

DRAFT

FINDINGS OF FACT
REGARDING DRAFT ENVIRONMENTAL IMPACT REPORT
FOR THE FIFTH AMENDMENT TO
THE CENTRAL IMPERIAL REDEVELOPMENT PLAN

**City of San Diego LDR No. 106715
SCH. No. 2005031065/199001027**

The attached Findings of Fact are draft and may be modified as the Project proceeds through the hearing process.

1. Per the California Environmental Quality Act (CEQA) Section 15132, the Findings and SOC are not considered part of the environmental document but are made after the decision makers have considered the final environmental document.
2. These Findings and SOC have been submitted by the project applicant as candidate findings to be made by the decision-making body.
3. The Environmental Analysis Section of the Development Services Department does not recommend that the discretionary body either adopt or reject these findings. They have been attached to allow the readers of this document an opportunity to review potential reasons of approving the PROJECT despite the significant unmitigated effects identified in the FEIR.

California Environmental Quality Act
Draft Findings
(Public Resource Code § 21081, CEQA Guidelines § 15091)
for the
Final Program Environmental Impact Report
Fifth Amendment to the Central Imperial Redevelopment Plan
(SCH No. 2005031065/199001027)
(LDR No. 106715)

1.0 Introduction

The following Findings and Statement of Overriding Considerations are made for the Final Program Environmental Impact Report (the "FEIR") for the proposed Fifth Amendment to the Central Imperial Redevelopment Plan (CIRP). The FEIR analyzes the significant and potentially significant environmental impacts, which may occur as a result of the Project.

The Project is a rehabilitation and revitalization program for the Central Imperial Redevelopment Project Area (Redevelopment Project Area), located primarily within the eastern portion of the area included within the Southeastern San Diego Community Plan Area and the northwestern portion of the Skyline-Paradise Hills Community Plan Area. The combined area of nine Redevelopment Activity Sites is referred to as the Project Area.

1.1 Purpose of CEQA Findings; Terminology

CEQA Findings play an important role in the consideration of projects for which a FEIR is prepared. Under **Public Resources Code §21081** and **Guidelines §15091** above, where a FEIR identifies one or more significant environmental effects, a project may not be approved until the public agency makes written findings supported by substantial evidence in the administrative record as to each of the significant effects. In turn, the three possible findings specified in **Guidelines §15091(a)** are:

- (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR.
- (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
- (3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the FEIR.

In turn, **Guidelines §15092(b)** provides that no agency shall approve a project for which a FEIR was prepared unless either:

- (1) The project approved will not have a significant effect on the environment, or
- (2) The agency has:
 - (A) Eliminated or substantially lessened all significant effects where feasible as shown in the findings under Section 15091, and
 - (B) Determined that any remaining significant effects on the environment found to be unavoidable under Section 15091 are acceptable due to overriding concerns as described in Section 15093.

1.2 Environmental Impact Report Process

Based on preliminary review of the application, the Redevelopment Agency of the City of San Diego concluded that the Project could have a significant impact on the environment and that preparation of an environmental impact report was necessary. The Southeastern Economic Development Corporation (SEDC), on behalf of the Redevelopment Agency of the City of San Diego (Redevelopment Agency), as the CEQA "lead agency" issued a Notice of Preparation (NOP) on for preparation of an EIR for the proposed project on March 7, 2005. The NOP was distributed to all applicable federal government and State of California agencies, various City of San Diego and County of San Diego departments, and other interested organizations and individuals. The NOP was published in the San Diego Daily Transcript, as well as in local papers including the Asian Journal, the Voice & Viewpoint and El Latino. SEDC held two public scoping meetings on Wednesday, March 16, 2005 and Saturday March 19, 2005. At each of these meetings members of the public were invited to ask questions about the proposed Rdevelopment Plan amendment and environmental review process, and were encouraged to submit written comments on the scope and content of the EIR. A copy of the NOP and written comments received in response to the NOP are included in Volume I, Appendix A1 of the FEIR.

After consideration of comments on response to the NOP, SEDC identified that the FEIR should analyze the potential for environmental impacts associated with the following 13 substantive potential impact areas in the **Environmental Impact Analysis** section:

- Land Use
- Air Quality
- Cultural Resources
- Geology/Soils
- Paleontological Resources
- Hydrology/ Water Quality
- Public Services and Facilities
- Transportation/Circulation & Parking
- Noise
- Biological Resources
- Hazards and Hazardous Materials
- Neighborhood Character/Aesthetics
- Population/ Housing

Additionally, the FEIR was directed to contain other sections including **Executive Summary, Introduction, Environmental Setting, Project Description, Effects Found Not to be Significant, Mandatory Discussion Areas (Significant Environmental Effects Which Cannot be Avoided if the Project is Implemented, Significant Irreversible Environmental Changes, and Growth Inducement), Cumulative Impacts, and Alternatives.** Because of the scope of the Project, a FEIR was determined to be the most useful and appropriate CEQA environmental document.

Additionally, pursuant to CEQA Guidelines §15088.5, a Revised Draft Environmental Impact Report (February 9, 2009) was prepared with a focus on water supply/availability for the project. Information contained in the December 8, 2008 Draft Program EIR and the February 9, 2009 Revised Draft EIR, in addition to responses to written comments received during the public review periods for each document, and any necessary revisions based on these written comments, are incorporated into the Final Program EIR.

2.0 Description of Project

The City of San Diego Redevelopment Agency proposes a Fifth Amendment to the Central Imperial Redevelopment Plan (Fifth Amendment) in order to facilitate the village type development policies of the General Plan in the Southeastern San Diego and Skyline-Paradise Hills Community Plans. Two separate components associated with the Fifth Amendment to the Central Imperial Redevelopment Plan are addressed in the EIR. The two components are: 1) nine distinct redevelopment activities; and, 2) Community Plan Amendments and associated rezones.

2.1 Project Components

2.1.1 *Redevelopment Activities*

The first component of the proposed Fifth Amendment consists of nine distinct redevelopment activities, the locations of which are shown on Figure 3-1 of the FEIR. The proposed land use changes to seven of the redevelopment activities (#1 and #3-8) will be added to the Central Imperial Redevelopment Plan as part of the proposed project. The other two (#9-10) are analyzed in the FEIR, but no land use changes are being pursued at this time and these may be added to the Central Imperial Redevelopment Plan at a future time when the necessary community plan amendments and rezones are approved. Table 3-1 of the FEIR provides a summary of the development characteristics of each of these proposals. A statistical summary of the proposed activities, including the anticipated net change in land use and development is provided on Table 3-2 of the FEIR. This net change in development serves as the basis for the environmental analysis presented in the FEIR. Development in excess of the net change reported in the FEIR would not occur without future discretionary actions by the City of San Diego. This would be assured by approval of the proposed rezones and regulatory restrictions imposed by the proposed Community Plan Implementation Overlay Zones. Any future discretionary action would require environmental review for compliance with the California Environmental Quality Act.

1. Hilltop & Euclid Residential Development

The Hilltop & Euclid Redevelopment Activity Site is located on a 10.09-acre site within the Chollas View neighborhood. It is located east of Euclid Avenue, south of Highway 94 and north of Hilltop Drive. The site is vacant of structures, but does contain foundations and driveways from former residences. A drainage traverses the site in a generally north-south direction.

This property is proposed for a rezone and Community Plan Amendment. The proposed redevelopment activity would include 48 small-lot single-family residential unit and 54 attached single-family affordable (townhomes). All residential units would be “for sale.” Figure 3-2 in the FEIR depicts the conceptual site plan for this Redevelopment Activity Site.

3. Village Center at Euclid & Market Pilot Village Project

The Village Center at Euclid and Market Pilot Village site is located at the intersection of the four neighborhoods of Chollas View, Emerald Hills, Lincoln Park, and Valencia Park. The Redevelopment Activity Site contains approximately 50 acres. In February 2004, the City Council selected the Village Center at Euclid and Market proposal to be a “Pilot Village” under the Strategic Framework Element of the General Plan.

This property is proposed for a Redevelopment Plan Amendment, Community Plan Amendment, and rezone. This redevelopment activity proposes 822 multi-family homes (both “for sale” and “for rent”), 150,500 square feet (sf) of retail, 65,000 sf of office, and 40,400 sf of industrial. It would include a three-story community center, major chain drug store, local and national retail tenants, an amphitheater, and possible training/school facilities. Figure 3-4 in the FEIR depicts a conceptual site plan for the proposed Village Center at Euclid and Market Pilot Village.

4. Lincoln Park Paseo - Phase I

This property is proposed for a Redevelopment Plan Amendment, Community Plan Amendment, and rezone. The Lincoln Park Paseo – Phase I proposal consists of 35 “for sale” townhomes and live-work units with underground parking on an approximately 1.16 acre lot within the Lincoln Park neighborhood. The Redevelopment Activity Site is bordered by Imperial Avenue to the north, Holly Drive to the south, commercial uses to the east, and a residential care facility to the west. The site contains the “former” Ouchi Nursery and equipment rental facility and three (3) multi-family dwelling units that would be replaced by the proposed construction. Existing residents would be relocated, in accordance with the Central Imperial Relocation Program (Section 450.1 of the Redevelopment Plan), prior to the commencement of construction.

5. Lincoln Park Paseo - Phase II

This property is proposed for a Redevelopment Plan Amendment, Community Plan Amendment, and rezone. The proposed Lincoln Park Paseo – Phase II project site comprises 6.01 acres within the Lincoln Park Neighborhood. The site is generally bordered by Holly Drive on the north, Ocean View Boulevard on the south, Willie James Jones Avenue on the west, and churches and a small school on the east. The project site contains vacant parcels along with four (4) multi -family and nine (9) single-family residential units that

would be demolished by this redevelopment activity. If necessary, existing residents would be relocated, in accordance with the Central Imperial Relocation Program (Section 450.1 of the Redevelopment Plan), prior to the commencement of construction.

The proposed Lincoln Park Paseo – Phase II redevelopment activity would provide up to 120 row-homes and apartments, however, conceptual site plans have not yet been developed for this proposal nor is there agreement by all of the property owners to sell or participate in this development. There is a proposal to develop 48 low-income apartments on parcels 548-242-20 and 548-242-21. This proposal is within the scope of the environmental analysis reported in this EIR for Lincoln Park Paseo – Phase II.

6. 54th & Imperial Residential – Valencia Villas

The 54th & Imperial Residential Valencia Villas Redevelopment Activity Site consists of 5.5 acres within the Valencia Park Neighborhood. The site is bordered by Chollas Creek and the Valencia Business Park to the northwest, 54th Street on the west, and multi-family residences on the south. This proposal would replace the existing Acacia Trailer Park which contains 95 trailers/mobile homes, with 144 residential units (3-bedroom/2-bath semi-attached town homes).

Existing residents would be relocated, in accordance with the Central Imperial Relocation Program (Section 450.1 of the Redevelopment Plan) and the City's Mobilehome Park Discontinuance and Tenant Relocation Regulations (San Diego Municipal Code, Chapter 14, Article 3, Division 6) prior to the commencement of construction.

7. SEDC - Imperial Avenue Corridor Master Plan

SEDC's Imperial Avenue Corridor Master Plan (Master Plan) comprises 51.7 acres (exclusive of right-of-ways), located along both sides of Imperial Avenue from I-805 to Euclid Avenue and along the south side of Imperial from 61st Street to 69th Street. A small portion of the north side of Imperial Avenue between 62nd Street and 63rd Street is also part of the Master Plan. For purposes of this analysis, the Master Plan area is divided into three sections (west, center and east). The West Section, referred to as "Imperial Crest" is located between I-805 and Euclid Avenue and comprises approximately 11 acres. The Center and West Sections are referred to as "Encantada." The Center Section is located between 61st and 65th Streets (24 acres), and the East Section extends between 65th and 69th Streets (17 acres). The Master Plan area is located within the Lincoln Park, Valencia Park, Encanto, South Encanto and Skyline neighborhoods. Existing uses include commercial and residential uses with some vacant properties. The Orange Line Trolley traverses the Redevelopment Project Area in an east-west direction and is parallel to Imperial Avenue from approximately 61st Street, to the end of the Master Plan area at Flicker Street. A trolley station and park-n-ride parking lot is located at 62nd Street.

The Master Plan's primary goal is to provide a broad range of work, live and transportation choices for the community. The Master Plan provides a coherent and consistent vision and direction developed through community involvement for the Master Plan corridor area.

This property is proposed for a Redevelopment Plan Amendment, Community Plan Amendment, and rezone. The Master Plan proposes a variety of residential, commercial, and mixed uses, including approximately 870 residential units consisting of zero lot line single-family residences, row homes, live/work

units, and multi-family residences. The Master Plan also proposes 75,200 sf of commercial and/or restaurant uses, including a 10,000 sf Boys and Girls Club. Figures 3-6 and 3-7 of the FEIR depict the Imperial Avenue Corridor Master Plan concepts. The Master Plan also includes design and development guidelines (i.e., streetscape, landscape and architecture guidelines) and implementation strategies for mixed-use construction with increased residential densities and commercial development.

8. Naranja & 53rd Street Residential

The Naranja & 53rd Street Residential Redevelopment Activity Site is also known as Creekside Pointe Residences; however, this redevelopment activity is referred to as the Naranja & 53rd Street Residential project in the FEIR. This redevelopment activity comprises approximately 1.55 acres, located north of Naranja Street and approximately 0.025 mile west of Euclid Avenue, within the Valencia Park neighborhood. Chollas Creek traverses the northern boundary of the property in an east-west direction and the northern portion of the site is located within the 100-year floodplain.

The proposed redevelopment activity considered in the FEIR would include 24 multi-family dwelling units in six (6) structures. Each 3-story structure would contain four dwelling units (3 bedrooms, 2.5 baths over a 2-car garage) and would be a maximum of 34' in height.

9. 45th & Ocean View Residential

The 45th & Ocean View residential project (Redevelopment Activity #9) consists of a proposal to develop 42 multi-family residential dwelling units on an approximately 1.57-acre site. This site is located west of S. 45th Street, approximately 100 feet north of Ocean View Boulevard in the Mountain View neighborhood. It is currently vacant of development and contains non-native grasslands. The topography of the site gently slopes upward from 45th Street to the eastern portion of the property. The site is bordered by single-family residential uses to the north, multi-family residential uses to the east, commercial uses to the south, and single- and multi-family residential uses to the west. No conceptual development plans have been prepared for this redevelopment activity.

The community plan amendment and rezone needed to implement this project is not included as a proposed action of the FEIR. Addition of this Redevelopment Activity Site to the Central Imperial Redevelopment Plan is not a part of the proposed project.

10. Jackie Robinson YMCA Expansion

The Jackie Robinson YMCA is located on approximately 12 acres immediately west of I-805, east of 45th Street, and north of Imperial Avenue in the Mountain View neighborhood.

This proposed redevelopment activity would expand the YMCA's existing facilities and programs. The building square footage would be expanded from 23,300 square feet to 42,900 square feet (for a net increase of 19,600 sf) and 47 parking spaces would be added for a total of 177 parking spaces. Improvements would include a new locker-room, lobby, aerobics, fitness center, multipurpose room, aquatics center, and relocation of the tech center and offices. Figure 3-18 in the FEIR provides the Jackie

Robinson Family YMCA Master Site Plan and Figure 3-19 in the FEIR provides a rendering of the expanded facility.

2.2 Proposed Policy Changes

The following describes the major policy changes within the Redevelopment Project Area that are proposed as part of the proposed project. The mixed use policies of the General Plan are not achievable in the Project Area due to the policies implemented in the existing community plans. The current zoning and land use designations do not provide for mixed use development. As such, amendments to the Southeastern San Diego and Skyline-Paradise Hills Community Plans; the City of San Diego Municipal Code; and the Central Imperial Redevelopment Plan would be necessary to allow mixed use development and higher density residential uses in the Project Area. Multi-family residential uses, with a density of up to 60 dwelling units per acre (du/ac), would be allowed within the Pilot Village to enhance the viability of commercial uses.

These actions are necessary to implement the proposed redevelopment activities (Sites #1, #3, #4, #5, and #7) and to provide critical housing opportunities and additional services. Critical housing opportunities (i.e., the provision of additional housing units in a region where the City Council has declared a continued state of emergency) would be provided on all Redevelopment Activity Sites, with the exception of Redevelopment Activity Site #10. These units would include "for sale" and rental units, and would include designated affordable units, as well as market rate units with varying levels of affordability (refer to Section 4.12, Population/Housing). The critical services would include commercial services in an area that is underserved. This would occur primarily in the Village Center (Redevelopment Activity Site #3), where existing Market Creek Plaza commercial uses would be expanded as described previously.

The community plan amendments introduce a Community Plan Implementation Overlay Zone (CPIOZ) to establish development regulations and to provide design standards and general guidance for mixed use and higher density residential development in the Project Area. The boundaries of the CPIOZ are defined in the proposed amendments to the Land Development Code, community plan amendments, and are depicted on Figure 3-20. Land use redesignations and rezones are proposed for all CPIOZ parcels. Development on CPIOZ "Type A" parcels could proceed ministerially if the proposed development is consistent with the CPIOZ. Development on parcels identified as CPIOZ "Type B" and development that is not consistent with the CPIOZ on Parcels designated "Type A" would require discretionary approval through a Site Development Permit.

The CPIOZ would not supersede a project from complying with the permitting requirements found in Chapter 12, Article 6 of the Municipal Code. This includes projects that require a Planned Development Permit, Site Development Permit, Conditional Use Permit, Neighborhood Development Permit, limited uses, variances, or projects involving environmentally sensitive lands.

2.2.1 *Proposed Southeastern San Diego Community Plan Amendment and Rezones*

The proposed Southeastern San Diego Community Plan Amendment adds a new element, the Village/Mixed Use Element, in order to establish city-wide land use designations within the Southeastern San Diego Community Plan Area. The land use designations will allow development consistent with the policies of the General Plan (i.e., mixed uses including residential, commercial, retail, service, civic, and office uses on the same parcel). However, at this time, the Neighborhood Village and other mixed use designations are only being proposed on certain parcels identified as being located within the CPIOZ, as identified on Table 3-1 in the FEIR.

The community plan amendment would also remove the "Single-Family Protected Neighborhood" designation from Site #1. The Community Plan Amendment adds the Neighborhood Commercial (Residential Permitted) and Neighborhood Village land use designations. Both allow mixed use with between 15 and 44 Dwelling Units Per Acre.

Furthermore, a rezone of several parcels located within the Southeastern San Diego Community Plan Area is necessary in order to implement existing development proposals that are consistent with the policies of the General Plan. As identified on Table 3-1 in the FEIR, the following rezones are part of the proposed project:

- Redevelopment Activity Site #1 is proposed to be rezoned from SF-5000. The eastern area is proposed to be rezoned to RT-1-4. The western area is proposed to be rezoned to RX-1-2.
- Subarea 1.1b of Redevelopment Activity Site #3 is proposed to be rezoned from MF-1500 to RM-3-7. Approximately 3.7 acres in the northwestern portion of Subarea 1.2 of Redevelopment Activity Site #3 is proposed to be rezoned from CT-2 to RM-3-9.

Subarea 1.3 of Redevelopment Activity Site #3 is proposed to be rezoned from CT-2 to RM-3-7. Subarea 2.1 of Redevelopment Activity Site #3 is proposed to be rezoned from CT-2 to CC-3-5. Subarea 2.2 of Redevelopment Activity Site #3 is proposed to be rezoned from I-1 to RM-3-9.
- Redevelopment Activity Site #4 is proposed to be rezoned from CSF-1 and CSF-2 to RM-2-6.
- The remainder of the CPIOZ parcels are being rezoned to implement the proposed Community Plan designations. All of the proposed rezones are shown on Figure 4.1-14.

2.2.2 *Proposed Skyline-Paradise Hills Community Plan Amendment*

Similar to the proposed SESD community plan amendment, the proposed amendment to the Skyline-Paradise Hills Community Plan adds a new element, the Mixed Use Element, in order to establish a city-wide mixed use land use designation within the Skyline-Paradise Hills Community Planning Area. This land use designation, Neighborhood Commercial (Residential Permitted) 15 – 44 Dwelling Units Per Acre, allows the development of mixed uses (i.e., residential, commercial, retail, service, civic, and office uses on a parcel of land). However, at this time, the mixed use designation is only being proposed on certain parcels identified as being located within the CPIOZ, as identified on Table 3-1 in the FEIR.

2.2.3 *Proposed Central Imperial Redevelopment Plan Amendment*

In order to reflect the changes contained in the Southeastern San Diego and Skyline-Paradise Hills Community Plans, the Redevelopment Plan for the Central Imperial Redevelopment Project Area would be amended for consistency. The primary revisions include changes to the Generalized Land Use map, which depicts the land uses that would be allowed in the Redevelopment Project Area. It is not proposed that Redevelopment Activity Sites #9 and #10 be added to the Redevelopment Plan at this time.

2.3 Project Objectives

The objectives of the Fifth Amendment to the Central Imperial Redevelopment Project are as follows:

- Increase community vitality and character through incorporation of Smart Growth design principles in new developments including, but not limited to, a mix of land uses, compact building design, walkable neighborhoods, and a provision of a range of housing opportunities and choices;
- Create a range of housing opportunities and choices to provide quality housing for people of all income levels and ages and help alleviate the housing crisis in the City of San Diego;
- Achieve an overall mix of different housing types to add diversity to communities and to increase housing supply with emphasis on the following:
 - Incorporating a variety of multi-family housing types in multi-family project areas;
 - Incorporating a variety of single-family housing types in single-family projects/subdivisions;
 - Incorporating townhomes and small lot single-family homes as a transition between higher density homes and lower density single-family neighborhoods; and
 - Identifying sites that are suitable for revitalization and for the development of additional housing.
- Increase the opportunities within the Central Imperial Redevelopment Project Area for rehabilitation of existing commercial centers and development of new commercial areas in the community through the integration of mixed land uses and compact building design; and,
- Focus more intense commercial and residential development in redevelopment areas, including the mixed-use Village Center at Euclid & Market Pilot Village, and along transit corridors (including but not limited to Market Street, Euclid Avenue, and Imperial Avenue), in support of the General Plan in a manner that is pedestrian-oriented, reduces automobile dependence and associated environmental effects, and preserves the vast majority of single-family neighborhoods.

2.3.1 *Discretionary Actions and Approvals*

Redevelopment Agency

Fifth Amendment to the Central Imperial Redevelopment Plan. Implementation of the proposed project would require a fifth amendment to the Central Imperial Redevelopment Plan (Fifth Amendment) which would reflect proposed changes to the Southeastern San Diego and Skyline-Paradise Hills Community Plans, and the rezoning of 26 parcels located in the Southeastern San Diego community plan area. These

amendments and rezones are proposed to facilitate growth envisioned by the policy changes identified in the General Plan.

City of San Diego

Community Plan Amendments. As described previously, in order to implement the proposed redevelopment activities (including SEDC's Imperial Avenue Corridor Master Plan), increase the supply of affordable housing units and implement the Village Center at Euclid and Market Pilot Village Project, amendments to the Southeastern San Diego and Skyline-Paradise Hills community plans would need to be adopted by the City of San Diego in order to add the Village/Mixed Use Element and Mixed Use Element, respectively. This includes applying land use designations allowing mixed use, changing the current land use designations and rezoning to certain properties in the Project Area. Approval of land use redesignations is requested for all CPIOZ "Type A" and "Type B" parcels, as identified on Figure 3-20 in the FEIR. Application of the mixed use land use designations would facilitate a mix of higher residential densities with commercial and compatible light industrial uses on one parcel of land, as necessary to accommodate additional housing. The addition of a Village/Mixed Use Element to the Southeastern San Diego and Mixed Use Element to the Skyline-Paradise Hills community plan areas is the result of new policies related to growth, as identified in the General Plan.

Land Development Code. The CPIOZ is proposed in the new Elements to provide the regulatory framework to allow for mixed use and higher density development in the project area. This would involve an amendment to Chapter 13, Article 2, Division 14 of the Land Development Code to: 1) add the Southeastern San Diego and Skyline-Paradise Hills communities to the list of communities where the CPIOZ applies (Table 132-14A - Community Plans with Property in the Community Plan Implementation Overlay Zone); and, 2) add the Southeastern San Diego and Skyline-Paradise Hills Community Plan Implementation Overlay Zone maps. It is also proposed to amend Chapter 15, Article 19, the Southeastern San Diego Planned District ordinance, to reference the CPIOZ as regulating development within the project area.

Zoning Ordinance. Approval of rezones is proposed for CPIOZ parcels, as identified on Figure 3-20 in the FEIR.

3.0 Environmental Setting

3.1 Regional Setting

The Central Imperial Redevelopment Project Area (Redevelopment Project Area) is located within the City of San Diego Metropolitan area. The City of San Diego is generally located 15 miles north of the United States International Border with Mexico and approximately 130 miles south of Los Angeles. The Redevelopment Project Area is located within the Southeastern San Diego, Encanto Neighborhoods, and Skyline-Paradise Hills communities. Major north-south access routes to Southeastern San Diego are Interstate 5 (I-5), Interstate 15 (I-15) and Interstate 805 (I-805). The major east-west access route is State Route 94 (SR-94). Figure 2-1 in the FEIR depicts the location of the proposed Redevelopment Project Area in a regional context.

3.2 Project Location

The combined area of nine Redevelopment Activity Sites is referred to as the Project Area. The nine redevelopment activities are described in detail in Chapter 3, Project Description. The Project Area is generally bound by 45th Street to the west, 69th Street to the east, Martin Luther King, Jr. Freeway (SR-94) to the north, and Ocean View Boulevard to the south. The majority of the nine Redevelopment Activity Sites being analyzed are located east of I-805 between SR-94 and Imperial Avenue. Figure 2-2 in the FEIR depicts the Project Area.

3.3 Physical Characteristics

3.3.1 *Southeastern San Diego Community*

The Southeastern San Diego community is situated in the southeast portion of the City of San Diego, east of downtown San Diego, and north of National City. It is located south of the communities of Golden Hill and City Heights, east of the communities of Barrio Logan and Centre City, and west of the communities of Encanto and Skyline-Paradise Hills (Figure 2-2 in the FEIR).

Freeway construction has divided the Southeastern San Diego community into two general areas. The first area, west of I-15, is roughly triangular in shape and is generally bound by I-5, SR-94, and I-15. This western area is the oldest part of the community and contains a mixture of residential, commercial, and industrial land uses. The eastern area is located between I-15 and I-805. Single-family residences are the predominant land use; however, commercial and industrial uses are also located within this area. In addition, a substantial amount of acreage is devoted to cemetery use.

The Southeastern San Diego community contains nine geographic areas, also known as neighborhoods. These neighborhoods are: Sherman Heights, Logan Heights, Grant Hill, Memorial, Stockton, Mount Hope, Mountain View, Southcrest, and Shelltown.

3.3.2 *Encanto Neighborhoods Community*

The Encanto Neighborhoods community is situated east of downtown San Diego and the Southeastern San Diego community, and north of the Skyline-Paradise Hills community. It is located north of the City of National City; south of SR-94; east of I-805; and west of the City of Lemon Grove (Figure 2-2 in the FEIR).

The Encanto Neighborhoods community is characterized by single-family dwellings on moderate to large lots. Commercial uses are primarily located along Logan Avenue, Imperial Avenue, and Market Street. The community is characterized by changes in topography that create significant view opportunities.

The Encanto Neighborhoods community contains eight neighborhoods: Chollas View, Lincoln Park, Emerald Hills, Valencia Park, Encanto, South Encanto, Broadway Heights, and Alta Vista. Land use in this community is governed by the Southeastern San Diego Community Plan and the Southeastern San Diego Planned District Ordinance.

3.3.3 *Skyline-Paradise Hills Community*

The Skyline-Paradise Hills community is situated in the southeast portion of the City of San Diego, east of downtown San Diego and the City of National City. It is bounded by the City of Lemon Grove and the Encanto Neighborhoods community to the north, State Route 54 and an unincorporated area of San Diego County to the south, the City of National City and the Encanto Neighborhoods community to the west, and an unincorporated area of San Diego County to the east. The Skyline-Paradise Hills community contains six neighborhoods: Skyline, Paradise Hills, South Bay Terraces, North Bay Terraces, Lomita, and Jamacha.

3.3.4 *Central Imperial Redevelopment Project Area*

The Central Imperial Redevelopment Project Area is located in the eastern one-third of the Southeastern San Diego Community Plan Area and a small area in the northwestern most portion of the Skyline-Paradise Hills Community Plan Area (Figure 2-3 in the FEIR). West of I-805, the Redevelopment Project Area includes the area east of 41st Street, north of Ocean View Boulevard, and south of the east line extension of the San Diego Trolley (Orange Line). East of I-805, the Redevelopment Project Area includes areas west of Euclid Avenue, north of Ocean View Boulevard, and south of G Street and Guymon Streets. The Redevelopment Project Area also extends east of Euclid Avenue to Flicker Street, generally between Market Street and Imperial Avenue.

The area contains approximately 580 acres (including public rights-of-way), and includes six of the 17 neighborhoods identified in the Southeastern San Diego Community Plan, including Mountain View, Chollas View, Emerald Hills, Encanto, Lincoln Park, Valencia Park and South Encanto. The easternmost portion of the Redevelopment Project Area also contains portions of the Skyline neighborhood, which is located within the Skyline-Paradise Hills Community Plan Area. Land uses include residential (approximately 32%), commercial (approximately 6%), industrial (approximately 5%), institutional/utilities (approximately 10%), open space/park (approximately 2%), vacant (approximately 15%), abandoned/underutilized (approximately 4%), and public rights-of-way (approximately 26%) (Keyser Marston Associates, Inc., 2004).

4.0 Issues Addressed in the FEIR

The FEIR contains an environmental analysis of the potential impacts associated with implementing the Project. The major issues that are addressed in the FEIR were determined potentially significant based on review by the City of San Diego. These issues include Land Use, Transportation/Circulation & Parking, Air Quality, Noise, Cultural Resources, Biological Resources, Geology/Soils, Hazards and Hazardous Materials, Paleontological Resources, Neighborhood Character/ Aesthetics, Hydrology/ Water Quality, Population and Housing, and Public Services and Facilities.

5.0 Mitigation Monitoring Program

Pursuant to PRC §21081.6, the City has also adopted a detailed mitigation and monitoring program (MMRP) prepared by the FEIR consultant under the direction of the City. The program is designed to assure that all mitigation measures as hereafter required are in fact implemented on a timely basis as the Project progresses through its development and construction phases. The MMRP is intended to be utilized by both the Redevelopment Agency, as "Lead Agency," and the City of San Diego, as "responsible agency."

6.0 Record of Proceedings

For all purposes of CEQA compliance, including these Findings of Fact and Statement of Overriding Considerations, the administrative record of all Redevelopment Agency and City proceedings and decisions regarding the environmental analysis of the Project shall include but are not limited to the following:

- The Draft EIR (December 2008), Revised Draft EIR (February 2009), and Final EIR for the Project, together with all appendices and technical reports referred to therein, whether separately bound or not;
- All reports, letters, applications, memoranda, maps or other planning and engineering documents prepared by the City, planning consultant, environmental consultant, project applicant or others and presented to or before the decision-makers or staff;
- All minutes of any public workshops, meetings or hearings, and any recorded or verbatim transcripts/videotapes thereof;
- Any letters, reports or other documents or other evidence submitted into the record at any public workshops, meetings or hearings; and
- Matters of common general knowledge to the City, which they may consider, including applicable state or local laws, ordinances and policies, the General Plan and all applicable planning programs and policies of the City.

Documents or other materials which constitute the record of proceedings upon which these Findings are made are located at Southeastern Economic Development Corporation (SEDC), 4393 Imperial Avenue, Suite 200, San Diego, California, 92113.

7.0 Findings of Significant Impacts, Required Mitigation Measures and Supporting Facts

The Redevelopment Agency and the City, having reviewed and considered the information contained in the FEIR, finds pursuant to Public Resources Code §21081(a)(1) and Guidelines §15091(a)(1) that changes or alterations have been required in, or incorporated into, the Project which would mitigate, avoid, or substantially lessen to below a level of significance the following potential significant environmental effects identified in the FEIR.

7.1 Transportation/Circulation

7.1.1 *Near-Term (2010)*

A. Potential Impact. The Project would generate an increase in Average Daily Traffic (ADT) trips, which could result in impacts to traffic in the near-term (2010) time frame.

B. Facts in Support of Finding. The Project's potentially significant impacts to the currently unsignalized Euclid Avenue/SR-94 westbound ramp intersection, the eastbound to southbound right-turn movement at the Euclid Avenue/SR-94 eastbound ramp intersection, the northbound approach of the 47th Street/"A" Street intersection, and the roadway segment along Market Street, east of Euclid Avenue would be mitigated to below a level of significance with the implementation of Mitigation Measures TC-1 to TC-3 and TC-6 of the FEIR. Implementation of these mitigation measures would require that:

Mitigation Measure TC-1

A signal shall be installed at the currently unsignalized Euclid Avenue/SR-94 westbound ramp intersection (Intersection #26). A traffic signal warrant evaluation for this intersection shows that the peak hour signal warrant is satisfied (is met) under existing conditions. The Market Creek Plaza project (part of Redevelopment Activity Site #3) was conditioned by PDP/RPO 99-0156 to install a signal at this location or provide full funding for the design and construction of the traffic signal. This signal shall be installed by the Pilot Village (the permittee of PDP/RPO 99-0156) prior to issuance of any further building permits issued under PDP/RPO 99-0156. Developers of Redevelopment Activities within the Project Area shall contribute their fair-share to this improvement prior to the issuance of a building permit for the respective Activity.

Mitigation Measure TC-2

The merging distance for the eastbound to southbound right-turn movement at the Euclid Avenue/SR-94 eastbound ramp intersection (Intersection #27) shall be increased by restriping Euclid Avenue at the merge location. A traffic signal warrant evaluation for this intersection shows that the peak hour volume traffic signal warrant is met; however, the peak hour delay signal warrant is not met. Therefore, installation of a traffic signal at this location is not recommended at this time. It is recommended that the merging distance for the eastbound to southbound right-turn movement be increased to improve operations of this movement. This improvement can be accomplished via installing a continuous southbound merge lane/right-turn lane along Euclid Avenue from the SR-94 eastbound ramp to the Hilltop Drive intersection. There currently exists approximately 120 feet of merging distance for this movement. This improvement shall be installed by the Hilltop/Euclid Redevelopment Activity if that activity comes online before the project reaches 436 EDUs. Otherwise, the Activity that causes the overall project to exceed 436 EDUs shall install the improvement. Developers of Redevelopment Activities within the Project Area shall contribute their fair-share contribution to this improvement prior to the issuance of a building permit for the respective Activity.

Mitigation Measure TC-3

The northbound approach of the 47th Street/"A" Street intersection (Intersection #31) shall be restriped to include a separate channelized left-turn lane to improve the westbound left-turn movement operations to below the significance threshold. Adequate roadway width currently exists to restripe the approach. This improvement shall be installed by the Pilot Village prior to issuance of the building permit for any Activity that results in more than 127 project EDUs. Developers of Redevelopment Activities within the Project Area shall contribute their fair-share contribution to this improvement prior to the issuance of a building permit for the respective Activity.

Mitigation Measure TC-6

The roadway segment along Market Street, east of Euclid Avenue shall be widened to its four lane major classification to mitigate this roadway segment to acceptable levels of service. This segment currently has two through lanes in the westbound direction and one through lane in the eastbound direction, with a center two-way left-turn lane. This improvement shall be installed by the Pilot Village prior to issuance of the building permit for development of 170 Pilot Village EDUs between 54th Street and Euclid Avenue. Developers of Redevelopment Activities within the Project Area shall contribute their fair-share contribution to this improvement prior to the issuance of a building permit for the respective Activity.

Mitigation Measure TC-6a

The existing four-lane facility, Market Street from 47th Street to Euclid Avenue, shall be restriped to provide for a center left-turn lane to mitigate this roadway to an acceptable level of service. This improvement shall be provided by the Pilot Village prior to issuance of building permits associated with Redevelopment Activities that result in more than 285 project-related EDUs. Developers of Redevelopment Activities within the Project Area shall contribute their fair-share contribution to this improvement prior to the issuance of a building permit for the respective Activity.

Mitigation Measure TC6b

The roadway segment along Imperial Avenue from 49th Street to Euclid Avenue shall be improved to 4-lane major standards by the construction of a raised median between 49th Street and Euclid Avenue. This improvement shall be installed by the first project within the Encantada or Imperial Crest areas prior to issuance of the building permit for development that exceeds Imperial Crest/Encantada development of 930 EDUs. Developers of Redevelopment Activities within the Project Area shall contribute their fair-share contribution to this improvement prior to the issuance of a building permit for the respective Activity.

7.1.2 Interim (2015) Impacts

A. Potential Impact. The Project would generate an increase in Average Daily Traffic (ADT) trips, which could result in impacts to traffic in the interim (2015) time frame.

B. Facts in Support of Finding. The Project's potentially significant impacts to the 47th Street/Market Street intersection, the Euclid Avenue/Market Street intersection, the peak hour impacts at the segment along Euclid Avenue between SR-94 and Market Street, and the peak hour impacts at the segment along Market Street between I-805 and 47th Street would be mitigated to below a level of significance with the implementation of Mitigation Measures TC-9 to TC-12 of the FEIR. Implementation of these mitigation measures would require that:

Mitigation Measure TC-9

The 47th Street/Market Street intersection (Intersection #22) can be mitigated to acceptable levels of service with intersection striping and signal phasing improvements at this location. Specifically, the following improvements shall be constructed: installation of a northbound right-turn lane and installation of an eastbound right-turn lane. Right turn overlap phasing should be installed at this signal for these

movements. This striping and signal phasing shall be completed by the Pilot Village prior to issuance of the building permit associated with Redevelopment Activities that result in more than 96 project-related EDUs. Developers of Redevelopment Activities within the Project Area shall contribute their fair-share contribution to this improvement prior to the issuance of a building permit for the respective Activity.

Mitigation Measure TC-10

The Euclid Avenue/Market Street intersection (Intersection #23) can be mitigated to acceptable levels of service with the following intersection improvements: installation of a second eastbound left-turn lane and installation of a southbound right-turn lane. The existing traffic signal at this location will require modification in order to accommodate these improvements. These improvements shall be installed by the Pilot Village prior to issuance of the building permit associated with redevelopment activities that result in more than 146 project-related EDUs. Developers of Redevelopment Activities within the Project Area shall contribute their fair-share contribution to this improvement prior to the issuance of a building permit for the respective Activity.

Mitigation Measure TC-11

The peak hour impacts at the segment along Euclid Avenue between SR-94 and Market Street shall be mitigated with the proposed improvements at the intersection of Market Street/Euclid Avenue (Mitigation Measure TC-10) along with signal timing coordination and raised medians along the Euclid Avenue corridor. The signal timing and raised medians along Euclid Avenue shall be implemented prior to issuance of the building permit associated with Redevelopment Activities that result in more than 897 project-related EDUs. The Activity that first exceeds 897 project-related EDUs shall provide the requirement improvements. Developers of Redevelopment Activities within the Project Area shall contribute their fair-share contribution to this improvement prior to the issuance of a building permit for the respective Activity.

Mitigation Measure TC-12

The peak hour impacts at the segment along Market Street between I-805 and 47th Street shall be mitigated with the proposed improvements at the Market Street/47th Street intersection as identified in Mitigation Measure TC-9.

7.1.3 *Horizon (2030) Impacts*

A. Potential Impact. The Project construction would generate an increase in Average Daily Traffic (ADT) trips, which could result in impacts to traffic in the Horizon (2030) time frame.

B. Facts in Support of Finding. The Project's potentially significant impacts would be mitigated to below a level of significance with the implementation of Mitigation Measure TC-13 of the FEIR. Implementation of this mitigation measure would require that:

Mitigation Measure TC-13

The Imperial Avenue/I-805 southbound ramps intersection (Intersection #2) can be mitigated to below the level of significance with the following intersection improvements: provision of two left-turn lanes and one

right-turn lane for the southbound approach. This will require ramp widening and traffic signal modification improvements at this location. These improvements shall be implemented prior to issuance of the building permit associated with Redevelopment Activities that result in more than 339 project-related EDUs. The Activity that first exceeds 339 project-related EDUs shall provide the requirement improvements. Developers of Redevelopment Activities within the Project Area shall contribute their fair-share contribution to this improvement prior to the issuance of a building permit for the respective Activity.

7.2 Air Quality

Construction Activity Short-Term Air Quality Impact

A. Potential Impact. The Project has the potential to result in a significant short-term air quality impact. Construction associated with development of each of the redevelopment activities within the Project Area would generate emissions as a result of demolition activity, grading and site preparation, and building construction. Demolition, grading, and site preparation generates primarily PM₁₀ emissions (dust) and oxides of nitrogen (NO_x) which are generated by diesel-powered construction vehicles and equipment.

B. Facts in Support of Finding. The Project's potentially significant impacts would be mitigated to below a level of significance with the implementation of Mitigation Measure AQ-1 of the FEIR. Implementation of this mitigation measure would require that:

Mitigation Measures AQ-1

A project-specific air quality analysis shall be prepared for future redevelopment activities to determine the emissions associated with construction activities and identify measures to reduce air emissions. In addition, future redevelopment projects shall implement appropriate federal, state, and local development standards and requirements that are designed to minimize short-term construction related air quality emissions. These measures typically include, but are not limited to the following:

- Apply water or dust control agents to active grading areas, unpaved surfaces, and dirt stockpiles as necessary. Protect all soil to be stockpiled over 30 days with a secure tarp or tackifiers to prevent windblown dust.
- Properly maintain diesel-powered on-site mobile equipment and use gasoline-powered on-site mobile equipment instead of diesel-powered mobile equipment, to the maximum extent possible.
- Wash-off trucks leaving construction sites.
- Replace ground cover on construction sites if it is determined that the site will be undisturbed for lengthy periods.
- Reduce speeds on unpaved roads to less than 15 miles per hour.
- Halt all grading and excavation operations when wind speeds exceed 25 miles per hour.

- Sweep or vacuum dirt and debris spilled onto paved surfaces at the project site and on the adjacent roadways and dispose of these materials at the end of each workday.
- Cover all trucks hauling dirt, sand, soil or other loose material to and from the site and/or maintain a two-foot minimum freeboard.
- Use zero emission volatile organic compound (VOC) paints.

7.3 Noise

A. Potential Impact. The Project has the potential to result in noise related impacts at on – and off-site locations associated with vehicular activity, groundborne vibration (from the trolley), stationary noise sources such as outdoor recreational activities, parking lot activities, truck delivery and loading dock activities, and mechanical equipment.

B. Facts in Support of Finding. The Project's potentially significant impacts would be mitigated to below a level of significance with the implementation of Mitigation Measure N-1 of the FEIR. Implementation of this mitigation measure would require that:

Mitigation Measure N-1

An acoustical analysis shall be conducted after site plans have been finalized and prior to issuance of building permits by the City of San Diego for each of the proposed redevelopment activities. This will ensure that each of the proposed redevelopment activities has complied with City noise standards. The acoustical analysis shall identify specific site development requirements for each of the proposed redevelopment activities to reduce on- and off-site noise impacts. The only exception to this requirement is the Lincoln Park Paseo Phase II Residential redevelopment activity, which does not require an acoustical analysis. Typical requirements that shall be identified in the acoustical analysis include:

Traffic Noise (Off-Site)

- Residential Land Uses
 - Noise barriers (i.e., walls and/or earthen berms) shall be used to block noise from new stationary sources such as outdoor recreation areas and parking lots from existing noise-sensitive properties.
 - Installation of sound-rated windows and entry doors.
- Office/Commercial Land Uses
 - Noise barriers (i.e., walls and/or earthen berms) shall be used to block noise generated by traffic.

Stationary Noise Sources

(Outdoor Recreational Activities, Parking Lot Activities, Truck Deliveries and Loading Dock Activities, and Mechanical Equipment)

- Noise barriers (i.e., walls and/or earthen berms) to shield outdoor residential living areas from noise generated by traffic, trolley operations, and/or commercial/industrial sources.
- Noise barriers (i.e., walls and/or earthen berms) to block noise from new stationary sources such as outdoor recreation areas, parking lots, truck deliveries and loading dock activities, and mechanical equipment from existing noise-sensitive properties.
- Enclosures for mechanical equipment shall be constructed at the proposed commercial, retail and industrial sites. Where this is not possible, barriers shall be installed to shield the equipment from the adjacent properties. Depending on the size and type of equipment, silencers in the intake and exhaust ducts may also be necessary to reduce noise at the adjacent properties to an acceptable level.
- Outdoor recreational facilities shall be located as far away as possible from existing and planned residential land uses.

Exterior Noise Levels

- Noise barriers (i.e., walls and/or earthen berms) shall be used to shield outdoor residential living areas from noise generated by traffic, trolley operations, and/or commercial/ industrial sources.
- Noise-sensitive properties, such as residences, shall be located as far as practicable from the adjacent streets and freeways, the trolley line, the intermodal center, and commercial/ industrial properties. This shall be accomplished by using landscaping strips, parks and parking lots to separate the noise source from the property.

Groundborne Vibration

- Residential buildings shall not be located within about 60 feet of the trolley line. Commercial, retail, office and industrial buildings shall not be located within about 38 feet of the trolley line.

Interior Noise Levels

- New development within the Project Area shall be subject to applicable City regulations at the time the development activity is proposed. Title 24 – Noise Insulation Standards, and implementation of site-specific building techniques include:
 - Multi-family residential buildings or structures to be located within exterior CNEL contours of 60 dB or greater of an existing or adopted freeway, expressway, parkway, major street, thoroughfare, railroad, rapid transit line, or industrial noise source shall prepare an acoustical analysis showing that the building has been designed to limit intruding noise to the level prescribed (interior CNEL of 45 dB).
 - Sound-rated windows and entry doors shall be installed at proposed residential units near the freeways, streets, trolley line, and intermodal center. Windows shall be sealed and entry doors shall be located on the opposite side of a building from the noise source.

- Mechanical ventilation shall be installed at proposed buildings near the freeways, streets, trolley line, and intermodal center since the interior noise standard is to be met with windows and doors closed.
- Noise-sensitive properties, such as residences, shall be located as far as practicable from the adjacent streets and freeways, the trolley line, the intermodal center, and commercial/ industrial properties. This shall be accomplished by using landscaping strips, parks and parking lots to separate the noise source from the property.

7.4 Geology/Soils

A. Potential Impact. Existing geotechnical conditions of the Redevelopment Project Area related to the potential presence of ground shaking during a seismic event, liquefaction and/or lateral spreading, and expansive soils are considered significant geotechnical conditions that may impact future development. Table 4.7-2 provides a summary of the potential geologic hazards for each of the nine Redevelopment Activity Sites.

TABLE 4.7-2
Summary of Potential Geologic Hazards
Within Redevelopment Activity Sites #1, and #3 through #10

Redevelopment Activity Site	Liquefaction	Expansive Soils	Landslide	On-Site Faulting	Slope Failure Risk	Mitigation Measure
#1 – Hilltop & Euclid Residential	Low	Moderate-High	No	No	No	GS1
#3 – Village Center at Euclid and Market	Low-Moderate	Low-Moderate	No	No	No	GS1, GS2
#4 – Lincoln Park Paseo – Phase I	Low	Moderate-High	No	No	No	GS1
#5 – Lincoln Park Paseo – Phase II	Low	Moderate-High	No	No	No	GS1
#6 – 54 th & Imperial Residential Valencia Villas	Low-Moderate	Moderate-High	No	No	Low-Moderate	GS1
#7 – Imperial Avenue Corridor Master Plan	Low-Moderate	Moderate-High	No	No	No	GS1
#8 – Naranja & 53 rd Street Residential	Low-Moderate	Moderate-High	No	Yes	Low-Moderate	GS1
#9 – 45 th & Ocean View Residential	Low	Moderate-High	No	No	No	GS1
#10 – Jackie Robinson YMCA Expansion	Low-Moderate	Moderate-High	No	No	No	GS1

Source: Ninyo & Moore, 2005.

B. Facts in Support of Finding. The Project's potentially significant impacts would be mitigated to below a level of significance with the implementation of Mitigation Measures GS-1 and GS-2 of the FEIR. Implementation of these mitigation measures would require that:

Mitigation Measures GS-1

A comprehensive geotechnical evaluation shall be prepared in accordance with the City's "Technical Guidelines for Geotechnical Reports." The evaluation shall include development-specific surface exploration and laboratory testing, shall be conducted prior to design and construction of any development within the Redevelopment Project Area. The purpose of the subsurface evaluation would be to: 1) further evaluate the subsurface conditions in the area of future structures or improvements; and, 2) provide information pertaining to the engineering characteristics of earth materials of each development. From these data, recommendations for grading, earthwork, surface and subsurface drainage, foundations, pavement structural sections, sedimentation mitigation, and other pertinent geotechnical design considerations may be formulated.

- The geotechnical evaluation shall address the risks associated with any potentially active faulting and shall include an opinion regarding the need (if any) for structural setbacks. The investigation shall include an explicit opinion as to whether or not a fault trace passes beneath any proposed lot improvements.
- The potential for moderate seismic accelerations shall be considered in the design of future structures. The level of risk associated with these seismic accelerations is the level of risk assumed by the UBC and California Building Code (CBC) minimum design requirements. The project design shall be consistent with the CBC.
- The geotechnical evaluation shall demonstrate that the site of the applicable redevelopment implementation activity will have a factor-of-safety of 1.5 or greater with respect to gross and surficial slope stability at the completion of construction.
- The potential for liquefaction and seismically induced settlement, especially in the lower lying drainage areas, shall be evaluated through site-specific subsurface and laboratory evaluation during the design phase of the redevelopment activity. Liquefaction, if it becomes an issue, may be mitigated by selective grading, densification of the subsurface soils, and/or deep foundations.
- Fill and topsoil shall be evaluated during the geotechnical evaluation. Earthwork recommendations shall include removal, moisture conditioning, and recompaction of existing fills and topsoil on the site. Parcels proposed fills for development shall be individually evaluated for slope stability.
- The expansive potential of the earth materials on the site shall be evaluated during the geotechnical evaluation. Potential mitigation measures for expansive soils could include removal or deep burial during grading, moisture conditioning, or specially designed foundations and slabs.
- Based on the topography of the site, proposed developments may require moderate to extensive amounts of site grading and earthwork. The recommended site-specific geotechnical evaluations will include recommendations for earthwork, subdrainage, fill placement and compaction, and retaining walls..

Mitigation Measures GS-2

Project design for the Village Center at Euclid and Market Redevelopment Activity Site shall incorporate the geotechnical recommendations contained in the *Report of Preliminary Subsurface Investigation and Geotechnical Evaluation Joann F. Kopecky Property, 602-606 Euclid Avenue, San Diego, California, Parcel No. 548-01-015*, the *Report of Preliminary Subsurface Investigation and Geotechnical Evaluation Rodewald Family Trust Property, San Diego, California, Parcel Nos. 547-24-001 and 547-24-002*, and the *Preliminary Geotechnical Evaluation of the Proposed Central Imperial Redevelopment Plan Project*. The following indicates some of the recommendations, from the former two geotechnical evaluations, regarding earthwork construction for the proposed redevelopment activity, as well as geotechnical recommendations for the design of the proposed pavement and structures.

- Due to the presence of undocumented fills, remedial grading of the soils down to formational materials shall be completed to provide more uniform building support. The undocumented fills may be subject to seismic settlement or excessive movement under a seismic event. Compaction of the undocumented fills shall be performed in accordance with the compaction recommendations provided in the geotechnical report.
- Based on laboratory test results, the clayey formational materials present onsite have medium to possibly high expansion potentials. To reduce the potential for heave of finish grade, soils with an expansion index of greater than 50 shall not be placed in the upper four feet of finish building pad grade or the upper two feet of finish hardscaping subgrade. The replacement material shall have an expansion index of 50 or less using the UBC Test Method 18-2 or ASTM D4829 guidelines. Retaining wall backfill shall have an expansion index of 20 or less.
- The potential for moderate seismic accelerations shall be considered in the design of future structures. The level of risk associated with these seismic accelerations is the level of risk assumed by the UBC and California Building Code (CBC) minimum design requirements. The redevelopment activity design shall be consistent with the CBC

7.5 Hazards and Hazardous Materials

7.5.1 *Redevelopment Activity*

A. Potential Impact. There is a low likelihood that significant quantities of hazardous materials and/or wastes may be encountered or disturbed during the proposed development activities within Redevelopment Activity Sites #1, #5, #6, #8, #9, and #10. However, due to the potential presence of buildings built prior to the early 1980s, lead-based paint, asbestos-containing materials, and polychlorinated biphenyls (PCBs) may be present on the Redevelopment Activity Sites #3, #4, #5, #6, #7, and #10. In addition, the potential presence of hazardous materials and existing areas of contamination on Redevelopment Activity Sites #3, #4, and #7 is considered a significant impact. Table 4.8-1 provides a summary of the hazardous materials cases identified within each redevelopment activity site and whether mitigation is required.

TABLE 4.8-1
Summary of Hazardous Materials Cases
Within Redevelopment Activity Sites #1, #3 through #10

Redevelopment Activity	Potentially Hazardous Materials Present Onsite?	Type of Waste	Mitigation Required?
#1 – Hilltop & Euclid Residential	No	N/A	No
#3 – Village Center at Euclid and Market	Yes	UST; Hazardous Waste	Yes – HM1, HM2, HM3, HM4
#4 – Lincoln Park Paseo – Phase I	Yes	Hazardous Materials	Yes – HM1, HM2, HM4
#5 – Lincoln Park Paseo – Phase II	No	N/A	No
#6 – 54 th & Imperial Residential Valencia Villas	No	N/A	No
#7 – Imperial Avenue Corridor Master Plan	Yes	UST; Hazardous Materials and/or Wastes	Yes – HM1, HM2, HM3, HM4
#8 – Naranja & 53 rd Street Residential	No	N/A	No
#9 – 45 th & Ocean View Residential	No	N/A	No
#10 – Jackie Robinson YMCA Expansion	No	N/A	Yes – HM1

Source: Ninyo & Moore, June 2005

B. Facts in Support of Finding. The Project's potentially significant impacts would be mitigated to below a level of significance with the implementation of Mitigation Measures HM-1 to HM-4 of the FEIR. Implementation of these mitigation measures would require that:

Mitigation Measure HM-1

A Site Safety Plan shall be prepared and implemented prior to initiation of construction activities within the boundaries of the Project Area to reduce the potential health and safety hazards to workers and the public.

Prior to demolition or renovation activities, a hazardous building materials survey shall be performed at buildings within the Project Area boundaries that were constructed prior to the early 1980s. This type of survey typically addresses lead-based paint, asbestos-containing materials, PCBs in electrical equipment, mercury switches, and heating/cooling systems. Such a survey shall be conducted under the direct supervision of a State of California certified asbestos consultant and certified lead inspector/assessor. Prior to demolition or renovation work which would disturb identified lead-based paint, asbestos-containing materials, or other hazardous materials, a licensed abatement removal contractor shall remove and properly dispose of the hazardous material(s) in accordance with applicable local, state, and federal regulations. A California certified consultant shall prepare a bid specification document, to perform abatement project planning, site and air monitoring, and oversight and reporting activities.

Mitigation Measure HM-2

In the event that USTs or undocumented areas of contamination are encountered during future development activities, work shall be discontinued until appropriate health and safety procedures are implemented and appropriate notifications shall be made. A contingency plan shall be prepared to address contractor procedures for such an event, to minimize the potential for costly construction delays. In addition, either the DEH or the RWQCB, depending on the nature of the contamination, shall be notified regarding the contamination. Each agency and program within the respective agency has its own mechanism for initiating an investigation. The appropriate program (i.e., the DEH Local Oversight Program for tank release cases, the DEH Voluntary Assistance Program for non-tank release cases, the RWQCB for non-tank cases involving groundwater contamination) shall be selected based on the nature of the contamination identified. The contamination remediation and removal activities shall be conducted in accordance with pertinent local, state, and federal regulatory guidelines, under the oversight of the appropriate regulatory agency.

Appropriate references to the potential to encounter contaminated soil or groundwater shall be included in construction specifications for excavation activities.

Mitigation Measure HM-3

Caution shall be taken during excavation activities near the facilities associated with LUST cases, because of the potential for encountering documented and undocumented releases of contaminants and hazardous materials or wastes that may have occurred within or adjacent to these sites. Excavation and/or soil monitoring shall be conducted by professionals trained in the identification and management of hazardous materials or wastes, such as contaminated soil or groundwater.

The appropriate regulatory agency shall be contacted prior to initiation of construction or development activities on facilities with LUST cases. LUST cases are often issued case closure status based on the existing or proposed land usage of the property. Proposed development activities may be subject to approval by the DEH or other applicable agency, which may require corrective action requirements to be reviewed if land usage is expected to change.

Any USTs that are removed during development activities shall be removed under permit by the DEH. The soil and groundwater within the vicinity of the USTs shall be adequately characterized and remedied, if necessary, to a standard that would be protective of water quality and human health, based on future site use.

Mitigation Measure HM-4

Several facilities within the Project Area boundaries are likely to contain hydraulic lifts or hydraulic elevators. The hydraulic fluid associated with these lifts and elevators may have contained PCBs at those facilities constructed prior to 1980. While the manufacture of PCB-containing equipment was discontinued in 1979, it is possible that residual PCB contamination may be present at facilities containing hydraulic equipment that was installed prior to 1980. As a result, caution shall be taken during demolition activities at such facilities.

7.6 Paleontological Resources

A. Potential Impact. The Project would result in the substantial excavation of potential fossil-bearing geologic formations as project grading would exceed 2,000 cubic yards and/or cuts greater than 10 feet in depth.

B. Facts in Support of Finding. The Project's potentially significant impacts would be mitigated to below a level of significance with the implementation of Mitigation Measure PR-1 of the FEIR. Implementation of this mitigation measure would require that:

Mitigation Measure PR-1

I. Prior to Permit Issuance

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

II. Prior to Start of Construction

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

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

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

III. During Construction

- A. Monitor Shall be Present During Grading/Excavation/Trenching
 1. The monitor shall be present full-time during grading/excavation/trenching activities as identified on the PME that could result in impacts to formations with high and moderate resource sensitivity. **The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities.**
 2. The monitor shall document field activity via the Consultant Site Visit Record (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

- 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.

7.7 Hydrology/Water Quality

Implementation of the proposed redevelopment activities has the potential to result in an impact to hydrology/drainage and flooding. Table 4.11-1 provides a summary of impacts associated with hydrology/drainage and flooding, and whether mitigation is required.

TABLE 4.11-1
Summary of Hydrology/Water Quality
within Redevelopment Activity Sites #1, and #3 through #10

Redevelopment Activity	Potential Hydrology/drainage Impact?	Potential Flooding Impact?	Potential Short-Term Water Quality Impact?	Potential Long-Term Water Quality Impact?	Mitigation Required?
#1 Hilltop & Euclid Residential Development	Yes	No	No	No	HW1
#3 Village Center at Euclid and Market Development	Yes	Yes	No	No	HW1
#4 Lincoln Park Paseo Phase I Residential Development	No	No	No	No	No
#5 Lincoln Park Paseo Phase II Residential Development	Yes	No	No	No	HW1
#6 54 th & Imperial Residential Development Valencia Villas	No		No	No	HW1
#7 Imperial Avenue Corridor Master Plan	Yes	Yes	No	No	HW1 HW2
#8 Naranja & 53 rd Street Residential Development	Yes	Yes	No	No	HW1
#9 45 th & Ocean View Residential Development	Yes	No	No	No	HW1
#10 Jackie Robinson YMCA Expansion	No	No	No	No	No

Source: Rick Engineering Company, 2005

A. Potential Impact. Development of the proposed redevelopment activities has the potential to increase the rate or amount of surface runoff. There are many factors that can affect whether development of a redevelopment activity would result in a significant impact to hydrology/drainage including the location of a specific activity, the type of use proposed, and whether or not the proposed uses would result in changes to existing drainage patterns and conditions.

B. Facts in Support of Finding. The Project's potentially significant impacts would be mitigated to below a level of significance with the implementation of Mitigation Measure HW-1 of the FEIR. Implementation of this mitigation measure would require that:

Mitigation Measure HW-1

Prior to development on each redevelopment activity site, a detailed hydrology study shall be prepared to address the on-site and off-site hydrological and drainage characteristics of the proposed site-specific development. For redevelopment activities located within or adjacent to the 100-year floodplain and/or floodway, additional consideration shall be given to the design of the redevelopment activity. An appropriate drainage control plan that controls runoff and drainage in a manner acceptable to City Engineering Standards for the specific redevelopment activity site shall be implemented. The drainage control plan shall be implemented in accordance with the recommendations of the hydrology study and shall address on-site and off-site drainage requirements to ensure on-site runoff will not adversely affect off-site areas or alter the existing drainage pattern of the site or off-site areas. Where appropriate, the drainage study shall incorporate the recommendations of the Chollas Creek Enhancement Program relative to hydrology/drainage and flooding to the maximum extent practicable.

A. Potential Impact. As identified on Program EIR Figure 4.11-2 titled "Floodplain Map" (EIR page 4.11-3), the FEMA FIRM maps identify that portions of the Project Area are located within the 100-year floodplain and floodway.

B. Facts in Support of Finding. The Project's potentially significant impacts would be mitigated to below a level of significance with the implementation of Mitigation Measure HW-2 of the FEIR. Implementation of this mitigation measure would require that:

Mitigation Measure HW-2

Development activities within the Center and East Sections of Redevelopment Activity Site #7 shall implement improvements for existing drainages, as provided in the *Hydrological Study and Recommendations for Imperial Avenue Redevelopment Between 47th Street and Euclid Avenue and Between 61st Street and 69th Street* (Rick Engineering Company, 2005), that do not have the capacity to intercept some of the peak flow rates for the 100-Year flood event. The improvements are as follows:

- **East side of Woodman Street draining northerly to Imperial Avenue:**
 - Install a spillway to direct runoff from Ritchie Street and Woodman Street to the existing channel; and

Figure 4.11-2 – Floodplain Map

11 x 17

Back of 11 x 17

- Install a continuous row of 4-foot grates across Woodman Street (adjacent to Imperial Avenue) from curb to curb.
- **West side of Woodman Street draining northerly to Imperial Avenue:**
 - Install a continuous row of 4-foot grates across Woodman Street (adjacent to Imperial Avenue) from curb to curb.
- **South side of Imperial Avenue draining to sump inlet between Woodman Street and high point east of 65th Street:**
 - Install a ditch and headwall south of parcels 54916303 and 54916304 to collect runoff into an underground stormwater drain; and
 - Increase the existing inlet on Imperial Avenue to a minimum 19-foot opening.
- **South side of Imperial Avenue draining to sump inlet between high point east of 65th Street and 63rd Street:**
 - Install a ditch and headwall south of properties between 65th Street and 63rd Street to collect runoff into an underground storm drain at 63rd Street;
 - Install a Type C inlet or a ditch and headwall parallel to 63rd Street to connect to the underground storm drain; and
 - Increase the existing inlet opening on Imperial Avenue to a 20-foot opening.
- **West side of 63rd Street draining northerly to Imperial Avenue:**
 - Install two 20-foot Type C inlets on 63rd Street and connect to the underground storm drain.

7.8 Public Services and Facilities

7.9.1 *Solid Waste*

A. Potential Impact. The proposed redevelopment activities would exceed the significance thresholds of 50 dwelling units and 40,000 square feet of commercial development for Sites #1, #3, #4, #5, #6, and #7. Therefore, the proposed redevelopment activities would result in a significant solid waste impact.

B. Facts in Support of Finding. The Project's potentially significant impacts would be mitigated to below a level of significance with the implementation of Mitigation Measure SW-1 of the FEIR. Implementation of this mitigation measure would require that:

Mitigation Measure SW-1

Prior to the issuance of a demolition or grading permit, a Waste Management Plan shall be prepared and implemented by the applicant and approved by the City of San Diego Environmental Services Department

to address the demolition, construction, and occupancy phases of the project, as applicable, to include the following:

- a. Tons of waste anticipated to be generated
- b. Material type of waste to be generated
- c. Source separation techniques for waste generated
- d. How materials will be reused on-site
- e. Name and location of recycling, reuse, and landfill facilities where recyclables and waste will be taken if not reused on site
- f. A "buy recycled" program for green construction products, including mulch and compost
- g. How the project will aim to reduce the generation of construction/demolition debris
- h. A plan of how waste reduction and recycling goals will be communicated to subcontractors
- i. A timeline for each of the three main phases of the project as stated above
- j. How the recycling space allocation ordinance will be incorporated into construction design of building's waste area.

8.0 Environmental Impacts Not Fully Mitigated to a Level of Less Than Significant

The Redevelopment Agency and the City, having reviewed and considered the information contained in the FEIR, finds pursuant to Public Resources Code §21081(a)(3) and Guidelines §15091(a)(3) that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation which would reduce the following impacts to below a level of significance.

8.1 Transportation/Circulation

8.1.1 City Road Segments and Intersections

A. Potential Impact. The Project would generate an increase in Average Daily Traffic (ADT) trips, which could result in impacts to traffic.

B. Facts in Support of Finding. The Project's potentially significant impacts to the roadway segment along Imperial Avenue between Euclid Avenue and Valencia Parkway, the roadway segment along 47th Street between Market Street and Imperial Avenue, the Imperial Avenue/47th Street intersection, and the Imperial Avenue/54th Street intersection would be mitigated to below a level of significance with the implementation of Mitigation Measures TC-4, TC-5, TC-7, and TC-8 of the FEIR. However these mitigation measures are not feasible at this time; therefore, impacts are significant and unmitigable.

Mitigation Measure TC-4

The roadway segment along Imperial Avenue between Euclid Avenue and Valencia Parkway can be mitigated to acceptable levels of service with the widening of Imperial Avenue to its four lane major classification between San Jacinto Drive and Valencia Parkway. Currently, SEDC has a roadway improvement agreement to contribute to this widening as part of the Valencia Business Park project. A fair share contribution to this improvement project is required by all Redevelopment Activities. However, this impact is considered significant and unmitigable, because the City recently reduced the number of travel lanes on Imperial Avenue in this area to calm traffic and improve public safety. This improvement will not be implemented now. It will only be implemented if and when approved by the City Engineer.

Mitigation Measure TC-5

The roadway segment along 47th Street between Market Street and Imperial Avenue shall be widened to its four lane major classification to mitigate this roadway segment to acceptable levels of service. A fair share contribution to this improvement project is proposed. This project is identified in the Southeastern San Diego Public Facilities Financing Plan (Project SESD-T18). Developers of Redevelopment Activities within the Project Area shall provide the full improvements described in Section 7.1 of these Findings, in lieu of contributing a fair-share to this improvement. The Redevelopment Activities' calculated fair share costs for all improvements, including the widening of 47th Street from Market to Imperial are sufficient to provide the full improvements described in Section 7.1 of these Findings as well as the improvements associated with mitigation measures TC-4 and TC-8 (not just the fair share portions). However, this impact is considered significant and unmitigable, because the needed improvements to 47th Street would become the responsibility of the City of San Diego and other developers in the community, and the timing of the improvements cannot be known at this time.

Mitigation Measure TC-7

The Imperial Avenue/47th Street intersection (Intersection #4) can be mitigated to acceptable levels of service with the provision of a separate southbound right-turn lane. The intersection shall be widened to accommodate an extra turn lane. The existing traffic signal at this location will require modification in order to accommodate this improvement. This widening can be conducted in conjunction with the widening of 47th street between Market Street and Imperial Avenue required in Mitigation Measure TC-5. As described above for measure TC-5, developers of Redevelopment Activities within the Project Area shall provide the full improvements described in Section 7.1 of these Findings, in lieu of contributing a fair-share to this improvement. However, this impact is considered significant and unmitigable, because the needed improvements to 47th Street would become the responsibility of the City of San Diego and other developers in the community, and the timing of the improvements cannot be known at this time.

Mitigation Measure TC-8

The Imperial Avenue/54th Street intersection (Intersection #9) can be mitigated to acceptable levels of service with the widening of Imperial Avenue to its four lane major classification between San Jacinto Drive and Valencia Parkway as required by Mitigation Measure TC-4. Widening of the Imperial Avenue/54th Street intersection would provide for an additional eastbound through lane and westbound through lane and associated signal modification. Developers of Redevelopment Activities within the Project Area shall

contribute their fair-share contribution to this improvement prior to the issuance of a building permit for the respective Activity. Currently, SEDC has a roadway improvement agreement to contribute to this widening as part of the Valencia Business Park project. However, this impact is considered significant and unmitigable, because the City recently reduced the number of travel lanes on Imperial Avenue in this area to calm traffic and improve public safety. This improvement will not be implemented now. It will only be implemented if and when approved by the City Engineer.

8.1.2 Freeways

A. Potential Impact. Unmitigable significant transportation/circulation impacts have been identified for the near-term (2010 – existing + cumulative + project traffic) and long-term (2015 - Interim and 2030 - Horizon Year) conditions for the following freeway operations:

- I-805 between SR-94 to south of Imperial Avenue (2015 and 2030 only)
- SR-94 between I-805 and Euclid Avenue; and,
- SR-94 between Euclid Avenue and Kelton Road (2030 only).

B. Facts in Support of Finding. Impacts to freeway operations are considered significant and unmitigable due to right-of-way, geometric, environmental and construction constraints required to improve these facilities within the Caltrans jurisdiction.

8.2 Air Quality

Mobile and Stationary Source Long-Term Air Quality Impact

A. Potential Impact. The Project has the potential to result in a significant long-term air quality impact. A significant and unmitigable air quality impact has been identified associated with future mobile related air pollutant emissions for Site #3 Village Center and Site #7 Imperial Avenue Corridor Master Plan.

B. Facts in Support of Finding. The Project's potentially significant impacts would be reduced, but not to below a level of significance with the implementation of Mitigation Measure AQ-2 of the FEIR. Implementation of this mitigation measure would require that:

Mitigation Measure AQ-2

Village Center and Imperial Avenue Corridor Master Plan:

- The Village Center and Imperial Avenue Corridor Master Plan projects shall implement elements of the Transit-Oriented Development (TOD) Design Guidelines (Resolution No. R-280480).
- Transportation System Management (TSM) program, including shuttle buses, car pooling, bicycle paths, and other methods to discourage automobile use.
- Provide pedestrian facilities and improvements.

- Provide electric vehicle charging facilities, and/or alternative fuel fueling stations.
- Provide preferential parking for carpools/vanpools.
- Provide neighborhood servicing shops and services within 1/2 mile of residential areas.
- Construct transit facilities such as bus turnouts/bus bulbs, benches, shelters, etc.

A. Potential Impact. The Project has the potential to result in a significant long-term air quality impact from Greenhouse gas (GHG). A significant, unmitigable impact has been identified associated with GHG emissions due to the proposed project.

B. Facts in Support of Finding. The Project's potentially significant impacts would be reduced, but not to below a level of significance with the implementation of Mitigation Measures AQ-3 and AQ-4 of the FEIR. Implementation of this mitigation measure would require that:

Mitigation Measure AQ-3

All projects:

- Increase walls and attic insulation beyond Title 24 requirements.
- Orient buildings to maximize standard heating and cooling and include passive solar design, e.g., day-lighting.
- Plant shade trees in parking lots and within the public right-of-way to reduce evaporative emissions from parked vehicles.
- Plant shade trees adjacent to all paved surfaces as possible, to reduce the "Urban Heat Island Effect."
- Use energy-efficient and automated controls for air conditioning.
- Use lighting controls and energy-efficient interior lighting and built-in energy-efficient appliances.
- Use double-paned windows.
- Use solar or low-emission water heaters.
- Use centralized water-heating systems.
- Use energy star roofing products.
- Use ozone-destruction catalyst on air condition systems.
- Use energy-efficient low sodium parking lot and street lights.
- Landscape with drought-resistant species, and use groundcovers rather than pavement to reduce heat reflection.
- Provide electric maintenance equipment.
- Use electric lawn and garden equipment for landscaping.

- Use electrically or CNG-powered specialty equipment, e.g., utility carts.
- Use propane-powered specialty equipment, e.g., forklifts, utility carts, etc.

Mitigation Measure AQ-4

All projects:

City of San Diego Draft General Plan

Conservation Element (CE)

CE-A.2 Reduce the City's carbon footprint. Develop and adopt new or amended regulations, programs, and incentives as appropriate to implement the goals and policies set forth in the General Plan to:

- Create sustainable and efficient land use patterns to reduce vehicular trips and preserve open space;
- Reduce fuel emission levels by encouraging alternative modes of transportation and increasing fuel efficiency;
- Improve energy efficiency, especially in the transportation sector and buildings and appliances;
- Reduce the Urban Heat Island effect through sustainable design and building practices, as well as planting trees (consistent with habitat and water conservation policies) for their many environmental benefits, including natural carbon sequestration;
- Reduce waste by improving management and recycling programs;
- Plan for water supply and emergency reserves.

CE-A.5 Employ sustainable or "green" building techniques for the construction and operation of buildings.

- a. Develop and implement sustainable building standards for new and significant remodels of residential and commercial buildings to maximize energy efficiency, and to achieve overall net zero energy consumption by 2020 for new residential buildings and 2030 for new commercial buildings. This can be accomplished through factors including, but not limited to:
 - Designing mechanical and electrical systems that achieve greater energy efficiency with currently available technology;
 - Minimizing energy use through innovative site design and building orientation that addresses factors such as sun-shade patterns, prevailing winds, landscape, and sun-screens;

- Employing self generation of energy using renewable technologies;
- Combining energy efficient measures that have longer payback periods with measures that have shorter payback periods;
- Reducing levels of non-essential lighting, heating and cooling; and
- Using energy efficient appliances and lighting.

b. Provide technical services for "green" buildings in partnership with other agencies and organizations.

CE-A.7 Construct and operate buildings using materials, methods, and mechanical and electrical systems that ensure a healthful indoor air quality. Avoid contamination by carcinogens, volatile organic compounds, fungi, molds, bacteria, and other known toxins.

- a. Eliminate the use of chlorofluorocarbon-based refrigerants in newly constructed facilities and major building renovations and retrofits for all heating, ventilation, air conditioning, and refrigerant-based building systems.
- b. Reduce the quantity of indoor air contaminants that are odorous or potentially irritating to protect installers and occupants' health and comfort. Where feasible, select low-emitting adhesives, paints, coatings, carpet systems, composite wood, agri-fiber products, and others.

CE-A.9 Reuse building materials, use materials that have recycled content, or use materials that are derived from sustainable or rapidly renewable sources to the extent possible, through factors including:

- Scheduling time for deconstruction and recycling activities to take place during project demolition and construction phases;
- Using life cycle costing in decision-making for materials and construction techniques. Life cycle costing analyzes the costs and benefits over the life of a particular product, technology, or system;
- Removing code obstacles to using recycled materials in buildings and for construction; and
- Implementing effective economic incentives to recycle construction and demolition debris (see also Public Facilities Element, Policy PF-1.2).

CE-A.10 Include features in buildings to facilitate recycling of waste generated by building occupants and associated refuse storage areas.

- a. Provide permanent, adequate, and convenient space for individual building occupants to collect refuse and recyclable material.

- b. Provide a recyclables collection area that serves the entire building or project. The space should allow for the separation, collection and storage of paper, glass, plastic, metals, yard waste and other materials as needed.

CE-A.11 Implement sustainable landscape design and maintenance.

- a. Use integrated pest management techniques, where feasible, to delay, reduce, or eliminate dependence on the use of pesticides, herbicides, and synthetic fertilizers.
- b. Encourage composting efforts through education, incentives, and other activities.
- c. Decrease the amount of impervious surfaces in developments, especially where public places, plazas, and amenities are proposed to serve as recreation opportunities (see also Recreation Element, Policy Re-A.6 and A.7).
- d. Strategically plant deciduous shade trees, evergreen trees, and drought tolerant native vegetation, as appropriate, to contribute to sustainable development goals.
- e. Reduce use of lawn types that require high levels of irrigation.
- f. Strive to incorporate existing mature trees and native vegetation into site designs.
- g. Minimize the use of landscape equipment powered by fossil fuels.
- h. Implement water conservation measures in site/building design and landscaping.
- i. Encourage the use of high efficiency irrigation technology, and recycled water to reduce the use of potable water for irrigation. Use recycled water to meet the needs of development projects to the maximum extent feasible. (see Policy CE-A.12).

CE-A.12 Reduce the San Diego Urban Heat Island, through actions such as:

- Using cool roofing materials, such as reflective, low heat retention tiles, membranes and coatings, or vegetated eco-roofs to reduce heat build-up;
- Planting trees and other vegetation, to provide shade and cool air temperatures. In particular, properly position trees to shade buildings, air conditioning units, and parking lots; and
- Reducing heat build up in parking lots through increased shading or use of cool paving materials as feasible (see also Urban Design Element, Policy UD-A.12).

CE-F.1 Develop and adopt a fuel efficiency policy to reduce fossil fuel use by City departments, and support community outreach efforts to achieve similar goals in the community.

CE-F.2 Continue to upgrade energy conservation in City buildings and support community outreach efforts to achieve similar goals in the community.

CE-F.3 Continue to use methane as an energy source from inactive and closed landfills.

CE-F.4 Preserve and plant trees, and vegetation that are consistent with habitat and water conservation policies and that absorb carbon dioxide and pollutants.

Urban Design (UD)

Sustainable Development

UD-A.4 Use sustainable building methods in accordance with the sustainable development policies in the Conservation Element.

Architecture

UD-A.5 Design buildings that contribute to a positive neighborhood character and relate to neighborhood and community context.

- a. Relate architecture to San Diego's unique climate and topography.
- b. Encourage designs that are sensitive to the scale, form, rhythm, proportions, and materials in proximity to commercial areas and residential neighborhoods that have a well established, distinctive character.
- c. Encourage the use of materials and finishes that reinforce a sense of quality and permanence.
- d. Provide architectural interest to discourage the appearance of blank walls for development. This would include not only building walls, but fencing bordering the pedestrian network, where some form of architectural variation should be provided to add interest to the streetscape and enhance the pedestrian experience. For example, walls could protrude, recess, or change in color, height or texture to provide visual interest.
- e. Design building walls planes to have shadow relief, where pop-outs, offsetting planes, overhangs and recessed doorways are used to provide visual interest at the pedestrian level.
- f. Design rear elevations of buildings to be as well-detailed and visually interesting as the front elevation, if they will be visible from a public right-of-way or accessible public place or street.
- g. Acknowledge the positive aspects of nearby existing buildings by incorporating compatible features in new developments.
- h. Maximize natural ventilation, sunlight, and views.
- i. Provide convenient, safe, well-marked, and attractive pedestrian connections from the public street to building entrances.
- j. Design roofs to be visually appealing when visible from public vantage points and public rights-of-way.

Mixed-Use Villages

- UD-C.1 In villages and transit corridors identified in community plans, provide a mix of uses that create vibrant, active places in villages.
- a. Encourage both vertical (stacked) and horizontal (side-by-side) mixed-use development.
 - b. Achieve a mix of housing types, by pursuing innovative designs to meet the needs of a broad range of households.
 - c. Encourage placement of active uses, such as retailers, restaurants, cultural facilities and amenities, and other various services, on the ground floor of buildings in areas where the greatest levels of pedestrian activity are sought.
- UD-C.3 Develop and apply building design guidelines and regulations that create diversity rather than homogeneity, and improve the quality of infill development.
- a. Encourage distinctive architectural features to differentiate residential, commercial and mixed-use buildings and promote a sense of identity to village centers.

Land Use Element (LU)

Village Types and Locations

- LU-A.1 Designate a hierarchy of village sites for citywide implementation.
- a. Affirm the position of Downtown San Diego as the regional hub by maintaining and enhancing its role as the major business center in the region and encouraging its continued development as a major urban residential center with the largest concentration of high-density multifamily housing in the region.
 - b. Encourage further intensification of employment uses throughout Subregional Employment Districts. Where appropriate, consider collocating medium- to high- density residential uses with employment uses (see also Economic Prosperity Element).
 - c. Designate Neighborhood, Community, and Urban Village Centers, as appropriate, in community plans throughout the City, where consistent with public facilities adequacy and other goals of the General Plan.
 - d. Revitalize transit corridors through the application of plan designations and zoning that permits a higher intensity of mixed-use development. Include some combination of: residential above commercial development, employment uses, commercial uses, and higher density-residential development.

Village Land Use Mix and Design

- LU-A.7 Determine the appropriate mix and densities/intensities of village land uses at the community plan level, or at the project level when adequate direction is not provided in the community plan.
- a. Consider the role of the village in the City and region; surrounding neighborhood uses; uses that are lacking in the community; community character and preferences; and balanced community goals (see also Section H).
 - b. Achieve transit-supportive density and design, where such density can be adequately served by public facilities and services (see also Mobility Element, Policy ME-B.9). Due to the distinctive nature of each of the community planning areas, population density and building intensity will differ by each community. This can be attributed to each community's development patterns, household size, and population. SANDAG prepares and maintains long term demographic forecasts for population, housing, and employment. Each community plan contains existing and forecasted demographic data.
- LU-H.7 Provide a variety of different types of land uses within a community in order to offer opportunities for a diverse mix of uses and to help create a balance of land uses within a community (see also LU-A.7).
- LU-I.10 Improve mobility options and accessibility for the non-driving elderly, disabled, low-income and other members of the population (see also Mobility Element, Section B).
- a. Work with regional transit planners to implement small neighborhood shuttles and local connectors in addition to other services.
 - b. Increase the supply of housing units that are in close physical proximity to transit and to everyday goods and services, such as grocery stores, medical offices, post offices, and drug stores.
- LU-I.11 Implement the City of Villages concept for mixed-use, transit-oriented development as a way to minimize the need to drive by increasing opportunities for individuals to live near where they work, offering a convenient mix of local goods and services, and providing access to high quality transit services.

Mobility Element (ME)

Walkability

- ME-A.7 Improve walkability through the pedestrian-oriented design of public and private projects in areas where higher levels of pedestrian activity are present or desired.

- a. Enhance streets and other public rights-of-way with amenities such as street trees, benches, plazas, public art or other measures including, but not limited to those described in the Pedestrian Improvement Toolbox, Table ME-1 (see also Urban Design Element, Policy UD-A.10).
- b. Design site plans and structures with pedestrian-oriented features (see also Urban Design Element, Policies UD-A.6, UD-B.4, and UD-C.6).
- c. Encourage the use of non-contiguous sidewalk design where appropriate to help separate pedestrians from auto traffic. In some areas, contiguous sidewalks with trees planted in grates adjacent to the street may be a preferable design.
- d. Enhance alleys as secure pathways to provide additional pedestrian connections.
- e. Implement traffic calming measures to improve walkability in accordance with Policy ME-C.5.

ME-E.6 Require new development to have site designs and on-site amenities that support alternative modes of transportation. Emphasize pedestrian and bicycle-friendly design, accessibility to transit, and provision of amenities that are supportive and conducive to implementing TDM strategies such as car sharing vehicles and parking spaces, bike lockers, preferred rideshare parking, showers and lockers, on-site food service, and child care, where appropriate.

ME-F.4 Provide safe, convenient, and adequate short-and long-term bicycle parking facilities and other bicycle amenities for employment, retail, multifamily housing, schools and colleges, and transit facility uses.

- a. Continue to require bicycle parking in commercial and multiple unity residential zones.
- b. Provide bicycle facilities and amenities to help reduce the number of vehicle trips.

8.3 Cultural Resources

A. Potential Impact. A significant and unmitigable impact has been identified related to the three newly identified archaeological resources recorded within activity site #3 (Subareas 1.1b, 4.1, and 47th & Market Street) and activity site #9. A significant and unmitigable impact has been identified related to the five buildings constructed prior to 1960, located within activity site #5 and the sixty-three structures located within activity site #7. These resources have been documented, but have not been evaluated for eligibility to the City Register and/or the CRHR. Therefore, development of these areas has the potential to have a significant impact on cultural resources. The program level impact related to cultural resources is considered significant and unmitigable.

B. Facts in Support of Finding. These archaeological resources and historic structures are considered potentially eligible to the City Register and/or CRHR. Therefore, the proposed redevelopment activity has a potential to result in a significant impact to cultural resources. Mitigation Measure CR-1 would help to reduce the potential impacts from construction and other PROJECT implementation activities, but because

no specific development projects are proposed at this time, it cannot be guaranteed at this level of analysis that all impacts would be avoided, and therefore the project-level impacts to historic resources remain significant and unavoidable. Implementation of this mitigation measure would require that:

Mitigation Measure CR-1

Cultural resource evaluations are required when new resources are identified as a result of a survey, when previously recorded resources that have not been previously evaluated are relocated during a survey, and when previously recorded sites are not relocated during the survey and if there is a likelihood that the resource still exists. Evaluations will not be required if the resource has been evaluated for CEQA significance or for National Register eligibility within the last five years if there has been no change in the conditions which contributed to the determination of significance or eligibility. A property should be re-evaluated if its condition or setting has either improved or deteriorated, if new information is available, or if the resource is becoming increasingly rare due to the loss of other similar resources. Once it has been determined that a cultural resource is present and could be impacted as a result of project implementation, recommendations for mitigation consistent with the Historical Resources Guidelines must be adopted.

Included here are measures that are currently applied to projects that could result in impacts to cultural resources. It should be noted that at the time of this writing, these measures are generally considered to be adequate mitigation. However, in the future, mitigation measures may be periodically updated. Future projects would be subject to site-specific measures in effect at the time the projects are processed.

INITIAL DETERMINATION

The environmental analyst will determine the likelihood for the project site to contain historical resources by reviewing site photographs and existing historic information (e.g. Archaeological Sensitivity Maps, the Archaeological Map Book, and the City of San Diego's "Historical Inventory of Important Architects, Structures, and People in San Diego") and conducting a site visit. If there is any evidence that the site contains archaeological resources, then a historic evaluation consistent with the City of San Diego's Historical Resources Guidelines would be required. All individuals conducting any phase of the archaeological evaluation program must meet professional qualifications in accordance with the City's Historical Resources Guidelines.

STEP 1:

Based on the results of the Initial Determination, if there is evidence that the site contains historical resources, preparation of a historic evaluation is required. The evaluation report would generally include background research, field survey, archeological testing and analysis. Before actual field reconnaissance would occur, background research is required which includes a record search at the South Coastal Information Center (SCIC) at San Diego State University and the San Diego Museum of Man. A review of the Sacred Lands File maintained by the Native American Heritage Commission (NAHC) must also be conducted at this time. Information about existing archaeological collections should also be obtained from the San Diego Archaeology Center and any tribal repositories or museums.

In addition to the record searches mentioned above, background information may include, but is not limited to: examining primary sources of historical information (e.g., deeds and wills), secondary sources (e.g., local histories and genealogies), Sanborn Fire Maps, and historic cartographic and aerial photograph sources; reviewing previous archeological research in similar areas, models that predict site distribution, and archeological, architectural, and historical site inventory files; and conducting informant interviews. The results of the background information would be included in the evaluation report.

Once the background research is complete a field reconnaissance must be conducted by individuals whose qualifications meet the standards outlined in the City of San Diego's Historical Resources Guidelines. Consultants are encouraged to employ innovative survey techniques when conducting enhanced reconnaissance including but not limited to, remote sensing, ground penetrating radar and other soil resistivity techniques as determined on a case by case basis. Native American participation is required for field surveys when there is likelihood that the project site contains prehistoric archaeological resources or traditional cultural properties. If through background research and field surveys historic resources are identified, then an evaluation of significance must be performed by a qualified archaeologist or historian, as applicable.

STEP 2:

Once a historic resource has been identified, a significance determination must be made. It should be noted, that tribal representatives and/or Native American monitors will be involved in making recommendations regarding the significance of prehistoric archaeological sites during this phase of the process. The testing program may require reevaluation of the proposed project in consultation with the Native American representative which could result in a combination of project redesign to avoid and/or preserve significant resources as well as mitigation in the form of data recovery and monitoring (as recommended by the qualified archaeologist and Native American representative). An archaeological testing program will be required which includes evaluating the horizontal and vertical dimensions of a site, the chronological placement, site function, artifact/ecofact density and variability, presence/absence of subsurface features and research potential. A thorough discussion of testing methodologies including, surface and subsurface investigations can be found in the City of San Diego's Historical Resources Guidelines.

The results from the testing program will be evaluated against the Significance Thresholds found in the Historical Resources Guidelines. If significant historical resources are identified within the Area of Potential Effect, the site may be eligible for local designation. At this time, the final testing report must be submitted to Historical Resources Board staff for eligibility determination and possible designation. An agreement on the appropriate form of mitigation is required prior to distribution of a draft environmental document. If no significant resources are found, and site conditions are such that there is no potential for further discoveries, then no further action is required. Resources found to be non-significant as a result of a survey and/or assessment will require no further work beyond documentation of the resources on the appropriate DPR site forms and inclusion of results in the survey and/or assessment report. If no significant resources are found but results of the initial evaluation and testing phase indicates there is still a potential for resources to be present in portions of the property that could not be tested, then mitigation monitoring is required.

STEP 3:

Preferred mitigation for historic resources is to avoid the resource through project redesign. If the resource cannot be entirely avoided, all prudent and feasible measures to minimize harm shall be taken. For archaeological resources where preservation is not an option, a Research Design and Data Recovery Program (RDDRDP) is required which includes a Collections Management Plan for review and approval. The data recovery program shall be based on a written research design and is subject to the provisions as outlined in CEQA, Section 21083.2. The data recovery program must be reviewed and approved by the City's Environmental Analyst prior to draft CEQA document distribution. Archaeological monitoring may be required during building demolition and/or construction grading when significant resources are known or suspected to be present on a site, but cannot be recovered prior to grading due to obstructions such as but not limited to, existing development or dense vegetation.

A Native American observer must be retained for all subsurface investigations, including geotechnical testing and other ground disturbing activities whenever a Native American Traditional Cultural Property or any archaeological site located on City property or within the Area of Potential Effect (APE) of a City project would be impacted. In the event that human remains are encountered during data recovery and/or monitoring program, the provisions of Public Resources Code Section 5097 must be followed. These provisions are outlined in the Mitigation Monitoring and Reporting Program included in the environmental document. The Native American monitor shall be consulted during the preparation of the written report, at which time they may express concerns about the treatment of sensitive resources. If the Native American community requests participation of an observer for subsurface investigations on private property, the request shall be honored.

STEP 4:

Historic resource reports shall be prepared by qualified professionals as determined by the criteria set forth in Appendix B of the Historical Resources Guidelines. The discipline shall be tailored to the resource under evaluation. In cases involving complex resources, such as traditional cultural properties, rural landscape districts, or sites involving a combination of prehistoric and historic archaeology, or historic districts, a team of experts will be necessary for a complete evaluation.

Specific types of historical resource reports are required to document the methods (see Section III of the Historical Resources Guidelines) used to determine the presence or absence of historical resources; to identify the potential impacts from proposed development and evaluate the significance of any identified historical resources; to document the appropriate curation of archaeological collections (e.g. collected materials and the associated records); in the case of potentially significant impacts to historical resources, to recommend appropriate mitigation measures that would reduce the impacts to below a level of significance; and to document the results of mitigation and monitoring programs, if required.

Archaeological Resource Management reports shall be prepared in conformance with the California Office of Historic Preservation (OHP) "Archaeological Resource Management Reports (ARMR): Recommended Contents and Format" (see Appendix C of the Historical Resources Guidelines), which will be used by Environmental Analysis Section staff in the review of archaeological resource reports.

Consultants must ensure that archaeological resource reports are prepared consistent with this checklist. This requirement will standardize the content and format of all archaeological technical reports submitted to the City. A confidential appendix must be submitted (under separate cover), along with historical resources reports for archaeological sites and traditional cultural properties, containing the confidential resource maps and records search information gathered during the background study. In addition, a Collections Management Plan shall be prepared for projects which result in a substantial collection of artifacts and must address the management and research goals of the project, the types of materials to be collected and curated based on a sampling strategy that is acceptable to the City of San Diego. Appendix D (Historical Resources Report Form) may be used when no archaeological resources were identified within the project boundaries.

STEP 5:

For Archaeological Resources: All cultural materials, including original maps, field notes, non-burial related artifacts, catalog information and final reports recovered during public and/or private development projects must be permanently curated with an appropriate institution, one which has the proper facilities and staffing for insuring research access to the collections consistent with state and federal standards. In the event that a prehistoric and/or historical deposit is encountered during construction monitoring, a Collections Management Plan would be required in accordance with the project Mitigation, Monitoring and Reporting Program (MMRP). The disposition of human remains and burial related artifacts that cannot be avoided or are inadvertently discovered is governed by state (i.e., AB 2641 and California Native American Graves Protection and Repatriation Act (CALNAGPRA) of 2001 and federal (i.e., Federal NAGPRA) law, and must be treated in a dignified and culturally appropriate manner with respect for the deceased individual(s) and their descendants. Any human bones and associated grave goods of Native American origin shall be turned over to the appropriate Native American group for repatriation.

Arrangements for long-term curation must be established between the applicant/property owner and the consultant prior to the initiation of the field reconnaissance, and must be included in the archaeological survey, testing and/or data recovery report submitted to the City for review and approval. Curation must be accomplished in accordance with the California State Historic Resources Commission's Guidelines for the Curation of Archaeological Collection (dated May 7, 1993) and, if federal funding is involved, 36CFR79 of the Federal Register. Additional information regarding curation is provided in Section II of the Historical Resources Guidelines.

Historic Resources

Prior to issuance of any permit that would directly or indirectly affect a building/structure in excess of 45 years of age, the City shall determine whether the affected building/structure meets any of the following criteria: (1) National Register-Listed or formally determined eligible, (2) California Register-Listed or formally determined eligible, (3) San Diego Register-Listed or formally determined eligible, or (4) meets the CEQA criteria for a historical resource. The evaluation of historic architectural resources would be based on criteria such as: age, location, context, association with an important person or event, uniqueness or structural integrity as indicated in the Historical Resources Guidelines.

Preferred mitigation for historic buildings or structures is to avoid the resource through project redesign. If the resource cannot be entirely avoided, all prudent and feasible measures to minimize harm to the resource shall be taken. Depending upon project impacts, measures can include, but is not limited to:

- a. Preparing a historic resource management plan;
- b. Designing new construction which is compatible in size, scale, materials, color and workmanship to the historic resource (such additions, whether portions of existing buildings or additions to historic districts, shall be clearly distinguishable from historic fabric);
- c. Repairing damage according to the Secretary of the Interior's Standards for Rehabilitation;
- d. Screening incompatible new construction from view through the use of berms, walls and landscaping in keeping with the historic period and character of the resource;
- e. Shielding historic properties from noise generators through the use of sound walls, double glazing and air conditioning; and
- f. Removing industrial pollution at the source of production.

For resources that have been determined eligible or have been designated under federal, state or local criteria, and the potential exists for direct and/or indirect impacts associated with building alteration, demolition, restoration or relocation, the following measures shall be implemented:

I. Prior to Permit Issuance

A Construction Plan Check

1. Prior to Notice to Proceed (NTP) for ANY construction permits, including but not limited to, any demolition permit, the first Grading Permit and Building Permits, but prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy Director (ADD) Environmental Designee shall verify that the requirements for historical monitoring during stabilization have been noted on the appropriate construction documents.
 - a. Stabilization work cannot begin until a Precon Meeting has been held at least one week prior to issuance of appropriate permits.
 - b. Physical description, including the year and type of structure, and extent of stabilization shall be noted on the plans.

B. Submittal of Treatment Plan for Retained Historic Resources

1. Prior to Notice to Proceed (NTP) for any construction permits, including but not limited to, the first Grading Permit and Building Permits, but prior to the first preconstruction meeting, whichever is applicable, the Applicant shall submit a Treatment Plan to the ADD Environmental Designee for review and approval that includes measures for protecting any historic buildings and/or building components during construction related activities (e.g. removal of non-historic features, demolition of adjacent structures, subsurface structural support, etc.). The Treatment Plan shall be shown as notes on all construction documents (i.e. Grading and/or Building Plans).

- C. Letters of Qualification have been submitted to the ADD
 - 1. The applicant shall submit a letter of verification to the City Mitigation Monitoring Coordination Section (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the historical monitoring program (i.e., Architectural Historian, Historic Architect and/or Historian), as defined in the City of San Diego Historical Resources Guidelines (HRG).
 - 2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the historical monitoring of the project.
 - 3. Prior to the start of work, the applicant must obtain approval from the ADD for any personnel changes associated with the monitoring program.
- D. In addition to the following Historical Mitigation Program, the Applicant shall comply with any other conditions for designated historical resources, when applicable that are contained in the Site Development Permit identified under the heading Historical Resources Requirements.

II. **Prior to Start of Construction**

- A. Documentation Program (DP)
 - 1. Prior to the first Precon Meeting and/or issuance of any construction permit, the DP shall be submitted to MMC for review and approval and shall include the following:
 - a. Photo Documentation
 - (1) Documentation shall include professional quality photo documentation of the structure prior to any construction related activities with 35mm black and white photographs, 4x6 standard format, taken of all four elevations and close-ups of select architectural elements, such as, but not limited to, roof/wall junctions, window treatments, decorative hardware. Photographs shall be of archival quality and easily reproducible.
 - (2) Xerox and/or digital copies (CD/DVD) of the photographs shall be submitted for archival storage with the City of San Diego Historical Resources Board and the City of San Diego Project file and Historical Resources Library. One set of original photographs and negatives shall be submitted for archival storage with the California Room of the City of San Diego Public Library, the San Diego Historical Society and/or other relative historical society or group(s).
 - b. Required drawings
 - (1) Measured drawings of the building's exterior elevations depicting existing conditions or other relevant features shall be produced from recorded, accurate measurements. If portions of the building are not accessible for measurement, or cannot be reproduced from historic sources, they should not be drawn, but clearly labeled as not accessible. Drawings produced in ink on translucent material or archivally stable material (blue-line drawings are acceptable). Standard drawing sizes are 19" x 24" or 24" x 36", standard scale is 1/4" = 1 foot.
 - (2) One set of measured drawings shall be submitted for archival storage with the City of San Diego Historical Resources Board, the City of San Diego Project file and

Historical Resources Library, the South Coastal Information Center, the California Room of the City of San Diego Public Library, the San Diego Historical Society and/or other historical society or group(s).

2. Prior to the first Precon Meeting, MMC shall verify that the DP has been approved.
- 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 Historian and/or Architectural Historian shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Historical 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. Historical Monitoring Plan (HMP)
 - a. Prior to the start of any work that requires monitoring; the PI shall submit a Historical Monitoring Program which describes how the monitoring would be accomplished for approval by the MMC. The HMP shall include a Historical Monitoring Exhibit (HME) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits.
 - b. The HME shall be based on the results of a site-specific records search as well as information regarding existing known soil conditions (native or formation).
 - c. 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.
 - d. 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 site conditions such as depth of excavation and/or site graded to bedrock, etc., which may reduce or increase the potential for resources to be present.
 3. Prior to beginning any work that requires monitoring, the Applicant shall submit a preliminary research plan to indicate how the significant historical resources will be handled should they be encountered during the monitoring. The preliminary research plan must be approved by the MMC before work begins.
- C. Implementation of Approved Treatment Plan for Historic Resources
1. Implementation of the approved Treatment Plan for the protection of Historic Resources within the project site may not begin prior to the completion of the Documentation Program as defined above.

2. The Historian and/or Architectural Historian shall attend weekly jobsite meetings and be on-site daily during the stabilization phase for any retained or adjacent historic resource to photo document the Treatment Plan process.
 3. The Historian and/or Architectural Historian shall document activity via the Consultant Site Visit Record (CSVSR). The CSVSR's shall be faxed by the CM to the RE the first day and last day (Notification of Monitoring Completion) of the Treatment Plan process and in the case of ANY unanticipated incidents. The RE shall forward copies to MMC.
 4. Prior to the start of any construction related activities, the applicant shall provide verification to MMC that all historic resources on-site have been adequately stabilized in accordance with the approved Treatment Plan. This may include a site visit with MMC, the CM, RE or BI, but may also be accomplished through submittal of the draft Treatment Plan photo documentation report.
 5. MMC will provide written verification to the RE or BI after the site visit or upon approval of draft Treatment Plan report indicating that construction related activities can proceed.
- D. Verification of approval of a Historical Commemorative Program (HCP), if applicable
1. The applicant shall submit documentation to MMC for concurrent review and approval by Historic Resources Board (HRB) for a site-specific HCP, if mitigation for impacts to a designated resource is based on association with an important person, event or community history and the building would not be retained on-site.
 2. MMC in consultation with HRB staff shall provide a letter to the applicant approving or denying the proposal prior to the first preconstruction meeting and/or issuance of any construction permit. However, should conditional approval of the proposal be granted, construction may be allowed to proceed, but the Certificate of Occupancy may not be issued until the historical commemorative program is approved.
 3. Prior to the issuance of any Certificate of Occupancy, the applicant shall provide verification to MMC that the HCP has been implemented in accordance with the approved program. This may include a site visit with MMC, HRB, the ADD Environmental Designee, the CM, RE or BI, but may also be accomplished through submittal of photo documentation or appropriate reporting program.
 4. MMC will provide written verification to the RE or BI after the site visit indicating that the Certificate of Occupancy can issued.

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 which could result in impacts to historical resources as identified on the HME. 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 (CSVSR). The CSVSR'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 incidents involving the historical resource. 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 arises which could effect the historical resource being retained on-site or adjacent to the construction site.

B. Notification Process

1. In the event of damage to a historical resource retained on-site or adjacent to the project site, the Historical Monitor shall direct the contractor to temporarily divert construction activities in the area of historical resource and immediately notify the RE or BI, as appropriate, and the PI (unless Monitor is the PI).
2. The PI shall immediately notify MMC by phone of the incident, 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/Evaluation of Impacts to a Historical Resource

1. The PI shall evaluate the incident relative to the historical resource.
 - a. The PI shall immediately notify MMC by phone to discuss the incident and shall also submit a letter to MMC indicating whether additional mitigation is required.
 - b. If impacts to the historical resource are significant, the PI shall submit a proposal for mitigation and obtain written approval from MMC in consultation with HRB and the ADD Environmental Designee. Direct and/or indirect impacts to historical resources from construction activities must be mitigated before work will be allowed to resume.
 - c. If impacts to the historical resource are not considered significant, the PI shall submit a letter to MMC indicating that the incident will be documented in the Final Monitoring Report. The letter shall also indicate that 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 Impacts/Incidents In the event that no historical resources were impacted during night work, the PI shall record the information on the CSV and submit to MMC via fax by 9am of the next business day.
 - b. Potentially Significant Impacts If the PI determines that a potentially significant impact has occurred to a historical resource, the procedures detailed under Section III - During Construction shall be followed.
 - c. The PI shall immediately contact MMC, or by 8AM the following morning to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.

- B. If night and/or weekend 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. Submittal of Draft Monitoring Report
 - 1. The PI shall submit two copies of the Draft Monitoring Report (even if negative) which describes the results, analysis, and conclusions of all phases of the Historical Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring.
 - a. The preconstruction Treatment Plan and Documentation Plan (photos and measured drawings) and Historical Commemorative Program, if applicable, shall be included and/or incorporated into the Draft Monitoring Report.
 - b. The PI shall be responsible for updating (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) any existing site forms to document the partial and/or complete demolition of the resource. Updated forms shall be submitted to the South Coastal Information Center 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. Final Monitoring Report(s)
 - 1. The PI shall submit one copy of the approved Final Monitoring Report to the RE or BI as appropriate, and one copy 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.

Archaeological Resources

Prior to issuance of any permit that could directly affect an archaeological resource; the City shall require the following steps be taken to determine: (1) the presence of archaeological resources and (2) the appropriate mitigation for any significant resources which may be impacted by a development activity. Sites may include but are not limited to, residential and commercial properties, privies, trash pits, building foundations, and industrial features representing the contributions of people from diverse socio-economic and ethnic backgrounds. Sites may also include resources associated with pre-historic Native American activities.

I. Prior to Permit Issuance

- A. Land Development Review (LDR) Plan Check.
 - 1. Prior to Notice to Proceed (NTP) for any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, but prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Archaeological Monitoring and Native American 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 archaeological monitoring program, as defined in the City of San Diego Historical Resources Guidelines (HRG). If applicable, individuals involved in the archaeological monitoring program must have completed the 40-hour HAZWOPER training with certification documentation.
 - 2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the archaeological monitoring of the project.
 - 3. Prior to the start of work, the applicant must 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 (1/4 mile radius) has been completed. Verification includes, but is not limited to a copy of a confirmation letter from South Coast Information Center, 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.
 - 3. The PI may submit a detailed letter to MMC requesting a reduction to the _-mile radius.
- 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 Archaeologist and Native American monitor shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Archaeological 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 an Archaeological Monitoring Exhibit (AME) 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 AME 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 site conditions such as depth of excavation and/or site graded to bedrock, etc., which may reduce or increase the potential for resources to be present.

III. During Construction

- A. Monitor(s) shall be Present During Grading/Excavation/Trenching.
 1. The Archaeological monitor shall be present full-time during grading/excavation/trenching activities which could result in impacts to archaeological resources as identified on the AME. The Native American monitor shall determine the extent of their presence during construction related activities based on the AME and provide that information to the PI and MMC. 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 modern disturbance post-dating the previous grading/trenching activities, presence of fossil formations, or when native soils are encountered may reduce or increase the potential for resources to be present.
- B. Discovery Notification Process
 1. In the event of a discovery, the Archaeological 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 and Native American representative, if applicable, shall evaluate the significance of the resource. If Human Remains are involved, follow protocol in Section IV below:

- 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.
- b. If the resource is significant, the PI shall submit an Archaeological Data Recovery Program (ADRP) 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, the PI shall submit a letter to MMC indicating that artifacts will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that that no further work is required.

IV. Discovery of Human Remains

If human remains are discovered, work shall halt in that area and the following procedures as set forth in the California Public Resources Code (Sec. 5097.98) and State Health and Safety Code (Sec. 7050.5) shall be undertaken:

- A. Notification
 1. Archaeological Monitor shall notify the RE or BI as appropriate, MMC, and the PI, if the Monitor is not qualified as a PI. MMC will notify the appropriate Senior Planner in the Environmental Analysis Section (EAS).
 2. The PI shall notify the Medical Examiner after consultation with the RE, either in person or via telephone.
- B. Isolate discovery site
 1. Work shall be directed away from the location of the discovery and any nearby area reasonably suspected to overlay adjacent human remains until a determination can be made by the Medical Examiner in consultation with the PI concerning the provenience of the remains.
 2. The Medical Examiner, in consultation with the PI, will determine the need for a field examination to determine the provenience.
 3. If a field examination is not warranted, the Medical Examiner will determine with input from the PI, if the remains are or are most likely to be of Native American origin.
- C. If Human Remains ARE determined to be Native American
 1. The Medical Examiner will notify the Native American Heritage Commission (NAHC) within 24 hours. By law, ONLY the Medical Examiner can make this call.
 2. The NAHC will contact the PI within 24 hours or sooner, after Medical Examiner has completed coordination.
 3. NAHC will immediately identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information.
 4. The PI shall coordinate with the MLD for additional consultation.
 5. The MLD will have 48 hours to make recommendations to the property owner or representative, for the treatment or disposition with proper dignity, of the human remains and associated grave goods.

6. Disposition of Native American Human Remains shall be determined between the MLD and the PI, IF:
 - a. The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 48 hours after being notified by the Commission; OR;
 - b. The landowner or authorized representative rejects the recommendation of the MLD and mediation in accordance with PRC 5097.94 (k) by the NAHC fails to provide measures acceptable to the landowner.
 - c. In order to protect these sites, the Landowner shall do one or more of the following:
 - (1) Record the site with the NAHC;
 - (2) Record an open space or conservation easement on the site;
 - (3) Record a document with the County.
 - d. Upon the discovery of multiple Native American human remains during a ground disturbing land development activity, the landowner may agree that additional conferral with descendants is necessary to consider culturally appropriate treatment of multiple Native American human remains. Culturally appropriate treatment of such a discovery may be ascertained from review of the site utilizing cultural and archaeological standards. Where the parties are unable to agree on the appropriate treatment measures the human remains and buried with Native American human remains shall be reinterred with appropriate dignity, pursuant to Section 6.c., above.
- D. If Human Remains are NOT Native American
 1. The PI shall contact the Medical Examiner and notify them of the historic era context of the burial.
 2. The Medical Examiner will determine the appropriate course of action with the PI and City staff (PRC 5097.98).
 3. If the remains are of historic origin, they shall be appropriately removed and conveyed to the Museum of Man for analysis. The decision for internment of the human remains shall be made in consultation with MMC, EAS, the applicant/landowner and the Museum of Man.

V. 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 9am the following morning of the next business day.
 - b. Discoveries – All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction, and IV – Discovery of Human Remains.
 - c. Potentially Significant Discoveries – If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction shall be followed.

- d. The PI shall immediately contact MMC, or by 8AM the following morning to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.
- B. If night and/or weekend work becomes necessary during the course of construction
 1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
 2. The RE, or BI, as appropriate, shall notify MMC immediately.
- C. All other procedures described above shall apply, as appropriate.

VI. Post Construction

- A. Submittal of Draft Monitoring Report
 1. The PI shall submit two copies of the Draft Monitoring Report (even if negative) which describes the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring.
 - a. For significant archaeological resources encountered during monitoring, the Archaeological Data Recovery Program shall be included in the Draft Monitoring Report.
 - b. Recording Sites with State of California Department of Parks and Recreation The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) any significant or potentially significant resources encountered during the Archaeological Monitoring Program in accordance with the City's Historical Resources Guidelines, and submittal of such forms to the South Coastal Information Center 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 Artifacts
 1. The PI shall be responsible for ensuring that all cultural remains collected are cleaned and catalogued.
 2. The PI shall be responsible for ensuring that all artifacts are analyzed to identify function and chronology as they relate to the history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate.
 3. The cost for curation is the responsibility of the property owner.
- C. Curation of artifacts: Accession Agreement and Acceptance Verification
 1. The PI shall be responsible for ensuring that all artifacts associated with the survey, testing and/or data recovery for this project are permanently curated with an appropriate institution. This shall be completed in consultation with MMC and the Native American representative, as applicable.

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 one copy of the approved Final Monitoring Report to the RE or BI as appropriate, and one copy 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 and/or release of the Performance Bond for grading until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

8.4 Biological Resources

A. Potential Impact. Significant unmitigable impacts have been identified related to direct and indirect impacts to biological resources that occur on the activity sites. However, activity site #3, Subareas 1.1a and 1.2 and activity site 4 do not contain any sensitive biological resources and redevelopment of these sites will not result in a significant impact to biological resources.

B. Facts in Support of Finding. The proposed project has a potential to result in direct and indirect impacts to biological resources within the Project Area. At the time a project-specific development application is submitted for any of the redevelopment activities (except for activity site #3, Subareas 1.1a and 1.2 and activity site 4) a project-specific biological technical report will need to be prepared to update/confirm impacts to biological resources and to reflect changes in federal and state laws, and new/improved scientific methods. The Project's potentially significant impacts may be mitigated to below a level of significance with the implementation of Mitigation Measures BR-1, BR-2, and BR-3 of the FEIR; however, because the degree of impact and applicability, feasibility, and success of mitigation measures cannot be accurately predicted for each specific project at this time, the program level impact related to biological resources is considered significant and unmitigable. Implementation of this mitigation measure would require that:

Mitigation Measure BR-1:

As each future project is reviewed under CEQA, additional specificity may be required with respect to mitigation measures identified below. These measures may be updated periodically in response to changes in federal and state laws, and new/improved scientific methods.

- Development Projects shall be designed to minimize or eliminate impacts to natural habitats and known sensitive resources consistent with the City's Biology Guidelines, MSCP Subarea Plan, and the ESL ordinance.
- Biological mitigation for upland impacts shall be in accordance with the City's Biology Guidelines, Table 3.3.4. Prior to the commencement of any construction related activity on-site (including earthwork and fencing) and/or the preconstruction meeting, mitigation for direct impacts to Tier I, Tier II, Tier IIIA, and Tier IIIB shall be assured to the satisfaction of the Development Services Department Environmental Review Manager (ERM) through preservation of upland habitats in

conformance with the City's Biology Guidelines, MSCP, and ESL Regulations. Mitigation for upland habitats may include on-site preservation, on-site enhancement/restoration; payment into the Habitat Acquisition Fund; acquisition/dedication of habitat inside or outside the MHPA; or other mitigation as approved by the ERM, MSCP staff and the Park and Recreation, as described below. Any restoration plans are subject to review by the City's EAS, Parks and Recreation and MSCP staff prior to issuance of any grading permits. These entities also must sign off on final acceptance of the mitigation project as successful.

- Development projects shall provide for continued wildlife movement through wildlife corridors as identified in the MSCP Subarea Plan or as identified through project-level analysis. Mitigation may include, but is not limited to, provision of appropriately-sized bridges, culverts, or other openings to allow wildlife movement.
- For all projects adjacent to the MHPA, the development shall conform to all applicable MHPA Land Use Adjacency Guidelines (Section 1.4.3) of the MSCP Subarea Plan. In particular, lighting, drainage, landscaping, grading, access, and noise must not adversely affect the MHPA. Prior to issuance of any authorization to proceed, the following shall occur:
 - Lighting should be directed away from the MHPA, and shielded if necessary and a note shall be included on the plans to the satisfaction of the Environmental Review Manager (ERM).
 - Drainage should be directed away from the MHPA, or if not possible, must not drain directly into the MHPA. Instead, runoff should flow into sedimentation basins, grassy swales or mechanical trapping devices prior to draining into the MHPA. Drainage shall be shown on the site plan and reviewed satisfactory to the City Engineer.
 - The landscape plan shall be review and approved by the ERM to ensure that no invasive non-native plant species shall be planted in or adjacent to the MHPA.
 - All manufactured slopes must be included within the development footprint and outside the MHPA.
 - All brush management areas shall be shown on the site plan and reviewed and approved by the ERM Zone 1 brush management areas must be included within the development footprint and outside the MHPA. Brush management Zone 2 may be permitted within the MHPA (considered impact neutral) but cannot be used as mitigation.
 - Access to the MHPA, if any, should be directed to minimize impacts and shall be shown on the site plan and reviewed and approved by the ERM
 - The following mitigation measures reflect species specific noise attenuation requirements in relationship to Bio-5.
 - Construction noise as it effects sensitive avian species: Schedule the construction of projects to avoid impacts to wildlife (e.g., avoid the breeding season for sensitive species) to the extent practicable. If avoidance of construction during the breeding season is not feasible project-specific review shall define specific mitigation measures, such as berms and sound walls, which would reduce construction and operational.

COASTAL CALIFORNIA GNATCATCHER (Federally Threatened) LEAST BELL'S VIREO (State Endangered/Federally Endangered), SOUTHERN WILLOW FLYCATCHER Federally Endangered)

Coastal California Gnatcatcher (Federally Threatened), least Bell's vireo (State Endangered/Federally Endangered), and Southwestern Willow Flycatcher Mitigation as outlined below shall be required for any grading or clearing activities in areas where there is potential to impact these species (Coastal California Gnatcatcher, MHPA only).

Prior to the issuance of any authorization to proceed, the City's Environmental Review Manager (or appointed designee) shall verify that the Multi-Habitat Planning Area (MHPA) boundaries and the following project requirements regarding the coastal California gnatcatcher, least Bell's vireo, and Southwestern Willow Flycatcher are shown on the grading and building permit plans:

No clearing, grubbing, grading or other construction activities shall occur between March 1 and August 15, the breeding season of the coastal California gnatcatcher; between March 15 and September 15, the breeding season of the least Bell's vireo; and between May 1 and September 1, the breeding season of the Southwestern Willow Flycatcher, until the following requirements have been met to the satisfaction of the ADD of LDR.

- A qualified biologist (possessing a valid Endangered Species Act Section 10(a)(1)(A) Recovery Permit) shall survey habitat areas (only within the MHPA for gnatcatchers) that would be subject to the construction noise levels exceeding 60 decibels [dB(A)] hourly average for the presence of the coastal California gnatcatcher, least Bell's vireo, and the Southwestern Willow Flycatcher. Surveys for this species shall be conducted pursuant to the protocol survey guidelines established by the U.S. Fish and Wildlife Service within the breeding season prior to the commencement of construction. **If the coastal California gnatcatchers, least Bell's vireo, and/or the Southwestern Willow Flycatcher are present, then the following conditions must be met:**
 - Between March 1 and August 15 for occupied gnatcatcher habitat, between March 15 and August 15 for occupied least Bells vireo habitat, and between May 1 and September 1 for occupied Southwestern Willow Flycatcher habitat, no clearing, grubbing, or grading of occupied habitat shall be permitted. Areas restricted from such activities shall be staked or fenced under the supervision of a qualified biologist; **AND**
 - Between March 1 and August 15 for occupied gnatcatcher habitat, between March 15 and August 15 for occupied least Bells vireo habitat, and between May 1 and September 1 for occupied Southwestern Willow Flycatcher habitat, no construction activities shall occur within any portion of the site where construction activities would result in noise levels exceeding 60 dB (A) hourly average at the edge of the occupied habitat. An analysis showing that noise generated by construction activities would not exceed 60 dB (A) hourly average at the edge of occupied habitat must be completed by a qualified acoustician (possessing a current noise engineer license or registration with monitoring noise level experience with listed animal species) and approved by the ERM at least two weeks prior to the commencement of construction activities; **OR**

- At least two weeks prior to the commencement of clearing, grubbing, grading and/or any construction activities, under the direction of a qualified acoustician, noise attenuation measures (e.g., berms, walls) shall be implemented to ensure that noise levels resulting from construction activities will not exceed 60 dB(A) hourly average at the edge of habitat occupied by the aforementioned avian species. Concurrent with the commencement of construction activities and the construction of necessary noise attenuation facilities, noise monitoring shall be conducted at the edge of the occupied habitat area to ensure that noise levels do not exceed 60 dB (A) hourly average. If the noise attenuation techniques implemented are determined to be inadequate by the qualified acoustician or biologist, then the associated construction activities shall cease until such time that adequate noise attenuation is achieved or until the end of the appropriate breeding season.
 - * *Construction noise monitoring shall continue to be monitored at least twice weekly on varying days, or more frequently depending on the construction activity, to verify that noise levels at the edge of occupied habitat are maintained below 60 dB (A) hourly average or to the ambient noise level if it already exceeds 60 dB (A) hourly average. If not, other measures shall be implemented in consultation with the biologist and the ERM, as necessary, to reduce noise levels to below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. Such measures may include, but are not limited to, limitations on the placement of construction equipment and the simultaneous use of equipment.*
- If the aforementioned avian species are not detected during the protocol survey, the qualified biologist shall submit substantial evidence to the ERM and applicable resource agencies which demonstrate whether or not mitigation measures such as noise walls are necessary during the applicable breeding seasons of March 1 and August 15, March 15 and September 15, and May 1 and September 1, as follows:
 - If this evidence indicates the potential is high for the aforementioned avian species to be present based on historical records or site conditions, then Condition 1-b or 1-c shall be adhered to as specified above.
 - If this evidence concludes that no impacts to the species are anticipated, no new mitigation measures are necessary.
- If the permittee begins construction prior to the completion of the protocol avian surveys, then the Development Services Department shall assume that the appropriate avian species are present and all necessary protection and mitigation measures shall be required as described in 1 a, b, and c.

SENSITIVE AVIAN SPECIES

- If project grading is proposed during the raptor breeding season (Feb. 1-Sept. 15), the project biologist shall conduct a pregrading survey for active raptor nests in within 300ft. of the development area and submit a letter report to MMC prior to the preconstruction meeting.

- If active raptor nests are detected, the report shall include mitigation in conformance with the City's Biology Guidelines (i.e. appropriate buffers, monitoring schedules, etc.) to the satisfaction of the City's Environmental Review Manager (ERM)). Mitigation requirements determined by the project biologist and the ERM shall be incorporated into the project's Biological Construction Monitoring Exhibit (BCME) and monitoring results incorporated in to the final biological construction monitoring report.
- If no nesting raptors are detected during the pregrading survey, no mitigation is required.
- Post Construction and operational noise as it effects sensitive avian species: For development projects utilizing any stationary noise generators (i.e. air conditioning units), a site-specific acoustical analysis shall be conducted by a qualified acoustician in order to determine noise attenuation measures, if necessary, in order to reduce noise levels exceeding 60 dB(A) at the edge of occupied habitat.
- The City's Biology Guidelines and MSCP Subarea Plan require that impacts to wetlands, including vernal pools, shall be avoided, and that a sufficient wetland buffer shall be maintained, as appropriate, to protect resource functions/values. For vernal pools, this includes avoidance of the watershed necessary for the continued viability of the ponding area. Where wetland impacts are unmitigable (determined case-by-case), they shall be minimized to the maximum extent practicable and fully mitigated per the Biology Guidelines. The biology report shall include an analysis of on-site wetlands (including City, state and federal jurisdiction analysis) and, if present, include project alternatives that fully/substantially avoid wetland impacts. Detailed evidence supporting why there is no feasible, less environmentally damaging location or alternative to avoid any impacts must be provided for City staff review, as well as a mitigation plan that specifically identifies how the project is to compensate for any unmitigable impacts. A conceptual mitigation program (which includes identification of the mitigation site) must be approved by City staff prior to the release of the draft environmental document. Avoidance is the first requirement; mitigation can only be used for impacts clearly demonstrated to be unmitigable.
- Limit the disturbance to native vegetation to the extent practicable. Revegetate with native plants where appropriate, and locate construction staging areas in previously disturbed areas.

RESOURCE AGENCY PERMITTING

Prior to the commencement of any construction related activities on-site for projects impacting wetland habitat (including earthwork and fencing) the applicant shall provide evidence¹ of the following to the ERM prior to any construction activity:

- Compliance with United States Army Corps of Engineers (ACOE) Section 404 nationwide permit;

¹ Evidence shall include either copies of permits issued, letter of resolutions issued by the responsible agency documenting compliance, or other evidence documenting compliance and deemed acceptable by the ADD of LDR.

- Compliance with the Regional Water Quality Control Board Section 401 Water Quality Certification; and
- Compliance with the CDFG Section 1601/1603 Streambed Alteration Agreement.

Mitigation Measure BR-2:

Protection and Notice Element: Assurance that mitigation areas will be adequately protected from future development shall be provided through 1) the dedication of fee title for the mitigation land to the City of San Diego; or 2) the establishment of a conservation easement relinquishing development rights to a conservation entity; or 3) a recorded covenant of easement against the title of the property for the remainder area, with the USFWS and CDFG named as third party beneficiaries.

Mitigation Measure BR-3:

Management Element: Assurance that the mitigation areas will be adequately managed and monitored in a manner consistent with Section 1.5 Preserve Management, of the City's MSCP Subarea Plan shall be provided through identification of 1) how the objectives of the City's MSCP Preserve Management recommendations will be met for the area, as well as any additional management recommendations resulting from site-specific information; and 2) the responsible entity and funding source for the long-term maintenance and management of the area.

8.5 Public Services and Facilities (Water Supply)

A. Potential Impact. The projected net water use of the entire project is 698,818 gallons per day. There are insufficient water supplies identified in the City's 2005 Urban Water Management Plan to serve the proposed project even with mitigation. Therefore, the proposed redevelopment activities would result in a significant water supply impact.

B. Facts in Support of Finding. The Project's potentially significant impacts would be mitigated but not to below a level of significance with the implementation of Mitigation Measures W-1 through W-3 of the FEIR. Implementation of these mitigation measures would require that:

Mitigation Measure W-1

Residential development shall incorporate LEED-equivalent water use reduction measures to achieve an overall reduction in residential water use of 7.5 percent. This requires per capita water usage in single-family homes to be less than or equal to 138.75 gallons per day and in multi family homes to be less than 83.25 gallons per day (Assuming 3.90 persons per household). This shall be demonstrated by the applicant on building plans for CPIOZ Type A parcels and on the Site Development Permit Application for CPIOZ Type B parcels.

Mitigation Measure W-2

Commercial/office/retail development shall incorporate LEED equivalent water reduction measures to achieve an overall reduction in commercial/office/retail water usage of 5.0 percent. This requires per

employee water usage to be less than or equal to 30.4 gallons per day. This shall be demonstrated by the applicant on building plans for CPIOZ Type A parcels and on the Site Development Permit Application for CPIOZ Type B parcels.

Mitigation Measure W-3

All landscaping installed as part of a redevelopment activity shall incorporate water conserving irrigation strategies in accordance with City's Municipal Code. The reduction associated with this measure cannot be determined at this time.

9.0 Effects Found Not to be Significant

The City finds, based on the substantial evidence appearing in Chapter 9.0 of the FEIR that the following impacts will not be significant: Agricultural Resources, Land Use, Parking, Public Services and Utilities (schools, gas and electric, wastewater, police, fire protection, libraries, solar energy, and communications systems), Neighborhood Character/Aesthetics, Mineral Resources, Coastal Zone, Geology/Soils (Septic Systems), Hazards and Hazardous Materials (Emergency Response and Wildfires).

10.0 Findings Regarding Infeasible Alternatives

Pursuant to CEQA Guidelines §15126.6(a), FEIRs must “describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives.”

The FEIR considers a reasonable range of alternatives. The alternatives to the Project are evaluated in Chapter 10.0 of the FEIR in terms of their ability to meet the basic objectives of the Project, and eliminate or further reduce its significant environmental effects. Based on these parameters, the following alternatives are considered: (1) No Project/Existing General Plan Land Uses and Policies, (2) Historic Resource Avoidance, (3) Community Plan Amendment Sites, (4) Reduced Project Alternative. This range includes various degrees and natures of development between and including no development and the full Project. Table 10-3 (see FEIR page 10-15) summarizes the direct environmental effects of the Project as compared to these alternatives. The alternatives are summarized below:

1. No Project/Existing General Plan Land Uses and Policies

The No Project/Existing General Plan Land Uses and Policies Alternative assumes that the proposed land use and zoning amendments would not be implemented and thus, the redevelopment activities, as proposed, would not occur. Under the No Project scenario, the proposed redevelopment activity sites would be developed pursuant to the existing General Plan land use designations and zoning. As identified on Table 10-2 of the FEIR, less residential development would occur under the existing General Plan land uses and policies than with the proposed project. Redevelopment Activity Sites #6, #8, #9, and #10 would not require changes to the existing General Plan land uses or zoning in order to be implemented. As such, the No Project/Existing General Plan Land Uses and Policies Alternative would be the same for these redevelopment activity sites under this alternative and the proposed project; however, the proposed

residential development on Sites #6, #8, and #10 would be less with the proposed project as allowed under the existing General Plan land use designations (see footnote to Table 10-2 in the FEIR regarding Site #9). This alternative would only allow development that is consistent with the existing General Plan land uses and zoning. This alternative would result in 979 dwelling units less than the proposed project.

2. Historic Resource Avoidance

This alternative considers the environmental impacts associated with the avoidance of the potentially historical structures located within Redevelopment Activity Sites #5 and #7. Five buildings, constructed prior to 1960, are located within activity site #5. These buildings are considered potentially eligible for the City Register and/or CRHR. Therefore, the proposed redevelopment activity has the potential to have a significant impact on a historic building. Sixty-three structures within activity site #7 were identified in the cultural resources survey as being constructed prior to 1960. These buildings are considered potentially eligible for the City Register and/or CRHR. Therefore, the proposed redevelopment activity has the potential to have a significant impact on a historic building. This alternative assumes that all redevelopment activities, with the exception of #5 and #7, would occur as proposed in the Fifth Amendment to the Central Imperial Redevelopment Plan. Redevelopment activities on Sites #5 and #7 (Center Section) would be identical to those proposed; however, the redevelopment activities would be altered to incorporate preservation of the structures. As a result, the proposed development would be decreased to accommodate the preserved buildings. At this time, it is not known if this is feasible.

3. Community Plan Amendment Sites

The Community Plan Amendment Sites Alternative would only allow amending the Central Imperial Redevelopment Plan for the five redevelopment activity sites that involve community plan amendments. The other four sites would be excluded from the proposed project. Community plan amendments are proposed for the following redevelopment activity sites: #1, #3 (all subareas, with the exception of 1.1a, 1.4, 4.1, 47th & Market, and Youth World), #4, #5, and #7 (all sections). This alternative would result in the net development of approximately 1,800 residential dwelling units and 93,513 square feet of non-residential development. The proposed project would result in the net development of 1,915 residential dwelling units and 113,113 square feet of non-residential development. Therefore, this alternative would result in the development of 115 less residential units and 19,600 square feet less non-residential development.

4. Reduced Project Alternative

The Reduced Project Alternative assumes that land use intensities or densities within the proposed redevelopment areas would be reduced, or portions of the project would be eliminated. The Program FEIR evaluates nine distinct development proposals, and any one specific project within the nine (9) redevelopment activity sites in the Central Imperial Redevelopment Project Area could be eliminated from consideration for approval. A decrease in the project intensity would reduce traffic generation, air quality emissions, noise on area roadways and demands for public services and utilities. Elimination of certain developments (e.g. #1, #4, etc) could also reduce significant unavoidable impacts to cultural resources and biological resources depending on the site.

Based on all information in the Record of Proceedings, the City decision makers must analyze each of the redevelopment activity sites and choose whether or how to reduce any part of the project in order to reduce environmental impacts. Based on the analysis provided in this Program FEIR, the proposed project would create significant and unmitigable impacts in four environmental categories: transportation/circulation and parking, air quality, cultural resources and biological resources. For example, elimination of Projects #3, #5, #7, and #9 would reduce significant and unmitigable impacts to historic resources.

The City decision makers would need to decide which, if any of the projects evaluated in this Program FEIR should be eliminated and decide if the benefits of the project as a whole or portions of the project outweigh the significant and unmitigable impacts identified in this Program FEIR. Regardless of which alternative is ultimately carried forward for consideration, approval of the project will require the City to adopt a Statement of Overriding Considerations pursuant to CEQA Guidelines 15093.

Table 10-3 in the FEIR identifies a summary of the general impact categories associated with each project area. Elimination of any one of these project sites would correspond with the impacts associated with that site.