



THE CITY OF SAN DIEGO

## ADDENDUM TO A MITIGATED NEGATIVE DECLARATION

Project No. 531066  
Addendum to MND No. 154476  
SCH No. N/A

**SUBJECT: LA JOLLA CANYON AMENDMENT:** A SITE DEVELOPMENT PERMIT and NEIGHBORHOOD DEVELOPMENT PERMIT to amend Site Development Permit number 548029 and construct 48 multi-dwelling units within a five-story structure totaling approximately 63,580-square-feet; a two-story parking garage totaling approximately 73,940-square-feet; and an 8,730-square-foot amenity space to provide a fitness center and club facilities. The project is also utilizing tandem parking spaces in the parking garage. The project site is currently developed with 157 multi-dwelling units that would remain. Various site improvements would also be constructed that include associated hardscape and landscape. The project would conform to the Affordable/In-Fill Housing and Sustainable Buildings Expedite Program by providing affordable housing. A deviation from applicable regulations for building height is also being requested. The 4.70 acre project site is located at 9515 Genesee Avenue. The project site is designated Medium-High Density Residential (30 – 45 dwelling units per acre) per the University Community Plan Area and is zoned RM-3-7 (Residential – Multiple Unit, permits a maximum density of 1 dwelling unit for each 1,000 square feet of lot area). Additionally, the project site is within the Airport Land Use Compatibility Overlay Zone (Marine Corps Air Station (MCAS) Miramar), the Airport Influence Area, Review Area 2 (MCAS Miramar), the Federal Aviation Administration Part 77 Noticing Area (MCAS Miramar), the Community Plan Implementation Overlay Zone (CPIOZ) Type A, and the Parking Impact Overlay Zone. (LEGAL DESCRIPTION: Lot 1 of Eastgate Village, according to Map No. 9971.) Applicant: John Leppert, Leppert Engineering Corp.

### I. PROJECT DESCRIPTION

The applicant is requesting a SITE DEVELOPMENT PERMIT and NEIGHBORHOOD DEVELOPMENT PERMIT to amend Site Development Permit number 548029 and construct 48 multi-dwelling units within a five-story structure totaling approximately 63,580-square-feet; a two-story parking garage totaling approximately 73,940-square-feet; and an 8,730-square-foot amenity space to provide a fitness center and club facilities. The project is also utilizing tandem parking spaces in the parking garage. The project site is currently developed with 157 multi-dwelling units that would remain. Various site improvements would also be constructed that include associated hardscape and landscape. The project would conform to the Affordable/In-Fill Housing and Sustainable Buildings Expedite Program by providing affordable housing.



The project landscaping has been reviewed by City Landscape staff and would comply with all applicable City of San Diego Landscape ordinance and standards. Drainage would be directed into appropriate storm drain systems designated to carry surface runoff, which has been reviewed and accepted by City Engineering staff. Ingress to the project site would be via Genesee Avenue and Eastgate Mall. All parking would be provided on-site. Temporary parking would be provided off-site during construction until the final occupancy permit is issued for the project.

Grading operations for the project would entail 74 cubic yards of cut and a maximum depth of cut of 0.9 feet. 37 cubic yards of fill and a maximum depth of fill of 0.9 feet is also proposed. 37 cubic yards of export is also required. Additionally, 5,250 cubic yards of cut with a maximum cut depth of nine feet, and 5,250 cubic yards of export is proposed for the parking garage.

The Land Development Code (LDC), Section 143.0920 allows Affordable/In-fill housing and Sustainable Building projects to request deviations from applicable development regulations pursuant to a Site Development Permit decided in accordance with Process Four, provided that the findings in Section 126.0504(a) and the supplemental findings in Section 126.0504(m) are made. Deviations requested by the project include:

1. Building Height – A deviation from San Diego Municipal Code (SDMC) Section 131.0431, Table 131-04G to allow the building height to exceed the 40 foot height requirement by 23 feet six inches for the elevator overrun; by 15 feet for the easterly half of the building; and by 21 feet for the westerly half of the building.

## **II. ENVIRONMENTAL SETTING**

The 4.697 acre project site is located at 9515 Genesee Avenue. The project site is designated Medium-High Density Residential (30 - 45 dwelling units per acre) per the University Community Plan Area and is zoned RM-3-7 (Residential – Multiple Unit, permits a maximum density of 1 dwelling unit for each 1,000 square feet of lot area). Additionally, the project site is within the Airport Land Use Compatibility Overlay Zone (Marine Corps Air Station (MCAS) Miramar), the Airport Influence Area, Review Area 2 (MCAS Miramar), the Federal Aviation Administration Part 77 Noticing Area (MCAS Miramar), the Community Plan Implementation Overlay Zone (CPIOZ) Type A, and the Parking Impact Overlay Zone.

The project site is located at the northeast corner of the intersection of Genesee Avenue and Eastgate Mall. The project site is currently developed with 157 multi-dwelling units within six two-story structures totaling approximately 116,526-square-feet, and associated site improvements (i.e., impervious surfaces and landscaping). The project site is bounded by Genesee Avenue to the west, Fez Street to the north, multi-dwelling residential to the west, and Eastgate Mall to the south. Additionally, the project site is situated in a developed area currently serviced by existing public services and utilities.



### **III. PROJECT BACKGROUND**

The project site lies within the boundaries of the original La Jolla Canyon project, which was previously analyzed under Mitigated Negative Declaration (MND) No. 154476, and certified and adopted by the Planning Commission on July 16, 2009 via Resolution No. 4528-PC-3. A Site Development Permit and Vesting Tentative Map to construct 48 multi-dwelling units within two four-story structures totaling approximately 64,128-square-feet with an approximately 75,942-square-foot two-level subterranean garage was originally permitted in the La Jolla Canyon project.

The La Jolla Canyon project grading included approximately 27,501 cubic yards of cut with grade cut depths of approximately 23.3 feet. The project's landscaping was reviewed by City Landscape staff and determined to be in accordance with the City's Landscape Standards. Drainage would be directed into an appropriate storm drain system designated to carry surface runoff, which was reviewed and accepted by City staff. The project was required to provide 288 vehicle parking spaces on-site within a two-level subterranean garage.

A Site Development Permit was processed as part of the original La Jolla Canyon project to allow a deviation to building height. The RM-3-7 zone limits the height of buildings to a maximum of 40 feet. Therefore, a height deviation would allow the structure to observe a height of 44 feet at the north elevation and 42.8 feet at the south elevation.

The La Jolla Canyon project identified significant impacts to parking and paleontological resources. A mitigation, monitoring, and reporting program was prepared to identify mitigation measures to reduce environmental impacts to below a level of significance.

The current project, La Jolla Canyon Amendment, does not result in new impacts that would require new mitigation; therefore, an Addendum to MND No. 154476 has been prepared.

### **IV. ENVIRONMENTAL DETERMINATION**

The City previously prepared and certified the La Jolla Canyon Mitigated Negative Declaration (No. 154476 / SCH No. N/A). Based on all available information in light of the entire record, the analysis in this Addendum, and pursuant to Section 15162 of the State CEQA Guidelines, the City has determined the following:

- There are no substantial changes proposed in the project which will require major revisions of the previous environmental document due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- Substantial changes have not occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the previous environmental document due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- There is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous



environmental document was certified as complete or was adopted, shows any of the following:

- a. The project will have one or more significant effects not discussed in the previous environmental document;
- b. Significant effects previously examined will be substantially more severe than shown in the previous environmental document;
- c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
- d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous environmental would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Based upon a review of the current project, none of the situations described in Sections 15162 and 15164 of the State CEQA Guidelines apply. There are no substantial changes to the project, no changes in circumstances have occurred, and no new information of substantial importance has manifested, which result in new significant or substantially increased adverse impacts as a result of the project. Therefore, this Addendum has been prepared in accordance with Section 15164 of the CEQA State Guidelines. Public review of this Addendum is not required per CEQA.

## **V. IMPACT ANALYSIS**

The subsequent impact analysis is to demonstrate that environmental impacts associated with the project are consistent with the previously certified MND. The following includes the project-specific environmental review pursuant to the CEQA. The analysis in this document evaluates the adequacy of the MND relative to the project.

### **Parking**

#### ***La Jolla Canyon***

Parking impacts of the original La Jolla Canyon project (MND No. 154476) were determined to be potentially significant. Specifically, it was determined that the project would be required to provide 288 parking spaces. There are currently 198 surface parking spaces on site serving the existing 157 apartment units. The original project proposed to construct 48 additional residential condominium units (12 one-bedroom and 36 two-bedroom) which required a minimum of 90 additional parking spaces. Construction of the project would require removal of existing surface parking, resulting in a temporary loss and/or displacement of approximately 155 parking spaces. The applicant was required to provide adequate off-site parking to serve the existing parking needs of the residences.

The MND concluded that implementation of mitigation measures to minimize short-term parking impacts would be required.



## ***Project***

The project would be required to provide 198 parking spaces for the 157 existing apartment units and 70 parking spaces for the 48 additional residential condominium units (18 one-bedroom, 25 two-bedroom, and 5 affordable) for a total of 268 parking spaces. However, construction of the project would require removal of existing surface parking, resulting in a temporary loss and/or displacement of approximately 155 parking spaces. The applicant would be required to provide adequate off-site parking to serve the existing parking needs of the residences.

The previously certified MND identified mitigation measures for parking impacts. The current project would be required to adhere to the mitigation measures identified in the original certified environmental document.

Therefore, a Mitigation, Monitoring, and Reporting Program (MMRP) as detailed in Section VI of the Addendum would be implemented. With implementation of the MMRP, impacts to parking would be reduced to below a level of significance.

## **Visual Effects and Neighborhood Character**

### ***La Jolla Canyon***

The original La Jolla Canyon project (MND No. 154476) determined that the design of the multi-dwelling residential structures would be compatible with the architectural style of the existing structures on site and of the local setting. Further, a deviation was requested to allow the building height to exceed the height limit of 40 feet under the RM-3-7 zone. Specifically, the height deviation would allow the structure to observe a height of 44 feet at the north elevation and 42.8 feet at the south elevation. The project would comply with City height, setback, size and grading standards with deviations. Therefore, the MND concluded that there would be no impacts to Aesthetics/Neighborhood Character.

## ***Project***

The project site is currently developed with 157 multi-dwelling units that would remain. The construction of an additional 48 multi-dwelling units is compatible with the surrounding development, and permitted by the community plan and zoning designation.

The project is requesting a deviation from applicable regulations for height to allow the building height to exceed the 40 foot height limit by 23 feet six inches for the elevator overrun; by 15 feet for the easterly half of the building; and by 21 feet for the westerly half of the building. The requested deviation would allow for the project to accommodate the widening of Genesee Avenue by the San Diego Association of Governments (SANDAG) as part of the Mid-Coast Trolley Project. The Mid-Coast Trolley project requires the acquisition of private property to widen Genesee Avenue.

The original project was designed to accommodate the required 15 foot front yard setback requirement. This setback was reduced to 12 feet to increase the seven foot distance between the Right-of-Way and the existing curb to ten feet at the request of SANDAG as part of the Mid-Coast Trolley project. With the widening of Genesee Avenue, only two to three feet of setback would



remain. Without the 12-foot setback requirement, the building design length would have been reduced in order to satisfy the standard setback requirements. This would have resulted in a corresponding loss of dwelling units, including affordable housing units. In addition, due to the elevation of Genesee Avenue, access into the parking structure would be further compromised. The originally approved ramp was approved with a steep 18 percent slope gradient. The ramp would get both longer and possibly steeper and would result in a loss of required parking spaces.

The Mid-Coast Trolley project requires the acquisition of private property to widen Genesee Avenue, so the property line fronting Genesee Avenue would change. As a means of addressing the potential loss of units and parking, the current project has been redesigned with a smaller building footprint to respect the standard 15 foot setback requirement from the new property line location. The current project has also been redesigned to go up instead of down into a subterranean parking structure. The redesigned structure would reduce the length of time that the existing tenants would be disrupted with the temporary loss of on-site parking during construction. Parking at, or above, grade can be constructed much quicker than subterranean parking. Additionally, more of the existing mature 70 foot tall pine trees along Eastgate Mall would not be lost with the current project's redesigned structure. Excavation of the subterranean parking structure proposed under the original project was going to result in a loss of several trees situated closest to the setback line. The redesign of the building has also created the opportunity to provide approximately 8,730 square feet of amenity space, which was not included in the original approval, but will be available for both the existing and the proposed tenants.

The project site is located in the Central Subarea as identified by the Urban Design Element of the University Community Plan (UCP). The Central Subarea is the most urban of the four subareas in the community and is a diverse, mixed-use area of relatively intense development. Within a ½-mile radius of the project site there are a large number of existing buildings which are taller than what is being proposed by the project. The proposed height is not out of character with other buildings in the vicinity of the project as demonstrated by the Contextual Height Analysis. The height and proximity of the Mid-Coast Trolley Project to the project would also dramatically alter the vertical scale of the University Community. The project proposes preservation and retention of the existing trees located in the street setback along Eastgate Mall. These mature trees are taller than the proposed project and would provide effective screening along the southern elevation. Therefore, the proposed development would not impact surrounding development or create any impacts to Aesthetics/Neighborhood Character.

Additionally, a Shadow Study was conducted to assess the shadow effect of the project on adjacent areas. The focus of the analysis was determining the effects of shadows cast at different times of the year by the project on off-site land uses. The results are summarized as follows:

**Summer Solstice (June 21):** As shadows are the shortest on this day, the impact would be the most minimal of any day of the year. No structure would be permanently shaded during the summer solstice.

**Spring and Fall Equinox (March 21 and September 21):** During the spring and fall equinox, shadow lengths are mid-way between summer and winter solstice. The spring and fall equinox have shadows of equal length during all times of the day. At 5:00 p.m., the shadows would be the longest and extend easterly. The structures would shade adjacent residential development and landscaped



areas. Shadows would remain confined to the project site. No structure would be permanently shaded during the spring and fall equinox.

**Winter Solstice (December 21):** The sun is at its lowest angle during winter solstice; therefore, the shadows are the longest, and potential shadow impacts are the greatest. The project would cast the longest shadows in a northeasterly direction at 3:00 p.m., shading adjacent residential development and landscaped areas. The shading impacts of the project would occur for a short period of time throughout the day due to the sun's motion in the sky. No structure would be permanently shaded during the winter solstice.

Therefore, no significant shading impacts would result from the project.

Based on the foregoing analysis, there is no evidence that the project requires a substantial change to the original MND. The project would not create any new significant impact, nor would a substantial increase in the severity of impacts from that described in the MND result.

## **Paleontological Resources**

### ***La Jolla Canyon***

The La Jolla Canyon MND determined that the project is underlain by the Stadium and Linda Vista Formations according to the "Geology of the San Diego Metropolitan Area, California, La Mesa, 7½ Minute Quadrangle" (Kennedy and Peterson, 1975). The Stadium and Linda Vista Formations are assigned a high paleontological resource sensitivity rating. Impacts would be considered significant if more than 1,000 cubic yards of soil cut at a maximum depth of 10 feet (less than 10 feet if the site has been graded) or more would occur into formations with a high sensitivity rating. Construction of the project would require approximately 27,501 cubic yards of soil cut with grade cut depths of approximately 23.3 feet. Consequently, it was determined that the project could result in a significant impact to paleontological resources, and mitigation would be required.

The MND included paleontological monitoring measures to reduce the impact to below a level of significance.

### ***Project***

Per the Geologic Map of the San Diego 30' x 60' Quadrangle (Kennedy & Tan, 2008), the project site is underlain by Lindavista Formation, which has a moderate sensitivity rating for paleontological resources. Paleontological monitoring during grading activities may be required if it is determined that the project's earth movement quantity exceeds the Paleontological threshold (if greater than 2,000 cubic yards and ten feet deep for formations with a moderate sensitivity rating). Monitoring may also be required for shallow grading (less than ten feet) when a site has been previously graded and/or unweathered formations are present at the surface.

Per the submitted plans (Grading and Drainage Plan, Sheet C1.1), grading would entail 74 cubic yards of cut with a maximum cut depth of 0.9 feet. The project would also require 5,250 cubic yards of cut for the proposed parking garage with a maximum cut depth of nine feet. The current project



would be required to adhere to the mitigation measures identified in the original certified environmental document.

Therefore, a MMRP as detailed in Section VI of the Addendum would be implemented. With implementation of the MMRP, impacts to paleontological resources would be reduced to below a level of significance.

## **VI. MITIGATION, MONITORING AND REPORTING PROGRAM (MMRP) INCORPORATED INTO THE PROJECT**

The project shall be required to comply with applicable mitigation measures outlined within the MMRP of the previously certified MND (No. 154476 / SCH No. N/A) and the project-specific subsequent technical studies. The following MMRP identifies measures that specifically apply to this project.

### **A. GENERAL REQUIREMENTS – PART I Plan Check Phase (prior to permit issuance)**

1. Prior to the issuance of a Notice To Proceed (NTP) for a subdivision, or any construction permits, such as Demolition, Grading or Building, or beginning any construction related activity on-site, the Development Services Department (DSD) Director's Environmental Designee (ED) shall review and approve all Construction Documents (CD), (plans, specification, details, etc.) to ensure the MMRP requirements are incorporated into the design.

2. In addition, the ED shall verify that the MMRP Conditions/Notes that apply ONLY to the construction phases of this project are included VERBATIM, under the heading, **"ENVIRONMENTAL/MITIGATION REQUIREMENTS."**

3. These notes must be shown within the first three (3) sheets of the construction documents in the format specified for engineering construction document templates as shown on the City website:

<http://www.sandiego.gov/development-services/industry/information/standtemp.shtml>

4. The **TITLE INDEX SHEET** must also show on which pages the "Environmental/Mitigation Requirements" notes are provided.

5. **SURETY AND COST RECOVERY** – The Development Services Director or City Manager may require appropriate surety instruments or bonds from private Permit Holders to ensure the long term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.

### **B. GENERAL REQUIREMENTS – PART II Post Plan Check (After permit issuance/Prior to start of construction)**

**1. PRE CONSTRUCTION MEETING IS REQUIRED TEN (10) WORKING DAYS PRIOR TO BEGINNING ANY WORK ON THIS PROJECT.** The PERMIT HOLDER/OWNER is responsible to arrange and perform this meeting by contacting the CITY RESIDENT ENGINEER (RE) of the Field Engineering Division and



City staff from MITIGATION MONITORING COORDINATION (MMC). Attendees must also include the Permit holder's Representative(s), Job Site Superintendent and the following consultants:

***Qualified Paleontological Monitor***

**Note:**

**Failure of all responsible Permit Holder's representatives and consultants to attend shall require an additional meeting with all parties present.**

**CONTACT INFORMATION:**

- a) The PRIMARY POINT OF CONTACT is the **RE** at the **Field Engineering Division – 858-627-3200**
- b) For Clarification of ENVIRONMENTAL REQUIREMENTS, it is also required to call **RE and MMC at 858-627-3360**

**2. MMRP COMPLIANCE:** This Project, Project Tracking System (PTS) No. 531066 and /or Environmental Document No. 513066, shall conform to the mitigation requirements contained in the associated Environmental Document and implemented to the satisfaction of the DSD's Environmental Designee (MMC) and the City Engineer (RE). The requirements may not be reduced or changed but may be annotated (i.e. to explain when and how compliance is being met and location of verifying proof, etc.). Additional clarifying information may also be added to other relevant plan sheets and/or specifications as appropriate (i.e., specific locations, times of monitoring, methodology, etc.).

**Note:**

**Permit Holder's Representatives must alert RE and MMC if there are any discrepancies in the plans or notes, or any changes due to field conditions. All conflicts must be approved by RE and MMC BEFORE the work is performed.**

**3. OTHER AGENCY REQUIREMENTS:** Evidence of compliance with all other agency requirements or permits shall be submitted to the RE and MMC for review and acceptance prior to the beginning of work or within one week of the Permit Holder obtaining documentation of those permits or requirements. Evidence shall include copies of permits, letters of resolution or other documentation issued by the responsible agency.

***Not Applicable***

**4. MONITORING EXHIBITS**

All consultants are required to submit , to RE and MMC, a monitoring exhibit on a 11x17 reduction of the appropriate construction plan, such as site plan, grading, landscape, etc., marked to clearly show the specific areas including the **LIMIT OF WORK**, scope of that discipline's work, and notes indicating when in the construction schedule that work will be performed. When necessary for clarification, a detailed methodology of how the work will be performed shall be included.



**NOTE:**

**Surety and Cost Recovery – When deemed necessary by the Development Services Director or City Manager, additional surety instruments or bonds from the private Permit Holder may be required to ensure the long term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.**

**5. OTHER SUBMITTALS AND INSPECTIONS:**

The Permit Holder/Owner's representative shall submit all required documentation, verification letters, and requests for all associated inspections to the RE and MMC for approval per the following schedule:

DOCUMENT SUBMITTAL/INSPECTION CHECKLIST		
Issue Area	Document Submittal	Associated Inspection/Approvals/Notes
General	Consultant Qualification Letters	Prior to Preconstruction Meeting
General	Consultant Construction Monitoring Exhibits	Prior to or at Preconstruction Meeting
Paleontology	Paleontology Reports	Paleontology Site Observation
Bond Release	Request for Bond Release Letter	Final MMRP Inspections Prior to Bond Release Letter

**C. SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS**

**PARKING**

Prior to the issuance of any construction permits, the applicant shall provide a shared parking agreement with the Costa Verde Hotel, LLC, for a minimum of 155 parking spaces. Said agreement shall be in force until the final occupancy permit is issued for the project. The applicant shall provide a shuttle service from the La Jolla Canyon project site to the Costa Verde Hotel site on a 7/24/365 basis.

**PALEONTOLOGICAL RESOURCES**

**I. Prior to Permit Issuance**

**A. Entitlements Plan Check**

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

**B. Letters of Qualification have been submitted to ADD**



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

## **II. Prior to Start of Construction**

### **A. Verification of Records Search**

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

### **B. PI Shall Attend Precon Meetings**

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



### III. During Construction

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

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

#### B. Discovery Notification Process

1. In the event of a discovery, the Paleontological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the RE or BI, as appropriate.
2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.

#### C. Determination of Significance

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



#### **IV. Night and/or Weekend Work**

- A. If night and/or weekend work is included in the contract
  - 1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
  - 2. The following procedures shall be followed.
    - a. No Discoveries  
In the event that no discoveries were encountered during night and/or weekend work, The PI shall record the information on the CSVr and submit to MMC via fax by 8AM on the next business day.
    - b. Discoveries  
All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction.
    - c. Potentially Significant Discoveries  
If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction shall be followed.
    - d. The PI shall immediately contact MMC, or by 8AM on the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.
- B. If night work becomes necessary during the course of construction
  - 1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
  - 2. The RE, or BI, as appropriate, shall notify MMC immediately.
- C. All other procedures described above shall apply, as appropriate.

#### **V. Post Construction**

- A. Preparation and Submittal of Draft Monitoring Report
  - 1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Paleontological Guidelines which describes the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring.
    - a. For significant paleontological resources encountered during monitoring, the Paleontological Recovery Program shall be included in the Draft Monitoring Report.
    - b. Recording Sites with the San Diego Natural History Museum  
The PI shall be responsible for recording (on the appropriate forms) any significant or potentially significant fossil resources encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines, and submittal of such forms to the San Diego Natural History Museum with the Final Monitoring Report.
  - 2. MMC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.
  - 3. The PI shall submit revised Draft Monitoring Report to MMC for approval.
  - 4. MMC shall provide written verification to the PI of the approved report.
  - 5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.



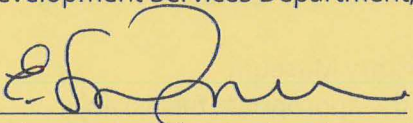
- B. Handling of Fossil Remains
  - 1. The PI shall be responsible for ensuring that all fossil remains collected are cleaned and catalogued.
  - 2. The PI shall be responsible for ensuring that all fossil remains are analyzed to identify function and chronology as they relate to the geologic history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate
- C. Curation of fossil remains: Deed of Gift and Acceptance Verification
  - 1. The PI shall be responsible for ensuring that all fossil remains associated with the monitoring for this project are permanently curated with an appropriate institution.
  - 2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.
- D. Final Monitoring Report(s)
  - 1. The PI shall submit two copies of the Final Monitoring Report to MMC (even if negative), within 90 days after notification from MMC that the draft report has been approved.
  - 2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

## VII. IMPACT SIGNIFICANCE

The MND identified that all impacts would be mitigated to below a level of significance through mitigation. This Addendum also identifies that all significant project impacts would be mitigated to below a level of significance, consistent with the previously certified MND. The proposed project would not result in any additional significant impacts nor would it result in an increase in the severity of impacts from that described in the previously certified MND.

## VIII. CERTIFICATION

Copies of the addendum, the final MND, the Mitigation Monitoring and Reporting Program, and associated project-specific technical appendices, if any, may be reviewed in the office of the Development Services Department, or purchased for the cost of reproduction.

  
E. Shearer-Nguyen, Senior Planner  
Development Services Department

August 21, 2017  
Date of Final Report

Analyst: L. Sebastian

### Attachments:

Figure 1: Vicinity Map

Figure 2: Site Plan

Mitigated Negative Declaration No. No. 154476 / SCH No. N/A





## Project Location Map

La Jolla Canyon Amendment - 9515 Genesee Avenue  
PROJECT NO. 531066

Figure  
No. 1









ENTITLEMENTS DIVISION  
(619) 446-5460

## MITIGATED NEGATIVE DECLARATION

Project No. 154476  
SCH No. *Not Applicable*

**SUBJECT:** LA JOLLA CANYON: SITE DEVELOPMENT PERMIT and VESTING TENTATIVE MAP to construct 48 multi-dwelling units within two four-story structures totaling approximately 64,128 square feet with an approximately 75,942 square-foot two-level subterranean garage. In addition, associated site improvements (i.e. hardscape and landscaping) would also be constructed. The approximately 4.7-acre project site is located at 9515 Genesee Avenue in the RM-3-7 Zone (Residential-Multiple Unit) of the University Community Plan area. (LEGAL DESCRIPTION: Lot 1 of Eastgate Village, Map No. 9971). Applicant: La Jolla Canyon Gardens, LLC.

**UPDATE:** June 5, 2009. Revisions and/or minor corrections have been made to this document when compared to the draft Mitigated Negative Declaration. In accordance with the California Environmental Quality Act, Section 15073.5(c)(4), the addition of new information that clarifies, amplifies, or makes insignificant modifications does not require recirculation as there are no new impacts and no new mitigation identified. An environmental document need only be recirculated when there is the identification of new significant environmental impacts or the addition of a new mitigation measure required to avoid a significant environmental impact. The modifications within the environmental document do not affect the environmental analysis or conclusions of the Mitigated Negative Declaration. All revisions are shown in a ~~striketrough~~ and/or underline format.

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



### III. DETERMINATION:

The City of San Diego conducted an Initial Study which determined that the proposed project could have a significant environmental effect in the following areas: **PARKING** and **PALEONTOLOGICAL RESOURCES**. Subsequent revisions in the project proposal create the specific mitigation identified in Section V of this Mitigated Negative Declaration. The project as revised now avoids or mitigates the potentially significant environmental effects previously identified, and the preparation of an Environmental Impact Report will not be required.

### IV. DOCUMENTATION:

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

### V. MITIGATION, MONITORING AND REPORTING PROGRAM (MMRP):

#### GENERAL REQUIREMENTS

1. Prior to issuance of any construction permit the Assistant Deputy Director (ADD) Environmental Designee of the Entitlements Division shall verify that Mitigation Measures for **PARKING AND PALEONTOLOGICAL RESOURCES** have been included in entirety on the submitted construction documents and contract specifications, and included under the heading, "Environmental Mitigation Requirements." In addition, the requirements for a Preconstruction Meeting shall be noted on all construction documents.
2. Prior to the commencement of work, a Preconstruction Meeting (Pre-con) shall be conducted and include the City of San Diego's Mitigation Monitoring Coordination (MMC) Section, Resident Engineer, Building Inspector, Project Consultant (Biologist and Paleontologist), Applicant and other parties of interest.
3. Evidence of compliance with other permitting authorities is required, if applicable. Evidence shall include either copies of permits issued, letters of resolution issued by the Responsible Agency documenting compliance, or other evidence documenting compliance and deemed acceptable by the ADD Environmental Designee.

#### PARKING

Prior to the issuance of any construction permits, the applicant shall provide a shared parking agreement with the Costa Verde Hotel, LLC, located at 8995 Costa Verde Boulevard (Legal Description: Lot 12 of Costa Verde, Map 12045, APN No. 345-210-12-00), for a minimum of 155 parking spaces. Said agreement shall be in force until the final occupancy permit is issued for the La Jolla Canyon project. The applicant shall provide a shuttle service from the La Jolla Canyon project site to the Costa Verde Hotel site on a 7/24/365 basis.



## **PALEONTOLOGICAL RESOURCES**

### **I. Prior to Permit Issuance**

- A. Entitlement Division Plan Check
  - 1. Prior to Notice to Proceed (NTP) for any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, but prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Paleontological Monitoring have been noted on the appropriate construction documents.
- B. Letters of Qualification have been submitted to ADD
  - 1. The applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the paleontological monitoring program, as defined in the City of San Diego Paleontology Guidelines.
  - 2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the paleontological monitoring of the project.
  - 3. Prior to the start of work, the applicant shall obtain approval from MMC for any personnel changes associated with the monitoring program.

### **II. Prior to Start of Construction**

- A. Verification of Records Search
  - 1. The PI shall provide verification to MMC that a site specific records search has been completed. Verification includes, but is not limited to a copy of a confirmation letter from San Diego Natural History Museum, other institution or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
  - 2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.
- B. PI Shall Attend Precon Meetings
  - 1. Prior to beginning any work that requires monitoring, the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified paleontologist shall attend any grading/excavation related Precon Meetings to make



comments and/or suggestions concerning the Paleontological Monitoring program with the Construction Manager and/or Grading Contractor.

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

### III. During Construction

- A. Monitor Shall be Present During Grading/Excavation/Trenching
  1. The monitor shall be present full-time during grading/excavation/trenching activities as identified on the PME that could result in impacts to formations with high and moderate resource sensitivity. **The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities.**
  2. The monitor shall document field activity via the Consultant Site Visit Record (CSV). The CSV's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (**Notification of Monitoring Completion**), and in the case of ANY discoveries. The RE shall forward copies to MMC.
  3. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as trenching activities that do not encounter formational



soils as previously assumed, and/or when unique/unusual fossils are encountered, which may reduce or increase the potential for resources to be present.

**B. Discovery Notification Process**

1. In the event of a discovery, the Paleontological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the RE or BI, as appropriate.
2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.

**C. Determination of Significance**

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

**IV. Night and/or Weekend Work**

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**A. If night and/or weekend work is included in the contract**

1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.



2. The following procedures shall be followed.
  - a. No Discoveries  
In the event that no discoveries were encountered during night and/or weekend work, The PI shall record the information on the CSV and submit to MMC via fax by 8AM on the next business day.
  - b. Discoveries  
All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction.
  - c. Potentially Significant Discoveries  
If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction shall be followed.
  - d. The PI shall immediately contact MMC, or by 8AM on the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.
- B. If night work becomes necessary during the course of construction
  1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
  2. The RE, or BI, as appropriate, shall notify MMC immediately.
- C. All other procedures described above shall apply, as appropriate.

## **V. Post Construction**

- A. Preparation and Submittal of Draft Monitoring Report
  1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Paleontological Guidelines which describes the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring.
    - a. For significant paleontological resources encountered during monitoring, the Paleontological Recovery Program shall be included in the Draft Monitoring Report.
    - b. Recording Sites with the San Diego Natural History Museum  
The PI shall be responsible for recording (on the appropriate forms) any significant or potentially significant fossil resources encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines, and submittal of such forms to the San Diego Natural History Museum with the Final Monitoring Report.



2. MMC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.
  3. The PI shall submit revised Draft Monitoring Report to MMC for approval.
  4. MMC shall provide written verification to the PI of the approved report.
  5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.
- B. Handling of Fossil Remains
1. The PI shall be responsible for ensuring that all fossil remains collected are cleaned and catalogued.
  2. The PI shall be responsible for ensuring that all fossil remains are analyzed to identify function and chronology as they relate to the geologic history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate.
- C. Curation of fossil remains: Deed of Gift and Acceptance Verification
1. The PI shall be responsible for ensuring that all fossil remains associated with the monitoring for this project are permanently curated with an appropriate institution.
  2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.
- D. Final Monitoring Report(s)
1. The PI shall submit two copies of the Final Monitoring Report to MMC (even if negative), within 90 days after notification from MMC that the draft report has been approved.
  2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC, which includes the Acceptance Verification from the curation institution.

## VI. PUBLIC REVIEW DISTRIBUTION

Draft copies or notice of the MITIGATED NEGATIVE DECLARATION were distributed to:

City of San Diego

Councilmember Lightner, District 1

Development Services Department

EAS

Planning Review

Transportation

Engineering Review



City of San Diego (continued)

Landscaping

DPM

Community Planning and Community Investment

Long-Range

Library, Government Documents (81)

Central Library (81A)

University City Branch Library (81JJ)

City Attorney (MS59)

Other Organizations and Interested Individuals

San Diego Natural History Museum (166)

Curtis Management Company, Inc. (479)

University City Community Planning Group (480)

The Guardian (481)

UCSD (482)

UCSD (483)

MCAS Miramar Air Station (484)

Marian Bear Natural Park Recreation Council (485)

University City Community Association (486)

Friends of Rose Canyon (487)

University City Library (488)

La Jolla Village Community Council (489)

Shute Mihaly & Weinberger LLP (490)

Chamber of Commerce (492)

John Leppert, Leppert Engineering Corporation, Consultant

Carol Matson, La Jolla Canyon Gardens, Applicant

VII. RESULTS OF PUBLIC REVIEW

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

Copies of the draft MITIGATED NEGATIVE DECLARATION, the Mitigation Monitoring and Reporting Program and any Initial Study material are available in the office of the Entitlements Division for review, or for purchase at the cost of reproduction.

A handwritten signature in cursive script, appearing to read "Elizabeth Surfer for".

Martha Blake, Senior Planner  
Development Services Department

April 7, 2009

Date of Draft Report

June 5, 2009

Date of Final Report

Analyst: SHEARER – NGUYEN





UNITED STATES MARINE CORPS

MARINE CORPS AIR STATION  
P.O. BOX 452001  
SAN DIEGO, CA 92145-2001

11103  
CP&L/154476  
April 14, 2009

CITY OF SAN DIEGO  
DEVELOPMENT SERVICES DEPARTMENT  
ATTN ELIZABETH SHEARER-NGUYEN  
1222 FIRST AVENUE MS 501  
SAN DIEGO CA 92101

RE: UNIVERSITY COMMUNITY PLAN; LA JOLLA CANYON, 9515 GENESEE  
AVENUE, PN 154476, APN 343-140-24

Dear Ms. Shearer-Nguyen,

This is in response to the public notice of a draft mitigated  
negative declaration of April 7, 2009, which proposes residential  
development within the University Community Planning area.

On October 2, 2008, the Airport Land Use Commission (ALUC)  
approved the adoption of a revised Marine Corps Air Station (MCAS)  
Miramar Airport Land Use Compatibility Plan (ALUCP) that is  
consistent with the 2005 MCAS Miramar Air Installations Compatible  
Use Zones (AICUZ) Study. However, since the proposed project was  
submitted to the City of San Diego prior to the adoption of the  
2008 ALUCP, the property will only be subject to new safety,  
height, noise and overflight standards for future development.

The proposed site is contained within the "MCAS Miramar AICUZ  
Study Area" identified in the 2005 AICUZ Update for MCAS Miramar.  
It has been determined that this project is: 1) within the adopted  
2004 MCAS Miramar ALUCP Airport Influence Area (AIA), 2) outside  
the 60+ dB Community Noise Equivalent Level (CNEL) noise contours,  
3) outside all Accident Potential Zones (APZ), 4) beneath the  
Outer Horizontal Surface of MCAS Miramar (Federal Aviation  
Regulation Part 77), and 5) beneath and/or near establish fixed  
and rotary-wing flight corridors for aircraft transiting to and  
from MCAS Miramar.

It has been determined that the proposed project is consistent  
with AICUZ noise and safety compatibility guidelines, and the  
structural heights of the proposed buildings do not appear to  
penetrate the Federal Aviation Administration (FAA) Part 77  
Conical Surface and/or any Terminal Instrument Procedures (TERPS)

City staff response(s) to the United States Marine Corps, Marine Corps Air Station Miramar  
State Clearinghouse and Planning Unit comment(s) letter for the La Jolla Canyon, Project No. 154476

1. Comment noted. No issues regarding the adequacy and/or accuracy of the environmental  
were identified.

11103  
CP&L/154476  
April 14, 2009

City staff response(s) to the United States Marine Corps, Marine Corps Air Station Miramar  
State Clearinghouse and Planning Unit comment(s) letter for the La Jolla Canyon, Project No. 154476

surfaces. However, please note that the FAA is the only agency that can officially determine if a structure exceeds an airspace surface and/or what impact it would have on air navigation.

This location will experience noise impacts from the Seawolf, Julian and Ground Controlled Approach (GCA) Box Pattern Flight Corridors for fixed-wing operations. The site will also experience noise impacts from the Beach, Fairways and GCA Box Pattern Flight Corridors for helicopter operations.

Occupants will routinely see and hear military aircraft and experience varying degrees of noise and vibration. Consequently, we are recommending full disclosure of noise and visual impacts to all initial and subsequent purchasers, lessees, or other potential occupants.

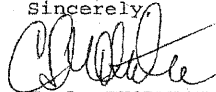
Normal hours of operation at MCAS Miramar are as follows:

Monday through Thursday	7:00 a.m. to 12:00 midnight
Friday	7:00 a.m. to 6:00 p.m.
Saturday, Sunday, Holidays	8:00 a.m. to 6:00 p.m.

MCAS Miramar is a master air station, and as such, can operate 24 hours per day, 7 days per week. Fiscal and manpower constraints, as well as efforts to reduce the noise impacts of our operations on the surrounding community, impose the above hours of operation. Circumstances frequently arise which require an extension of these operating hours.

Thank you for the opportunity to review this land use proposal. If we may be of any further assistance, please contact Mr. Juan Lias at (858) 577-6603.

Sincerely,



C. L. THORNTON  
Community Plans and Liaison Officer  
By direction of the Commanding Officer

Copy to:  
University Community Planning Group, Chair, Linda Colley  
San Diego County Regional Airport Authority, Sandi Sawa

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## University City Community Planning Group

4660 La Jolla Village Drive, Suite 1080  
San Diego, California 92122

May 14, 2009

Elizabeth Shearer-Nguyen  
Environmental Planner  
City of San Diego  
1222 First Avenue, MS 501  
San Diego, California 92101

Re: La Jolla Canyon Gardens, LLC Draft MND JO: 430749

Dear Mrs. Shearer-Nguyen:

The UCPG Planning Group met on May 12, 2009 to review the proposed project and Mitigated Negative Declaration. We want to thank you for extending our response time to May 15, 2009. We are emailing our comments to Development Services and delivering a hard copy to your office. We reviewed the Draft Mitigated Negative Declaration and would like you to include the following three comments with responses in the Final document.

### Comment # 1 TRAFFIC/ACCESS

We are very familiar with the intersection of Genesee Ave and Eastgate Mall and know that at several times each day it is congested. We strongly urge the developer to study taking access off the Eastgate Mall side of the parcel and to eliminate one driveway on Genesee Ave. The project has been designed for all tenants who park in the garage to take access off of Genesee Ave. The on grade parking has two options, Genesee Ave. and Eastgate Mall. Eastgate Mall has less traffic volume than Genesee Ave. and will be a safer street to take the traffic of the new 48 units.

### Comment # 2 TEMPORARY PARKING

We would like more information regarding the shuttle system and the timing and number of shuttles that will be available. We also believe that there is a parking requirement for the Costa Verde Project and these additional 155 parking spaces may violate the Costa Verde PCD parking requirements. On a daily basis, tenants from the neighboring Costa Verde High Rise apartment's park on the proposed lot, there are construction trailers, construction equipment and there is parking for Trophy's Restaurant. Please advise the community on the proposed shuttle and parking plan and the approximate number of months that this plan will be in effect.

City staff response(s) to the University City Community Planning Group  
State Clearinghouse and Planning Unit comment(s) letter for the La Jolla Canyon, Project No. 154476

2. The project is located on Eastgate Mall along the northeast portion of the Urban Node pedestrian network identified in the University Community Plan. In order to create a project that implements the goals and objectives for development adjacent to the pedestrian network, the project has designed its main entrance along the pedestrian network, has stepped the buildings back away from Eastgate Mall, provided required parking below grade and taken vehicular access from Genesee Avenue which eliminates new potential vehicular/pedestrian conflicts.
3. The shuttle would be operated on a headway which meets of the existing residences. In addition the, the shuttle would be operating on a schedule of 24 hours per day, 7 days per week, for 365 days and would be in force until the final occupancy permit is issued by the City as stated in the permit. Staff is unaware of any other joint agreements for the Costa Verde High Rise Apartments or with any other entities. As previously stated, the shuttle will operate 24 hours per day, 7 days per week, for 365 days and would be in force until the final occupancy permit is issued by the City as stated in the permit.

Comment # 3 WATER USAGE

The project isn't proposing to be LEED certified and hasn't proposed specific water saving features. We are concerned with the lack of future water supplies in the City of San Diego. We are suggesting the use of low flow fixtures (toilet, shower, etc.) and water saving appliances (dishwashers, washing machines and other appliances). We are also recommending drought tolerant plants and drip irrigation in the landscape areas and any other feature that will reduce the use of water.

If you have further questions, we can provide more detail to you on the above issues.

Sincerely,



Janay Kruger  
Chair

City staff response(s) to the University City Community Planning Group  
State Clearinghouse and Planning Unit comment(s) letter for the La Jolla Canyon, Project No. 154476

4. Although LEED certification is not a requirement of the City's Land Development Code or General Plan, the project is proposing, as a project feature, the usage of water conserving fixtures for each *new* dwelling unit. In addition, project satisfies the Landscape Regulations of the Land Development Code as well as Council Policy 900-14 for Sustainable Buildings. Most of the mature trees on-site including the Street Trees are existing to remain and we would not want them removed and replaced with a more drought-tolerant tree. These trees have huge canopies which provide "Shade over Pavement" satisfying the purpose and intent of the Landscape Regulations [LDC 142.0401].



City of San Diego  
Development Services Department  
Entitlements Division  
1222 First Avenue, Mail Station 501  
San Diego, CA 92101  
(619) 446-6460

INITIAL STUDY  
Project No. 154476  
SCH No. Not Applicable

**SUBJECT:** LA JOLLA CANYON: SITE DEVELOPMENT PERMIT and VESTING TENTATIVE MAP to construct 48 multi-dwelling units within two four-story structures totaling approximately 64,128 square feet with an approximately 75,942 square-foot, two-level subterranean garage. In addition, associated site improvements (i.e. hardscape and landscaping) would also be constructed. The approximately 4.7-acre project site is located at 9515 Genesee Avenue in the RM-3-7 Zone (Residential-Multiple Unit) of the University Community Plan area. (LEGAL DESCRIPTION: Lot 1 of Eastgate Village, Map No. 9971). Applicant: La Jolla Canyon Gardens, LLC.

**UPDATE:** June 5, 2009. Revisions and/or minor corrections have been made to this document when compared to the draft Mitigated Negative Declaration. In accordance with the California Environmental Quality Act, Section 15073.5(c)(4), the addition of new information that clarifies, amplifies, or makes insignificant modifications does not require recirculation as there are no new impacts and no new mitigation identified. An environmental document need only be recirculated when there is the identification of new significant environmental impacts or the addition of a new mitigation measure required to avoid a significant environmental impact. The modifications within the environmental document do not affect the environmental analysis or conclusions of the Mitigated Negative Declaration. All revisions are shown in a ~~striketrough~~ and/or underline format.

#### I. PURPOSE AND MAIN FEATURES:

A SITE DEVELOPMENT PERMIT and VESTING TENTATIVE MAP to construct 48 multi-dwelling units within two four-story structures totaling approximately 64,128 square feet with an approximately 75,942 square-foot, two-level subterranean garage. In addition, associated site improvements (i.e. hardscape and landscaping) would also be constructed (Figure 2). There

would be a mixture of one- and two-bedroom units, which would be approximately 760 square feet and 1,167 square feet, respectively.

The elevation plans indicate the use of stucco finish, light green composite board and batten, tan composite lap siding, vinyl windows, decorative wrought iron guardrail on balconies, all to match with the existing structures on site (Figure 3). The structure would be approximately 40 feet in height.

Approximately 27,501 cubic yards of cut with a maximum depth of 23.3 feet is proposed. The project's landscaping has been reviewed by City Landscape staff and would comply with all applicable City of San Diego landscape ordinances and standards. Drainage would be directed into an appropriate storm drain system designated to carry surface runoff, which has been reviewed and accepted by City staff. The project site would be accessed via Genesee Avenue and Eastgate Mall. The project is required to provide 288 vehicle parking spaces. All required parking would be provided on site within a two-level subterranean garage.

A Site Development Permit (PDP) is being processed in order to allow a deviation to building height. The RM-3-7 zone limits the height of buildings to a maximum of 40 feet. Therefore, a height deviation would allow the structure to observe a height of 44 feet at the north elevation and 42.8 feet at the south elevation.

## II. ENVIRONMENTAL SETTING:

The project site is located at the northeast corner of the intersection of Genesee Avenue and Eastgate Mall, at 9515 Genesee Avenue (Figures 1). The site is currently developed with 157 multi-dwelling units within six two-story structures comprised of approximately 93,918 total square feet, and associated site improvements (i.e. impervious surfaces and landscaping). The site is bounded by Genesee Avenue to the west, Fez Street to the north, multi-dwelling residential to the east, and Eastgate Mall to the south.

The development site is designated Medium High Density Residential (30 - 45 dwelling units per acre) and is zoned RM-3-7 (Residential-Multi Dwelling) per the University Community Plan. The approximately 4.7-acre lot is situated in a neighborhood setting of similar residential uses.

## III. ENVIRONMENTAL ANALYSIS: See attached Initial Study Checklist.

## IV. DISCUSSION:

The project files and reports referred to below are available for public review on the Fifth Floor of the Development Services Department, Entitlements Division, 1222 First Avenue, San Diego, California, 92101.



*DURING THE ENVIRONMENTAL REVIEW OF THE PROJECT, IT WAS DETERMINED THAT CONSTRUCTION COULD POTENTIALLY RESULT IN SIGNIFICANT BUT MITIGABLE IMPACTS IN THE FOLLOWING AREA(S).*

#### PARKING

Per City of San Diego's Significance Determination Thresholds, a project's shortfall or displacement of existing parking would substantially affect the availability of parking in an adjacent residential area, including the availability of public parking

The project as proposed is required to provide 288 parking spaces. Currently, there are 198 surface parking spaces on site. Construction of the two-multi-dwelling unit structures would require removal of existing surface parking, resulting in a temporary loss and/or displacement of approximately 155 parking spaces. The applicant is required to provide adequate offsite parking serve the existing parking needs of the residences.

Therefore, a Mitigation Monitoring Reporting Program (MMRP), as detailed within Section V of the MND would be implemented to minimize short-term parking impacts. With implementation of the MMRP potential short-term parking impacts would be reduced to below a level of significance.

#### PALEONTOLOGICAL RESOURCES

According to the "Geology of the San Diego Metropolitan Area, California, La Mesa, 7<sup>1/2</sup> Minute Quadrangle" (Kennedy and Peterson, 1975), the project site is underlain by the Scripps Formation, Stadium and Linda Vista Formations. With respect to fossil resource potential, both the Scripps Stadium and the Linda Vista Formations have high sensitivity levels for paleontological resources, ~~whereas, Ardath Shale has a moderate sensitivity level for paleontological resources.~~

The Stadium Formation (the Cypress Canyon Member) consists mainly of non-marine, light gray, medium -grained sandstones and reddish and greenish siltstones and mudstones. This formation has yielded abundant and diverse assemblages of fossil land mammals. The Lower member of the Stadium Conglomerate has sparse marine fossil.

~~The Scripps Formation consists of interbedded layers of claystone, siltstone, and sandstone with some cobble conglomerate. The formation is entirely of marine origin and was deposited during the early middle Eocene. This formation is considered to be potentially fossiliferous almost everywhere it occurs. Most of the fossils known from this formation consist of remains of marine organisms, including clams, snails, crabs, sharks, rays and bony fishes. However, remains of fossil reptiles and land mammals have also been recovered from this formation. Well-preserved pieces of the fossil wood have also been recovered.~~

The Linda Vista Formation represents a marine and/or non-marine terrace deposit of early Pleistocene age (approximately .5 - 1.5 million years ago). Typical exposures of the formation consist of rust-red, coarse-grained, pebbly sandstones and pebble conglomerates with locally common deposits of green claystone. This formation has an average thickness of about 20-30 feet and is thought to be deposited under fluvial, Aeolian, and shallow nearshore marine conditions. These deposits accumulated on a flat, wave-cut platform during a period of dropping sea levels. Today these deposits form extensive mesa surfaces characteristic of Otay Mesa, San Diego Mesa, Linda Vista, Kearny Mesa, and Mira Mesa. The Linda Vista Formation has produced remains of nearshore marine invertebrates including clams, scallops, snails, barnacles, and sand dollars, as well as sparse remains of sharks and baleen whales.

Construction of the project requires approximately 27,501 cubic yards of soil cut with grade cut depths of approximately 23.3 feet. According to the City of San Diego's Significance Determination Thresholds, over 1,000 cubic yards of grading at depths of greater than 10 feet (less than 10 feet if the site has been graded) into formations with a high resource sensitivity rating could result in a significant impact to paleontological resources, and mitigation would be required. The mitigation program consists of monitoring excavation activities by a qualified paleontologist, recovery and curation of any discovered fossils and preparation of a monitoring results report. Implementation of the program would reduce any project-related impacts to fossil resources to below a level of significance.

*THE FOLLOWING ENVIRONMENTAL ISSUE(S) WERE CONSIDERED DURING REVIEW OF THE PROJECT AND DETERMINED NOT TO BE SIGNIFICANT.*

#### UTILITIES (WATER)

##### Water Supply and Conservation

Water service to the site is provided by the City of San Diego Water Department. The City currently purchases 75 to 90 percent of its water from San Diego County Water Authority (SDCWA), a wholesale agency that provides imported water to member agencies. The CWA in turn purchases 73 percent of its water from the Metropolitan Water District of Southern California (Metropolitan). Below is a summary of these water supply sources. In addition, a description of events affecting the water supply sources and site-specific historical water usage are provided.

##### Metropolitan Water District of Southern California

Metropolitan obtains its supplies from local sources, the Colorado River, and the Sacramento - San Joaquin Delta. Local sources supply approximately 42 percent of the water needs in Metropolitan's service area, while imported sources supply the rest.



Metropolitan has a Fourth Priority right to draw 550,000 acre-feet per year (AFY) from the Colorado River, as well as a Fifth Priority right to draw an additional 662,000 AFY, if Colorado River water supplies exceed California's 4,400,000 AFY entitlement. In addition, Metropolitan has entered into numerous agreements that allow it to receive supplies unused by agricultural districts for its own use and to store water surplus to immediate needs in groundwater basins adjacent to the Colorado River Aqueduct (CRA).

Metropolitan has a contracted right to 2,011,000 AFY of water from the State Water Project (SWP). Historically, the SWP has been able to meet all contractors' requests for water, except for the drought years of 1977, 1990-92, and 1994. In many years, surplus SWP water (Article 21 water) has been delivered to the SWP contractors. SWP supplies vary depending on annual weather conditions.

#### San Diego County Water Authority

The SDCWA supplies the majority of the water to the western third of San Diego County, which includes the project area. Approximately 35 percent of the water delivered by the SDCWA is supplied to the Water Department.

As indicated in the SDCWA's *Updated 2005 Urban Water Management Plan (UWMP)*, total water use in the SDCWA's service area for fiscal year 2005 was 642,152 AFY. This water was supplied primarily by imported water, with only 9,649 AFY from local surface waters and 11,479 AFY of recycled water (SDCWA 2007). Since 1980, only 5 to 36 percent (24,000 AF to 174,000 AF) of the SDCWA's water has been locally supplied. Looking towards the future, the SDCWA has aggressively sought to diversify its water supply and aims to increase the usage of recycled water.

The SDCWA's Capital Improvement Program includes projects that would increase delivery capacity (to meet future demands), operational flexibility, reliability of the aqueduct system, and adequate emergency supplies. Projects include conservation, groundwater supplies, recycled water development, desalination (including the Carlsbad Seawater Desalination Project), long-term water transfers (including with the Imperial Irrigation District), and additional water storage and canal lining projects. With the incorporation of these projects along with the implementation of metropolitan's Integrated Resources Plan, the Updated 2005 UWMP concludes that the SDCWA will have sufficient water supplies to serve its member agencies under average, single-dry, and multiple-dry year conditions through the year 2030 (SDCWA 2007).

It is noted that the SDCWA has historically purchased more than the 15.8 percent preferential right under the Metropolitan Water District Act (Metropolitan Act). In 2005, the SDCWA purchased 25 percent of the Metropolitan Water District's water. If the Metropolitan Act is enforced (e.g. the other member agencies invoke their preferential rights to water and thereby prevent the SDCWA from purchasing its historic amount of water), the SDCWA could be at risk for shortages. In response to this potential water supply impact, the Metropolitan Board

approved a Shortage Allocation Plan that accomplishes an equitable regional allocation of Metropolitan water supplies during times of shortage. This allocation plan will determine the member agencies' need for water based on historical use and adjusting for growth and changes in local supplies, and then will make an across-the-board allocation based on the declared regional shortage of water. Then an additional allocation will be made based on an agency's dependence on Metropolitan water, and an additional credit allocation will be given based on the amount of conservation savings established by the member agency. In April 2008, the Central Basin Municipal Water District, a Metropolitan member agency, filed suit against Metropolitan in order to challenge Metropolitan's Shortage Allocation Plan. This matter is continuing. Even if the Metropolitan's Shortage Allocation Plan was to be overturned, however, that would not automatically restrict the SDCWA's ability to purchase water in excess of its preferential right.

#### City of San Diego Water Department

The City's Water Department treats and delivers more than 200,000 AFY of water to nearly 1.3 million residents. While the Water Department imports a majority of its water, it uses three local supply sources to meet or offset potable demands: local surface water, conservation, and recycled water. In addition to delivering potable water, the City has a recycled water use program designed to optimize the use of local water supplies, lessen the reliance on imported water, and free up capacity in the potable water system. Recycled water gives the City a dependable, year-round, locally produced and controlled water resource.

In September 2006, the City issued its 2005 UWMP (City UWMP) (City 2006). Like the Metropolitan RUWMP and SDCWA Updated UWMP discussed above, the City UWMP concludes that the Water Department will have sufficient water supplies to serve the City under average, single-dry, and multiple-dry year conditions through the year 2030 (City 2006).

The Water Department has recently established requirements for projects located within the City's Recycled Water Service Area per San Diego Municipal Code Section 64.0807. The North City Water Reclamation Plant (NCWRP) provides reclaimed water to several northern communities within the cities of San Diego and Poway for landscaping irrigation and industrial use. This facility can treat up to 30 million gallons of wastewater (sewage) per day generated by northern communities within the City of San Diego. Currently, there are more than 79 miles of reclaimed water distribution pipeline connected to the NCWRP.

#### Events Affecting Water Supply

Several recent events may affect Colorado River and SWP water supplies, including a December 2007 Record of Decision on the operation of the Colorado River, several federal district court decisions regarding the operation of the SWP with respect to the Delta smelt and Delta salmon, and developing understanding of the potential for global climate change to impact California water supplies. However, the conclusion that there are sufficient water supplies to meet the demands within the service area of the Water Department over the required 20-year planning horizon has not changed.



- Colorado River Supplies: December 2007 Record of Decision and Climate Change:*  
In December 2007, Metropolitan's Board of Directors authorized a series of four agreements that allowed for the implementation of federal guidelines for how water shortages are to be shared amongst the seven states that rely upon the Colorado River for water supplies. The federal guidelines, embodied in a Record of Decision (ROD) signed by U.S. Interior Secretary Dirk Kempthorne on December 13, 2007, established new rules for the management of the Colorado River, which: (1) reinforce and protect California's senior rights to Colorado River water supplies (and correspondingly, Metropolitan's rights); (2) unify the management of Lake Powell and Lake Mead, thereby sharing the risk of drought among all stakeholders; and (3) establish new rules for surpluses that reward conservation. These important agreements provide certainty to Metropolitan's and the SDCWA's Colorado River water supplies and provide Metropolitan with key storage space for any surplus water obtained in the future.
- SWP Supplies: the Delta Smelt and Delta Salmon Decisions, and Global Climate Change:*  
The Natural Resources Defense Council, et al. v. Kempthorne, et al. (NRDC) case challenged the Biological Opinion issued by the USFWS for operations of the SWP and Central Valley Project (CVP) with regard to the Delta smelt, a federally- and state-listed threatened fish species that inhabits the estuaries of the Bay-Delta region. It was found that the Biological Opinion was inadequate and did not have appropriate mitigation. The ultimate conclusion was that the Biological Opinion needed to be reissued on September 15, 2008. After an extended completion date, the Biological Opinion and Reasonable and Prudent Alternative were submitted to the Bureau of Reclamation on December 15, 2008 and are conditionally accepted while being reviewed for legal, economical and technological feasibility and effectiveness. The BO finds that direct and cumulative effects from operations of the SWP and CVP would impact critical habitat and threaten the continued existence of the Delta smelt. The RPA recommends strategies for viability of the species which include limits on negative flows dependent upon life cycle stages, river conditions and detection of the species; an adaptive process to manage outflow and improve habitat during wet seasons; a restoration and monitoring plan to restore a minimum 8,000 acres of habitat; and a comprehensive monitoring program to evaluate and inform the implementation of the RPA (USFWS 2008). The conditional acceptance of the RPA could potentially decrease the water supply to Metropolitan, as Metropolitan receives approximately 60 percent of its water through the SWP from the Delta. Until the new Biological Opinion and RPA are unconditionally accepted, it is unclear how they will affect long-term operations of the SWP and CVP systems. At this point, it is also unclear if the Court's *Pacific Coast* decision will impact long-term operations of the SWP and CVP systems, and if so, how they will be affected. Regardless of how the new Biological Opinion may change the operation of the CVP and SWP, however, statewide actions to address the underlying issues in the Delta are well underway.

Restoring the Delta's water delivery capacity is of great import to the Governor and the California Legislature. Prior to the Court's decisions, many plans were already underway to study and improve the operation of the Delta's water pumps, while also protecting the Delta smelt and other endangered fish species. These plans include the Delta Vision Process (CRA 2007), Delta Risk Management Strategy (DWR 2006b), Delta Protection Commission's Emergency Planning and Response Collaborative Process (2008), CALFED Ecosystem Restoration Program Conservation Strategy (2000), CALFED Bay-Delta Program (2009), Bay-Delta Conservation Plan (CALFED 2007), and Delta Protection Commission's Land Use and Resource Management Plan update process (1995). In addition, Governor Schwarzenegger's recent direction to the DWR to take near-term actions to prepare to implement solutions for the Delta, including a study of the alternatives available for improving the Delta water conveyance system by beginning the National Environmental Policy Act (NEPA)/CEQA process, to expedite existing programs to protect Delta water quality and restore Delta habitat, and to conduct multi-agency Delta disaster planning.

Metropolitan is similarly focused on the challenges relating to the reliability of the Delta water supply. In May 2007, its Board adopted a Delta Action Plan (2007c) to address water supply risks in the Delta both for the near-, mid-, and long-term. The near- and mid-term actions outlined in the Delta Action Plan are intended to implement measures to reduce fishery and earthquake-related risks, such as aggressive monitoring, ecosystem restoration, local water supply projects, and emergency preparedness and response plans. The long-term actions are intended to create a global, comprehensive approach to the fundamental environmental issues facing the Delta to create a sustainable ecological environment through Delta ecosystem restoration, improved water supply conveyance, flood control protection, and development of storage facilities.

Moreover, in response to the NRDC decision, Metropolitan has engaged in planning processes that will identify solutions that, when combined with the rest of its supply portfolio, will ensure a reliable long-term water supply for its member agencies. In the near-term, Metropolitan will continue to rely on the plans and policies outlined in its RUWMP and Integrated Water Resource Plan (IRP) to address water supply shortages and interruptions (including potential shut downs of SWP pumps) to meet water demands. Campaigns for voluntary conservation, curtailment of replenishment water, and agricultural water delivery are some of the actions outlined in the RUWMP. If necessary, reduction in municipal and industrial water use and mandatory water allocation could be implemented, but is unlikely to be in effect in the long-term.

On a local level, the SDCWA is in the process of minimizing the amount of water it purchases from Metropolitan by diversifying its water supply portfolio and pursuing desalination, and the Water Department is developing recycled water supplies.



These efforts will also be effective in helping to address the potential impacts to SWP water supplies caused by global climate change. The 2006 DWR Report explains that climate change may impact SWP supplies in several ways, including: (1) changes in snowfall patterns that could result in a smaller snowpack in the Sierra Nevada and result in the loss of annual water storage in the snowpack; (2) changes in the timing, intensity, and amount of precipitation, which could result in flooding and potential drought; (3) long-term changes in watershed vegetation and increased incidence of wildfires, which could change intensity and timing of runoff; (4) sea level rise, which could threaten Delta levees and contribute to saltwater intrusion into freshwater areas of the Delta used for water supply delivery; (5) increases in water temperatures, which could affect listed and endangered aquatic species and require more dedicated water for in-stream uses; and (6) changes in agricultural and urban water demand due to higher average temperatures (DWR 2006a).

At this point, the results for climate models for California precipitation under various GHG emissions scenarios are mixed. The models that predict the greatest warming generally also predict moderate decreases in total precipitation, while models predicting smaller increases in temperature generally predict moderate increases in precipitation. The 2006 DWR Report notes that the general tendency of all projections is toward moderately decreased precipitation.

The predicted range of snowpack loss also is highly dependent on the warming assumptions used in the models. Projections range from 5 percent loss in snowpack attributable to a 0.6 degree Celsius temperature rise, to a 50 percent loss of snowpack attributable to a 2.1 degree Celsius temperature rise. Earlier snowmelt and more precipitation falling as rain instead of snow will change the operation of existing reservoirs, which often perform dual functions as flood control vessels in the winter and water reservoirs through the summer.

The 2006 DWR Report estimates the extent of climate change impacts to SWP supplies using four climate models, each based on a different global GHG scenario. Under the lowest GHG emissions scenario (Emissions Scenario B1, reflecting low global population increase and GHG emissions reductions), the general trend would be for weak temperature warming and weak precipitation increase in California. For the highest GHG emissions scenario (Emissions scenario A2, reflecting large global population growth and business-as-usual GHG emissions), the general trend would be for relatively strong warming and modest drying. As might be expected, the B1 scenario analysis suggested no significant reduction in runoff in the late spring and summer, and higher delivery capability for SWP contractors at the lower end of the delivery spectrum, and roughly equivalent capability at the higher end. The A2 scenario analysis suggested a delivery analysis roughly 11.2 percent less than base SWP deliveries.

Because climate change is a global phenomenon dependent on worldwide GHG emissions levels, the ability of the 2006 DWR Report to anticipate water supply impacts is highly dependent on how the assumptions are made regarding worldwide action to control and reduce GHG emissions. The 2006 DWR Report's results are still preliminary and are considered the starting point for analyzing climate change impacts to SWP operations.

Although wide-spread consensus has developed that warming due to global climate change is occurring, and that this warming could affect water supplies from the SWP, the state of the science is still insufficient to make long-term projections that conclusively determine how climate change will impact SWP water supply.

The City has measures to address long-term and short-term water challenges. The region's water supplies remain impacted by dry conditions around California, with reduced storage in key reservoirs and an eight-year drought in the Colorado River basin. The City issued a Declaration of Water Emergency along with a Stage 1 - Water Watch - Voluntary Conservation, and monitors and reports on the status of conservation levels. It recently adopted an ordinance clarifying behavioral restrictions on the use of water where consumer demand reductions are required to meet expected supplies, and those restrictions apply to the Project. For example, if a Level 2 is declared, the Project would be restricted on landscape irrigation. At Level 3, landscape irrigation would be reduced to two assigned days per week June through October and one assigned day November through May and no new potable water service would be provided, nor temporary or permanent meters issued, unless a valid building permit has been issued; the project is necessary to protect the public's health, safety or welfare; for fire hydrant meters, only upon the return of an old fire hydrant meter; or the applicant for a new meter provides an enforceable commitment that the Project's new water demands would be offset prior to the provision of new water meter(s). Level 4 would require stopping all landscape irrigation at the Project, except for hand held watering of trees and shrubs two days a week; the maintenance of landscaping necessary for fire protection and erosion control; and certain other essential irrigation.

The City's Significance Determination Thresholds consistent with State law (Water Code Section 1090) specifies that any proposed large-scale public or private development project that meets or exceeds the following thresholds is required to provide a WSA as part of the environmental document for a project:

- Residential development of more than 500 dwelling units.
- Hotels or motel having more than 500 rooms.
- Shopping centers or businesses:
  - Employing more than 1,000 people or
  - Having more than 500,000 square feet of floor space;



- Commercial office buildings:
  - Employing more than 1,000 people or
  - Having more than 250,000 square feet of floor space;
- Industrial, manufacturing, or processing plants or industrial parks planned to:
  - House more than 1,000 people,
  - Occupying more than 40 acres of land, or
  - Having more than 650,000 square feet of floor space;
- Mixed use projects that include one or more of the above types of projects; and
- Any proposed project that would demand an amount of water equivalent to, or greater than, the amount of water required by a 500 dwelling unit project.

In addition, consistent with state law (Government Code Section 66473.7), a Water Supply Verification is required for any proposed subdivision greater than 500 dwelling units in any area not previously developed. Projects exclusively for low and very low income households are not subject to the requirements of a Water Supply Verification. As such, the project is proposing 48 units which does not exceed the City's and/or State's thresholds. Therefore the project was not required to prepare a Water Supply Assessment nor a Water Supply Verification.

#### WATER QUALITY

A Water Quality Technical Report and Drainage Study were prepared by Leppert Engineering (June 30, 2008) of which the results and conclusions of the technical report are summarized below.

The project site is within the Miramar Hydrologic Area of the Penasquitos Hydrologic Unit (906.40) according to the *Water Quality Control Plan for the San Diego Hydrologic Basin*. According to the 303(d) List of Impaired Water Bodies, the Penasquitos Hydrologic Unit is currently listed as an impaired water body. Bodies of water listed under section 303(d) of the 1972 Clean Water Act include those that do not meet minimum water quality standards even after point sources of pollution have installed the minimum required levels of pollution control technology. Mission Bay (area at mouth of Rose Creek only) is an impaired bog of water. The identified primary pollutants of concern are eutrophic and lead.

The development is considered a "Priority" project in accordance with the City's *Storm Water Requirements Applicability Checklist*. As such, demolition, construction, and past construction activities require implementation of Best Management Practices (BMPs) to minimize impacts to receiving waters. Priority projects are required to incorporate site design source control, and treatment control BMPs. The anticipated pollutants of concern include sediment, nutrients, oxygen demanding substances, oil and grease, organic compounds, pesticides, and trash/debris. Currently the site consists of two runoff basins, that are roughly divided into the northern and southern portions of the property. Runoff from the northern basin, Basin A, ends up in the

canyon located to the east of the property. The runoff gets to the canyon either directly from site discharge or by discharging to Fez Street, where it travels down into the canyon. Runoff from the southern basin, Basin B, discharges into either Genesee Avenue or Eastgate Mall, where it travels down the gutter where it is intercepted by the inlet at the corner of Genesee Avenue and Eastgate Mall.

The project proposes to utilize biofilters and drain inserts. Drainage from the developed portion of the project would be collected by two deck drains located north of the proposed structure. The runoff would then be conveyed through piping in the overhead of the subterranean parking garage, and enter the public drainage system at the inlet at the northeast corner of Genesee Avenue and Eastgate Mall. The units would allow trash and debris to filter out and treat hydrocarbon and grease pollutants through the use of adsorbent materials, therefore treating water runoff from parking areas, access roads and landscaped areas.

In addition, the following source control and site design BMPs would be incorporated into the project: outdoor material storage and trash storage areas would be designed to reduce pollution introduction; Integrated Pest Management Principles would be employed; utilization of an efficient irrigation systems and landscape design; provision of storm water conveyance system stenciling and signage; lastly, the design of new building fire sprinklers to enable discharge to sanitary sewer.

Hydrology calculations were prepared and include peak discharge for both current and proposed developed site conditions. The project as proposed would result in a slight increase in the peak site drainage. The increase is attributed to the decrease of Time of Concentration rather than an increase in impervious surface. Therefore, it can be concluded that the project would not have a negative effect on the existing storm drain capacity.

The project and the above described project features have been designed in accordance with the City's Storm Water Standards. Compliance with the standards through the above project elements would preclude a cumulatively considerable contribution to water quality impacts; therefore no mitigation is required.

## V. RECOMMENDATION:

On the basis of this initial evaluation:

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The proposed project would not have a significant effect on the environment,  
and a **NEGATIVE DECLARATION SHOULD BE PREPARED.**

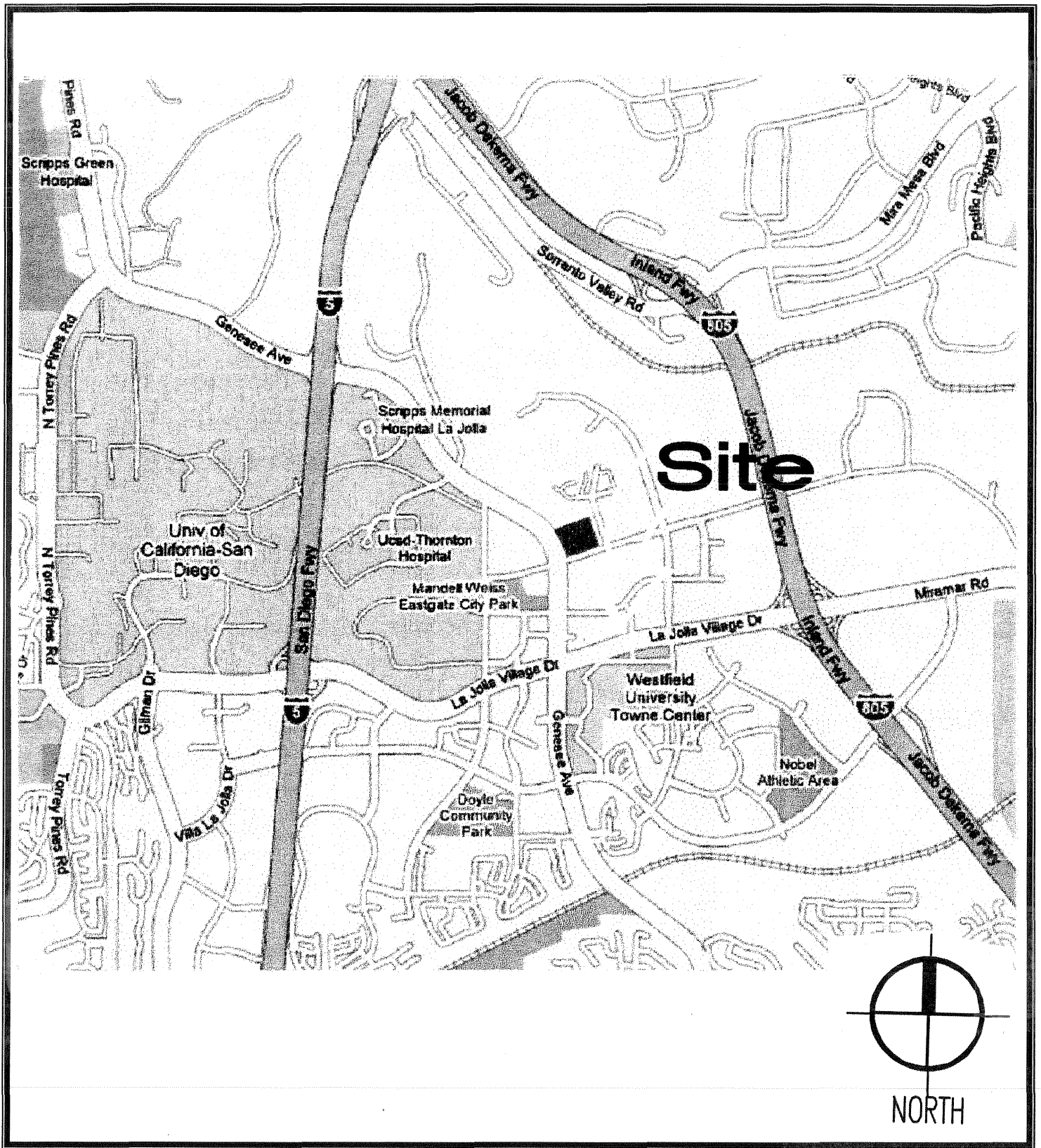
X   Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described in Section IV above have been added to the project. A MITIGATED NEGATIVE DECLARATION should be prepared.

       The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT should be required.

Project Analyst: SHEARER - NGUYEN

Attachments:     Figure 1: Location Map  
                    Figure 2: Site Map  
                    Figure 3: Elevations  
                    Figure 4: Elevations  
                    Initial Study Checklist



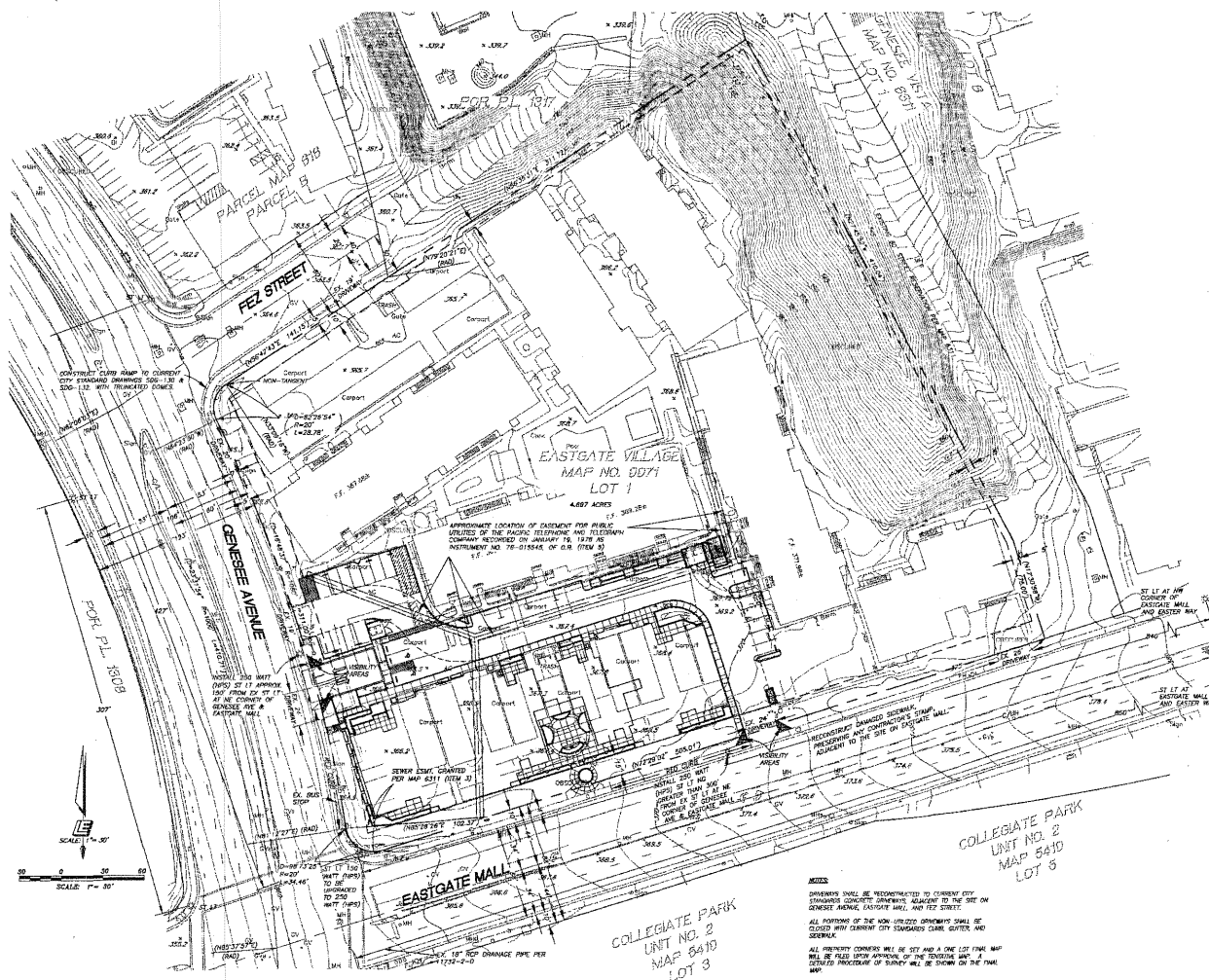


## Location Map

Environmental Analysis Section Project No. 154476  
CITY OF SAN DIEGO · DEVELOPMENT SERVICES

Figure

1



**LEGEND:**

YTM BOUNDARY \_\_\_\_\_

SETBACK LINE \_\_\_\_\_

PROPOSED LOT PER PARCEL MAP NO. 0071 \_\_\_\_\_

EXISTING EASEMENTS \_\_\_\_\_

EXISTING EASEMENT CENTERLINE \_\_\_\_\_

**PROJECT PURPOSE:**

TO DEVELOP AN NEW RESIDENTIAL CONDOMINIUM UNITS ON AN EXISTING DEVELOPED PARCEL THAT CURRENTLY CONTAINS TWO DWELLING UNITS. ALL EXISTING BUILDING STRUCTURES WILL BE DEMOLISHED AND A NEW CONSTRUCTION WILL BE CONSTRUCTED. THE BUILDING FOR THE NEW UNITS WILL BE DESIGNED TO MEET CURRENT ZONING REQUIREMENTS.

**PROPOSED ZONING: ALL OF LOT 1 ARE A-2.**

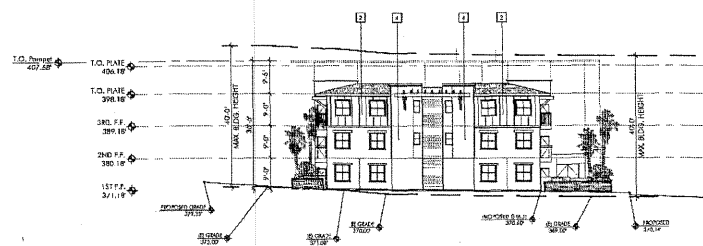
1. THE PROPERTY IS CURRENTLY ZONED R-1-2. NO RE-ZONING OF THE PROPERTY IS REQUIRED.

2. **DEVELOPMENT PURPOSE:** THE PROPERTY IS LOCATED IN THE FOLLOWING UNITS: PARCELS 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.



Site Plan  
Environmental Analysis Section Project No. 154476  
CITY OF SAN DIEGO · DEVELOPMENT SERVICES DEPARTMENT

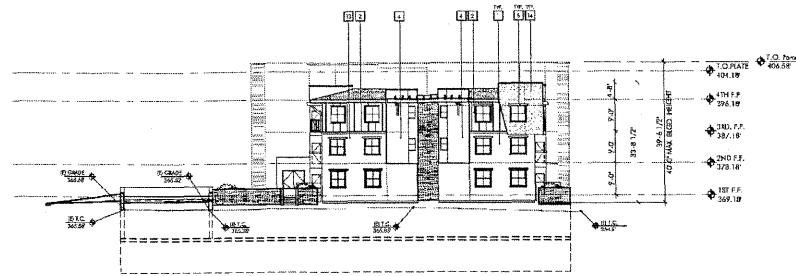
Figure  
2



**4 EAST ELEVATION**

Scale: 1/16" = 1'-0"

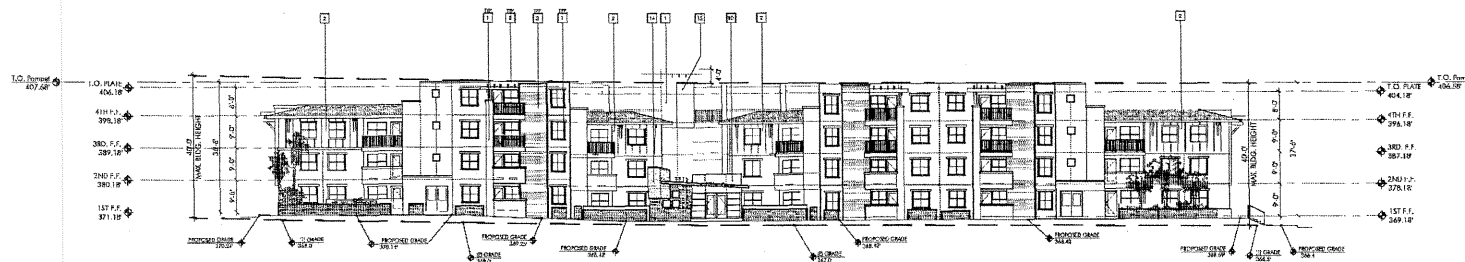
NOTE: REFER TO ELEVATION #1 FOR EXTERIOR FINISH AND ARCHITECTURAL ELEMENTS KEY NOTES



**3 WEST ELEVATION**

Scale: 1/16" = 1'-0"

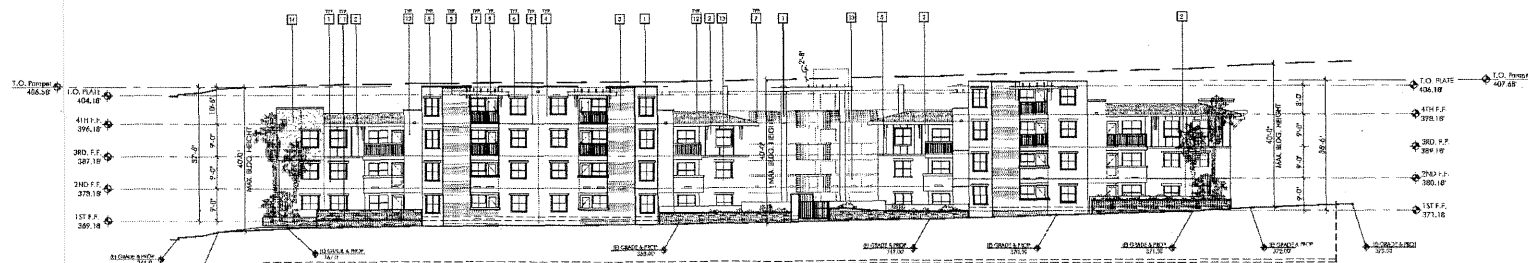
NOTE: REFER TO ELEVATION #1 FOR EXTERIOR FINISH AND ARCHITECTURAL ELEMENTS KEY NOTES



**2 NORTH ELEVATION**

Scale: 1/16" = 1'-0"

NOTE: REFER TO ELEVATION #1 FOR EXTERIOR FINISH AND ARCHITECTURAL ELEMENTS KEY NOTES



**1 SOUTH ELEVATION**

Scale: 1/16" = 1'-0"

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**GENERAL NOTES:**

1. SEE ELEVATION #1 FOR EXTERIOR FINISH AND ARCHITECTURAL ELEMENTS KEY NOTES



## Elevations

Environmental Analysis Section

Project No. 154476

CITY OF SAN DIEGO · DEVELOPMENT SERVICES DEPARTMENT

Figure

3



## INITIAL STUDY CHECKLIST

Date: July 30, 2008

Project No.: 154476

Name of Project: LA JOLLA CANYON

### III. ENVIRONMENTAL ANALYSIS:

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

Yes    Maybe    No

#### I. AESTHETICS / NEIGHBORHOOD CHARACTER – Will the proposal result in:

- A. The obstruction of any vista or scenic view from a public viewing area?
- The University Community Plan designates the project site as Medium High Residential. In addition, no public views and/or scenic corridors designated per the plan exist on the site. Therefore, the project would not result in the obstruction of any designated vista or scenic view. All setbacks and height limits would be observed.

—                      —                      X

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
B. The creation of a negative aesthetic site or project? <u>The multi-dwelling residential structure would be compatible with the surrounding residential development and is allowed by the community plan and zoning designation. No such impacts are anticipated. Refer to I-A and I-C.</u>	—	—	<u>X</u>
C. Project bulk, scale, materials, or style which would be incompatible with surrounding development? <u>The design of the multi-dwelling residential structures would be compatible with the architectural style of the existing structures on site and of the local setting. The project would not exceed any City height, setback, size or grading standards. Building materials proposed are compatible with surrounding development.</u>	—	—	<u>X</u>
D. Substantial alteration to the existing character of the area? <u>The multi-dwelling residential structures would not result in an alteration of the existing character of the area. The two building would be constructed on a parcel currently developed with six multi-dwelling units. Refer to I-C above.</u>	—	—	<u>X</u>
E. The loss of any distinctive or landmark tree(s), or a stand of mature trees? <u>No distinctive or landmark trees would be removed.</u>	—	—	<u>X</u>
F. Substantial change in topography or ground surface relief features? <u>No substantial changes in topography or ground relief features would result.</u>	—	—	<u>X</u>
G. The loss, covering or modification of any unique geologic or physical features such as a natural canyon, sandstone bluff, rock outcrop, or hillside with a slope in excess of 25 percent? <u>The project site does not contain any unique geologic or physical features.</u>	—	—	<u>X</u>

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
H. Substantial light or glare? <u>The multi-dwelling residential structures would not be expected to cause substantial light or glare. All lighting would be required to comply with all current lighting regulations. No substantial sources of light would be generated during project construction, as construction activities would occur during daylight hours</u>	—	—	<u>X</u>
I. Substantial shading of other properties? <u>The multi-dwelling residential structures would not be expected to result in substantial shading; the project would be required to comply with all height and setback regulations. No substantial sources of shading would be generated during project construction.</u>	—	—	<u>X</u>
II. AGRICULTURE RESOURCES / NATURAL RESOURCES / MINERAL RESOURCES – Would the proposal result in:			
A. The loss of availability of a known mineral resource (e.g., sand or gravel) that would be of value to the region and the residents of the state? <u>There are no such resources located on the project site in that the two structures would be constructed on a parcel that is currently developed.</u>	—	—	<u>X</u>
B. The conversion of agricultural land to nonagricultural use or impairment of the agricultural productivity of agricultural land? <u>Agricultural land is not present on site or in the general site vicinity. The project site is located within in an urbanized area. Refer to II-A.</u>	—	—	<u>X</u>
III. AIR QUALITY – Would the proposal:			
A. Conflict with or obstruct implementation of the applicable air quality plan? <u>The multi-dwelling residential structures are compatible with underlying zoning and community plan designation and would not negatively impact air quality.</u>	—	—	<u>X</u>



	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
B. Violate any air quality standard or contribute substantially to an existing or projected air quality violation? <u>Refer to III-A.</u>	—	—	<u>X</u>
C. Expose sensitive receptors to substantial pollutant concentrations? <u>Refer to III-A.</u>	—	—	<u>X</u>
D. Create objectionable odors affecting a substantial number of people? <u>The multi-dwelling residential structures would not be associated with the creation of such odors. Refer to III-A.</u>	—	—	<u>X</u>
E. Exceed 100 pounds per day of Particulate Matter 10 (dust)? <u>The grading amounts required for project implementation would not exceed 100 pounds per day of particulate matter. It is estimated that one graded acre produces 26.4 pounds of particulate matter. Standard dust abatement practices would be implemented during construction.</u>	—	—	<u>X</u>
E. Alter air movement in the area of the project? <u>The multi-dwelling residential structures would not have the bulk and scale required to cause such impacts.</u>	—	—	<u>X</u>
G. Cause a substantial alteration in moisture, or temperature, or any change in climate, either locally or regionally? <u>Refer to III-F.</u>	—	—	<u>X</u>
IV. BIOLOGY – Would the proposal result in:			
A. A reduction in the number of any unique, rare, endangered, sensitive, or fully protected species of plants or animals? <u>No such impact would result to sensitive biological resources in that no such resources are present on the project site.</u>	—	—	<u>X</u>

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
B. A substantial change in the diversity of any species of animals or plants? <u>No such change in the diversity of any species of animals or plants would occur. Refer to IV-A.</u>	—	—	<u>X</u>
C. Introduction of invasive species of plants into the area? <u>Refer to IV-A and -B.</u>	—	—	<u>X</u>
D. Interference with the movement of any resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors? <u>Refer to IV-A and -B. No wildlife corridors are on or near the site.</u>	—	—	<u>X</u>
E. An impact to a sensitive habitat, including, but not limited to streamside vegetation, aquatic, riparian, oak woodland, coastal sage scrub or chaparral? <u>Refer to IV-A and -B. Site runoff would be directed first into appropriate drains prior to discharging into the public drainage system.</u>	—	—	<u>X</u>
F. An impact on City, State, or federally regulated wetlands (including, but not limited to, coastal salt marsh, vernal pool, lagoon, coastal, etc.) through direct removal, filling, hydrological interruption or other means? <u>No such resource exists on site. Refer to IV-A and -B.</u>	—	—	<u>X</u>
G. Conflict with the provisions of the City's Multiple Species Conservation Program Subarea Plan or other approved local, regional or state habitat conservation plan? <u>The project site is designated for residential development and is not located within or adjacent to the Multi-Habitat Planning Area (MHPA). Therefore, the project would not conflict with the Multiple Species Conservation Program (MSCP). Refer to IV-A.</u>	—	—	<u>X</u>

V. ENERGY – Would the proposal:

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
A. Result in the use of excessive amounts of fuel or energy (e.g. natural gas)? <u>Excessive amounts of fuel would not be required during construction of the project. The project would not result in the use of excessive amounts of fuel, energy, or power. Standard residential consumption is expected.</u>	—	—	<u>X</u>
B. Result in the use of excessive amounts of power? <u>Refer to V-A.</u>	—	—	<u>X</u>
VI. GEOLOGY/SOILS – Would the proposal:			
A. Expose people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards? <u>The project site is assigned a geologic risk category of 51 and 53 according to the City of San Diego Safety Seismic Study Maps. The project would be required to utilize proper engineering design and utilization of standard construction practices, to be verified at the building permit stage, would ensure that the potential for impacts from regional geologic hazards would be less than significant</u>	—	—	<u>X</u>
B. Result in a substantial increase in wind or water erosion of soils, either on or off the site? <u>No such impacts would be anticipated with the multi-dwelling residential development. The site would be landscaped in accordance with City requirements and all storm water requirements would be met. Refer to VI-A.</u>	—	—	<u>X</u>
C. Be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? <u>Proposed project would not be located on such a geologic unit or soil type. Refer to VI-A.</u>	—	—	<u>X</u>
VII. HISTORICAL RESOURCES – Would the proposal result in:			



	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
A. Alteration of or the destruction of a prehistoric or historic archaeological site? <u>The site is currently developed and no such resources exist on site.</u>	—	<u>X</u>	—
B. Adverse physical or aesthetic effects to a prehistoric or historic building, structure, object, or site? <u>No historic buildings or structures exists onsite. Therefore no adverse or aesthetic to a prehistoric or historic structure would result. Refer to VII-A.</u>	—	—	<u>X</u>
C. Adverse physical or aesthetic effects to an architecturally significant building, structure, or object? <u>Refer to VII-A and -B.</u>	—	—	<u>X</u>
D. Any impact to existing religious or sacred uses within the potential impact area? <u>No such uses exist on the site.</u>	—	—	<u>X</u>
E. The disturbance of any human remains, including those interred outside of formal cemeteries? <u>Refer to VII-A and -B.</u>	—	—	<u>X</u>
VIII. HUMAN HEALTH / PUBLIC SAFETY / HAZARDOUS MATERIALS: Would the proposal:			
A. Create any known health hazard (excluding mental health)? <u>The multi-dwelling residential structures would not be associated with such impacts.</u>	—	—	<u>X</u>
B. Expose people or the environment to a significant hazard through the routine transport, use or disposal of hazardous materials? <u>Refer to VIII-A.</u>	—	—	<u>X</u>
C. Create a future risk of an explosion or the release of hazardous substances (including but not limited to gas, oil, pesticides, chemicals, radiation, or explosives)? <u>Refer to VIII-A.</u>	—	—	<u>X</u>
D. Impair implementation of, or physically interfere			

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
with an adopted emergency response plan or emergency evacuation plan? <u>The multi-dwelling project is consistent with adopted land use plans and would not interfere with emergency response and/or evacuation plans. Please see VIII-A.</u>	—	—	<u>X</u>
E. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or environment? <u>The multi-dwelling project site is not located on a site which is included on a list of hazardous materials sites.</u>	—	—	<u>X</u>
F. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? <u>Refer to VIII-A.</u>	—	—	<u>X</u>
IX. HYDROLOGY/WATER QUALITY – Would the proposal result in:			
A. An increase in pollutant discharges, including down stream sedimentation, to receiving waters during or following construction? Consider water quality parameters such as temperature dissolved oxygen, turbidity and other typical storm water pollutants. <u>The project would be required to comply with all storm water quality standards during and after construction and appropriate Best Management Practices (BMPs) must be utilized.</u>	—	—	<u>X</u>
B. An increase in impervious surfaces and associated increased runoff? <u>No significant increase in impervious surfaces would occur. However, BMPs would be utilized to treat all site runoff. Refer to IX-A.</u>	—	—	<u>X</u>
C. Substantial alteration to on- and off-site drainage patterns due to changes in runoff flow rates or volumes?	—	—	<u>X</u>

The multi-dwelling project would not substantially increase flow rates or volumes and thus, would not adversely affect on- and off-site drainage patterns. Refer to IX-A.

- |                                                                                                                                 |   |   |          |
|---------------------------------------------------------------------------------------------------------------------------------|---|---|----------|
| D. Discharge of identified pollutants to an already impaired water body (as listed on the Clean Water Act Section 303(b) list)? | — | — | <u>X</u> |
|---------------------------------------------------------------------------------------------------------------------------------|---|---|----------|

Although the project site is tributary to a body of water listed on the State Water Resources Board 303(d) impaired water body list, the project is required to comply with all storm water quality standards during and after construction and appropriate Best Management Practices (BMPs) must be utilized

- |                                                                      |   |   |          |
|----------------------------------------------------------------------|---|---|----------|
| E. A potentially significant adverse impact on ground water quality? | — | — | <u>X</u> |
|----------------------------------------------------------------------|---|---|----------|

No such impact would occur. No areas of ponded water would be created. Refer to IX-A.

- |                                                                                                                                                    |   |   |          |
|----------------------------------------------------------------------------------------------------------------------------------------------------|---|---|----------|
| F. Cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses? | — | — | <u>X</u> |
|----------------------------------------------------------------------------------------------------------------------------------------------------|---|---|----------|

Refer to IX-A. The project would not make a considerable contribution to water quality degradation.

X. LAND USE – Would the proposal result in:

- |                                                                                                                                                                                                                          |   |   |          |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|----------|
| A. A land use which is inconsistent with the adopted community plan land use designation for the site or conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over a project? | — | — | <u>X</u> |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|----------|

The multi-dwelling residential structures would be built on a site which is designated for residential development by the community plan and zone designation in an area developed with residential structures.

- |                                                                                                            |   |   |          |
|------------------------------------------------------------------------------------------------------------|---|---|----------|
| B. A conflict with the goals, objectives and recommendations of the community plan in which it is located? | — | — | <u>X</u> |
|------------------------------------------------------------------------------------------------------------|---|---|----------|

Refer to X-A.



	<p>C. A conflict with adopted environmental plans, including applicable habitat conservation plans adopted for the purpose of avoiding or mitigating an environmental effect for the area?</p> <p><u>Refer to X-A. The project would not conflict with City's Multiple Species Conservation Plan (MSCP) and is not located within or adjacent to the Multi-habitat Planning Area (MHPA).</u></p>	—	—	<u>X</u>
	<p>D. Physically divide an established community?</p> <p><u>The project site is located in a developed urban community and surrounded by similar residential development. The project would not physically divide an established community.</u></p>	—	—	<u>X</u>
	<p>E. Land uses which are not compatible with aircraft accident potential as defined by an adopted Airport Land Use Compatibility Plan ("ALUCP")?</p> <p><u>The project site is not located within the Airport Environs Overlay Zone or the Airport Approach Overlay Zone.</u></p>	—	—	<u>X</u>
XI.	NOISE – Would the proposal result in:			
	<p>A. A significant increase in the existing ambient noise levels?</p> <p><u>The project consists of the construction of two residential structures.</u></p>	—	—	<u>X</u>
	<p>B. Exposure of people to noise levels which exceed the City's adopted noise ordinance?</p> <p><u>The multi-dwelling project would not expose people to noise levels which exceed the City's adopted noise standards. The project site is not in close proximity to any loud noise producing uses.</u></p>	—	—	<u>X</u>
	<p>C. Exposure of people to current or future transportation noise levels which exceed standards established in the Transportation Element of the General Plan or an adopted airport Comprehensive Land Use Plan?</p> <p><u>Refer to XI-B.</u></p>	—	—	<u>X</u>

- XII. PALEONTOLOGICAL RESOURCES: Would the proposal impact a unique paleontological resource or site or unique geologic feature? —    X    —  
The project site is underlain by the Scripps and Lindavista Formations which have a sensitivity level of high for paleontological resources. With project implementation, grading amounts (approximately 27,501 cubic yards ) would exceed the City's Significance Determination Thresholds and could potentially cause a significant impact to these resources, Therefore, monitoring is required. Refer to the Initial Study Discussion.
- XIII. POPULATION AND HOUSING – Would the proposal:
- A. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? —    —    X  
The project would construct two multi-dwelling residential structures. The University Community Pla designates the project site as Medium High Residential. The multi-dwelling residential structures would be built on a site which is designated for residential development by the community plan and zone designation in an area developed with residential structures. Therefore, no such impact would result.
- B. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? —    —    X  
No such displacement would occur. Refer to XIII-A.
- C. Alter the planned location, distribution, density or growth rate of the population of an area? —    —    X  
The project would be consistent with applicable land use plans, as well as land use and zoning designations. Refer to XIII-A.

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

- |                                                                                                |   |   |          |
|------------------------------------------------------------------------------------------------|---|---|----------|
| A. Fire protection?<br><u>The project would not affect existing levels of public services.</u> | — | — | <u>X</u> |
| B. Police protection?<br><u>Refer to XIV-A.</u>                                                | — | — | <u>X</u> |
| C. Schools?<br><u>Refer to XIV-A.</u>                                                          | — | — | <u>X</u> |
| D. Parks or other recreational facilities?<br><u>Refer to XIV-A.</u>                           | — | — | <u>X</u> |
| E. Maintenance of public facilities, including roads?<br><u>Refer to XIV-A.</u>                | — | — | <u>X</u> |

XV. RECREATIONAL RESOURCES – Would the proposal result in:

- |                                                                                                                                                                                                                                                                                                                                                              |   |   |          |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|----------|
| A. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?<br><u>The project would not adversely affect the availability of and/or need for new or expanded recreational resources. Refer to XIII-A.</u> | — | — | <u>X</u> |
| B. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?<br><u>The project would not require recreational facilities to be constructed, Refer to XV-A above.</u>                                                              | — | — | <u>X</u> |



	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
XVI. TRANSPORTATION/CIRCULATION – Would the proposal result in:			
A. Traffic generation in excess of specific/ community plan allocation? <u>The multi-dwelling residential structures are consistent with the community plan designation and would not result in significant traffic generation. Refer to XIII-A.</u>	—	—	<u>X</u>
B. An increase in projected traffic which is substantial in relation to the existing traffic load and capacity of the street system? <u>Refer to XVI-A.</u>	—	—	<u>X</u>
C. An increased demand for off-site parking? <u>All required parking would be provided on site after completion of construction of the project.</u>	—	—	<u>X</u>
D. Effects on existing parking? <u>No such permanent effects would occur. Refer to XVI-C and Initial Study Discussion.</u>	—	—	<u>X</u>
E. Substantial impact upon existing or planned transportation systems? <u>Project implementation would not affect existing transit service in the project vicinity.</u>	—	—	<u>X</u>
F. Alterations to present circulation movements including effects on existing public access to beaches, parks, or other open space areas? <u>Project implementation would not affect existing circulation in the project vicinity.</u>	—	—	<u>X</u>
G. Increase in traffic hazards for motor vehicles, bicyclists or pedestrians due to a proposed, non- standard design feature (e.g., poor sight distance or driveway onto an access-restricted roadway)? <u>Implementation of the proposed project would not increase traffic hazards. The project would comply with all applicable engineering standards for driveway and street design.</u>	—	—	<u>X</u>

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
H. A conflict with adopted policies, plans or programs supporting alternative transportation models (e.g., bus turnouts, bicycle racks)? <u>Refer to XVI-A.</u>	—	—	<u>X</u>
XVII. UTILITIES – Would the proposal result in a need for new systems, or require substantial alterations to existing utilities, including:			
A. Natural gas? <u>Adequate services are available to serve site.</u>	—	—	<u>X</u>
B. Communications systems? <u>Refer to XVII-A.</u>	—	—	<u>X</u>
C. Water? <u>Refer to XVII A.</u>	—	—	<u>X</u>
D. Sewer? <u>Refer to XVII-A.</u>	—	—	<u>X</u>
E. Storm water drainage? <u>Refer to XVII-A.</u>	—	—	<u>X</u>
F. Solid waste disposal? <u>Refer to XVII-A.</u>	—	—	<u>X</u>
XVIII. WATER CONSERVATION – Would the proposal result in:			
A. Use of excessive amounts of water? <u>The project would not result in the use of excessive amounts of water. No such impact would occur.</u>	—	—	<u>X</u>
B. Landscaping which is predominantly non-drought resistant vegetation? <u>Landscaping and irrigation would be in compliance with the City's Land Development Code.</u>	—	—	<u>X</u>
XIX. MANDATORY FINDINGS OF SIGNIFICANCE:			
A. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish			

or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?

—   —   X

Implementation of the paleontological resources MMRP would reduce impacts to below significance.

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

—   —   X

The project would not result in an impact to long term environmental goals.

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

—   —   X

The project would not have a considerable incremental contribution to any cumulative impacts.

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

—   —   X

The project would not be associated with such impacts.

## INITIAL STUDY CHECKLIST

### REFERENCES

#### I. AESTHETICS / NEIGHBORHOOD CHARACTER

☒ City of San Diego General Plan.

☒ Community Plan.

☐ Local Coastal Plan.

#### II. AGRICULTURAL RESOURCES / NATURAL RESOURCES / MINERAL RESOURCES

☒ City of San Diego General Plan.

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

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

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

☐ Site Specific Report:

#### III. AIR

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

☒ Regional Air Quality Strategies (RAQS) - APCD.

☐ Site Specific Report:

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#### IV. BIOLOGY

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



- X City of San Diego, MSCP, "Vegetation Communities with Sensitive Species and Vernal Pools" maps, 1996.
- X City of San Diego, MSCP, "Multiple Habitat Planning Area" maps, 1997.
- X Community Plan - Resource Element.
- California Department of Fish and Game, California Natural Diversity Database, "State and Federally-listed Endangered, Threatened, and Rare Plants of California," January 2001.
- California Department of Fish & Game, California Natural Diversity Database, "State and Federally-listed Endangered and Threatened Animals of California," January 2001.
- City of San Diego Land Development Code Biology Guidelines.
- Site Specific Report:

## **V. ENERGY**

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## **VI. GEOLOGY/SOILS**

- X City of San Diego Seismic Safety Study.
- U.S. Department of Agriculture Soil Survey - San Diego Area, California, Part I and II, December 1973 and Part III, 1975.
- Site Specific Report:

## **VII. HISTORICAL RESOURCES**

- 
- X City of San Diego Historical Resources Guidelines.
  - X City of San Diego Archaeology Library.

- Historical Resources Board List.
- Community Historical Survey:
- Site Specific Report:

#### **VIII. HUMAN HEALTH / PUBLIC SAFETY / HAZARDOUS MATERIALS**

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

#### **IX. HYDROLOGY/WATER QUALITY**

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

*Water Quality Technical Report for La Jolla Canyon, prepared by Leppert Engineering Corporation, June 30, 2008.*

*Drainage Study for La Jolla Canyon, prepared by Leppert Engineering Corporation, June 30, 2008.*

**X. LAND USE**

X City of San Diego General Plan.

X Community Plan.

X Airport Comprehensive Land Use Plan

X City of San Diego Zoning Maps

— FAA Determination

**XI. NOISE**

X Community Plan

X San Diego International Airport - Lindbergh Field CNEL Maps.

— Brown Field Airport Master Plan CNEL Maps.

— Montgomery Field CNEL Maps.

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

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

— City of San Diego General Plan.

— Site Specific Report:

**XII. PALEONTOLOGICAL RESOURCES**

X City of San Diego Paleontological Guidelines.

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

- ☒ Kennedy, Michael P., and Gary L. Peterson, "Geology of the San Diego Metropolitan Area, California. Del Mar, La Jolla, Point Loma, La Mesa, Poway, and SW 1/4 Escondido 7 1/2 Minute Quadrangles," California Division of Mines and Geology Bulletin 200, Sacramento, 1975.
- ☐ Kennedy, Michael P., and Siang S. Tan, "Geology of National City, Imperial Beach and Otay Mesa Quadrangles, Southern San Diego Metropolitan Area, California," Map Sheet 29, 1977.
- ☐ Site Specific Report:

### **XIII. POPULATION / HOUSING**

- ☐ City of San Diego General Plan.
- ☒ Community Plan.
- ☐ Series 8 Population Forecasts, SANDAG.
- ☐ Other:

### **XIV. PUBLIC SERVICES**

- ☒ City of San Diego General Plan.
- ☒ Community Plan.

### **XV. Recreational Resources**

- ☐ City of San Diego General Plan.
- ☒ Community Plan.
- ☐ Department of Park and Recreation
- ☐ City of San Diego - San Diego Regional Bicycling Map
- ☐ Additional Resources:



## **XVI. TRANSPORTATION / CIRCULATION**

- City of San Diego General Plan.
- X Community Plan.
- San Diego Metropolitan Area Average Weekday Traffic Volume Maps, SANDAG.
- San Diego Region Weekday Traffic Volumes, SANDAG.
- Site Specific Report:

## **XVII. UTILITIES**

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## **XVIII. WATER CONSERVATION**

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