TOTAL	2.16	22.45	15.49	0.02	0.12	1.26	1.38	0.03	1.16	1.19	Architectural Coatings											Architectural Coatings Off-Gas	47.12	-	-	-	-	-	-	-	-	-	Architectural Coating Off Road Diesel	0.37	2.37	1.88	0.00	-	0.20	0.20	-	0.20	0.20	Architectural Coating Worker Trips	0.14	0.17	1.83	0.00	0.34	0.00	0.34	0.09	0.00	0.09	TOTAL	47.63	2.54	3.71	0.00	0.34	0.20	0.54	0.09	0.20	0.29	MAXIMUM DAILY EMISSIONS¹	54.27	57.65	50.73	0.09	2.37	3.49	5.86	0.63	3.27	3.90	Significance Criteria	137	250	550	250			100			55	Significant?	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TOTAL	3.89	40.49	27.41	0.03	2.56	2.33	4.89	1.33	2.14	3.47																																																																																																																																																																																																																																																																																																																																												
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Building Vendor Trips	0.41	3.82	4.25	0.00	0.23	0.06	0.29	0.07	0.06	0.12																																																																																																																																																																																																																																																																																																																																												
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	<table><tr><th colspan="11">Estimated Maximum Daily Construction Emissions Carroll Canyon Mixed Use Project – 12 hrs/day construction</th></tr><tr><th>Construction Activity/Time</th><th>ROG</th><th>NOx</th><th>CO</th><th>SO₂</th><th>PM₁₀ Dust</th><th>PM₁₀ Exhaust</th><th>PM₁₀ Total</th><th>PM_{2.5} Dust</th><th>PM_{2.5} Exhaust</th><th>PM_{2.5} Total</th></tr><tr><td>Demolition</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr><tr><td>Fugitive Dust</td><td>-</td><td>-</td><td>-</td><td>-</td><td>0.45</td><td>0.00</td><td>0.45</td><td>0.07</td><td>0.00</td><td>0.07</td></tr><tr><td>Off-Road Diesel</td><td>6.76</td><td>72.54</td><td>54.11</td><td>0.06</td><td>-</td><td>3.68</td><td>3.68</td><td>-</td><td>3.43</td><td>3.43</td></tr><tr><td>On-Road Diesel</td><td>0.12</td><td>1.72</td><td>1.15</td><td>0.00</td><td>0.09</td><td>0.03</td><td>0.12</td><td>0.03</td><td>0.02</td><td>0.05</td></tr><tr><td>Worker Trips</td><td>0.06</td><td>0.07</td><td>0.74</td><td>0.00</td><td>0.12</td><td>0.001</td><td>0.12</td><td>0.03</td><td>0.00</td><td>0.03</td></tr><tr><td>TOTAL</td><td>6.94</td><td>74.33</td><td>56.00</td><td>0.06</td><td>0.66</td><td>3.71</td><td>4.37</td><td>0.13</td><td>3.45</td><td>3.58</td></tr><tr><td>Site Grading</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr><tr><td>Fugitive Dust</td><td>-</td><td>-</td><td>-</td><td>-</td><td>2.44</td><td>0.00</td><td>2.44</td><td>1.30</td><td>0.00</td><td>1.30</td></tr><tr><td>Off-Road Diesel</td><td>5.75</td><td>60.62</td><td>40.01</td><td>0.04</td><td>-</td><td>3.49</td><td>3.49</td><td>-</td><td>3.21</td><td>3.21</td></tr><tr><td>Worker Trips</td><td>0.06</td><td>0.07</td><td>0.74</td><td>0.00</td><td>0.12</td><td>0.00</td><td>0.12</td><td>0.03</td><td>0.00</td><td>0.03</td></tr><tr><td>TOTAL</td><td>5.81</td><td>60.69</td><td>40.75</td><td>0.04</td><td>2.56</td><td>3.49</td><td>6.05</td><td>1.33</td><td>3.21</td><td>4.54</td></tr><tr><td>Building Construction</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr><tr><td>Building Off Road Diesel</td><td>5.83</td><td>48.63</td><td>30.06</td><td>0.04</td><td>-</td><td>3.40</td><td>3.40</td><td>-</td><td>3.19</td><td>3.19</td></tr><tr><td>Building Vendor Trips</td><td>0.41</td><td>3.82</td><td>4.25</td><td>0.00</td><td>0.23</td><td>0.06</td><td>0.29</td><td>0.07</td><td>0.06</td><td>0.12</td></tr><tr><td>Building Worker Trips</td><td>0.78</td><td>0.92</td><td>10.09</td><td>0.02</td><td>1.68</td><td>0.01</td><td>1.69</td><td>0.44</td><td>0.01</td><td>0.46</td></tr><tr><td>TOTAL</td><td>7.02</td><td>53.37</td><td>44.40</td><td>0.06</td><td>1.91</td><td>3.47</td><td>5.38</td><td>0.51</td><td>3.26</td><td>3.77</td></tr><tr><td>Paving</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr><tr><td>Paving Off-Gas</td><td>0.02</td><td>-</td><td>-</td><td>-</td><td>-</td><td>-</td><td>-</td><td>-</td><td>-</td><td>-</td></tr><tr><td>Paving Off Road Diesel</td><td>3.13</td><td>33.58</td><td>22.23</td><td>0.03</td><td>-</td><td>1.89</td><td>1.89</td><td>-</td><td>1.74</td><td>1.74</td></tr><tr><td>Paving Worker Trips</td><td>0.05</td><td>0.06</td><td>0.67</td><td>0.00</td><td>0.12</td><td>0.00</td><td>0.12</td><td>0.03</td><td>0.00</td><td>0.03</td></tr><tr><td>TOTAL</td><td>3.20</td><td>33.64</td><td>22.90</td><td>0.03</td><td>0.12</td><td>1.89</td><td>2.01</td><td>0.03</td><td>1.74</td><td>1.77</td></tr><tr><td>Architectural Coatings</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr><tr><td>Architectural Coatings Off-Gas</td><td>26.18</td><td>-</td><td>-</td><td>-</td><td>-</td><td>-</td><td>-</td><td>-</td><td>-</td><td>-</td></tr><tr><td>Architectural Coating Off Road Diesel</td><td>0.74</td><td>4.74</td><td>3.77</td><td>0.01</td><td>-</td><td>0.39</td><td>0.39</td><td>-</td><td>0.39</td><td>0.39</td></tr><tr><td>Architectural Coating Worker Trips</td><td>0.14</td><td>0.17</td><td>1.83</td><td>0.00</td><td>0.34</td><td>0.00</td><td>0.34</td><td>0.09</td><td>0.00</td><td>0.09</td></tr><tr><td>TOTAL</td><td>27.06</td><td>4.91</td><td>5.60</td><td>0.01</td><td>0.34</td><td>0.39</td><td>0.73</td><td>0.09</td><td>0.39</td><td>0.48</td></tr><tr><td>MAXIMUM DAILY EMISSIONS¹</td><td>36.77</td><td>88.90</td><td>71.20</td><td>0.12</td><td>2.37</td><td>5.52</td><td>7.88</td><td>0.63</td><td>5.16</td><td>5.80</td></tr><tr><td>Significance Criteria</td><td>137</td><td>250</td><td>550</td><td>250</td><td></td><td></td><td>100</td><td></td><td></td><td>55</td></tr><tr><td>Significant?</td><td>No</td><td>No</td><td>No</td><td>No</td><td></td><td></td><td>No</td><td></td><td></td><td>No</td></tr></table> <p>¹Maximum ROG, CO, and SOx emissions during simultaneous building construction, paving, and architectural coatings application. Maximum NOx and PM emissions during grading.</p>	Estimated Maximum Daily Construction Emissions Carroll Canyon Mixed Use Project – 12 hrs/day construction											Construction Activity/Time	ROG	NOx	CO	SO ₂	PM ₁₀ Dust	PM ₁₀ Exhaust	PM ₁₀ Total	PM _{2.5} Dust	PM _{2.5} Exhaust	PM _{2.5} Total	Demolition											Fugitive Dust	-	-	-	-	0.45	0.00	0.45	0.07	0.00	0.07	Off-Road Diesel	6.76	72.54	54.11	0.06	-	3.68	3.68	-	3.43	3.43	On-Road Diesel	0.12	1.72	1.15	0.00	0.09	0.03	0.12	0.03	0.02	0.05	Worker Trips	0.06	0.07	0.74	0.00	0.12	0.001	0.12	0.03	0.00	0.03	TOTAL	6.94	74.33	56.00	0.06	0.66	3.71	4.37	0.13	3.45	3.58	Site Grading											Fugitive Dust	-	-	-	-	2.44	0.00	2.44	1.30	0.00	1.30	Off-Road Diesel	5.75	60.62	40.01	0.04	-	3.49	3.49	-	3.21	3.21	Worker Trips	0.06	0.07	0.74	0.00	0.12	0.00	0.12	0.03	0.00	0.03	TOTAL	5.81	60.69	40.75	0.04	2.56	3.49	6.05	1.33	3.21	4.54	Building Construction											Building Off Road Diesel	5.83	48.63	30.06	0.04	-	3.40	3.40	-	3.19	3.19	Building Vendor Trips	0.41	3.82	4.25	0.00	0.23	0.06	0.29	0.07	0.06	0.12	Building Worker Trips	0.78	0.92	10.09	0.02	1.68	0.01	1.69	0.44	0.01	0.46	TOTAL	7.02	53.37	44.40	0.06	1.91	3.47	5.38	0.51	3.26	3.77	Paving											Paving Off-Gas	0.02	-	-	-	-	-	-	-	-	-	Paving Off Road Diesel	3.13	33.58	22.23	0.03	-	1.89	1.89	-	1.74	1.74	Paving Worker Trips	0.05	0.06	0.67	0.00	0.12	0.00	0.12	0.03	0.00	0.03	TOTAL	3.20	33.64	22.90	0.03	0.12	1.89	2.01	0.03	1.74	1.77	Architectural Coatings											Architectural Coatings Off-Gas	26.18	-	-	-	-	-	-	-	-	-	Architectural Coating Off Road Diesel	0.74	4.74	3.77	0.01	-	0.39	0.39	-	0.39	0.39	Architectural Coating Worker Trips	0.14	0.17	1.83	0.00	0.34	0.00	0.34	0.09	0.00	0.09	TOTAL	27.06	4.91	5.60	0.01	0.34	0.39	0.73	0.09	0.39	0.48	MAXIMUM DAILY EMISSIONS¹	36.77	88.90	71.20	0.12	2.37	5.52	7.88	0.63	5.16	5.80	Significance Criteria	137	250	550	250			100			55	Significant?	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	<p>H-19. As discussed in Section 4.4 of the Air Quality Technical Report, <i>Exposure of Sensitive Receptors to Substantial Pollutant Concentrations,</i></p>																																																																																																																																																																																																																																																																																																																																																					

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	<p>and under Issue 3 within Section 5.4.2 of the EIR, <i>Impact Analysis</i>, emissions of toxic air contaminants (TACs) are attributable to temporary emissions from construction activities and to minor amount of emissions from delivery vehicles during operation. Construction activities are temporary and do not warrant preparation of a health risk assessment. The main TAC emitted during construction is diesel particulate matter. The Office of Environmental Health Hazard Assessment (OEHHA) has not identified a short-term reference exposure level for diesel particulate and considers this pollutant to be of concern only for long-term (i.e., lifetime) exposure. Therefore, no health risk assessment is warranted for construction activities due to their short duration and the low level of on-site emissions. It is not standard practice to conduct health risk assessments for short-term, temporary activities such as construction. With regard to operational emissions, as discussed in Section 4.4 of the Air Quality Technical Report, <i>Exposure of Sensitive Receptors to Substantial Pollutant Concentrations</i>, and under Issue 3 within Section 5.4.2 of the EIR, <i>Impact Analysis</i>, residential mixed-use projects do not attract a disproportionate amount of diesel truck traffic and are not considered to be a source of TACs that would warrant a health risk assessment.</p> <p>H-20. Because no health risk assessment is warranted, it is not necessary to identify specific receptors such as the Scripps Ranch High School for analysis for exposure. As discussed in Response No. H-19 above, no risk assessment is warranted.</p> <p>H-21. According to the South Coast Air Quality Management's Air Quality CEQA Handbook, the types of land uses that would generate odors include agriculture, wastewater treatment plants, food processing plants, chemical plants, composting activities, refineries, landfills, dairies, and fiberglass molding activities. None of these activities would occur at the project site. As stated in Section 4.5 of the Air Quality Technical Report, <i>Objectionable Odors</i>, and under Issue 5</p>

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	<p>within Section 5.4.2 of the EIR, <i>Impact Analysis</i>, any odor compounds emitted during construction would be minor, and would be associated with diesel exhaust. Odors would dissipate quickly offsite and would not result in significant impacts. No odor modeling is warranted for minor construction related, temporary impacts.</p>

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H-21, cont.	continues by stating that the odors would “likely not affect sensitive receptors (residences), as these receptors are located 0.1 mile east of the project at a higher elevation” but does not provide supporting evidence for this claim such as the elevation of the project site, the elevation of the sensitive receptors, a map for which receptors were used for modeling, or evidence that any modeling occurred at all. Again, there is no mention of odor impacts to Scripps Ranch High School which is adjacent to the north of the project site.	
H-22	The AQA does not mention impacts from the additional construction required as mitigation in 5.2 Transportation/Traffic, all of which are required prior to issuance of the first building permit. The AQA is inadequate as it does not fully evaluate all potential construction impacts related to carrying out the proposed project. The AQA and EIR must be revised to include potential impacts from Transportation MM 5.2-1, 5.2-2, 5.2-3, 5.2-4, and 5.2-5.	H-22. The Air Quality Technical Report and the EIR fully evaluate the impact from construction air emissions from the project and associated construction of roadway improvements as shown on the grading plan for the project associated with traffic mitigation measures. The CalEEMod Model provides default assumptions regarding horsepower rating, load factors for heavy equipment, and hours of operation per day. Default assumptions within the CalEEMod Model and assumptions for similar projects were used to represent operation of heavy construction equipment. Mitigation required for traffic impacts involve adding a westbound right-turn lane from the project's signalized entrance westerly to the northbound freeway on-ramp to I-15 – an improvement along the project frontage which will occur as part of project construction – and the contribution of fair share toward right turn lane at the I-15/Carroll Canyon southbound ramp. Fair share contribution does not involve construction. Future construction of the improvement at the I-15/Carroll Canyon southbound ramp will require City and Caltrans review, as well as environmental review under CEQA which will include an evaluation of air quality impacts.
H-23	<p>5.7 Noise</p> <p>The ambient noise levels at the project site were measured twice and included “two aircraft over flights during each measurement”. The EIR states that the project site is within “the 60 dBA CNEL noise contour pocket due to aircraft over flights but is outside the 65 dBA CNEL contour due to flight paths and the altitude at which the aircraft are operating when passing near the site”. The EIR concludes that “noise from MCAS Miramar would not be expected to exceed 65 dBA CNEL; therefore, no mitigation to any structures or sensitive land uses due to aircraft is required”. However, the Community Environment Element of the Scripps Miramar Ranch Community Plan states that “All new homes, both attached and detached, within the 60 dB CNEL noise contour for MCAS Miramar should be insulated as specified by the Airport Land Use Compatibility Plan noise compatibility criteria for MCAS Miramar”. The EIR does not disclose this requirement to the public. The EIR does not address the proposed project's compliance with requirement. The EIR is inadequate an informational document and misleading to the public and decision-makers by stating that no mitigation is required because noise is not expected to exceed 65 dBA CNEL.</p>	H-23 As presented in Section 5.1, <i>Land Use</i> , of the EIR, the project site is located within Review Area 1 of the MCAS Miramar Airport Influence Area (AIA), which encompasses locations exposed to noise levels of community noise level equivalent (CNEL) 60 decibels (dB) or greater. The project site is located within the 60 to 65 a-weighted dB CNEL, as shown in Figure 5.1-5, <i>MCAS Miramar Compatibility Policy Map: Noise</i> . Furthermore, the project has been submitted to the San Diego County Regional Airport Authority and has been determined to be consistent with the MCAS Miramar Airport Land Use Compatibility Plan (ALUCP), as presented in Appendix J, <i>Federal Aviation Regulation Regulations Part 77 Letters on Non-Obstruction and ALUCP Consistency Letter</i> .
H-24	<p>8.0 Growth Inducement</p> <p>The EIR concludes that the proposed project would not result in growth inducement since the project site is a previously developed site. The EIR further supports this claim by stating that the “proposed project would not substantially alter the planned location, distribution, density, or growth rate of the Scripps Miramar Ranch, adjacent communities, or the City as a whole”. However, one of the proposed new zones for the project site is High medium-density (15-29</p>	As presented in Section 5.7, <i>Noise</i> , and as shown in Figure 5.1-4, <i>MCAS Miramar Compatibility Policy Map: Noise</i> , the project site is within the 60 to 65 dB CNEL Noise Exposure Contour for MCAS Miramar. The project site is outside of the 65 dBA CNEL noise

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	<p>contour due to infrequent aircraft over flights and the altitude at which the aircraft are operating when passing near the site. Noise from MCAS Miramar would not be expected to exceed 65 dBA CNEL and therefore no mitigation to any structures or sensitive land uses due to aircraft are required. The City of San Diego as part of its noise guidelines also states, consistent with Title 24 of the California Code of Regulations (CCR), a project is required to perform an interior assessment on the portions of a project site where building façade noise levels are above the normally compatible noise level in order to ensure that acceptable interior noise levels can be achieved. The City of San Diego's Noise Compatibility Guidelines require interior noise levels in residential structures to be reduced to 45 dBA CNEL. In accordance with Title 24 and the General Plan, once the final architectural plans are prepared, the proposed project site will require an interior noise study be prepared prior to the issuance of building permits to determine the detailed components to reduce interior noise to 45 dBA CNEL.</p> <p>H-24 The project proposes to rezone the existing IP-2-1 zone to RM-3-7 which, according to San Diego Municipal Code §131.0406(b)(3), is intended for <i>medium</i> density multiple dwelling units with limited commercial uses and not as high-medium density as noted in the comment letter. Please see discussions relative to villages in Response Nos. H-13 and H-14. The EIR adequately addresses the potential for environmental effects resulting from the proposed density for the project.</p>

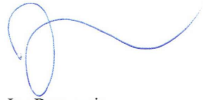
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	<p style="text-align: right;">Page 7 of 8</p> <p>dwelling units per net acre). The Scripps Miramar Ranch Community Plan identifies that the high medium density “has been used in the existing community for the construction of apartments at the corner of Willow Creek Drive and Pomerado Road, as well as for the area north of Erma Road. <i>No additional use of this density is proposed in this Plan.</i>” The Scripps Miramar Ranch Community Plan did not assume any future use of the high medium density in the plan area. Proposing this density at the project site does not meet the intent of the current Scripps Miramar Ranch Community Plan and the proposed project would substantially increase the residential density within the plan. The EIR also states that “the project is in keeping with anticipated growth for the area” when in fact the Scripps Miramar Ranch Community Plan did not assume any future use of the high medium density in the plan area. The EIR is inadequate and misleading as an informational document by not evaluating this vital statement regarding high medium density within the Scripps Miramar Ranch Community Plan. The Growth Inducement analysis must be revised to analyze the impact of the propose project with respect to the Scripps Miramar Ranch Community Plan position on high medium density development.</p>	<p>H-25 Figure 2-8, <i>Existing Zoning</i>, shows that with exception of the Eucalyptus Square Commercial Center south of the project site, areas surrounding the project site are zoned IP-2-1. The IP-2-1 zone is an Industrial--Park zone, intended for development of high quality science and business park uses with very limited supporting commercial uses. The IP-2-1 zone is not designed to accommodate the type of retail uses that the project is intended to provide.</p>
H-24, cont.		<p>H-26 Project Objective 5 states, “In keeping with the City of Villages and Smart Growth policies, provide for efficient use of the project site with a viable mix of residential and commercial uses as an in-fill development of an underutilized site within an urban area where amenities and services are available and easily accessed via alternative modes of travel, including transit, bike, and pedestrian.” Objective 5 also identifies bike and pedestrian access as alternative modes of transit, in addition to mass transit. The project provides this accessibility. See Response No. F-2.</p>
	<p>10.0 Alternatives</p>	
H-25	<p>The project objectives are misleading to the reader. Objective 3 strives to “Allow for retail uses currently limited in availability in the surrounding market area” when the surrounding area is shown in Figure 2-5 to already have a diverse mix of commercial and industrial zoning.</p>	<p>H-27 Project Objectives 5 and 8 on page 10-1 were combined into a single Project Objective. See page 3-2. The Project Objectives set forth at page 10-1 have been updated to match the Project Objectives on page 3-2. Public facilities and services are addressed in Section 5.12 of the EIR. The location of public facilities and services is shown in Figure 5.13-1.</p>
H-26	<p>Objective 5 presents the project site as convenient for alternative transit modes even though throughout the EIR only one bus stop approximately three blocks away is mentioned, and the stop is not shown on a map in relation to the project site. The project and its design does not propose any additional benefits to alternative transit but instead highlights freeway access, widens the road, and pays towards additional auto-oriented improvements. The same applies to</p>	
H-27	<p>Objective 8 and it can also be added that the EIR does not state where the public facilities or services are located in relation to the project site.</p>	
H-28	<p>The Alternative Location alternative is rejected even though the applicant controls another suitable project site and the Business-Light Industrial Park alternative is rejected for not meeting the project objectives, even though the proposed project requires a General Plan Amendment and Community Plan Amendment. Both alternatives should have been evaluated since the proposed project site requires a General Plan Amendment and Community Plan Amendment in order to proceed.</p>	<p>H-28 Per CEQA Section 15126.6(a), “an EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the competitive merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation.” As discussed in Section 10.1.1, <i>Alternative Location Alternative</i>, of the EIR, this alternative location has been evaluated and is already approved for a mixed-use commercial retail and office development. Accordingly,</p>

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	<p>the <i>Alternative Location Alternative</i> is not a feasible alternative because another project has already been approved for the site.</p> <p>The <i>Business-Light Industrial Park</i> alternative would not meet any of the project objectives. Accordingly, it cannot be selected for further evaluation because project alternatives must be able to “feasibly attain most of the basic objectives of the project.” CEQA Guidelines § 15126.6(a).</p> <p>A detailed discussion of the <i>Business-Light Industrial Park</i> alternative is included in the EIR to satisfy the requirements in CEQA Guidelines Section 15126.6€, which states:</p> <p style="padding-left: 40px;"><i>When the project is the revision of an existing land use or regulatory plan, policy, or on-going operation, the “No Project” alternative will be the continuation of the existing plan, policy, or operation into the future.</i></p> <p>Because the project site is currently designated Industrial Park and zoned IP-2-1, a <i>No Project</i> alternative could be developed with business/light industrial uses consistent with the Community Plan and current zoning. Thus, both the <i>Alternate Location</i> alternative and <i>Business-Light Industrial Park</i> alternative were rejected because they did not meet the CEQA Guidelines requirements that they satisfy most basic project objectives, and avoid or substantially lessen one or more of the significant effects of the project.</p>

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<div>Page 8 of 8</div> <div>Alternative 2 - Development Under Existing Land Use Designation and Zoning is easily confused with the rejected Business-Light Industrial Park alternative that was previously rejected. The rejected alternative would have been a reduced project scope of only 200,000 sf of industrial use while Alternative 2 proposes 800,000 sf of industrial use. Since Alternative 2 still resulted in significant impacts to traffic, an alternative that analyzes a reduced intensity business/industrial project should have been presented in order to fully compare the impacts of the proposed project to a project that does not require a GPA or Community Plan Amendment and has the possibility to avoid all significant environmental impacts. The EIR went into this level of detail for Alternatives 3A and 3B, and should have presented the same type of analysis for a project that does not require a GPA or Community Plan Amendment.</div> <div>Conclusion</div> <div>For the foregoing reasons, GSEJA believes the EIR is flawed and an amended EIR must be prepared for the proposed project and recirculated for public review. Golden State Environmental Justice Alliance requests to be added to the public interest list regarding any subsequent environmental documents, public notices, public hearings, and notices of determination for this project. Send all communications to Golden State Environmental Justice Alliance P.O. Box 79222 Corona, CA 92877.</div> <div>Sincerely,</div> <div></div> <div>Joe Bourgeois Chairman of the Board Golden State Environmental Justice Alliance</div>	<div>H-29 CEQA requires that a project analyze a “No Project” alternative. CEQA Guidelines § 15126.6(e). Here, the DEIR analyzes two “no project” alternatives—one that assumes no change to the project site (Alternative 1) and another that assumes densification of the project site under current zoning. (See also Response No. H-28.) As discussed in detail in Section 10.3.2, <i>Alternative 2</i>, of the EIR, the No Project/Development Under Existing Land Use Designation and Zoning Alternative would not require amendments to the community plan and General Plan and would not require a rezone. However, it would result in greater impacts to traffic, air quality, and greenhouse gas emission and would not meet the objectives of the project. A full comparison of all impacts in each alternative is outlined on pages 10-12 through 10-50 within Section 10.0, <i>Alternatives</i> of the EIR. This same level of detailed analysis has been paid to all of the alternatives analyzed within the EIR.</div> <div>H-30 Comment noted. Please refer to Response H-1.</div>