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September 25, 2015

Ms. Martha Blake
Environmental Planner
City of San Diego
DSDEAS@sandiego.gov

RE: Project Name: Stadium Reconstruction Project
Project No. 437916 / SCH No. 2015061061

We are writing in response to the Draft EIR for the Stadium Reconstruction Project and are submitting the following comments:

Comment 1

Page 2-8 of the Draft EIR (DEIR) is incorrect, as well as other pages, in the definition of how boundaries of the River Corridor Area are determined.

Per the San Diego River Park Master Plan (Section 4.3.2.4 page 96) "If any part of the River Corridor Area is mapped MHPA, or determined to be within a wetland buffer area, the San Diego River Pathway should be moved just outside of these areas. In these situations, the outer edge of the San Diego River Pathway will be the new boundary for the River Corridor."

The definition on page 2-8 of the DEIR fails to include the wetland buffer. This definition needs to be corrected within the DEIR at all locations so that it is consistent throughout the document.

Comment 2

The San Diego River Park Master Plan (Section 4.2 page 91) indicates all development proposals in and adjacent to the San Diego River must map the following three areas:

1. The River Corridor and River Influence Areas of the San Diego River Park Master Plan (this can be determined by applying the Master Plan design Guidelines).

2. The MHPA area (this area has been mapped and can be accessed from SANGIS mapping systems).
3. The Wetland Buffer area (this area will be determined based upon the biological resource present at the time of project submittal.)

Page 4.2-12 of the DEIR states that “no formal delineation was conducted. This is a necessary first step to determine the location of the wetland buffer area. A Wetland Delineation is required to be conducted and an appropriate Wetland Buffer determined.

Comment 3.

The application of Section 4.2 of the San Diego River Park Master Plan (SDRPMP) in the DEIR is incorrect as it relates to the City’s Environmentally Sensitive Lands Regulations.

As stated in the SDRPMP, “In addition to supporting the Master Plan’s vision, principles, and recommendations, the Master Plan’s design guidelines must be consistent with the Multiple Species Conservation Program Subarea Plan (MSCP) and the Environmentally Sensitive Lands (ESL) Regulations (Chapter 14, Article 3 and Division 1).

Per the ESL, a “wetland buffer shall be maintained around all wetlands...” Furthermore, the ESL states “The applicant shall solicit from U.S. Army Corps of Engineers, U.S. Fish & Wildlife Service and/or California Department of Fish and Game in impact avoidance, minimization, mitigation, and buffer requirements, including the need for upland transitional habitat.”

Considering that no formal wetland delineation was conducted (per the DEIR page 4.2-12), it is impossible that an appropriate buffer was determined. A buffer is required to be maintained.

We recommend that (1) a wetland delineation be conducted; and (2) that a minimum of a 100 foot wetland buffer should be provided.

Comment 4.

Figures and Calculations in the DEIR based upon the location of the River Corridor Area and River Influence Area are incorrect as they did not factor in a Wetland Buffer.

Since the definition of the River Corridor Area in the draft EIR did not include the Wetland Buffer, it must be assumed that the figures which show the location of the River Influence Area are incorrect, as well as any analysis related to the River Corridor Area and River Influence Area.



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All portions of the DEIR need to be reviewed to correct this error and associated analysis including, but not limited to, Figures 2-3, 3-2, 4.2-1, 4.8-4. Page 3-1 of the DEIR and other locations, state that no construction or construction staging will occur in the River Influence Area. Therefore, analysis needs to be conducted and the DEIR revised to reflect the corrected definition of the River Corridor Area and the associated adjustment to the River Influence Area. This comment should be amended to include that no construction or construction staging will occur in the River Corridor Area as well.

Comment 5

Figure 4.8-5 introduces the terms “Floodway Buffer” and “Reserved Open Space” without adequately defining them so readers may fully understand the intent of the analysis which included them in the DEIR.

The DEIR should be amended to clarify the definitions of these terms and their relationship to the discussion of the Drainage Management Areas and Structural BMPS. If the Reserved Open Space areas should include the wetland buffer, a review of the provided figures indicates that the boundaries of this area and associated analysis needs to be corrected.

Comment 6

Page 3-2 of the DEIR states that future implementation of the River Park Master Plan would reduce parking to approximately 13,860. If this figure is based upon the incorrect definition (see earlier comments) of the River Corridor Area and River Influence Area, this number needs to be corrected. An analysis should be provided to identify how and what assumptions were made to determine this number so that there is sufficient data to justify this figure.

Comment 7

Figure 4.10-4 of the DEIR incorrectly identifies some existing bikeways.

This figure needs to be corrected as well as any analysis based upon the information in this figure.

The figure shows existing bikeways in locations that do not currently exist including (1) a crossing of the San Diego River connecting Milly Way and Fenton Parkway;



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(2) a crossing of the San Diego River in the southeast corner of the project; and

(3) the San Diego River Trail (also known as San Diego River Pathway) between the existing terminus of this Trail under I-805 to the southeast corner of the parking lot and to further points to the east (upstream).

Comment 8

The DEIR states that since no development is planned in the River Influence Area that 34 acres of parks can be provided in the future. There is insufficient analysis to support this claim.

With the location of the trolley line and associated station, a more detailed analysis of how 34 acres of parks can be provided, needs to be provided.

Comment 9

The DEIR states that the Mission Valley community is 51.64 acres deficient in population based parks and that the Grantville Focus Plan Amendment transferred needed park space to the vicinity of the project. There is an omission of data of how many acres of land will be needed to meet the needs of the Grantville Focus Plan Amendment, and therefore, an analysis of the total acres needed.

Comment 10

The Mission Valley Community Plan (page 127) states “Two park-like facilities will be provided on City-owned land in Mission Valley. **One site will be located in the vicinity of San Diego Jack Murphy Stadium.**” (Emphasis added.)

The Mission Valley Community Plan (page 128) states that in order to “provide adequate park and recreation areas for use of Mission Valley residents in accordance with the General Plan” the following proposal is identified - “Provide a community park in the vicinity of Jack Murphy Qualcomm Stadium... It should be developed as an active park, oriented to organized sports.” The Mission Valley Community Facilities Financing Program identifies this as a 20 acre park. In addition the FFP notes “This project assumes that the community park would be located on City-owned land in the vicinity of Qualcomm Stadium, therefore, no land acquisition costs have been included.”

A more detailed analysis should be conducted to where this park space can be located in the vicinity of the Stadium on City owned property in addition to the amount of parkland that are needed to be provided.

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From personal observations and analysis, current opportunities besides the Stadium site and within the vicinity and in the community, are unavailable.

Furthermore, the DEIR states that 15% of the stadium site (or 24.9 acres) is designated in the Mission Valley Community Plan as public recreation. According to the figure provided in the DEIR, this area is located in the southeast corner of the parking lot. Areas which are proposed to be used for parking for the new stadium.

There is insufficient evidence to support the conclusion that 34 acres of park can be provided in the future. This conclusion needs to be further analyzed. To determine the feasibility of this statement, the analysis should identify the type of park (active, passive) and their individual requirements within the 34 acres as well as circulation and any access or use restrictions during stadium events. The analysis should include consideration of wetland buffers and floodplain issues associate with the construction and use of the facilities which will include restrooms, a recreation center and possibly an aquatic or other facility facility.

In addition, this analysis needs to be consistent with the goals of the Mission Valley Community Plan and San Diego River Park Master Plan to provide a public linear passive park and trail element along the San Diego River as an important community and regional connection.

The DEIR is inadequate in its land use analysis to determine if the proposed project impacts the provision of the parks and river park elements identified in the Community Plan and SDRPMP. Considering the existing stadium has been in existence for more than 4 decades (per the DEIR), the DEIR should address how this proposed project will impact the potential to construct the parks and river park elements. The project should consider as mitigation of any impact to constructing these elements, 1) incorporating in to the project design the parks and river park ; 2) provide for funding to facilitate the construction of the parks ; 3) incorporating any needed zoning changes in the approval process; 4) fully understand the placement of the parks and analyze the visual impact of the proposed project.

Comment 11

The Mission Valley Community Plan (page 128) states “utilize a variety of methods to finance the development of a community park in the vicinity of the San Diego Jack Murphy Stadium. The specific financing method should be established in conjunction with the land use implementation ordinance and public facilities implementation package to follow the

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approval of this Plan. Methods to assess as part of this implementation program include: increase park fees, incorporation into a Valley-wide public facilities assessment district, establishment of a separate park improvements assessment district, incorporation into a facility benefit financing program (FBA), ***financing as a condition of approval of any San Diego Jack Murphy Stadium reuse program...*** (emphasis added).

According to the Mission Valley Community Facilities Financing Program the cost of the design and construction of the 20 acre Community Park is \$17,876,260. Additionally, the cost of the associated recreation center is \$11,020,000.

The draft EIR should analyze the financing capacity of the project to assist in establishment of the 20 acre community park as well as other park (linear, passive, active) to meeting the community's unmet needs. As a mitigation measure, the stadium should do a more detailed analysis of the design and placement of these park lands as well as financing of their design and construction. Considering it should be assumed that the project will remain for 40 or more years, based upon the current stadium lifetime, the impact of the project on the feasibility of constructing the parks and river park need to be more fully analyzed. If the project makes the feasibility of constructing the parks and River Park unlikely or infeasible, this will be an unmitigated impact. These DEIR would need to analyze this to determine the impact of providing these parks at other locations.

Comment 12

Page 50 of the DEIR's Biological Technical Report is inaccurate as it fails to recognize the significance of the San Diego River for wildlife movement.

There is insufficient data to conclude "Concentrated development and heavily traveled roads surrounding the San Diego River corridor limit terrestrial species from using this corridor to disperse to adjacent canyons. However, this regional corridor supports avian or bat species that are capable of flying over barriers to adjacent habitat."

Personal observation has identified on multiple occasions deer and bobcat in the immediate vicinity of the project as well as tracks of deer and coyote (adjacent to the River just east of Milly Way) as little as 500 feet from the project site.



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This photo of a deer track (with human footprint) was taken at the River Garden in 2010. The photo clearly shows a deer track.

On September 12, 2012, a deer crashed through a window at the IHOP at Fenton Marketplace. [Link to video](#)

<http://www.10news.com/news/video-shows-deer-running-through-mission-valley-ihop>. Fenton Marketplace is located approximately 720 feet from the site.

The comment on page 51 “Mammals with large home range requirements such as mule deer (*Odocoileus hemionus*) or mountain lion (*Puma concolor*) are not expected to use this area due to the narrow width of the corridor and surrounding development.” Based upon personal observations, those of other staff and volunteers, and the incident with the deer at the IHOP, this statement is incorrect and needs to be corrected.

This large animal movement highlights the value of providing an appropriate wetlands buffer along the length of the project site at the San Diego River edge.

Thank you for the opportunity to provide these comments to the draft EIR. The San Diego River Park Foundation was founded in 2001 to bring people together to create a better future for our historic river. We have grown to an organization of more than 27,000 supporters, and we are very interested in the future of the San Diego River and the opportunities to create a better future for our region.

Sincerely,

Rob Hutsel
Executive Director



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