



THE CITY OF SAN DIEGO

SUBSEQUENT MITIGATED NEGATIVE DECLARATION

Project No. PRJ-1058759

SCH No. 2019060003

SUBJECT: **11011 Torreyana Road Project:** A COASTAL DEVELOPMENT PERMIT (CDP) and SITE DEVELOPMENT PERMIT (SDP) for the demolition of a 76,694 square foot existing building, above-ground parking structure, and auxiliary buildings to construct a 152,080 square-foot building and four levels of subterranean parking garage with approximately 440 parking spaces and 44 surface parking spaces. Various site improvements would also be constructed that include associated surface parking, hardscape, and landscape. The 10.2-acre site is located at 11011 Torreyana Road. The site is designated Industrial-Scientific Research within the University Community Plan and zoned IP-1-1. Additionally, the project site is within the Airport Land Use Compatibility Overlay Zone (MCAS Miramar), the Airport Influence Area (MCAS Miramar-Review Area 1), the Airport Safety Zone MCAS Miramar (Accident Potential Zone 2), the Coastal Height Limitation Overlay Zone, the Coastal Overlay Zone (Appealable and Non-Appealable-1), the Community Plan Implementation Overlay Zone (CPIOZ-B), the Parking Standards Transit Priority Area (PSTPA) (not yet in effect in Coastal for non-residential uses), Transit Priority Area (TPA), the Multiple Habitat Planning Area (MHPA), the Very High Fire Severity Zone, the Parking Impact Overlay Zone (Coastal), and Prime Industrial Lands. (LEGAL DESCRIPTION: The project area is located in unsectioned portion of Township 14 and 15 South, Range 3 West of the Del Mar U.S. Geological Survey [USGS] 7.5minute quadrangle map). APPLICANT: Bridgewest Group.

I. PROJECT DESCRIPTION:

See attached Subsequent Initial Study.

II. ENVIRONMENTAL SETTING:

See attached Subsequent Initial Study.

III. DOCUMENTATION:

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

IV. MITIGATION, MONITORING AND REPORTING PROGRAM:

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

1. Prior to the issuance of any construction permits, such as Demolition, Grading or Building, or beginning any construction-related activity on-site, the Development

Services Department (DSD) Director's Environmental Designee (ED) shall review and approve all Construction Documents (CD), (plans, specification, details, etc.) to ensure the MMRP requirements are incorporated into the design.

2. In addition, the ED shall verify that the MMRP Conditions/Notes that apply ONLY to the construction phases of this project are included VERBATIM, under the heading, "ENVIRONMENTAL/MITIGATION REQUIREMENTS."
3. These notes must be shown within the first three (3) sheets of the construction documents in the format specified for engineering construction document templates as shown on the City website: <http://www.sandiego.gov/development-services/industry/information/standtemp>
4. The TITLE INDEX SHEET must also show on which pages the "Environmental/Mitigation Requirements" notes are provided.
5. SURETY AND COST RECOVERY: The Development Services Director or City Manager may require appropriate surety instruments or bonds from private Permit Holders to ensure the long-term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.

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

1. PRE-CONSTRUCTION MEETING is required ten (10) working days prior to beginning any work on this project. the permit holder/owner is responsible to arrange and perform this meeting by contacting the city resident engineer (RE) of the field engineering division and city staff from mitigation monitoring coordination (MMC). attendees must also include the permit holder's representative(s), job site superintendent, and the following consultant:

Qualified Paleontological Monitor, Qualified Biologist, Acoustician

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

Contact Information:

- a) The primary point of contact is the RE at the Field Engineering Division – 858-627-3200
 - b) For clarification of environmental requirements, applicant is also required to call RE and MMC at 858-627-3360
2. MMRP COMPLIANCE: This Project, Project Number 1058759 and/or Environmental Document Number 1058759, shall conform to the mitigation requirements contained in the associated Environmental Document and implemented to the

satisfaction of the DSD's Environmental Designee (MMC) and the City Engineer (RE). The requirements may not be reduced or changed but may be annotated (i.e., to explain when and how compliance is being met and location of verifying proof, etc.). Additional clarifying information may also be added to other relevant plan sheets and/or specifications as appropriate (i.e., specific locations, times of monitoring, methodology, etc.).

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

3. OTHER AGENCY REQUIREMENTS: Evidence of compliance with all other agency requirements or permits shall be submitted to the RE and MMC for review and acceptance prior to the beginning of work or within one week of the Permit Holder obtaining documentation of those permits or requirements. Evidence shall include copies of permits, letters of resolution, or other documentation issued by the responsible agency.
 - National Pollutant Discharge Elimination System (NPDES) Municipal Storm Water Permit Compliance;
 - NPDES General Construction Activity Permit for Storm Water Discharges Compliance;
4. MONITORING EXHIBITS: All consultants are required to submit to RE and MMC, a monitoring exhibit on a 11x17 reduction of the appropriate construction plan, such as site plan, grading, landscape, etc., marked to clearly show the specific areas including the LIMIT OF WORK, scope of that discipline's work, and notes indicating when in the construction schedule that work would be performed. When necessary for clarification, a detailed methodology of how the work would be performed shall be included.

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

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

Document Submittal/Inspection Checklist

Issue Area	Document Submittal	Associated Inspection/Approvals/Notes
General	Consultant Qualification Letters	Prior to Preconstruction Meeting
General	Consultant Construction Monitoring Exhibits	Prior to or at Preconstruction Meeting
Biology	Biologist Limit of Work Verification	Limit of Work Inspection
Historic (Archaeology)	Archaeological Reports	Archeological Monitoring
Waste Management	Waste Management Reports	Waste Management Inspections
Bond Release	Request for Bond Release Letter	Final MMRP Inspections Prior to Bond Release Letter

A. SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS

Biological Resources

BIO-1 The following avoidance and minimization project requirements shall be implemented and included as conditions of project approval to ensure compliance with the City's Biology Guidelines (City 2018) and MSCP Subarea Plan (City 1997), and to prevent inadvertent impacts to sensitive biological resources adjacent to the project footprint.

Prior to the issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, the Environmental Designee shall verify that the following project requirements are shown on the construction plans:

I. Prior to Construction

- A. Biologist Verification** – The owner/permittee shall provide a letter to the City's Mitigation Monitoring Coordination (MMC) section stating that a Project Biologist (Qualified Biologist) as defined in the City of San Diego's Biological Guidelines (2018), has been retained to implement the project's biological monitoring program. The letter shall include the names and contact information of all persons involved in the biological monitoring of the project.
- B. Pre-construction Meeting** – The Qualified Biologist shall attend the pre-construction meeting, discuss the project's biological monitoring program, and arrange to perform any follow-up mitigation measures and reporting, including site-specific monitoring, restoration or revegetation, and additional fauna/flora surveys/salvage.
- C. Biological Documents** – The Qualified Biologist shall submit all required documentation to MMC verifying that any special mitigation reports, including but not limited to, maps, plans, surveys, survey timelines, or buffers are completed or scheduled per City Biology Guidelines, Multiple Species Conservation Program, Environmentally Sensitive Lands Ordinance, project

permit conditions; California Environmental Quality Act; endangered species acts; and/or other local, state or federal requirements.

- D. Biological Construction Mitigation/Monitoring Exhibit** – The Qualified Biologist shall present a Biological Construction Mitigation/Monitoring Exhibit (BCME) which includes the biological documents in C above. In addition, it will include restoration/revegetation plans, wart-stemmed ceanothus salvage, TPZ avoidance areas, avian or other wildlife surveys/survey schedules (including general avian nesting), timing of surveys, avian construction avoidance areas/noise buffers/ barriers, other impact avoidance areas, and any subsequent requirements determined by the Qualified Biologist and the City Assistant Deputy Director (ADD)/MMC. The BCME shall include a site plan, a written and graphic depiction of the project's biological mitigation/monitoring program, and a schedule. The BCME shall be approved by MMC and referenced in the construction documents.
- E. Avian Protection Requirements** - To avoid any direct impacts to Cooper's Hawk and California Gnatcatcher, removal of habitat that supports active nests in the proposed area of disturbance should occur outside of the breeding season for these species (February 1 to September 15). If removal of habitat in the proposed area of disturbance must occur during the breeding season, the Qualified Biologist shall conduct a pre-construction survey to determine the presence or absence of Cooper's Hawk and California Gnatcatcher on the proposed area of disturbance. The pre-construction survey shall be conducted within 10 calendar days prior to the start of construction activities (including removal of vegetation). The applicant shall submit the results of the pre-construction survey to City DSD for review and approval prior to initiating any construction activities. If Cooper's Hawk and California Gnatcatcher are detected, a letter report in conformance with the City's Biology Guidelines and applicable State and Federal Law (i.e., appropriate follow up surveys, monitoring schedules, construction and noise barriers/buffers, etc.) shall be prepared and include proposed measures to be implemented to ensure that take of birds or eggs or disturbance of breeding activities is avoided. The report shall be submitted to the City for review and approval and implemented to the satisfaction of the City. The City's MMC Section and Biologist shall verify and approve that all measures identified in the report are in place prior to and/or during construction.
- F. Special Status Plant Avoidance** – Prior to the removal of vegetation, a Qualified Biologist shall conduct a pre-construction survey for special status plant species within a 20-foot buffer of all anticipated project impacts to identify the location and number of any individuals present. Construction activities shall avoid impacts to special status plant species found within the impact area to the extent feasible. If impacts to newly identified sensitive status plant species cannot be completely avoided, then efforts shall be made to trim any individual shrubs and limit root disturbance, which will allow for individuals to resprout from the base. If construction activities can avoid root disturbance, no additional mitigation would be required.

- G. Resource Delineation** – Prior to construction activities, the Qualified Biologist shall supervise the placement of orange construction fencing or equivalent along the limits of disturbance adjacent to sensitive biological habitats, the tree protection zone, and verify compliance with any other project conditions as shown on the BCME. This phase shall include flagging plant specimens and delimiting buffers to protect sensitive biological resources (e.g., habitats/flora and fauna species) during construction. Appropriate steps/care should be taken to minimize the attraction of nest predators to the site.
- H. Education** – Prior to commencement of construction activities, the Qualified Biologist shall meet with the owner/permittee or designee and the construction crew and conduct an on-site educational session regarding the need to avoid impacts outside of the approved construction area and to protect sensitive flora and fauna (e.g., explain the avian and wetland buffers, flag system for removal of invasive species or retention of sensitive plants, keep equipment and materials clean and free of debris and mud, and clarify acceptable access routes/methods and staging areas, etc.).

II. During Construction

- A. Monitoring** – All construction (including access/staging areas) shall be restricted to areas previously identified, proposed for development/staging, or previously disturbed as shown on "Exhibit A" and/or the BCME. The Qualified Biologist shall monitor construction activities, as needed, to ensure that construction activities do not encroach into biologically sensitive areas, the tree protection zone, or cause other similar damage, and that the work plan has been amended to accommodate any sensitive species located during the pre-construction surveys. In addition, the Qualified Biologist shall document field activity via the Consultant Site Visit Record (CSVSR). The CSVSR shall be e-mailed to MMC on the 1st day of monitoring, the 1st week of each month, the last day of monitoring, and immediately in the case of any undocumented condition or discovery.
- B. Subsequent Resource Identification** – The Qualified Biologist shall note/act to prevent any new disturbances to habitat, flora, and/or fauna on-site (e.g., flag plant specimens for avoidance during access, etc.). If active nests for Cooper's hawk or other previously unknown sensitive resources are detected, all project activities that directly impact the resource shall be delayed until species-specific local, state, or federal regulations have been determined and applied by the Qualified Biologist.

III. Post Construction Measures

- A.** In the event that impacts exceed previously allowed amounts, additional impacts shall be mitigated in accordance with City Biology Guidelines, environmentally sensitive lands (ESL) and MSCP, State CEQA, and other applicable local, state, and

federal laws. The Qualified Biologist shall submit a final BCME/report to the satisfaction of the City ADD/MMC within 30 days of construction completion.

Historical/Archaeological/Tribal Cultural Resources

CUL-1 The following avoidance and minimization project requirements shall be implemented and included as conditions of project approval to prevent inadvertent impacts to tribal cultural resources.

I. Prior to Permit Issuance

A. Entitlements Plan Check

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

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 meet the qualifications established in the HRG.
3. Prior to the start of work, the applicant must obtain written 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 Coastal 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 ¼ 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, Native American consultant/monitor (where Native American resources may be impacted), 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
 - a. Prior to the start of any work that requires monitoring, the PI shall submit an Archaeological Monitoring Exhibit (AME) (with verification that the AME has been reviewed and approved by the Native American consultant/monitor when Native American resources may be impacted) 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 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 all soil disturbing and grading/excavation/trenching activities which could result in impacts to archaeological resources as identified on the AME. The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances OSHA safety requirements may necessitate modification of the AME.
2. The Native American consultant/monitor shall determine the extent of their presence during soil disturbing and grading/excavation/trenching activities based on the AME and provide that information to the PI and MMC. If prehistoric resources are encountered during the Native American consultant/monitor's absence, work shall stop and the Discovery Notification Process detailed in Section III.B-C and IV.A-D shall commence.
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 that may reduce or increase the potential for resources to be present.
4. The archaeological and Native American consultant/monitor shall document field activity via the Consultant Site Visit Record (CSV). The CSV's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (Notification of Monitoring Completion), and in the case of ANY discoveries. The RE shall forward copies to MMC.

B. Discovery Notification Process

1. In the event of a discovery, the Archaeological Monitor shall direct the contractor to temporarily divert all soil disturbing activities, including but not limited to digging, trenching, excavating or grading activities in the area of discovery and in the area reasonably suspected to overlay adjacent resources 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.
4. No soil shall be exported off-site until a determination can be made regarding the significance of the resource specifically if Native American resources are encountered.

C. Determination of Significance

1. The PI and Native American consultant/monitor, where Native American resources are discovered 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) which has been reviewed by the Native American consultant/monitor, 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. Note: If a unique archaeological site is also an historical resource as defined in CEQA, then the limits on the amount(s) that a project applicant may be required to pay to cover mitigation costs as indicated in CEQA Section 21083.2 shall not apply.
 - c. If the 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 no soil shall be exported off-site until a determination can be made regarding the provenance of the human remains; and the following procedures as set forth in CEQA Section 15064.5(e), 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) of the Development Services Department to assist with the discovery notification process.

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 provenance of the remains.
 2. The Medical Examiner, in consultation with the PI, will determine the need for a field examination to determine the provenance.
 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. NAHC will immediately identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information.
 3. The MLD will contact the PI within 24 hours or sooner after the Medical Examiner has completed coordination, to begin the consultation process in accordance with CEQA Section 15064.5(e), the California Public Resources and Health & Safety Codes.
 4. 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.
 5. Disposition of Native American Human Remains will be determined between the MLD and the PI, and, if:
 - a. The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 48 hours after being granted access to the site, 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, the landowner shall reinter the human remains and items associated with Native American human remains with appropriate dignity on the property in a location not subject to further and future subsurface disturbance, THEN

- c. 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; or
 - (3) Record a document with the County. The document shall be titled "Notice of Reinterment of Native American Remains" and shall include a legal description of the property, the name of the property owner, and the owner's acknowledged signature, in addition to any other information required by PRC 5097.98. The document shall be indexed as a notice under the name of the owner.

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 8AM 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. Discovery of human remains shall always be treated as a significant discovery.
 - c. Potentially Significant Discoveries: If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction and IV-Discovery of Human Remains shall be followed.
 - d. The PI shall immediately contact MMC, or by 8AM of 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 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. 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 Historical Resources Guidelines (Appendix C/D) 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. It should be noted that if the PI is unable to submit the Draft Monitoring Report within the allotted 90-day timeframe resulting from delays with analysis, special study results or other complex issues, a schedule shall be submitted to MMC establishing agreed due dates and the provision for submittal of monthly status reports until this measure can be met.
 - 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.
 3. When applicable to the situation, the PI shall include written verification from the Native American consultant/monitor indicating that Native American resources were treated in accordance with state law and/or applicable agreements. If the resources were reinterred, verification shall be provided to show what protective measures were taken to ensure no further disturbance occurs in accordance with Section IV – Discovery of Human Remains, Subsection 5.
- 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.

Transportation/Circulation

MM-TRA-1 Transportation/Circulation (Vehicle Miles Traveled)

Prior to the issuance of first occupancy permits for any new on-site buildings, the Owner/Permittee shall provide and maintain the following Vehicle Miles Traveled (VMT) Reduction Measures totaling at least 8 points of VMT reduction measures in accordance with the Mobility Choices Regulations (San Diego Municipal Code Chapter 14, Article 3, Division 11), Appendix T Mobility Choices Regulations: Implementation Guidelines. Implementation of these measures would minimize VMT impacts to the extent feasible.

1. Provide an on-site bicycle repair station (1.5 points).
2. Provide a minimum of five (5) electric bicycle charging station/micro mobility stations that are available to the public (2 points).
3. Provide short-term bicycle parking spaces available to the public, at least 10% beyond minimum requirements. The minimum required per the SDMC is zero spaces and three spaces will be provided (4.5 points).
4. Provide long-term bicycle parking spaces at least 10% beyond minimum requirements. The minimum required per the SDMC is 21 spaces and 24 spaces will be provided (2 points).
5. Provide on-site multi-modal information kiosks (2 points).

V. PUBLIC REVIEW DISTRIBUTION:

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

Federal

MCAS Miramar Air Station (13)

US Fish and Wildlife Service (23)

State

California Department of Fish and Wildlife (32)

State Clearinghouse (46A)

CALTRANS District 11 (31)

City

Mayor's Office (91)

Council Member La Cava, District 1 (MS 10A)

Development Services Department

Development Project Manager

EAS

LDR Planning

LDR Landscape

Transportation

Geology

Engineering

Planning Department

Plan Long-Range

MSCP

Environmental Services Department

Fire-Rescue Department

San Diego Police Department

Transpiration Development-DSD (78)

Development Coordination (78A)

Fire and Life Safety Services (79)
San Diego Fire- Rescue Department Logistics (80)
University City Community Branch Library (81JJ)
North University Branch Library (81JJJ)
Historical Resources Board (87)

Other Interested Organizations

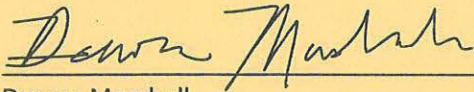
Daily Transcript (135)
Sierra Club (165)
San Diego Audubon Society (167)
Mr. Jim Peugh (167A)
California Native Plant Society (170)
Endangered Habitats League (182A)
MSCP Reviewer (MS-5A)
MMC (77A)
Carmen Lucas (206)
South Coast Information Center (210)
San Diego Archaeological Center (212)
Save Our Heritage Organisation (214)
Ron Christman (215)
Clint Linton (215B)
Frank Brown-Inter-Tribal Cultural Resources Council (216)
Campo Band of Mission Indians (217)
San Diego County Archaeological Society, Inc. (218)
Native American Heritage Commission (222)
Kumeyaay Cultural Heritage Preservation (223)
Kumeyaay Cultural Repatriation Committee (225)
Native American Distribution (225 A-S)
University City Community Planning (480)
Editor, Guardian (481)
UCSD Physical and Community Planning (482)
Commanding General, Community Plans Liaison MCAS Miramar Air Station (484)
Deron Bear Chairman (485)
Debby Knight (487)
University City Library (488)
La Jolla Village Community Council (489)
Rachel B. Hooper / Deborah L Keeth, Shute Mihaly & Weinberger LLP (490)
Chamber of Commerce (492)
Clint Linton, Iipay Nation of Santa Ysabel
Lisa Cumper, Jamul Indian Village
Angelina Gutierrez, San Pasqual Band of Mission Indians
Lozeau Drury LLP
Richard Drury, Lozeau Drury LLP
Molly Greene, Lozeau Drury LLP
John Stump
Mitchell Tsai
Stephanie Papayanis

Mitchell Tsai
B. Brown Martinez

VI. RESULTS OF PUBLIC REVIEW:

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

Copies of the subsequent environmental document and associated project-specific technical appendices, if any, may be accessed on the City of San Diego's California Environmental Quality Act (CEQA) webpage at <https://www.sandiego.gov/ceqa>.



Dawna Marshall
Senior Planner Development Services Department

August 1, 2024

Date of Draft Report

December 4, 2024

Date of Final Report

Analyst: M. Dresser

Attachments:

- Initial Study
- List of Acronyms
- Figure 1: Regional Location
- Figure 2: Aerial Photograph
- Figure 3: Site Plan
- Figure 4: Vegetation Communities and Sensitive Resources/Impacts

California Department of Transportation

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City staff response(s) to the California Department of Transportation comment(s) letter for the 11011 Torreyana Road project, PRJ-1058759

August 29, 2024

11-SD-5
PM 30.70
11011 Torreyana Road
MND/SCH#2019060003

Ms. Dawna Marshall
Senior Planner
City of San Diego
1222 1st Avenue
San Diego, CA 92101

Dear Ms. Marshall:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Mitigated Negative Declaration for the 11011 Torreyana Road located near Interstate 5 (I-5). The mission of Caltrans is to provide a safe and reliable transportation network that serves all people and respects the environment. The Local Development Review (LDR) Program reviews land use projects and plans to ensure consistency with our mission and state planning priorities.

Safety is one of Caltrans' strategic goals. Caltrans strives to make the year 2050 the first year without a single death or serious injury on California's roads. We are striving for more equitable outcomes for the transportation network's diverse users. To achieve these ambitious goals, we will pursue meaningful collaboration with our partners. We encourage the implementation of new technologies, innovations, and best practices that will enhance the safety on the transportation network. These pursuits are both ambitious and urgent, and their accomplishment involves a focused departure from the status quo as we continue to institutionalize safety in all our work.

Caltrans is committed to prioritizing projects that are equitable and provide meaningful benefits to historically underserved communities, to ultimately improve transportation accessibility and quality of life for people in the communities we serve.

We look forward to working with the City of San Diego in areas where the City and Caltrans have joint jurisdiction to improve the transportation network and connections between various modes of travel, with the goal of improving the experience of those who use the transportation system.

- A-1** These are introductory comments from the California Department of Transportation (Caltrans) regarding the environmental review process and Caltrans' strategic goals. The comment does not address the adequacy of the Initial Study/Mitigated Negative Declaration (IS/MND). No further response is required.

Caltrans has the following comments:

Traffic Analysis

A-2

- Please provide a safety review that follows the [Caltrans Local Development Review \(LDR\) Safety Review Practitioner's Guidance](#). Please see attached.
- In reference to the Local Mobility Analysis (page 40), the project is shown to add an additional queue of 105' during the PM peak hour at the I-5 northbound exit ramp left turn to Genesee Avenue. Additionally, per the provided Sim Traffic Queuing reports the project adds 105' to the left turn, 118' to the through/left, 273' to the right turn, and 4' to the second right turn. The addition of the project results in a total of 500' of additional queuing at the I-5 northbound exit ramp to Genesee Avenue. This exceeds the available exit ramp storage and per the comment above, the safety review needs to include the impact of the project's additional queuing in relation to the queue reaching the I-5 main lanes and the speed differential between the I-5 main line vehicles and queued vehicles.

Complete Streets and Mobility Network

Caltrans views all transportation improvements as opportunities to improve safety, access, and mobility for all travelers in California and recognizes bicycle, pedestrian, and transit modes as integral elements of the transportation network. Caltrans supports improved transit accommodation through the provision of Park and Ride facilities, improved bicycle and pedestrian access and safety improvements, signal prioritization for transit, bus on shoulders, ramp improvements, or other enhancements that promotes a complete and integrated transportation network. Early coordination with Caltrans, in locations that may affect both Caltrans and the City of San Diego, is encouraged.

A-3

To reduce greenhouse gas emissions and achieve California's Climate Change target, Caltrans is implementing Complete Streets and Climate Change policies into State Highway Operations and Protection Program (SHOPP) projects to meet multi-modal mobility needs. Caltrans looks forward to working with the City to evaluate potential Complete Streets projects.

Bicycle, pedestrian, and public transit access during construction is important. Mitigation to maintain bicycle, pedestrian, and public transit access during construction is in accordance with Caltrans' goals and policies.

Land Use and Smart Growth

A-4

Caltrans recognizes there is a strong link between transportation and land use. Development can have a significant impact on traffic and congestion on State transportation facilities. In particular, the pattern of land use can affect both local vehicle miles traveled and the number of trips. Caltrans supports collaboration with local agencies to work towards a safe, functional, interconnected, multi-modal transportation network integrated through applicable "smart growth" type land use planning and policies.

"Provide a safe and reliable transportation network that serves all people and respects the environment"

A-2 The comment states that the Local Mobility Analysis (LMA) and Sim Traffic Queuing reports for the project conclude that the project would result in a total of 500 feet of additional queuing (spread throughout all the lanes) at the Interstate 5 (I-5) northbound exit ramp to Genesee Avenue, which would exceed the available exit ramp storage. Therefore, the comment requests that a safety review be provided to include the impact of the project's additional queuing.

The analysis of the signalized off-ramp in the LMA circulated with the Draft IS/MND incorrectly assumed a pedestrian crossing on Genesee Avenue. When the pedestrian crossing was removed to reflect existing conditions, the queues due to the project were calculated to result in more accurate queue changes, as described below and in the revised LMA dated October 2024 included as Appendix A to this Final IS/MND. The Opening Year 2026 without Project peak hour off-ramp volume is 2,520 in the AM and 528 in the PM (see Figure 8-1 of the revised LMA). The project adds 29 AM peak hour trips and 3 PM peak hour trips to the I-5/Genesee northbound offramp (see Figure 6 of the revised LMA). The Opening Year 2026 Plus Project peak hour off-ramp volumes are 2,549 in the AM and 531 in the PM (see Figure 8-2 of the revised LMA).

The analysis shows a net decrease of 10 feet of queuing in the AM and a net addition of 34 feet of queuing in the PM in the Opening Year 2026 Plus Project scenario, which is more in line with the project's relative increase in peak hour traffic at this intersection. The reason the queue is showing to be decreased with the addition of Project traffic is because the addition of Project traffic to a movement with high volumes is essentially negligible. **Table A** shows the results of the analysis. The queueing analysis SIM Traffic worksheets are included in the appendices of the revised LMA contained in Appendix A of this Final IS/MND.

It should also be noted that the intersection delay results at the intersection of Genesee Avenue/I-5 Northbound Ramps for PM peak hour with the corrected pedestrian assumptions are within 0.2 seconds of what was reported in the LMA circulated with the Draft IS/MND. An LMA evaluates the effects of a development project on mobility, access, circulation, and related safety elements in the proximate area of the project and is a separate analysis from evaluating the project's significant VMT impact under CEQA; therefore, no change in the project's significance of VMT impact disclosed in the Draft IS/MND would occur. Since the traffic and queueing increases are minimal under project conditions in the Opening Year 2026 Plus Project PM peak hour scenario, the preparation of a safety analysis is not warranted.

TABLE A QUEUE ANALYSIS RESULTS AT I-5 NB / GENESSEE AVENUE OFF RAMP						
Intersection	Movement	Peak Hour	Opening Year (2026) Queue Length	Opening Year (2026) + Project Queue Length	Net Change In Queue with Project Traffic	
6. Genesee Ave / I-5 NB Ramp	NBL	AM PM	1,113 1,088	1,100 1,121	-13 33	

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A-3 Comment noted. This comment identifies the various transportation improvements that Caltrans supports with the goal of improving safety, access, and mobility. The comment additionally describes the Complete Streets and Climate Change policies which are intended to reduce greenhouse gas emissions and are implemented by Caltrans and aided by City of San Diego coordination. The comment further emphasizes the importance of bicycle, pedestrian, and public transit access during construction and encourages the mitigation of potential impacts to this access.

The project would be required to obtain a Traffic Control Permit from the City of San Diego for construction encroaching into the public right-of-way (ROW), which would include the requirement for preparation and approval of a Traffic Control Plan. The Traffic Control Plan would include measures to maintain bicycle, pedestrian, and public transit access within the project area during construction. This is a standard requirement of the City of San Diego for construction within ROWs and no mitigation is required. No change to the Initial Study/Mitigated Negative Declaration is required.

As discussed in Section 6.14, Transportation, of the Initial Study/Mitigated Negative Declaration, the project proposes to provide the following: an on-site bicycle repair station; five electric bike charging stations/micro-mobility charging stations that would be available to the public; three short-term bicycle parking spaces available to the public (at least 10 percent beyond minimum requirements); twenty-four long-term bicycle parking spaces (at least 10 percent beyond minimum requirements); 3 on-site showers and 11 two-tier lockers; and on-site bike sharing. In addition, the project would implement a parking cash out program to incentivize employees to bike to work. The project would additionally provide the following transit-related features: on-site multi-modal information kiosk in the lobby to encourage alternative transportation options including transit, maintain an employer network in the SANDAG iCommute program and promote its RideMatcher service to tenants/employees, implementation of a parking cash out program to incentivize employees to use public transit, and access to services that reduce the need to drive. The Project would provide an on-site gym (available only to employees), which would reduce the need to drive and encourage walking trips. Therefore, the project would provide multi-modal improvements supporting alternative transportation options that could potentially reduce greenhouse gas emissions compared to single-occupancy vehicular travel.

A-4 Comment noted. This comment identifies the connection between land use policies and local vehicle miles traveled (VMT)/trip generation. The comment further emphasizes the importance of coordination between Caltrans and the City of San Diego to implement “smart growth” land use planning and policies as well as necessary intersection and interchange improvements.

The project would mitigate its significant VMT impact to the extent feasible through the implementation of MM-TRA-1, which would provide VMT reduction measures exceeding the minimum requirements outlined in the Complete Communities: Mobility Choices ordinance and rely on the Findings and Statement of Overriding Considerations of the Complete

Communities: Housing Solutions and Mobility Choices Final PEIR as mitigation to the extent feasible. The project would not require improvements at intersections with joint jurisdiction. However, the City of San Diego will continue to coordinate with Caltrans where applicable. The comment does not address the adequacy of the Initial Study/Mitigated Negative Declaration, and no further response is required.

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A-4 cont. The City should continue to coordinate with Caltrans to implement necessary improvements at intersections and interchanges where the agencies have joint jurisdiction.

Environmental

Caltrans welcomes the opportunity to be a Responsible Agency under the California Environmental Quality Act (CEQA), as we have some discretionary authority of a portion of the project that is in Caltrans' Right-of-Way (R/W) through the form of an encroachment permit process. We look forward to the coordination of our efforts to ensure that Caltrans can adopt the alternative and/or mitigation measure for our R/W. We would appreciate meeting with you to discuss the elements of the Environmental Document that Caltrans will use for our subsequent environmental compliance.

A-5 An encroachment permit will be required for any work within the Caltrans' R/W prior to construction. As part of the encroachment permit process, the applicant must provide approved final environmental documents for this project, corresponding technical studies, and necessary regulatory and resource agency permits. Specifically, CEQA determination or exemption. The supporting documents must address all environmental impacts within the Caltrans' R/W and address any impacts from avoidance and/or mitigation measures.

We recommend that this project specifically identifies and assesses potential impacts caused by the project or impacts from mitigation efforts that occur within Caltrans' R/W that includes impacts to the natural environment, infrastructure including but not limited to highways, roadways, structures, intelligent transportation systems elements, on-ramps and off-ramps, and appurtenant features including but not limited to fencing, lighting, signage, drainage, guardrail, slopes and landscaping. Caltrans is interested in any additional mitigation measures identified for the project's Final Environmental Document.

Sustainability

Caltrans recommends collaboration between our agency and the City of San Diego on the proposed transportation related topics including adaptation strategies to help improve the City's resilience to potential climate change impacts and strategies to reduce VMT, and off-road and on-road greenhouse gas (GHG) emissions.

A-6 Caltrans recognizes that transportation is a leading contributor to GHG emissions in the region and is dedicated to reducing and mitigating transportation related emissions. We recommend collaborating with Caltrans on the following measures such as increasing the use of zero emission vehicles, installing electric vehicle (EV) charging stations, identifying right-of-way areas to be used for carbon sequestration, and complete streets.

A-7 We recommend working with Caltrans on determining the preventative strategies the Caltrans can take to keep roadways operational and ensure their longevity against climate stressors such as increased temperatures, changes in precipitation patterns, wildfire, and flooding. Caltrans recognizes the central role that transportation planning plays in safety and ensuring that when these natural hazards do occur, citizens have a reliable evacuation route.

"Provide a safe and reliable transportation network that serves all people and respects the environment"

A-5 This comment states that an encroachment permit will be required for any work within Caltrans' ROW. However, the proposed project would not require work within the Caltrans' ROW. No change to the Initial Study/Mitigated Negative Declaration is required.

A-6 This comment recommends collaboration between the City of San Diego and Caltrans to develop various adaptation strategies, including improving the City's climate change resilience, reducing VMT, and reducing on- and off-road greenhouse gas emissions. The comment specifically recommends consulting with Caltrans on measures such as zero emission vehicles, electric vehicle charging stations, carbon sequestration opportunities, and complete streets.

As discussed in Section 6.14 of the IS/MND, of the 484 parking spaces that would be provided by the project, 98 stalls would be electric vehicle charging (87 inside the parking garage and 11 outside) and 44 parking spaces would be clean air/low emitting (38 inside the parking structure and 6 outside). Although the project would have a significant VMT impact, the project would mitigate to the extent feasible by providing and maintaining the VMT reduction measures under MM-TRA-1, which would exceed the minimum requirements outlined in the Complete Communities: Mobility Choices ordinance. The project would rely upon the Findings and Statement of Overriding Considerations of the Complete Communities: Housing Solutions and Mobility Choices Final PEIR as mitigation to the extent feasible. The project's connection to the Caltrans climate resilience goals are further discussed in response A-7 below, and greenhouse gas reduction strategies related to the project are further discussed in response A-3 above. The comment does not address the adequacy of the Initial Study/Mitigated Negative Declaration, and no further response is required.

A-7 This comment recommends City of San Diego coordination with Caltrans on developing preventative strategies regarding roadways and transportation planning to increase climate resilience and ensure that reliable evacuation routes are available. The project proposes the replacement of existing office uses with research and development uses and would not impact the longevity or resilience of roadways against climate stressors. In addition, as described in Section 6.7, *Health and Safety*, of the Initial Study/Mitigated Negative Declaration, the project would not result in significant impacts related to emergency evacuation. The comment does not address the adequacy of the Initial Study/Mitigated Negative Declaration, and no further response is required.

Right-of-Way

Per Business and Profession Code 8771, perpetuation of survey monuments by a licensed land surveyor is required, if they are being destroyed by any construction.

Any work performed within Caltrans' R/W will require discretionary review and approval by Caltrans and an encroachment permit will be required for any work within the Caltrans' R/W prior to construction.

A-8

Additional information regarding encroachment permits may be obtained by visiting the website at <https://dot.ca.gov/programs/traffic-operations/ep>. Projects with the following:

- require a Caltrans Encroachment Permit.
- have completed the Caltrans Local Development Review (LDR) process.
- have an approved environmental document.

need to have documents submitted for Quality Management Assessment Process (QMAP) process via email to D11.QMAP.Permits@dot.ca.gov. Early coordination with Caltrans is strongly advised for all encroachment permits.

If you have any questions or concerns, please contact Shannon Aston, LDR Coordinator, at (619) 992-0628 or by e-mail sent to shannon.aston@dot.ca.gov.

Sincerely,

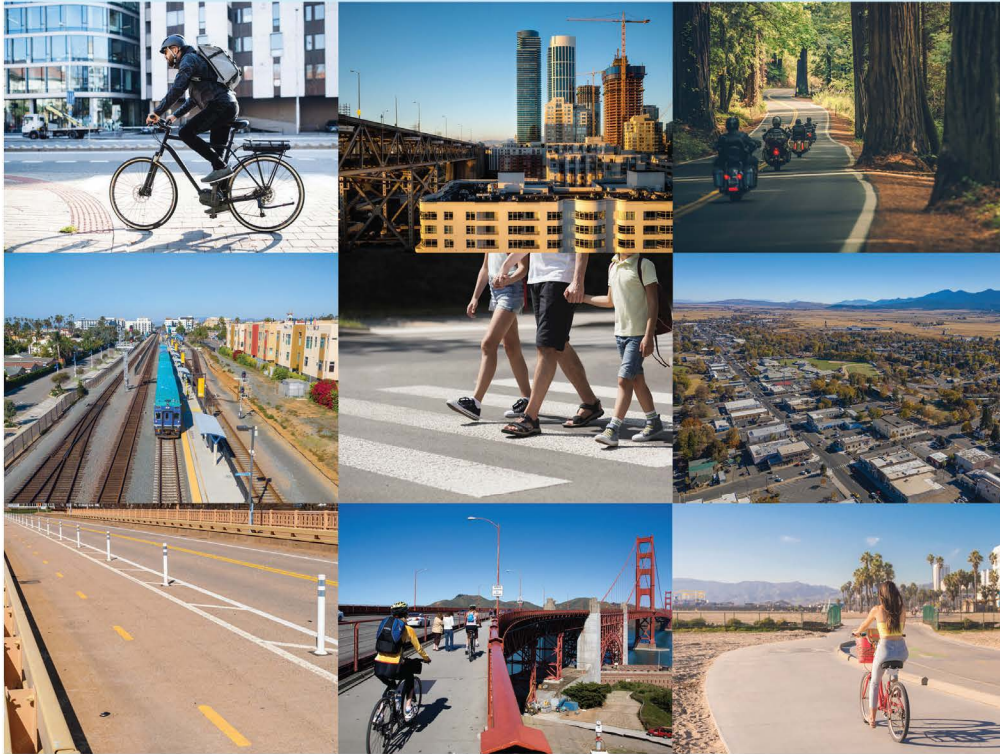
Kimberly D. Dodson

KIMBERLY D. DODSON, GISP
Branch Chief
Local Development Review

Attachment: *Caltrans Local Development (LDR) Safety Review Practitioner's Guidance*

A-8

This comment outlines requirements related to construction within Caltrans' ROW. As discussed in response A-5 above, the project would not involve work within Caltrans' ROW and therefore would not require an encroachment permit or other approval from Caltrans. The comment does not address the adequacy of the Initial Study/Mitigated Negative Declaration, and no further response is required.



February 2024

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LOCAL DEVELOPMENT REVIEW (LDR) SAFETY REVIEW PRACTITIONER'S GUIDANCE

Prepared by the Caltrans Division of Safety Programs

LOCAL DEVELOPMENT REVIEW PROGRAM

**LOCAL DEVELOPMENTAL REVIEW SAFETY
REVIEW PRACTITIONERS GUIDANCE**

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Table of Contents

Safety Review Screening Criteria	1
1. Purpose	1
2. Background	2
3. Scope	4
3.1 Using SHSP Challenge Areas to Determine Safety Review Context	4
3.2 Using Facility Types to Determine Safety Review Context	5
3.3 Additional Factors to Consider When Conducting Safety Reviews	7
3.4 Freeway-Congestion Safety Considerations	8
4. Safety Review Process, Considerations, and Roles	9
4.1 Safety Review Process and Considerations	9
4.2 Roles and Responsibilities	12
5. Process for Conducting Review	13
6. Final Steps/Other Details	16

List of Figures

Figure 1. Safety Review Determination Process	11
Figure 2. Safety Study and Review Process	15

List of Tables

Table 1 Typical CEQA Documents and Associated Comment Periods	4
Table 2 Facility Types, Characteristics, and Focus Areas	5
Table 3 Potential Safety Review Considerations by Relevant SHSP Challenge Areas	18

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List of Acronyms and Abbreviations

Caltrans – California Department of Transportation.....	1, 2, 3, 4, 7, 8, 9, 10, 12, 13, 14, 16
CEQA – California Environmental Quality Act.....	1, 2, 3, 4, 8
CPRA – California Public Records Act.....	13
DD – Deputy Directive.....	2
DP – Director's Policy.....	2
FHWA – Federal Highway Administration.....	2, 3, 14
GHG – Greenhouse Gas.....	4
GTS – Geo-based Tracking System.....	4, 9, 12, 16
HCM – Highway Capacity Manual.....	1
HSIP – Highway Safety Improvement Program.....	2, 10, 14
LDR – Local Development Review.....	1, 2, 3, 4, 7, 8, 9, 10, 11, 13, 14, 16
LOS – Level of Service.....	1, 9
LRSP – Local Roadway Safety Plan.....	2
NEPA – National Environmental Policy Act.....	4
OPR – Governor's Office of Planning and Research.....	4
OTS – Office of Traffic Safety.....	2
SER – Standard Environmental Reference.....	8
SHS – State Highway System.....	1, 2, 3, 4, 7, 8, 9, 12, 13
SSAR – Systemic Safety Analysis Report.....	2
TIA – Transportation Impact Analysis.....	7, 8, 9, 10, 12, 13
TIR – Traffic Investigation Report.....	9, 12, 16
TISG – Transportation Impact Study Guide.....	1, 3
TSB – Traffic Safety Bulletin.....	1
VMT – Vehicle Miles Traveled.....	4, 8
VRU – Vulnerable Road User.....	1, 3, 6, 7, 11

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Safety Review Screening Criteria

Developments are not required to go through a safety review if they meet **both** of the following criteria. Staff can refer to the **LDR Safety Review Screening Guidelines (Appendix E)** for detailed information.

- ☐ The project makes no physical modification in the State Highway System (SHS) right-of-way, and;
- ☐ The project results in zero additional trips by any mode on the SHS.

1. Purpose

This Local Development Review (LDR) Safety Review Practitioners Guidance (Guidance) provides instructions to the California Department of Transportation (Caltrans) personnel who conduct road safety reviews for proposed land use projects and plans affecting the State Highway System (SHS), within the scope of the LDR process. This Guidance replaces the guidance issued in December 2020 as part of the Traffic Safety Bulletin (TSB) #20-02-R1, titled *Interim Local Development Intergovernmental Review Safety Review Practitioners Guidance*.

This Guidance establishes the recommended transportation safety impact review process for Caltrans and lead agencies for evaluating proposed land use projects. While this Guidance is intended to be used for projects affecting the SHS, it can also be used by lead agencies, developers/applicants, and consultants as a model for analyzing the safety impacts of proposed land use projects and plans on local roadways. This Guidance prioritizes vulnerable road users (VRU)¹ and underserved communities; enhances safety for pedestrians, bicyclists, transit, and vehicular modes; and applies both reactive and systemic perspectives.

This Guidance supports the shift away from using Highway Capacity Manual Level of Service (LOS) as a metric of analysis under the California Environmental Quality Act (CEQA), in accordance with implementing *Senate Bill 743*, and complements the "[Vehicle Miles Traveled-Focused Transportation Impact Study Guide](#)" (TISG) (dated May 20, 2020). It is intended that the safety reviews described herein are complementary to the broader LDR process.

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¹ FHWA defines Vulnerable Road Users as non-motorists such as a pedestrian or bicyclist. The full definition can be found here: https://highways.dot.gov/sites/fhwa.dot.gov/files/2022-10/VRU%20Safety%20Assessment%20Guidance%20FINAL_508.pdf

This Guidance aims to improve consistency and transparency of the safety review process, as part of the LDR process, and to facilitate sustainable development while improving safety on the SHS. The safety review process, as part of the LDR Program, is not intended to replace the encroachment permit review process.

2. Background

The Caltrans LDR Program is the conduit for reviewing projects and plans that could impact the SHS. The LDR Program aims to provide recommendations that encourage land use decisions to closely align with state transportation planning priorities, goals, policies, and plans for all land uses, so that these decisions do not impact the safety of the SHS. The LDR Program also evaluates studies and reports related to proposed developments, to ensure they analyze and document impacts, and that mitigation measures or project features avoid or minimize impacts to the SHS.

Caltrans has set a goal to reach zero traffic-related fatalities and serious injuries in California by 2050, which is part of the Federal Highway Administration's (FHWA) nationwide zero fatalities goal. The implementation of safety review into the LDR process will be a key strategy to reducing these collisions. Caltrans encourages lead agencies to develop Local Roadway Safety Plans (LRSPs), Systemic Safety Analysis Reports (SSARs) or Vision Zero Plans that create a framework to systematically identify and analyze traffic safety issues and recommend traffic safety improvements. Caltrans also encourages lead agencies to complete traffic safety impact analyses as part of their CEQA review process.

This Guidance builds off existing Caltrans policy and guidance, such as *Director's Policy 36 (DP-36)* and *Deputy Directive 25 (DD-25)*. DP-36 outlines a vision to eliminate fatalities and serious injuries on California roadways by 2050. DD-25 outlines the purpose and goals of the LDR program.

This Guidance supports the *Strategic Highway Safety Plan (SHSP)* goals and guiding principles. The guiding principles of the SHSP are to Integrate Equity, Double Down on What Works, Accelerate Advanced Technology, and Implement [the Safe System Approach](#). The Guidance demonstrates that Caltrans can:

- Integrate equity into the safety review process by identifying improvements beneficial to underserved populations.

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- Double down on what works by prioritizing countermeasures that have been proved to reduce fatalities and severe injuries.
- Implement advanced technology on roadways where appropriate.
- Support the implementation of the Safe System Approach (SSA) in the safety review process by promoting a proactive safety process and emphasizing that safety is the responsibility of both roadway owners and users.

Working in conjunction with other statewide safety plans such as the *Highway Safety Improvement Program (HSIP)*, the *California Office of Traffic Safety (OTS) Highway Safety Plan*, and the *Commercial Vehicle Safety Plan*, the SHSP provides guidance that will influence the development of goals, strategies, and performance measures for stakeholders working to improve safety throughout California, with a goal to reduce traffic fatalities to zero. The Guidance supports Section 1.2 of the TISG by providing clarity on how to perform safety analysis in a transportation impact analysis. These LDR guidelines address how to increase safety for VRUs through Proven Safety Countermeasures.²

The LDR Program focuses on projects in which Caltrans serves as a reviewing or commenting agency and is not the lead approval entity. Caltrans, through LDR, is a Responsible or Commenting Agency for CEQA and National Environmental Policy Act (NEPA). Many proposals can directly or indirectly impact the SHS even if the proposed activity, project, or plan is several miles from a state facility. Off-system projects of Statewide, Regional, or Areawide Significance (See CEQA Section 15026), can impact the SHS as well as generate additional vehicle miles traveled (VMT) and increase greenhouse gas (GHG) emissions. Agencies overseeing the development of these projects submit documentation to Caltrans directly or, if acting under CEQA, via the Governor's Office of Planning and Research (OPR) State Clearinghouse website, which regularly notifies Responsible or Commenting State Agencies via email. Project information may include environmental documents, land use plans, public notices, and other CEQA/NEPA and non-CEQA/NEPA documents. **Table 1** shows some example CEQA documents often involved with the LDR process and their timelines for review.

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² Caltrans' Proven Safety Countermeasures can be found here: <https://dot.ca.gov/programs/safety-programs/proven-safety-countermeasures>. FHWA's Proven Safety Countermeasures can be found here: <https://highways.dot.gov/safety/proven-safety-countermeasures>

Table 1 Typical CEQA Documents and Associated Comment Periods

Document	Comment Period
Initial Study (IS)	30-day
Notice of Preparation (for DEIR)	30-day
Negative Declaration (ND)	20-to-30-day (as specified)
Environmental Impact Report (EIR)	30-to-60-day (as specified)

Caltrans' Division of Transportation Planning maintains a centralized statewide database known as the Geo-based Tracking System (GTS) that maps and stores local development projects, plans, documents, and staff recommendations.

3. Scope

The scope of the safety review is dependent on multiple factors, including the type of state highway facility affected and the relative impact of the development to the SHS. The level of impact can vary according to the proximity, scale, type of development, amount of multimodal traffic using or crossing the state facility or through direct modification of state facilities to accommodate new access, new traffic patterns, or increased traffic volume. The land use context of the facility also impacts the likely mode splits and types of conflict that will probably be introduced. The following sections outline how to use Caltrans safety challenge areas and facility types to determine the context of the safety review.

3.1 Using SHSP Challenge Areas to Determine Safety Review Context

As part of the SHSP, Caltrans has identified several safety challenge areas statewide that the Caltrans district traffic safety reviewer should consider when conducting a safety review.

The following six challenge areas were identified as high priorities in California as they represent the greatest opportunity to reduce fatalities and severe injuries:

- Lane Departures
- Impaired Driving
- Speed Management
- Pedestrians
- Bicyclists
- Intersection

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The Caltrans district traffic safety reviewer should be familiar with the safety challenge areas, and the current and past initiatives related to those SHSP challenge areas. The *California SHSP Action Tracking Tool* is available for Caltrans staff to review the monitoring program results of the current statewide safety initiatives. The table titled "Potential Safety Review Considerations by SHSP Challenge Area" on page 18 of **Appendix A** outlines potential factors that safety reviewers consider depending on roadway and local area context, organized by SHSP challenge area. Not all considerations will be appropriate for all projects and locations.

3.2 Using Facility Types to Determine Safety Review Context

The type of facility can be used to determine the context of the review. The focus areas listed in **Table 2** are not intended to limit the appropriate scope of a context sensitive safety review, but to set an expectation of the most probable impacts to a given type of facility. **Table 2** summarizes the different facility types, relevant characteristics, and areas of focus during a safety review along the specific facility types. Special attention should be paid at all locations to the impacts of pedestrians, bicyclists, and transit users. Where possible, the facilities utilized by these groups should be maintained or improved.

Table 2 Facility Types, Characteristics, and Focus Areas

Facility Type	Relevant Characteristics	Safety Review Focus Areas
Rural two-lane conventional highways	Higher speeds with lower volumes, likely do not have significant bicycle or pedestrian volumes	Speed control, access management (driveways, intersections, and roundabouts), prevention of lane departures via alignment standards or delineation/signing, roadside clear recovery zone concepts, and providing rural area appropriate accommodations for bicycles and pedestrians
Suburban or urban conventional highways that may include a center two-way left-turn lane	Higher volumes and may include more multimodal traffic	Speed management, access management, accommodations for bicycles and pedestrians, traffic control devices (driveways/intersections/roundabouts), and conflict avoidance

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Facility Type	Relevant Characteristics	Safety Review Focus Areas
Expressways that have been built for higher speeds and higher traffic volumes	Often accommodate bicycles and pedestrians, these facilities have high levels of traffic stress and are not comfortable for VRUs	Access management (acceleration/deceleration lanes or ramps), traffic control devices, conflict avoidance, appropriate speed control, and safer accommodation for bicycles and pedestrians, particularly at crossings
Rural multi-lane conventional highways	High volumes and high speeds	Speed management, access management (intersections and roundabouts), prevention of lane departures via alignment standards or delineation/signing, roadside clear recovery zone concepts, and providing rural area appropriate accommodations for bicycles and pedestrians, particularly at crossings
Multi-lane suburban and urban conventional highways	Higher speeds and will also include bicycle and pedestrian amenities	Speed management, accommodations for bicycles and pedestrians, traffic control devices (intersections and roundabouts), and conflict avoidance, particularly at intersections and driveways
Rural divided conventional highways (with separate alignments)	These highways often operate similarly to expressways	Access management (intersections, driveways, and roundabouts), conflict avoidance, appropriate speed control, and safer accommodation for bicycles and pedestrians, particularly at crossings
Urban divided conventional highways (with separate alignments)	Typically operate at lower speeds than rural counterparts but faster than other urban corridors	Speed management, accommodations for bicycles and pedestrians, traffic control devices (intersections and roundabouts), and conflict avoidance, particularly at intersections and driveways

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Facility Type	Relevant Characteristics	Safety Review Focus Areas
Limited access freeway facilities	Designed to operate as free-flowing traffic at high speed, some freeways do permit bicycle and pedestrian access due to the lack of alternative routes, these facilities are not designed to be multimodal facilities	Points of controlled access (ramps), conflict avoidance (weaving, entering, existing maneuvers, ramp crossings), correlation between collisions and design standards such as widths and alignment, where appropriate, separation of VRUs users from vehicular traffic, and prevention of wrong-way driving

3.3 Additional Factors to Consider When Conducting Safety Reviews

The specific impact of developments to the SHS can also be determined by reviewing the following:

- Proximity of the development to the state highway facility.
- The number of multimodal trips added to the state highway facility or multimodal trips that need to cross the facility as the result of the development.
- The number of automobiles, heavy vehicles (trucks), bicycle, and pedestrian trips added to the state highway facility.
- Modification of access (including driveways and street parking), control, capacity, traffic patterns, or lane configuration to state highway facilities.
- Number of conflict points created or removed due to the development.

If an SHS facility is studied as part of a development's Transportation Impact Analysis (TIA), then a safety review is part of the LDR process and district Traffic Safety will be one of the functional reviewers.

If the initial TIA submitted to Caltrans by the developer does not include a safety analysis that provides the necessary information or considerations, the district LDR coordinator should request a safety analysis be included in the TIA, before completing the LDR review process.

Due to the varied nature of development, the difficulty of separating existing safety performance from that caused by development-related traffic, and the specific contexts of facilities across the state, there is no defined threshold of

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significance for assessing safety impacts. Instead, at the TIA scoping meeting, the developer/applicant, local agency, and safety reviewer must determine what safety mitigations are required through a reasonable and realistic review of the actual impacts each development will have on the SHS. The significance of impacts should be determined with careful judgment on the part of a public agency and based, to the greatest extent possible, on scientific and factual data consistent with Caltrans' CEQA guidance contained in Caltrans' Standard Environmental Reference (SER), Chapter 36, "Environmental Impact Report," the CEQA guidelines found in the California Code of Regulations, Title 14, Division 6, Chapter 3, Article 5, Section 15064(f), "Determining the Significance of the Environmental Effects Caused by a Project.", the California Association of Environmental Professionals CEQA Statute & Guidelines document, and the Highway Design Manual.

Automobile congestion or delay itself does not constitute a significant environmental impact (Public Resources Code, §21099(b)(2)), and traffic safety should not be used as a proxy for road capacity.

3.4 Freeway Congestion Safety Considerations

Freeway congestion-related crashes should not be the focus of the LDR safety review. The intent of the Guidance is to provide an outline for when queuing should be reviewed for traffic safety impacts. A review does not necessitate the need for traffic safety mitigation but is to evaluate whether a significant safety impact based on speed differential may occur. Subsequently, the significance of that traffic safety impact by the project must be determined on a case-by-case basis. The Guidance recognizes the fluid nature of freeway exit ramp queuing, and the difficulty in developing a nexus to any one project.

When there are potential safety impacts, Traffic Operations may perform or review a freeway queuing analysis, pursuant to **Appendix B**. If a potential safety impact is identified, Traffic Operations will bring it to the attention of the Safety Reviewer. See **Appendix B**, "Freeway Exit-Ramp Queuing Analysis," for additional information based on the City of Los Angeles Interim Guidance for Freeway Safety Analysis.

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4. Safety Review Process, Considerations, and Roles

4.1 Safety Review Process and Considerations

When the safety reviewer uses engineering judgement to determine that no safety review is necessary, the safety reviewer will document why the safety review is not needed in the GTS and the Type IR TIR (if one is opened). This documentation should specify the reason why the safety review is not needed. Refer to Safety Review Screening Criteria previously mentioned in this Guidance.

If a safety review is determined to be necessary during the initial scoping review, the safety reviewer will provide a request and scope to the district LDR coordinator for the safety analysis to be included in the TIA and will provide the requested safety analysis procedure. This includes the application form for the developer to request the appropriate Caltrans safety database information to conduct their analysis. The district LDR coordinator will forward the requested information to the lead agency or developer/applicant. The Caltrans Safety Data Request form can be found in **Appendix C**. Requesting additional information for safety reviews does not stop the clock on the CEQA review timeframe that is set by the local agency.

In some cases, Caltrans may not require a safety analysis to be completed by the developer/applicant, and in such cases, district staff may conduct the safety analysis. The process for developing a safety analysis is included in **Appendix D**.

The developer/applicant would complete its TIA including the appropriate safety study, and work with the local agency to submit it to the Caltrans LDR team for review.

The safety reviewer will first determine that the safety analysis was conducted according to the requested scope, and if not, will request updated information as appropriate. If the study was conducted according to the requested scope, the review team will verify that the analysis findings are correct and consistent with the inputs and proposed project elements. The reviewer will also compare the proposed development plan to existing Caltrans and local safety plans for consistency and best practices.

The district safety reviewer should use the latest HSIP Guidelines from Caltrans Division of Safety Programs to identify existing safety issues. Existing traffic safety issues on the SHS should be investigated via Type O investigation for resolution by Caltrans. Locations with existing safety issues that may be affected by the proposed development project should be reviewed for additional or alternate safety improvements to mitigate the increased conflicts.

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Mitigation strategies for these safety impacts should not be vehicular capacity-increasing. Mitigations should not prioritize vehicle operations over pedestrian and bicycle safety. Other mitigation strategies should not degrade safety, mobility, or accessibility for VRUs.

If significant safety impacts are identified in the TIA, the reviewer will evaluate the proposed mitigations to ensure consistency with current best practices, and that they are appropriately addressing the safety impact. For mitigation to be appropriate, the reviewer must identify a direct causal connection between the project and the impact.

The safety reviewer will then work with the LDR coordinator to incorporate any comments or requests into a response

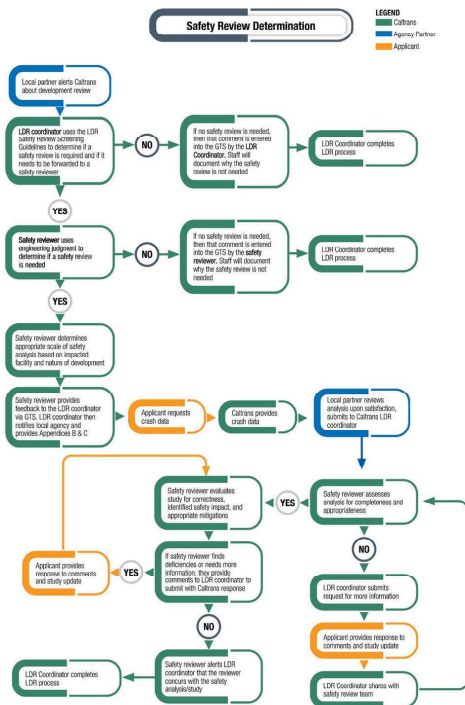
letter from Caltrans to the lead agency.

The safety review determination process is shown in **Figure 1**.

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LDR SAFETY REVIEW PRACTITIONER'S GUIDANCE

Figure 1. Safety Review Determination Process



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4.2 Roles and Responsibilities

The roles and responsibilities for each party involved in the safety review process are outlined below.

The Caltrans district LDR coordinator is responsible for the following activities:

- Serve as primary point of contact with lead agency and developer/applicant as necessary. Tasks include scheduling meetings, requests for additional information, and other general correspondence
- Use the Safety Review Screening Criteria to determine if the proposed project needs to be forwarded to the safety reviewer
- Request that a safety analysis be performed, if the safety reviewer determine that it is needed, and if not included in the initial submittal
- Shares submitted materials with safety review team to receive a determination if a safety review is needed
- Provide a letter on Caltrans letterhead with scope of required safety review methodology to the lead agency and developer/applicant
- Provide a request form for Caltrans safety crash data summary (Appendix C) to the local agency to forward to the developer/applicant
- Provide safety reviewer's comments/recommendations to the lead agency

The safety reviewer is responsible for the following activities:

- Consult with Traffic Operations, Planning, and/or Design and Maintenance when pertinent to consider access management, intersection controls, capacity, travel patterns, or lane configuration on state highway facilities
- Review existing Caltrans and local safety plans for consistency and best practices, use Caltrans' latest HSIP Guidelines from the Division of Safety Programs to identify existing safety issues
- Determine if safety analysis is required and define the scope of the safety analysis
- Review safety analysis as it relates to the SHS, evaluate proposed mitigation(s) for appropriateness in addressing the safety concern(s) and for compliance with best practices

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- Provide Caltrans safety database crash data summary for safety analysis to the LDR coordinator upon receiving a completed request form in Appendix C and a California Public Records Act (CPRA) request if required
- Review whether Caltrans safety database information was interpreted correctly in the TIA
- Review Caltrans current and proposed projects for any planned safety improvements in the project area
- Review the projected safety impacts for consistency with engineering standards
- Compile the results of the safety analysis into a Traffic Investigation Report (TIR) and send comments/recommendations to the district LDR coordinator for the project, via GTS

Traffic Operations is responsible for the following activities:

- Review or perform needed operational analyses (e.g., freeway exit-ramp and/or intersection queuing analysis)
- Collaborate with Planning and safety reviewer regarding access management, intersection controls, capacity, travel patterns, or lane configuration on state highway facilities

The developer/applicant is responsible for the following activities:

- Request Caltrans crash data summary for the involved SHS facilities
- Conduct a transportation impact analysis that includes a safety review

The Lead agency is responsible for the following activities:

- Determine that the safety analysis complies with local requirements
- Review overall analysis and trip generation and VMT estimates
- Ensure the project is consistent with the lead agency's current plans and local growth priorities

5. Process for Conducting Review

The LDR coordinator will work with the safety reviewer to assess the potential safety impact of the project, and whether a safety review is needed. If it appears that a safety review will be needed, the safety reviewer completes a Phase 1 screen (see **Figure 2**).

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A Phase 1 screen includes the following steps:

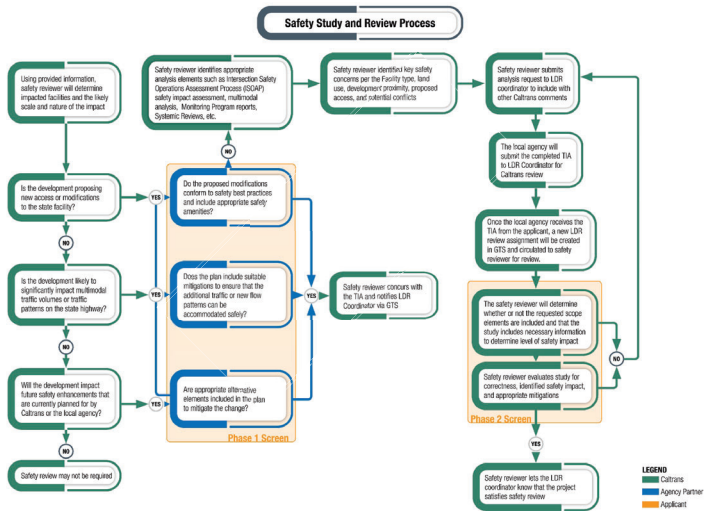
- Check if the proposed modifications conform to safety best practices and include appropriate safety countermeasures
- Determine if the plan includes suitable mitigations to address the safety impacts

The Phase 1 screening aims to provide any initial suggestions that would make the development more likely to meet safety goals (such as reducing fatalities, serious injuries, and conflicts with pedestrians and bicyclists). If the project appears to not have the necessary considerations to manage safety risks, the safety reviewer will define the scope and recommend a safety analysis process (as shown in **Appendix D**) to include with Caltrans' response. Upon receipt of the completed TIA with the recommended safety analysis, the safety reviewer will conduct a Phase 2 screen (see **Figure 2**).

The Phase 2 screen assesses the completeness, correctness, and appropriateness of the study's proposed safety mitigations. Safety data used in this process can be from Caltrans safety database data, results from the Monitoring Program and Table C/Wet Table C Reports, or any systemic review of the area or facility (such as a Local Road Safety Plan or District Safety Plan). Safety reviewers can refer to the Caltrans State Highway Safety Improvement Program (HSIP) Guidelines and *FHWA Proven Safety Countermeasures* for current safety countermeasures for appropriate mitigations/alternatives. **Figure 2** outlines the LDR safety review process.

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Figure 2. Safety Study and Review Process



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6. Final Steps

Once the safety review process has been completed, the methods and results of the safety analysis are documented in the Type IR TIR, after which the recommendations are submitted to the district LDR coordinator via GTS. The safety reviewer will assist the district LDR coordinator with incorporating safety-related comments into the comment letter that will be sent to the lead agency.

Satisfactory completion of the LDR review process, including this safety review, is required before Caltrans issues encroachment permits to the developer/applicant or its contractors.

Caltrans will evaluate the LDR review process and Type IR investigations guidance in 2026 to determine if additional updates are needed.

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Appendix A

Potential Safety Review Considerations by Strategic Highway Safety Plan (SHSP) Challenge Area

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Table 3 Potential Safety Review Considerations by Relevant SDTP Challenge Areas

Facility Access	SDTP Challenge Area	Mode	Mode Goal	Vehicle Issue	Traffic Control	Traffic Volume	New Considerations
	Accessibility for all modes of transportation, including those with disabilities, and those who are unable to drive. Consider design and construction details that may impact accessibility, such as the location of the entrance and the width of the entrance.	Public and non-public transit (TTC and TTC) and other modes of transportation, including those with disabilities.	Will the project provide or enhance the ability of all modes to access the site?	When design details or details of the site affect vehicle speed or ability to stop, consider the impact on accessibility.	Accessibility to all modes of transportation, including those with disabilities. Consider the location of the entrance and the width of the entrance. Consider the location of the entrance and the width of the entrance.	Is there sufficient capacity for bicycles?	Will new vehicle patterns (one-way, one-way, one-way) impact or enhance accessibility?
	Reduce the number of high-speed vehicles and the number of high-speed vehicles. Consider design and construction details that may impact accessibility, such as the location of the entrance and the width of the entrance.	Public and non-public transit (TTC and TTC) and other modes of transportation, including those with disabilities.	Interactions with existing traffic, including those with disabilities.	Consider design details or details of the site that affect vehicle speed or ability to stop.	Consider design details or details of the site that affect vehicle speed or ability to stop.	Is there sufficient capacity for bicycles?	Will new vehicle patterns (one-way, one-way, one-way) impact or enhance accessibility?
	Accessibility to all modes of transportation, including those with disabilities, and those who are unable to drive. Consider design and construction details that may impact accessibility, such as the location of the entrance and the width of the entrance.	Public and non-public transit (TTC and TTC) and other modes of transportation, including those with disabilities.	Interactions with existing traffic, including those with disabilities.	Consider design details or details of the site that affect vehicle speed or ability to stop.	Consider design details or details of the site that affect vehicle speed or ability to stop.	Is there sufficient capacity for bicycles?	Will new vehicle patterns (one-way, one-way, one-way) impact or enhance accessibility?
	Accessibility to all modes of transportation, including those with disabilities, and those who are unable to drive. Consider design and construction details that may impact accessibility, such as the location of the entrance and the width of the entrance.	Public and non-public transit (TTC and TTC) and other modes of transportation, including those with disabilities.	Interactions with existing traffic, including those with disabilities.	Consider design details or details of the site that affect vehicle speed or ability to stop.	Consider design details or details of the site that affect vehicle speed or ability to stop.	Is there sufficient capacity for bicycles?	Will new vehicle patterns (one-way, one-way, one-way) impact or enhance accessibility?
	Accessibility to all modes of transportation, including those with disabilities, and those who are unable to drive. Consider design and construction details that may impact accessibility, such as the location of the entrance and the width of the entrance.	Public and non-public transit (TTC and TTC) and other modes of transportation, including those with disabilities.	Interactions with existing traffic, including those with disabilities.	Consider design details or details of the site that affect vehicle speed or ability to stop.	Consider design details or details of the site that affect vehicle speed or ability to stop.	Is there sufficient capacity for bicycles?	Will new vehicle patterns (one-way, one-way, one-way) impact or enhance accessibility?
	Accessibility to all modes of transportation, including those with disabilities, and those who are unable to drive. Consider design and construction details that may impact accessibility, such as the location of the entrance and the width of the entrance.	Public and non-public transit (TTC and TTC) and other modes of transportation, including those with disabilities.	Interactions with existing traffic, including those with disabilities.	Consider design details or details of the site that affect vehicle speed or ability to stop.	Consider design details or details of the site that affect vehicle speed or ability to stop.	Is there sufficient capacity for bicycles?	Will new vehicle patterns (one-way, one-way, one-way) impact or enhance accessibility?
	Accessibility to all modes of transportation, including those with disabilities, and those who are unable to drive. Consider design and construction details that may impact accessibility, such as the location of the entrance and the width of the entrance.	Public and non-public transit (TTC and TTC) and other modes of transportation, including those with disabilities.	Interactions with existing traffic, including those with disabilities.	Consider design details or details of the site that affect vehicle speed or ability to stop.	Consider design details or details of the site that affect vehicle speed or ability to stop.	Is there sufficient capacity for bicycles?	Will new vehicle patterns (one-way, one-way, one-way) impact or enhance accessibility?
	Accessibility to all modes of transportation, including those with disabilities, and those who are unable to drive. Consider design and construction details that may impact accessibility, such as the location of the entrance and the width of the entrance.	Public and non-public transit (TTC and TTC) and other modes of transportation, including those with disabilities.	Interactions with existing traffic, including those with disabilities.	Consider design details or details of the site that affect vehicle speed or ability to stop.	Consider design details or details of the site that affect vehicle speed or ability to stop.	Is there sufficient capacity for bicycles?	Will new vehicle patterns (one-way, one-way, one-way) impact or enhance accessibility?

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Appendix B

Freeway Exit-Ramp Queuing Analysis

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If the Project adds two or more car lengths to the ramp queue that will extend into the freeway mainline, then the location must be reviewed for traffic safety impacts. This review must evaluate speed differential between the off-ramp queue and the mainline of the freeway during the same period.

The review for traffic safety impacts is needed to determine if traffic safety mitigation is necessary. Not all instances of freeway off-ramp queueing require traffic safety mitigation.

Traffic safety mitigation shall not be requested under conditions where queuing already exists on a freeway exit ramp. This includes:

- Conditions where freeway exit-ramp queuing currently extends onto the mainline;
- Where queuing currently exceeds the length of a freeway auxiliary lane; or
- Where freeway traffic volumes currently cause freeway exit ramp turning lanes to exceed capacity.

Traffic safety mitigation may be requested if freeway exit ramp queuing does not occur under the existing condition, but project-generated traffic volumes will cause a queue to extend onto the freeway mainline, creating a speed differential of 30 mph or greater. Speed differentials in congestion related rear-end collisions that are 30 mph or greater have shown the potential to increase severe injury and fatal injuries exponentially as the speed differential increases above the 30-mph threshold³.

The speed differential should be determined by identifying the operating speed of the freeway mainline lanes during the corresponding period during which the ramp is expected to experience project-related queue overflow. To determine the speed differential using a data-based approach, Caltrans Performance

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³ Current Understanding of the Effects of Congestion on Traffic Accidents, Angus Eugene Retallack and Bertram Ostendorf, 2019, and Relationships Between Crash Casualties and Crash Attributes, SAE International, 1997.

Measurement System (PeMS) data should be used to identify freeway operating speed(s) during the applicable period.

If reliable PeMS data are not available for the subject location(s), other sources of speed data including location-based data collection services from available sources could be used. If no reliable data can be obtained to determine speed differentials, then no traffic safety impact mitigation shall be requested.

If the speed differential between the mainline lane speeds and the ramp traffic is less than 30 mph, the project would be considered to cause a less-than-significant safety impact and no traffic safety impact mitigation shall be requested.

If the speed differential is 30 mph or more, then there is a potential safety impact. To offset this potential condition, the traffic safety review should consider requesting the following preferred traffic safety impact mitigation strategies:

- Transportation demand management program(s) to reduce the project's trip generation, which may include increased transit access, commute trip reductions such as rideshare programs, shared mobility facilities (bicycle or vehicular), increased bicycle and pedestrian infrastructure;
- Investments to existing active transportation infrastructure, or transit system amenities (or expansion) to reduce the project's trip generation; and/or
- Potential change(s) to the ramp terminal operations including, but not limited to lane reassignment, traffic signalization, signal phasing or timing modifications, turn lane extensions to accommodate the additional project traffic.

These traffic safety mitigations require Caltrans and the lead agency to coordinate early in the LDR process to discuss options, potential traffic safety mitigation, and agreement between Caltrans and the lead agency of the proposed traffic safety impact mitigation measure(s).

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Appendix C

Caltrans Safety Data Request Form

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Crash Data on State Highway System Request Form

Please complete this form to request crash data on the State Highway System (SHS):

1. Internal requesters shall submit this form to the respective District Traffic Safety Office.
2. External requesters WORKING with Caltrans on SHS projects shall submit this form to Caltrans Engineers assigned to the projects or to the appropriate Caltrans District Public Information Office.
3. External requesters NOT WORKING on SHS projects may submit this form with a CPRA request. It is highly recommended to provide the necessary information on the form for Caltrans to process the request promptly. CPRA link: https://caltrans.mycusthelp.com/WEBAPP/_js/IS/h2vg4gltvs3zld55xuxlqsdj//support/home.aspx

Per Caltrans' records retention policy for Traffic Safety and Traffic Accident Surveillance and Analysis System, crash data is only available for the most recent 10 complete calendar years plus the current year.

Requester Information:

Date Requested:		
Name	Title	Division/Office:
Address	Phone	Email

Crash Data Requested: Use the space below to describe your request and the basic data element desired. Data will be provided in PDF format only.

Request Date Range:		☐ Crash Count (# of crashes) ☐ Crash Rate
Start Date:	End Date:	
☐ 1 year ☐ 3 years ☐ 5 years ☐ 10 years or Other (specify):		
Severity Level:		
☐ All or: ☐ Fatal ☐ Serious Injury ☐ Minor Injury ☐ Possible Injury ☐ PDO		
How data will be used (include any federal or state program):		
☐ DSDD or Other (specify):		
Project EA# (if available):		
Location Description (*please include District, County, Route and Postmile info or lat/long): Location Tool Link: https://postmile.dot.ca.gov/PMQT/PostmileQueryTool.html#		

*If a request is for multiple locations, a separate listing can be attached to the form if needed.

If you have questions using this form, please contact crash.requests@dot.ca.gov

Last Modified: 12/1/22

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Appendix D

Safety Analysis Process

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LDR SAFETY REVIEW PRACTITIONER'S GUIDANCE



SAFETY ANALYSIS PROCESS



Step 1: Data Collection

Crash Data:

3-5 years of most recent data including study areas crashes, injuries, and fatalities. This data set should include crash rates.

Volume:

Current multimodal volume on the study corridor. This should include crossing counts for bicycle, pedestrians, and a mode split breakdown.

Monitoring Reports:

This should check if the study segment or intersections have been flagged in safety monitoring reports. If so, note what issues and recommendations have been identified.



Step 2: Existing Conditions

Crash Rates:

Number of Crashes per Million Vehicle Miles Traveled



Number of Injuries per Million Vehicle Miles Traveled



Number of Fatalities per Million Vehicle Miles Traveled

Current Plans:

Identify any improvements from the Local Roadway Safety Plan (LRSP) or other relevant plans. Check for alternate corridor concepts in the TCR.

Known Deficiencies:

Identify facilities safety needs as noted in reference plans.



Step 3: Project Assessment

Volume:

Note expected changes in multimodal volume that would be caused by the project.

Mode Split:

Identify changes in mode split that the project is expected to make.

Physical Changes:

Identify proposed modifications to the State Facility.



Step 4: Impact Assessment

Crash Rates:

Will overall rates of injury/fatal crashes increase with proposed project? Safety reviewers can reference the TASAS rate group ADT.

Modal or Vehicle Conflicts:

Will new traffic flows introduce new, or exacerbate existing conflicts between vehicles, pedestrians, and bicycles? Will the project create new unprotected vehicle movement across the State Facility?

Standards:

Are proposed changes inclusive of appropriate safety enhancements and consistent with current design standards?



Step 5: Mitigations

Site Layout and Access:

Are there alternative access and layout opportunities that could reduce a conflict and collision potential for vehicles, bicycles, and pedestrians?

Off-Site Improvements:

Are additional off-site improvements that would help site-related traffic get to and from the site more safely for all road users?

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Appendix E

Safety Review Screening Guidelines

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Local Development Review (LDR) Safety Review Screening Guidelines

Document Purpose

The purpose of this document is to guide LDR staff in screening a project that is subject to an LDR to determine if it needs to be forwarded to the safety reviewer. LDR staff should obtain project information from the lead agency and applicant and review the criteria below to determine if a safety review is required. The decision whether a safety review is needed and reasoning behind the decision should be recorded in the LDR Geo-based Tracking System (GTS).

Safety Review Screening Criteria

Developments are not required to go through a safety review if they meet **both** of the following criteria:

- ❑ The project makes no physical modification in the State Highway System (SHS) right-of-way
 - Examples of physical modifications to the SHS right-of-way can include:
 - Installation of driveways, intersections, roundabouts, or other access points onto the SHS right-of-way
 - Installation of bicycle or pedestrian infrastructure on the SHS right-of-way
 - Installation of features such as signage, buildings, utility structures, or foliage on the SHS right-of-way
- ❑ The project results in zero additional trips by any mode on the SHS (Utility projects, underground infrastructure, etc.)
 - This criterion should not only consider vehicle trips, but also trips made by pedestrians, bicyclists, and transit users
 - The project is not expected to need a transportation impact review process or does not produce any new trips

If the project meets both criteria above, the LDR coordinator may not need to route the document to the traffic safety reviewer. The LDR coordinator should document this decision and process in the GTS with supporting documentation.

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If the project does not meet both criteria above, the LDR coordinator should consult with the safety reviewer to determine the extent of the required safety review. The LDR coordinator should document this decision and process in the GTS with supporting documentation.

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City staff response(s) to the California Department of Toxic Substances Control comment(s)
letter for the 11011 Torreyana Road project, PRJ-1058759

SENT VIA ELECTRONIC MAIL

August 8, 2024

Dawna Marshall
Senior Planner
City of San Diego
1222 1st Avenue
San Diego, CA 92101
DLMarshall@sandiego.gov

RE: MITIGATED NEGATIVE DECLARATION FOR THE 11011 TORREYANA ROAD
DATED AUGUST 1, 2024, STATE CLEARINGHOUSE NUMBER [2019060003](#)

Dear Dawna Marshall,

B-1

The Department of Toxic Substances Control (DTSC) reviewed the Mitigated Negative Declaration (MND) for the 11011 Torreyana Road project (project). The project proposes the demolition of a 76,694 square foot existing building, above-ground parking structure, and auxiliary buildings to construct a 152,080 square-foot building and four levels of subterranean parking garage with approximately 440 parking spaces and 44 surface parking spaces. Various site improvements would also be constructed that include associated surface parking, hardscape, and landscape.

B-2

DTSC recommends and requests consideration of the following comments:

1. DTSC recommends that all imported soil and fill material should be tested to assess any contaminants of concern meet screening levels as outlined in [DTSC's Preliminary Endangerment Assessment \(PEA\) Guidance Manual](#). Additionally, DTSC advises referencing the [DTSC Information Advisory Clean](#)

- B-1** These are introductory comments from the Department of Toxic Substances Control (DTSC) which reference various project details. The comment does not address the adequacy of the Initial Study/Mitigated Negative Declaration, and no response is required.
- B-2** Comment noted. This comment recommends that the project adhere to the DTSC's screening level guidance for contaminants of concern and DTSC information on imported fill material during project implementation. As discussed in Section 3, *Project Description*, of the Initial Study/Mitigated Negative Declaration, grading is estimated to require 117,500 cubic yards (CY) of cut and 5,400 CY of fill, for a total export quantity of 112,100 CY. There will be no import of soil. Grading activities would be required to comply with applicable regulations and engineering standards regarding imported soil and fill material, including the requirements listed by the DTSC in this comment. As discussed in Section 6.7, *Health and Safety*, of the Initial Study/Mitigated Negative Declaration, in the event of an accidental release during construction, containment and clean up procedures would be in accordance with applicable regulatory requirements, including the requirements listed by the DTSC in this comment. The comment does not address the adequacy of the Initial Study/Mitigated Negative Declaration, and no further response is required.

B-2
cont.

[Imported Fill Material Fact Sheet](#) if importing fill is necessary. To minimize the possibility of introducing contaminated soil and fill material there should be documentation of the origins of the soil or fill material and, if applicable, sampling be conducted to ensure that the imported soil and fill material are suitable for the intended land use. The soil sampling should include analysis based on the source of the fill and knowledge of the prior land use. Additional information can be found by visiting [DTSC's Human and Ecological Risk Office \(HERO\) webpage](#).

B-3

2. If buildings or other structures are to be demolished on any project sites included in the proposed project, surveys should be conducted for the presence of lead-based paints or products, mercury, asbestos containing materials, and polychlorinated biphenyl caulk. Removal, demolition, and disposal of any of the above-mentioned chemicals should be conducted in compliance with California environmental regulations and policies. In addition, sampling near current and/or former buildings should be conducted in accordance with [DTSC's PEA Guidance Manual](#).

B-4

DTSC appreciates the opportunity to comment on the MND for the 11011 Torreyana Road project. Thank you for your assistance in protecting California's people and environment from the harmful effects of toxic substances. If you have any questions or would like any clarification on DTSC's comments, please respond to this letter or via [email](#) for additional guidance.

Sincerely,



Dave Kereazis
Associate Environmental Planner
HWMP-Permitting Division – CEQA Unit
Department of Toxic Substances Control
Dave.Kereazis@dtsc.ca.gov

- B-3** This comment recommends that prior to the demolition of any buildings or structures during project implementation, surveys be conducted for the presence of hazardous materials. The comment additionally outlines DTSC guidance for the removal of hazardous materials. The project would demolish approximately 76,694-square feet of building and parking garage space at the site, which has the potential to contain lead-based paint and/or asbestos containing materials. Prior to demolition of these structures, an asbestos and lead survey would be conducted on the project site by a licensed asbestos/lead contractor. Should the survey identify hazardous building materials, the project applicant would be required to complete the necessary remediation identified in the survey prior to the commencement of demolition activities in accordance with applicable laws, including Occupational Safety and Health Administration guidelines, to ensure that no hazards to the demolition crew, nearby building occupants, or others are created by exposure to hazardous building materials. This is a standard regulatory requirement of the City and no mitigation is required. No change to the Initial Study/Mitigated Negative Declaration is required.
- B-4** These are concluding comments and do not address the adequacy of the Initial Study/Mitigated Negative Declaration. No further response is required.

Dawna Marshall
August 8, 2024
Page 3

cc: (via email)

Governor's Office of Planning and
Research State Clearinghouse
State.Clearinghouse@opr.ca.gov

Tamara Purvis
Associate Environmental Planner
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San Diego County Archaeological Society, Inc.

Environmental Review Committee

August 12, 2024

City staff response(s) to the San Diego County Archaeological Society, Inc. comment(s) letter
for the 11011 Torreyana Road project, PRJ-1058759

To: Ms. Morgan Dresser
Development Services Department
City of San Diego
1222 First Avenue, Mail Station 501
San Diego, California 92101

Subject: Draft Mitigated Negative Declaration
11011 Torreyana Road
Project No. 1058759

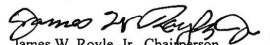
Dear Ms. Dresser:

I have reviewed the subject DMND on behalf of this committee of the San Diego County Archaeological Society.

Based on the information contained in DMND, and the Archaeological Resources Report prepared by Helix Environmental, we agree that it is unlikely the significant impacts to cultural resources will result from implementation of the project. However, the inclusion of archaeological and Native American monitoring will ensure that any areas where the current development did not extend below a level where such resources might exist are monitored.

Thank you for the opportunity to offer our comments on this project.

Sincerely,


James W. Royle, Jr., Chairperson
Environmental Review Committee

cc: Helix Environmental
SDCAS President
File

C-1 Comment noted. This comment indicates concurrence with the analysis and mitigation related to cultural resources that were included in the Draft Initial Study/Mitigated Negative Declaration. The comment does not address the adequacy of the Initial Study/Mitigated Negative Declaration. No further response is required.



SAN PASQUAL BAND OF MISSION INDIANS
SAN PASQUAL RESERVATION

August 1, 2024

TRIBAL COUNCIL

City of San Diego

Stephen W. Cope
Tribal Chairman

RE: 11011 Torreyana Road

Victoria Diaz
Vice Chair

To Whom It May Concern,

Jenny Alto
Secretary-Treasurer

The San Pasqual Band of Mission Indians Tribal Historic Preservation Office responded to notification of the project referenced above. This letter constitutes our response on behalf of Desiree M. Whitman THPO for the San Pasqual Band of Mission Indians.

D-1

Roberta Cameron
Councilmember

We have consulted our maps and determined that the project as described is not within the boundaries of the recognized San Pasqual Indian Reservation. However, it is within the territory's boundaries that the tribe considers its TUA Traditional Use Area. Furthermore, As the project progresses, we would like to engage in formal government-to-government consultation under SB-18 so that San Pasqual can have a voice in developing the measures that will be taken to protect these sites and mitigate any adverse impacts. We would appreciate access to any cultural resource reports that have been or will be generated during the environmental review process so we can contribute most effectively to the consultation process. San Pasqual can provide cultural monitoring for this project.

D-2

Joyce L. Stein
Councilmember

We appreciate your involvement with your initiative and look forward to working with you on future efforts. If you have questions or need additional information, please do not hesitate to contact me by telephone at 760-651-5142 or angelinag@sanpasqualtribe.org

D-3

Sincerely,

Angelina Gutierrez

Angelina Gutierrez
Tribal Historic Preservation Office, Monitor Supervisor
San Pasqual Band of Mission Indians

PHONE 760-749-3200 • FAX 760-749-3876 • WWW.SANPASQUALBANDOFMISSIONINDIANS.ORG

**City staff response(s) to the San Pasqual Band of Mission Indians comment(s) letter
for the 11011 Torreyana Road project, PRJ-1058759**

- D-1** These are introductory comments from the San Pasqual Band of Mission Indians and do not address the adequacy of the Initial Study/Mitigated Negative Declaration. No response is required.
- D-2** Comment noted. This comment indicates that the project is not within the boundaries of the San Pasqual Indian Reservation but is within the territory's boundaries that the tribe considers its Traditional Use Area. The comment additionally requests formal government-to-government consultation under Senate Bill 18 and access to cultural reports generated during the project environmental review process. In addition, the comment offers to provide a cultural monitor.
- As discussed in Section 3.3 of the Initial Study/Mitigated Negative Declaration, the City of San Diego provided formal notifications of the project and consultation invitations to the Iipay Nation of Santa Ysabel, the Jamul Indian Village, and the San Pasqual Band of Mission Indians, which are traditionally and culturally affiliated with the project area, in accordance with the requirements of Public Resources Code 21080.3.1. Formal notification letters were sent via electronic mail on June 7, 2023, to which the Jamul Indian Village responded within the 30-day notification period requesting a consultation. No response from the San Pasqual Band of Mission Indians was received. In addition, the comment requests consultation under Senate Bill 18. However, Senate Bill 18 is triggered by a proposed amendment or adoption of a general plan or a specific plan, or the designation of open space. The project proposes the development of a scientific research and development facility and does not propose a general plan amendment, specific plan amendment, or the designation of open space; as such, consultation pursuant to Senate Bill 18 is not required. The comment does not address the adequacy of the Initial Study/Mitigated Negative Declaration, and no further response is required.
- D-3** These are concluding comments and do not address the adequacy of the Initial Study/Mitigated Negative Declaration. No response is required.

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SUBSEQUENT INITIAL STUDY CHECKLIST

1. INTRODUCTION

1.1 Subsequent Initial Study

Pursuant to Section 15063 of the California Environmental Quality Act (CEQA) Guidelines (Title 14, California Code of Regulations, Sections 15000 et seq.), an Initial Study is a preliminary environmental analysis that is used by the lead agency as a basis for determining whether an EIR, a Mitigated Negative Declaration, or a Negative Declaration is required for a project. The CEQA Guidelines require that an Initial Study contain a project description, description of environmental setting, identification of environmental effects by checklist or other similar form, explanation of environmental effects, discussion of mitigation for significant environmental effects, evaluation of the project's consistency with existing, applicable land use controls, and the name of persons who prepared the study.

1.2 Subsequent Process

This environmental analysis is a Subsequent Initial Study for the proposed 11011 Torreyana Road Project (referred to as the "proposed project" or "project" throughout this document). This environmental analysis is tiered from the *Complete Communities: Housing Solutions and Mobility Choices Program EIR* in accordance with Sections 15152 and 15168 of the CEQA Guidelines and Public Resources Code Section 21094. The *Complete Communities: Housing Solutions and Mobility Choices Program EIR* was prepared pursuant to Section 15168 of the CEQA Guidelines.

The Complete Communities Mobility Choices (Mobility Choices Program) amended the San Diego Municipal Code (SDMC Chapter 14, Article 3. Division 11) and Land Development Manual to adopt a new CEQA significance threshold for transportation that implements Senate Bill 743 (SB 743), and a program to mitigate vehicle miles traveled (VMT) impacts from new development. The Mobility Choices Program ensures that new development mitigates transportation VMT impacts to the extent feasible.

The CEQA concept of "tiering" refers to the evaluation of general environmental matters in a broad program-level EIR, with subsequent focused environmental documents for individual projects that implement the program. This environmental document incorporates by reference the discussions in the *Complete Communities: Housing Solutions and Mobility Choices Program EIR* and concentrates on project-specific issues. CEQA and the CEQA Guidelines encourage the use of tiered environmental documents to reduce delays and excessive paperwork in the environmental review process. This is accomplished in tiered documents by eliminating repetitive analyses of issues that were adequately addressed in the Program EIR and by incorporating those analyses by reference.

Section 15168(d) of the State CEQA Guidelines provides for simplifying the preparation of environmental documents on individual parts of the program by incorporating by reference analyses and discussions that apply to the program as a whole. Where an EIR has been prepared or certified for a program or plan, the environmental review for a later activity consistent with the program or plan should be limited to effects that were not analyzed as significant in the prior EIR or that are susceptible to substantial reduction or avoidance (CEQA Guidelines Section 15152[d]).

1.3 Appropriateness of a Subsequent Initial Study

The proposed project would be consistent with the scope of the program as described in the *Complete Communities: Housing Solutions and Mobility Choices Program EIR*. Accordingly, pursuant to Section 15152 of the State CEQA Guidelines, it is appropriate to tier this Initial Study from the *Complete Communities: Housing Solutions and Mobility Choices Program EIR*. This Subsequent Initial Study evaluates whether the environmental effects of the proposed project were adequately addressed in the *Complete: Housing Solutions and Mobility Choices Program EIR*. For impacts that were adequately addressed, the Subsequent Initial Study provides a cross reference to the relevant discussion in the *Complete Communities: Housing Solutions and Mobility Choices Program EIR*. Project-specific impacts that were not addressed in the *Complete Communities: Housing Solutions and Mobility Choices Program EIR*, are evaluated in detail in this document. Project specific mitigation has been identified where required.

2. PROJECT INFORMATION

- 2.1 Project title/Project number: 11011 Torreyana Road Project / PRJ-1058759
- 2.2 Lead agency name and address: City of San Diego, 1222 First Avenue, MS-501, San Diego, California 92101
- 2.3 Contact person and phone number: Morgan Dresser, 619-446-5404
- 2.4 Project location: 11011 Torreyana Road, San Diego, CA 92037
- 2.5 Project Applicant/Sponsor's name and address: Bridgewest Group, 7310 Miramar Road, San Diego, CA 92128
- 2.6 General/Community Plan designation: Industrial Employment / Industrial-Scientific Research
- 2.7 Zoning: Industrial-Park (IP-1-1)
- 2.8 Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement): N/A

3. PROJECT DESCRIPTION

- 3.1 Environmental setting and surrounding land uses:

The approximately 10.2-acre project site is located in the University Community Planning area in the northern portion of the City of San Diego, California (see Figure 1, *Regional Location*). The site is generally located east of the Pacific Ocean and west of Interstate 5 (I-5), south of the city of Del Mar, and north of the community of La Jolla. The site is specifically located at 11011 Torreyana Road, San Diego, CA 92037 (Assessor's Parcel Number [APN] 340-010-29-00), northeast of the intersection of Torreyana Road and Callan Road (see Figure 2, *Aerial Photograph*). Two existing driveways along Torreyana Road currently provide access to the existing uses.

An approximately seven-acre open space easement occurs within the eastern portion of the site (Figure 2). The easement was recorded in 1976 against a portion of the property with the subdivision of the Torrey Pines Science Park Unit 2 (City 1976). Based on a review of a Quitclaim Deed recorded in 1984, the open space easement was previously recorded over the hillside in the eastern portion of the property but was quitclaimed to the State of California in 1984. The current topography and vegetation within the open space easement appear to have remained mostly undisturbed throughout the site's original commercial development, with the exception of the western portion of the easement. This area was disturbed during the development of the property in the early 1980s and is currently characterized by ornamental landscaping. The easement, while intended to preserve open space, does allow the area to be used for, among other things, "open parking areas" and "sidewalks, paths, and steps."

Specifically, the open space easement states: "We hereby dedicate to the public use Science Park Road, Torreyana Road, Callan Road, North Torrey Pines Place, a portion of North Torrey Pines Road and a path, together with [other appurtenances and easements] "Dedicated Hereon", reserving, however, to the owner of the fee underlying any easement herein dedicated the continued use of the surface of said real property; and subject to the following conditions: the erecting of buildings, masonry walls, masonry fences and other structures; or the planting or growing of trees or shrubs; or changing the surface grade or the installation of privately owned pipelines shall be prohibited unless an encroachment permit is first obtained from the City Engineer pursuant to the Municipal Code, together with open space easements over, under, upon and across portions of Lots 5, 6, 7 and 8 as shown on this map within this subdivision. Conditions shall be that no part of said of open space easements shall be used except for the purpose of installing, erecting, constructing, maintaining, planting and growing thereon the following: (1) grass, flowers, shrubs, trees and irrigation and other landscaping appurtenances; (2) fences and retaining walls; (3) recreation facilities provided the same shall not include and building; (4) utility distribution facilities provided they are installed underground, except that transformer boxes and similar equipment may be installed above ground but not on poles, derricks or similar support; (5) open parking areas; (6) sidewalks, paths and steps; (7) directional signs; (8) outdoor lighting facilities and community television antenna facilities, provided, however, that each and every facility and appurtenance, installed, erected, constructed or maintained pursuant to any of clause (1) through (3) must be heretofore and hereafter by the City of San Diego."

A subsequent quitclaim deed was recorded as Document No. 85-037108 on February 4, 1985, in the San Diego County Recorder's Office that provided the State of California the right to enforce the easement; however, this quitclaim deed did not eliminate any of the permitted exceptions to the easement. Moreover, there is no other encumbrance identified in the recent Title Report prepared for the Property that further reduces the ability to use the easement for the identified exemptions (SMRH 2022).

Surrounding land uses include commercial development to the north, south, and west, and undeveloped land and open space areas to the east. Recreational development, such as the Torrey Pines Golf Course, is located west of the site, and Interstate 5 is located east of the site.

Additionally, the project site is within the Airport Land Use Compatibility Overlay Zone (MCAS Miramar), the Airport Influence Area (MCAS Miramar-Review Area 1), the Airport Safety Zone MCAS Miramar (Accident Potential Zone 2), the Coastal Height Limitation Overlay Zone, the Coastal Overlay Zone (Appealable and Non-Appealable – 1), the Community Plan Implementation Overlay Zone (CPIOZ-B), the Parking Standards Transit Priority Area (PSTPA) (not yet effect in Coastal for non-residential uses), the Transit Priority Area (TPA), the Multiple Habitat Planning Area (MHPA), the Very High Fire Severity Zone, the Parking Impact Overlay Zone (Coastal), and Prime Industrial Lands.

3.2 Description of project (Describe the whole action involved, including but not limited to, later phases of the project, and any secondary, support, or off-site features necessary for its implementation.):

The project consists of a COASTAL DEVELOPMENT PERMIT and SITE DEVELOPMENT PERMIT, to allow for the demolition of the current research and development (R&D) facility, above-ground parking structure, and auxiliary buildings located on approximately 2.9 acres of the 10.2-acre project site. In total, the project would demolish approximately 76,694-square feet of building and parking garage space at the site.

The project would construct a 152,080-square foot three-story life science building including two stories above grade, one basement level, and four levels of subgrade parking with approximately 440 parking spaces and 44 surface parking spaces on approximately 3.4 acres. The building height would not exceed 30 feet. Surface parking, hardscape and landscaping would also be provided. The project proposes to retain the northern most driveway along Torreyana Road for site access, remove the southern driveway and replaced with full height curb, gutter, and sidewalk. Additionally, the project proposes a second driveway (fourth leg of the intersection of Callan Road and Torreyana Road) on the southwest corner of the site solely for deliveries and fire access. The remaining 6.8 acres would remain as open space for a total of 10.2 acres (Figure 3, *Site Plan*). Pursuant to the City Land Development Code Environmentally Sensitive Lands (ESL) regulations and the Multiple Species Conservation Plan (MSCP) implementing agreement, a new covenant of easement shall be placed over 6.3 acres of the existing 6.8-acre open space easement.

Grading is estimated to require 117,500 cubic yards (CY) of cut and 5,400 CY of fill, for a total export quantity of 112,100 CY. The project is proposed to be constructed in one phase, with construction assumed to be completed in 2026. According to the Waste Management Plan prepared for the project, during pre-construction demolition, clearing/grubbing, and grading, the project would produce 160,756 tons of excavated soils, green waste, asphalt/concrete, and other construction and demolition (C&D) waste, and divert 158,699 tons of these materials from the landfill. Approximately 2,057 tons of solid waste material generated during pre-construction is anticipated to be disposed of as non-recyclable/non-reusable waste at the Sycamore Landfill, for an overall pre-construction diversion rate of 99 percent (HELIX 2024c).

The parking would include 44 at-grade parking spaces and 440 parking spaces within the subterranean parking garage for a total of 484 parking spaces. Of the 484 parking spaces, 98 stalls would be electric vehicle (EV) charging (87 inside the parking garage and 11 outside)

and 44 parking spaces would be clean air/low emitting (38 inside the parking structure and 6 outside). The project would also provide 9 motorcycle parking spaces and 24 long-term bicycle parking spaces. A portion (0.11 acre) of the surface parking area would be located within the existing open space easement.

Electricity and gas service would be provided by existing San Diego Gas & Electric (SDG&E) facilities at the site. Water and fire service laterals would be provided to connect to an existing City 2-inch water main located in Torreyana Road. Similarly, a sewer lateral would be provided to connect to an existing 10-inch City sewer main located in Torreyana Road and just north of the project site. Captured runoff would be conveyed via curb and gutter to the proposed modular wetlands system near the southern boundary of the project site and to two catch basins; one located on the northern driveway and the other in the eastern parking lot.

- 3.3 Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, has consultation begun?

In accordance with the requirements of Public Resources Code 21080.3.1, the City of San Diego provided formal notifications to the Lipay Nation of Santa Ysabel, the Jamul Indian Village, and the San Pasqual Band of Mission Indians, which are traditionally and culturally affiliated with the project area requesting consultation. Formal notification letters were sent via electronic mail on June 7, 2023. The Jamul Indian Village responded within the 30-day notification period requesting a consultation. Consultation occurred on June 14, 2023 and on June 26, 2023, the Jamul Indian Tribe requested that a Native American monitor be required during ground-disturbing activities. Written acknowledgement was received from the applicant on October 11, 2023 which states the applicant acknowledges the requirement for a Native American monitor onsite during ground-disturbing activities.

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

4. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| ☐ Land Use | ☐ Air Quality | ☐ Biological Resources |
| ☐ Energy | ☐ Geology, Soils, and Seismicity | ☐ Greenhouse Gas Emissions |
| ☐ Health and Safety | ☒ Historical, Archaeological, and Tribal Cultural Resources | ☐ Hydrology/Water Quality |
| ☐ Noise | ☐ Paleontological Resources | ☐ Public Services and Facilities |
| ☐ Public Utilities and Infrastructure | ☒ Transportation | ☐ Wildfire |
| ☐ Visual Effects and Neighborhood Character | ☒ Mandatory Findings of Significance | |

5. DETERMINATION (TO BE COMPLETED BY LEAD AGENCY)

On the basis of this initial evaluation:

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a SUBSEQUENT NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A SUBSEQUENT MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and a (SUBSEQUENT/SUPPLEMENTAL) ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect (a) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (b) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. A (SUBSEQUENT/SUPPLEMENTAL) ENVIRONMENTAL IMPACT REPORT is required but must analyze only the effects that remain to be addressed.

6. EVALUATION OF ENVIRONMENTAL IMPACTS

The City of San Diego has defined the column headings in the Subsequent Initial Study Checklist as follows:

1. “Potentially Significant Impact” is appropriate if there is substantial evidence that the project’s effect may be significant. If there is one or more Potentially Significant Impact, entries a Project EIR will be prepared.
2. “Project Impact Adequately Addressed in PEIR” applies where the potential impacts of the proposed project were adequately addressed in the *Complete Communities: Housing Solutions and Mobility Choices Program EIR*, as specified in the analysis, and will mitigate any impacts of the proposed project to the extent feasible. *Complete Communities: Housing Solutions and Mobility Choices Program EIR* mitigation measures may be incorporated into the project. The potential impact of the proposed project is adequately addressed in the *Complete Communities: Housing Solutions and Mobility Choices Program EIR*. The impact analysis in this document summarizes and cross references (including section/page numbers) the relevant analysis in the *Complete Communities: Housing Solutions and Mobility Choices Program EIR*.
3. “Less Than Significant with Project-level Mitigation Incorporated” applies where the incorporation of project-specific mitigation measures will reduce an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” All project-specific mitigation measures must be described, including a brief explanation of how the measures reduce the effect to a less than significant level.

4. "Less Than Significant Impact" applies where the project will not result in any significant effects. The effects may or may not have been discussed in the *Complete Communities: Housing Solutions and Mobility Choices Program EIR*. The project impact is less than significant without the incorporation of *Complete Communities: Housing Solutions and Mobility Choices Program EIR* mitigation measures or project-specific mitigation.
5. "No Impact" applies where a project would not result in any impact in the category in question or the category simply does not apply. "No Impact" answers do not require an explanation if they are adequately supported by the information sources cited by the lead agency which show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
6. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
7. The discussion in each issue should include the following:
 - Discussion of *Complete Communities: Housing Solutions and Mobility Choices Program EIR* impact (direct and cumulative) conclusions
 - Discussion of potential project impacts
 - Applicable *Complete Communities: Housing Solutions and Mobility Choices Program EIR* mitigation measures assumed in the project
 - Significance determination after *Complete Communities: Housing Solutions and Mobility Choices Program EIR* mitigation measures
 - Additional project-level mitigation measures
 - Significance determination after all mitigation
8. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
9. Supporting Information Sources: A source list should be attached, and other sources utilized, or individuals contacted should be cited in the discussion.

Issues	Potentially Significant Impact	Project Impact Adequately Addressed in the PEIR	Less Than Significant with Project-Level Mitigation Incorporated	Less Than Significant Impact	No Impact
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6.1 Land Use

Would the project:

Issue 1: Cause a significant environmental impact due to a conflict with any land use plan, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

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The project site is designated Industrial Employment per the General Plan, and is designated Industrial-Scientific Research, and zoned IP-1-1 per the University Community Plan. The proposed research and development uses would be consistent with the land use designations and zoning. Implementation of the project would not cause significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. No impact would occur.

Issue 2: Lead to the development of conversion of General Plan or community designated open space or prime farmland to a more intensive land use, resulting in a physical division of the community?

☐
☐
☐
☐
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The project site has a General Plan land use designation of Industrial Employment and Community Plan land use designation of Industrial-Scientific Research. Although the project site is not designated for open space or prime farmland, the eastern portion of the project site contains a biological open space easement that was quitclaimed by the City to the state of California according to a Quitclaim Deed recorded in 1984. A small portion of this easement is proposed for surface parking, which is an allowable use within this easement as previously discussed in Section 3.1. Specifically, the easement, while intended to preserve open space, does allow the area to be used for, among other things, "open parking areas" and "sidewalks, paths, and steps." The project would replace the existing office uses with research and development uses, and would not result in a physical division of a community. No impact would occur.

Issue 3: Result in land uses which are not compatible with an adopted airport land use compatibility plan?

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The project is located approximately five miles northwest of the Marine Corps Air Station (MCAS) Miramar Airport. According to the Airport Land Use Compatibility Plan (ALUCP) for MCAS Miramar,

Issues	Potentially Significant Impact	Project Impact Adequately Addressed in the PEIR	Less Than Significant with Project-Level Mitigation Incorporated	Less Than Significant Impact	No Impact
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the project site is located within an Air Installations Compatible Use Zone (AICUZ) Safety Zone, specifically Accident Potential Zone II (APZ II), for MCAS Miramar (San Diego County Regional Airport Authority 2011). However, project implementation would not conflict with the APZ II designation. According to the MCAS Miramar ALUCP, research and development uses are conditionally compatible in APZ II provided that the uses comply with a Floor Area Ratio (FAR) of 0.34 and do not exceed 50 people per acre. The maximum number of people for the proposed project site would be restricted to 512 people based on occupancy permit. With a total acreage of 10.2 acres and 512 people this would be 50 people per acre and would therefore comply with APZ II. As such, the project would not result in land uses that are incompatible with an adopted ALUCP. Impacts would be less than significant.

6.2 Air Quality

Would the project:

Issue 1: Conflict with or obstruct implementation of the applicable air quality plan? ☐ ☐ ☐ ☒ ☐

The discussion below is based on the Air Quality Technical Report prepared by HELIX Environmental Planning, Inc. (HELIX) for the proposed project (HELIX 2024a).

The project site is located within the San Diego Air Basin (SDAB), which is governed by the San Diego Air Pollution Control District (SDAPCD). The SDAPCD develops and administers local regulations for stationary air pollutant sources within the SDAB, and also develops plans and programs to meet attainment requirements for both federal and state ambient air quality standards (National Ambient Air Quality Standards [NAAQS] and California Ambient Air Quality Standards [CAAQS], respectively). The current regional air quality plan for the NAAQS is SDAPCD's *2020 Plan for Attaining the National Ambient Air Quality Standards for Ozone in San Diego County* (Attainment Plan; SDAPCD 2020) and the current regional air quality plans for the CAAQS is SDAPCD's *2016 Revision to the Regional Air Quality Strategy for San Diego County* (RAQS; SDAPCD 2016). These plans accommodate emissions from a variety of sources, including natural sources, through implementation of control measures, where feasible, on stationary sources to attain the standards. Mobile sources are regulated by the U.S. Environmental Protection Agency (USEPA) and California Air Resources Board (CARB), and the emissions and reduction strategies related to mobile sources are considered in the Attainment Plan and RAQS.

The SDAPCD is required, pursuant to the federal Clean Air Act (CAA), to reduce emissions of criteria pollutants for which the SDAB is in nonattainment. Strategies to achieve these emissions reductions are developed in the Attainment Plan and RAQS, prepared by the SDAPCD for the region. Criteria pollutants of primary concern include ozone, carbon monoxide (CO), nitrogen dioxide (NO₂), particulate matter (including both respirable particulate matter 10 microns or less in diameter [PM₁₀] and fine particulate matter 2.5 microns or less in diameter [PM_{2.5}]), sulfur dioxide (SO₂), and lead. The SDAB is currently designated as a nonattainment area for the 8-hour NAAQS for ozone.

Issues	Potentially Significant Impact	Project Impact Adequately Addressed in the PEIR	Less Than Significant with Project-Level Mitigation Incorporated	Less Than Significant Impact	No Impact
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The SDAB is designated as being in attainment for all other applicable criteria pollutants under the NAAQS. The SDAB is currently classified as a nonattainment area under the CAAQS for ozone, PM₁₀, and PM_{2.5}. It is in attainment for CO, NO₂, SO₂, and lead relative to state air standards.

Both the Attainment Plan and State Implementation Plan (SIP) are based on the San Diego Association of Governments (SANDAG) population projections, as well as land use designations and population projections included in general plans for cities located within the County. Population growth is typically associated with the construction of residential units or large employment centers.

Projects that propose development that is consistent with the growth anticipated by the local jurisdictions' general plans would be consistent with the Attainment Plan. In the event that a project proposes development that is less intensive than anticipated within the General Plan, the project would likewise be consistent with the Attainment Plan. If a project proposes development that is greater than that anticipated in the General Plan and SANDAG's growth projections upon which the Attainment Plan is based, the project would be in conflict with the Attainment Plan and might have a potentially significant impact on air quality. This situation would warrant further analysis to determine whether the project and the surrounding projects exceed the growth projections used in the Attainment Plan for the specific subregional area.

The project would be consistent with the General Plan and University Community Plan and would, therefore, not result in development that is greater than that anticipated in the General Plan or SANDAG's growth projections upon which the Attainment Plan is based. Furthermore, as detailed in Section 6.2, Issue 2, below, the project would not result in a significant air quality impact with regards to construction- and operational-related emissions of ozone precursors or criteria air pollutants. The project would also comply with existing and new rules and regulations as they are implemented by the SDAPCD, CARB, and/or USEPA related to emissions generated during construction. Impacts associated with conformance to regional air quality plans would be less than significant.

Issue 2: Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

☐ ☐ ☐ ☒ ☐

The project would generate criteria pollutants in the short-term during construction and the long-term during operation. The project's criteria pollutant emissions were calculated using the California Emissions Estimator Model (CalEEMod) Version 2020.4.0.

Construction Emissions

Construction of the project would result in temporary increases in air pollutant emissions. These emissions would be generated in the form of fugitive dust emissions (PM₁₀ and PM_{2.5}) and ozone precursor emissions (nitrogen oxides [NO_x] and reactive organic gas [ROG]).

Issues	Potentially Significant Impact	Project Impact Adequately Addressed in the PEIR	Less Than Significant with Project-	Less Than Significant Impact	No Impact
			Level Mitigation Incorporated		

Construction emissions calculated using CalEEMod Version 2020.4.0 are provided in Appendix A of the Air Quality Technical Report prepared for the project (HELIX 2024a). The results of the calculations for project construction are shown in Table 1, *Estimated Maximum Daily Construction Emissions*. The analysis assessed total annual emissions from individual construction activities, including demolition, site preparation, grading, building construction, paving, and architectural coatings. The modeling assumes implementation of standard required dust control measures in accordance with SDAPCD Rule 55, including watering two times daily during grading, ensuring that all exposed surfaces maintain a minimum soil moisture of 12 percent, and limiting vehicle speeds on unpaved roads to 15 mph. The project would also comply with the requirements of SDAPCD Rule 67 by using low-VOC coatings with a content of 50 grams per liter. The quantities of coatings that would be applied to the interior and exterior of the new buildings were estimated according to CalEEMod default assumptions.

Table 1
ESTIMATED MAXIMUM DAILY CONSTRUCTION EMISSIONS

Construction Phase and Year	Pollutant Emissions (pounds per day)					
	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Site Preparation – 2025	0.8	10.7	8.4	<0.1	1.5	0.6
Demolition – 2025	3.2	31.3	27.2	0.1	4.0	1.6
Grading – 2025	3.7	59.4	43.5	0.2	11.3	4.7
Utility Undergrounding – 2025	0.3	2.7	4.6	<0.1	<0.2	<0.1
Building Construction – 2025	4.6	38.1	47.6	0.1	2.8	1.5
Building Construction – 2026	4.4	36.8	47.0	0.1	2.7	1.4
Building Construction – 2027	4.3	35.8	46.5	0.1	2.6	1.3
Architectural Coatings – 2027	8.5	0.9	2.3	<0.1	<0.3	0.1
Paving – 2027	1.6	11.4	17.4	0.1	0.8	0.5
Maximum Daily Emissions¹	12.8	62.2	48.8	0.2	11.5	4.8
<i>SDAPCD Thresholds</i>	<i>137</i>	<i>250</i>	<i>550</i>	<i>250</i>	<i>100</i>	<i>55</i>
Significant Impact?	No	No	No	No	No	No

Source: HELIX 2022a

¹ Maximum daily emissions of VOC and CO would occur during concurrent building construction and architectural coatings in 2027 and maximum daily emissions of NO_x, SO_x, PM₁₀, and PM_{2.5} would occur during concurrent grading and utility undergrounding in 2025.

VOC = volatile organic compound; NO_x = nitrogen oxides; CO = carbon monoxide; SO_x = sulfur oxides;

PM₁₀ = particulate matter 10 microns or less in diameter; PM_{2.5} = particulate matter 2.5 microns or less in diameter

As shown in Table 1, emissions of all criteria pollutants and ozone precursors from project construction would be below the SDAPCD's significance thresholds. Therefore, direct impacts from criteria pollutants generated during project construction would be less than significant.

Operational Emissions

Long-term operational sources of pollutant emissions include area, energy, mobile (transportation), and stationary sources. Operational emissions from area sources include engine emissions from landscape maintenance equipment and VOC emissions from repainting of buildings and consumer products. As previously discussed, the project would use low-VOC coatings in accordance with

Issues	Potentially Significant Impact	Project Impact Adequately Addressed in the PEIR	Less Than Significant with Project-Level Mitigation Incorporated	Less Than Significant Impact	No Impact

SDAPCD Rule 67. Energy source emissions include the combustion of natural gas for heating and hot water. The model-calculated default for natural gas usage was used for the emissions estimates.

Operational emissions from mobile sources are associated with project-generated vehicle trips. According to the Local Mobility Analysis prepared for the project by Linscott Law & Greenspan Engineers (LLG; 2024a), the project would generate 1,625 average daily trips (ADT), resulting in a net increase of 1,011 ADT compared to existing conditions. CalEEMod default vehicle speeds, trip purpose, and trip distances were applied to the trips. Model output data sheets are included in Appendix A of the Air Quality Technical Report prepared for the project (HELIX 2024a).

The existing project site includes a 1,000-horsepower backup generator. The proposed project is assumed to include three 1,000-horsepower backup generators, scaled for the increased building size. According to the project applicant, the generators are tested once per month for 30 minutes and once per year for two hours, for a total of 7.5 hours of operating time per year for routine testing. Table 2, *Estimated Net Daily Operational Emissions*, presents a summary of maximum daily operational emissions for the proposed project.

Table 2
ESTIMATED NET DAILY OPERATIONAL EMISSIONS

Category	Pollutant Emissions (pounds per day)					
	VOC	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Area	7.4	0.1	17.1	<0.1	<0.1	<0.1
Energy	0.1	1.7	1.5	<0.1	0.1	0.1
Mobile	6	4.3	42.8	0.1	9.7	2.5
Stationary	9.8	44	25.1	<0.1	1.4	1.4
Total Daily Emissions¹	23.3	50.1	86.5	0.2	11.4	4.1
Existing Daily Emissions	7.3	17	25.1	0.1	4.2	1.5
Net Daily Emissions¹	16	33.1	61.4	0.1	7.1	2.6
<i>SDAPCD Thresholds</i>	<i>137</i>	<i>250</i>	<i>550</i>	<i>250</i>	<i>100</i>	<i>55</i>
<i>Significant Impact?</i>	<i>No</i>	<i>No</i>	<i>No</i>	<i>No</i>	<i>No</i>	<i>No</i>

Source: HELIX 2024a

¹ Totals and differences may not compute due to rounding.

VOC = volatile organic compound; NO_x = nitrogen oxides; CO = carbon monoxide; SO₂ = sulfur dioxide;

PM₁₀ = particulate matter 10 microns or less in diameter; PM_{2.5} = particulate matter 2.5 microns or less in diameter

As shown in Table 2, the net increase in emissions of all criteria pollutants and ozone precursors associated with operation of the project would be below the daily thresholds. Therefore, operation of the project would not result in a significant impact on air quality.

The region is a federal and/or state nonattainment area for PM₁₀, PM_{2.5}, and ozone. The project would contribute particulates and the ozone precursors VOC and NO_x to the area during project construction and operation. As described above, emissions during both construction and operations would not exceed regional thresholds and would not violate an air quality standard or contribute substantially to an existing or projected air quality violation. Therefore, emissions would not be cumulatively considerable, and impacts would be less than significant.

Issues	Potentially Significant Impact	Project Impact Adequately Addressed in the PEIR	Less Than Significant with Project-Level Mitigation Incorporated	Less Than Significant Impact	No Impact

Issue 3: Expose sensitive receptors to substantial pollutant concentrations?

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Sensitive receptors (i.e., children, senior citizens, and acutely or chronically ill people) are more susceptible to the effects of air pollution than are the general population. Land uses that are considered sensitive receptors typically include residences, schools, playgrounds, childcare centers, hospitals, convalescent homes, and retirement homes. The nearest sensitive receptors to the project site are a hotel and golf course located west of North Torrey Pines Road, approximately 0.3 mile from the project site. An analysis of the project's potential to expose sensitive receptors to pollutants during construction and operation is provided below.

Carbon Monoxide Hotspots

Localized air quality effects occur when emissions from vehicular traffic increase in local areas. The primary mobile source pollutant of local concern is CO, which is a direct function of vehicle idling time and, thus, traffic flow conditions. CO transport is extremely limited; it disperses rapidly with distance from the source under normal meteorological conditions. However, under certain extreme meteorological conditions, CO concentrations proximate to a congested roadway or intersection may reach unhealthful levels affecting local sensitive receptors. Typically, high CO concentrations are associated with roadways or intersections operating at unacceptable levels of service or with extremely high traffic volumes. If a project generates vehicular traffic that increases average delay at signalized intersections operating at Level of Service (LOS) E or F or causes an intersection that would operate at LOS D or better without the project to operate at LOS E or F with the project, the project could result in significant CO hotspot-related effects to sensitive receptors.

According to the Local Mobility Analysis (LMA) prepared for the Project (LLG 2024a), two intersections, Genesee Avenue at the I-5 Southbound Ramps and Genesee Avenue at the I-5 Northbound ramps, under the Near-Term (2026) With Project scenario would operate at LOS F and experience an increase in delay from the project. As discussed in the LMA, potential intersection improvements that the project could implement would result in increased delays at other nearby intersections and were not recommended for implementation. To provide a conservative analysis related to CO hotspots, it is assumed that intersection improvements would not be implemented prior to project opening, and these two intersections would operate at LOS F and experience increased delays with the project. Therefore, consistent with the CO Protocol, these findings indicate that further screening is required. Although the SDAPCD has not, various air quality agencies in California have developed conservative screening methods. The screening methods of the Sacramento Metropolitan Air Quality Management District (SMAQMD 2009) are used for this project because ambient CO concentrations within the SMAQMD jurisdiction are higher than for the project area, as measured by CARB, resulting in a more conservative analysis. The SMAQMD states that a project will not result in a significant impact to local CO concentrations if it meets the below criteria:

Issues	Potentially Significant Impact	Project Impact Adequately Addressed in the PEIR	Less Than Significant with Project-	Less Than Significant Impact	No Impact
			Level Mitigation Incorporated		

- The affected intersection carries less than 31,600 vehicles per hour;
- The project does not contribute traffic to a tunnel, parking garage, bridge underpass, urban street canyon, below-grade roadway, or other location where horizontal or vertical mixing of air would be limited; and
- The affected intersection, which includes a mix of vehicle types, is not anticipated to be different from the county average, as identified by EMFAC or CalEEMod models.

The traffic volumes at the affected intersections under the Near-Term (2026) With Project scenario are estimated to be the following during the highest peak hour:

1. 6,322 vehicles (AM peak hour) at Genesee Avenue and I-5 Southbound Ramps
2. 5,993 vehicles (AM peak hour) at Genesee Avenue and I-5 Northbound Ramps

These intersections are not located in a tunnel, urban canyon, or similar area that would limit the mixing of air, nor is the vehicle mix anticipated to be different than the San Diego County average. There would be no potential for a CO hot spot or exceedance of State or Federal CO ambient air quality standard because the maximum traffic volumes would be less than the 31,600 vehicles per hour screening level; because the congested intersections are located where mixing of air would not be limited; and because the vehicle mix would not be uncommon. Therefore, air quality impacts related to the exposure of sensitive receptors to substantial pollutant concentrations related to intersection operations would be less than significant.

Exposure to Toxic Air Contaminants

Construction

Diesel engines emit a complex mixture of air pollutants, including gaseous material and diesel particulate matter (DPM). DPM emissions would be released from the on-site construction equipment associated with the project. CARB has declared that DPM from diesel engine exhaust is a toxic air contaminant (TAC). Additionally, the Office of Environmental Health Hazard Assessment has determined that chronic exposure to DPM can cause carcinogenic and non-carcinogenic health effects. For this reason, although other pollutants would be generated, DPM would be the primary pollutant of concern.

There would be relatively few pieces of off-road, heavy-duty diesel equipment operating at a given time during project construction. Further, the project includes multiple components at different areas throughout the project site, and construction equipment would not be operating in a single location with the potential to affect a given receptor for the entire duration of project construction. As shown above in Table 1, the highest daily emission of PM₁₀ (which includes equipment emissions of DPM) during construction would be approximately 11 pounds per day during the grading phase, which would be well below the 100 pounds per day significance level threshold. As discussed above in Section 6.2, Issue 1, these significance level thresholds were developed with the purpose of

Issues	Potentially Significant Impact	Project Impact Adequately Addressed in the PEIR	Less Than Significant with Project-Level Mitigation Incorporated	Less Than Significant Impact	No Impact
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attaining the NAAQS and CAAQS, which identify concentrations of pollutants in the ambient air below which no adverse effects on the public health and welfare are anticipated. Combined with the highly dispersive properties of diesel PM, construction-related emissions would not expose sensitive receptors to substantial emissions of TACs. Impacts from construction emissions would be less than significant.

Operation

The project, as a research and development facility, may include laboratory uses that could involve operations with the potential to lead to TAC vapor emissions; however, such operations would be performed under fume hoods that would function to capture emissions at the source, dilute the emissions in the hood, and then expel the emissions where they can disperse in the atmosphere. Use of the fume hoods would minimize TAC-related risk to both on-site and off-site receptors. As such, impacts are considered less than significant.

Issue 4: Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

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The project could produce odors during proposed construction activities from construction equipment exhaust, application of asphalt, and/or the application of architectural coatings; however, standard construction practices would minimize the odor emissions and their associated impacts. Furthermore, odors emitted during construction would be temporary, short-term, and intermittent in nature, and would cease upon the completion of the respective phase of construction, impacts would be less than significant.

During project operation, the temporary storage of refuse could be a potential source of odor; however, project-generated refuse is required to be stored in covered containers and removed at regular intervals in compliance with the City's Municipal Code solid waste regulations, thereby precluding significant odor impacts. Furthermore, the proposed project would be required to comply with SDAPCD Rule 51, which prohibits the discharge of odorous emissions that would create a public nuisance. As such, long-term operation of the proposed project would not create objectionable odors affecting a substantial number of people. Impacts would be less than significant.

6.3 Biological Resources

Would the project:

Issue 1: Result in a substantial adverse impact, either directly or through habitat modifications, on any species identified as a candidate,

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Issues	Potentially Significant Impact	Project Impact Adequately Addressed in the PEIR	Less Than Significant with Project-	Less Than Significant Impact	No Impact
			Level Mitigation Incorporated		

sensitive, or special status species in the Multiple Species Conservation Program or other local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

HELIX Environmental Planning, Inc. conducted a Biological Technical Report for the proposed project (HELIX 2024b). The discussion below is based on this report.

Vegetation Communities

The proposed project would result in direct impacts to 3.6 acres of habitat or land cover types comprised of 0.07 acre of Tier I southern maritime chaparral and 3.6 acres of non-sensitive Tier IV developed land (Figure 4, *Vegetation Communities and Sensitive Resources/ Impacts*; Table 3, *Vegetation Communities/Land Cover Type Impacts*). Pursuant to the City's Significance Determination Thresholds (City 2022), impacts to Tier I through IIIB habitats totaling less than 0.1 acre are not considered significant and do not require mitigation. As such, impacts to 0.07 acre of southern maritime chaparral are not considered significant, and mitigation is not required. Impacts to developed land are not considered significant and do not require mitigation.

Table 3
IMPACTS TO VEGETATION COMMUNITIES

Vegetation Community /Land Cover Type	Impacts ¹ (acres) ²			
	Habitat Tier	Outside Open Space	Within Open Space	Total
Sensitive Upland Habitat				
Southern Maritime Chaparral (37C00)	I	--	<0.1	<0.1
Diegan Coastal Sage Scrub (32500)	II	--	--	--
<i>Sensitive Uplands Subtotal</i>		--	<0.1	<0.1
Non-Sensitive Upland Habitat				
Developed (12000)	IV	3.2	0.4	3.6
<i>Non-Sensitive Upland Subtotal</i>		3.2	0.4	3.6
TOTAL		3.2	0.4	3.6

¹ Temporary and permanent impacts combined. All impacts occur outside of the MHPA.

² Acreages rounded to the nearest 0.1 acre; total reflects rounding.

Project construction would occur immediately adjacent to sensitive upland habitat. The project would be required to implement standard avoidance and minimization measures as conditions of project approval to ensure the avoidance of sensitive habitats located immediately adjacent to

Issues	Potentially Significant Impact	Project Impact Adequately Addressed in the PEIR	Less Than Significant with Project-	Less Than Significant Impact	No Impact
			Level Mitigation Incorporated		

construction work areas. Therefore, potential indirect impacts to adjacent sensitive habitat would be avoided.

Special Status Species

The proposed project has been specifically designed to primarily occur within existing developed and disturbed areas associated with previous development to avoid impacts to sensitive biological resources to the greatest extent possible. Project impacts on special status plant and animal species are described below.

Special Status Plant Species

Two special status plant species were observed in the project site during the general biological survey: Nuttall's scrub oak and Torrey pine. Neither of these species are federally listed, state listed, or City narrow endemic plant species. Nuttall's scrub oak is listed as California Rare Plant Rank (CRPR) 1B.1. Torrey pine is listed as CRPR 1B.2 and is covered under the Multiple Species Conservation Plan (MSCP). Generally, impacts to plant species with a CRPR of 1 or 2 are considered potentially significant, whereas CRPR 3 and 4 species are relatively widespread, and impacts to such species would not substantially reduce their populations in the region and are not typically significant. In addition to the observed species, nine special status plant species were determined to have a high potential to occur within Diegan coastal sage scrub and southern maritime chaparral habitat located in the eastern portion of the site.

The proposed project is primarily limited to existing developed and disturbed areas and impacts to native habitats with the potential to support these species would be minimal (0.07 acre of southern maritime chaparral). No special status plant species were documented within the impact footprint, and direct impacts are unlikely to occur based on the small amount of habitat to be impacted. Therefore, no significant impact to Nuttall's scrub oak or other special status plant species would occur.

Torrey pine within the project site consists of 40 cultivated trees that were planted as part of the previous development's landscaping and do not represent a naturally occurring population. Where practicable and safe to do so, cultivated Torrey pines would be retained in place. Torrey pine trees that would be removed by the project would be replaced on-site with minimum 15-gallon size replacement Torrey pine trees in accordance with the project's landscape plans. The project would not result in impacts to naturally occurring Torrey pine, and no impact would occur.

Special Status Animal Species

No special status animal species were detected within the project site during the general biological survey. Six special status species were determined to have high potential to occur: Belding's orange-throated whiptail, San Diego tiger whiptail, Cooper's hawk, southern California rufous-crowned sparrow, coastal California gnatcatcher, and San Diego Bryant's (formerly desert) woodrat. The project would result in minimal impacts to on-site native habitat, approximately 0.07 acre of

Issues	Potentially Significant Impact	Project Impact Adequately Addressed in the PEIR	Less Than Significant with Project-	Less Than Significant Impact	No Impact
			Level Mitigation Incorporated		

southern maritime chaparral, with the potential to support Belding’s orange-throated whiptail, San Diego tiger whiptail, southern California rufous-crowned sparrow, and San Diego Bryant’s (formerly desert) woodrat. These impacts would be less than significant based on the small amount of habitat that would be impacted and the abundance of remaining habitat available in the area. Crotch’s bumble bee, a California Endangered Species Act (CESA) candidate species, has a low potential to occur but is discussed in further detail below.

The project would not result in direct impacts to Diegan coastal sage scrub. Therefore, no direct impacts to coastal California gnatcatcher or suitable gnatcatcher habitat would occur. Potential indirect impacts to coastal California gnatcatcher could occur if construction activities were to take place within 500 feet of suitable gnatcatcher habitat located within the MHPA during the gnatcatcher breeding season (March 1 and August 15). As a condition of project approval, pre-construction surveys for California gnatcatcher would be required to determine species presence/absence if construction were to occur during the gnatcatcher breeding season. If surveys are not conducted, the presence of the species would be assumed, and the implementation of noise attenuation and biological monitoring would be required during the gnatcatcher breeding season if construction would generate noise levels higher than 60 dBA or ambient (whichever is higher). Therefore, potential indirect impacts to coastal California gnatcatcher would be avoided.

The project could result in impacts to Cooper’s hawk, if individuals were determined to be nesting on or within 300 feet of the project site during project construction. As a condition of project approval, pre-construction surveys for nesting birds and raptors would be required prior to the removal of habitat with the potential to support active nests during the breeding season (generally February 1 to September 15). As such, potential direct impacts on nesting Cooper’s hawk would be avoided. Potential indirect impacts to nesting Cooper’s hawk would be avoided through the implementation of conditions of coverage for this species, which require a 300-foot avoidance setback to nesting Cooper’s hawk.

HELIX biologists conducted a focused habitat assessment for Crotch’s bumble bee on February 20, 2024, in accordance with the Survey Considerations for CESA Candidate Bumble Bee Species (CDFW 2023). Based on this focused survey, it was determined that the project is not likely to impact potential nesting habitat, potential nest sites, potential overwintering habitat, or potential overwintering sites of the Crotch’s bumble bee. This is due largely to the fact that the 0.4-acre landscaping impact areas of the developed land are actively irrigated on a daily basis, with much of the areas fully exposed to the irrigation spray coverage and becoming artificially wet. Regular wetting and prevailing moist conditions would be expected to deter nesting and overwintering bees from the impact area. In addition, although areas of bare ground occur within the understory of planted trees, potential nesting habitat in the form of rodent burrows and rock piles, in particular, were not observed. Leaf litter and understory thatch within the landscaping impact areas for overwintering is regularly raked or otherwise maintained, negating the areas as reliable and sustained potential overwintering habitat. The landscaping impact areas are also regularly mowed, trimmed, raked, and maintained, including the use of standard pest control, which further reduce the potential for bees to nest or overwinter. The 0.07-acre chaparral impact areas are very dense and comprised of thick shrub cover with no understory, making the potential for bee nesting and

Issues	Potentially Significant Impact	Project Impact Adequately Addressed in the PEIR	Less Than Significant with Project-Level Mitigation Incorporated	Less Than Significant Impact	No Impact
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overwintering unlikely. Therefore, the project is not likely to impact potential nesting habitat, nest sites, overwintering habitat, or overwintering sites of the species.

Project impacts on potential foraging habitat for the Crotch's bumble bee would be less than significant. Although several flowering plant species occur within the impact area (i.e., onionweed, Bermuda buttercup, acacia), none of the specific plant species or plant species belonging to the plant families linked to Crotch's bumble bee occurrence were observed within the impact area. The impact area is mostly maintained bare ground within the understory of planted trees. Black sage, a plant species linked to Crotch's bumble bee occurrence, was observed immediately adjacent to the impact area, and additional foraging resources occur further to the east, outside of the impact area and within the proposed open space for the project. The project would be required to implement standard avoidance and minimization measures as conditions of project approval to ensure potential foraging resources located immediately adjacent to construction work areas within the proposed open space are avoided during construction. Given the fact that the flowering species found within the impact area are not considered significant foraging habitat for the Crotch's bumble bee and given the abundance of better-quality foraging resources available for the species outside of the proposed impact area, project impacts on potential foraging habitat for the Crotch's bumble bee would be less than significant.

Overall, impacts to sensitive species would be less than significant.

Issue 2: Result in a substantial adverse impact on any Tier I Habitats, Tier II Habitats, Tier IIIA Habitats, or Tier IIIB Habitats as identified in the Biology Guidelines of the Land Development Manual or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

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As discussed in Section 6.3, Issue 1 above, the project would result in impacts to 0.07 of Tier I southern maritime chaparral. Pursuant to the City's Significance Determination Thresholds (City 2022), impacts to Tier I through IIIB habitats totaling less than 0.1 acre are not considered significant and do not require mitigation. As such, impacts to 0.07 acre of southern maritime chaparral would be a less than significant impact.

Issue 3: Result in a substantial adverse effect on federally protected wetlands (including but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling,

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Issues	Potentially Significant Impact	Project Impact Adequately Addressed in the PEIR	Less Than Significant with Project-Level Mitigation Incorporated	Less Than Significant Impact	No Impact
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hydrological interruption, or other means?

The project site contains waterways, wetlands, and riparian habitat potentially subject to U.S. Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), and/or California Department of Fish and Wildlife (CDFW) jurisdiction. The project would avoid all impacts to these areas; therefore, no impact would occur to jurisdictional wetlands and waterways.

Issue 4: Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

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The project site is located within the Los Peñasquitos Lagoon/Del Mar Mesa/Peñasquitos Canyon core biological resource area, and the easternmost portion of the site is located within the MHPA. However, the proposed project is primarily limited to existing developed and disturbed areas and would not result in the introduction of new land uses within the MHPA or core biological resource area. As such, the proposed project would not substantially alter current baseline conditions for local wildlife movement within and around the project area.

The project would not create any barriers to wildlife movement and would not impede wildlife movement or the use of native nursery sites. Therefore, impacts would be less than significant.

Issue 5: Result in a conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan, either within the Multiple Species Conservation Program (MSCP) plan area or in the surrounding region?

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The project has been specifically designed to minimize impacts to biological resources addressed in the City's MSCP Subarea Plan (1997) and Land Development Code (2018). The project would be consistent with the MSCP and impacts to 0.07 acre of southern maritime chaparral previously impacted by brush management activities are not considered significant in accordance with Land Development Code requirements, as detailed in Sections 6.3. The project would not conflict with the local, regional, or state conservation plans.

The project is subject to City's MHPA Land Use Adjacency Guidelines designed to minimize edge effects to sensitive resources contained in the MHPA. Compliance with the MHPA Land Use Adjacency Guidelines is a condition of project approval. Impacts would be less than significant.

Issues	Potentially Significant Impact	Project Impact Adequately Addressed in the PEIR	Less Than Significant with Project-Level Mitigation Incorporated	Less Than Significant Impact	No Impact
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Issue 6: Result in a conflict with the provisions of any local policies or ordinances protecting biological resources?

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The project site contains southern maritime chaparral, which is one of the communities categorized as Environmentally Sensitive Habitat Area (ESHA). It is located entirely within the open space easement. One sensitive species, Nuttall's scrub oak, occurs within this community. Southern maritime chaparral is considered rare habitat, and this community is easily disturbed/degraded by human activities.

The project would result in direct impacts to 0.07 acre of ESHA habitat, in the form of southern maritime chaparral. As stated in the City's Biology Guidelines (City 2018), impacts to less than 0.1 acre of sensitive upland habitats would not be significant and do not require mitigation.

The project would provide protection to the habitats within the MHPA and would not conflict with any of the Local Coastal Program (LCP) Specific Language in the North City LCP (City 2019a) or the University-La Jolla LCP Addendum related to ESHA (City 1981).

Pursuant to the City Land Development Code Environmentally Sensitive Lands (ESL) regulations (City 2018) and MSCP implementing agreement (City 1997), a new covenant of easement shall be placed over the existing easement to further protect the remaining open space ESL and MHPA. The easement shall include only the remaining biological resources and natural steep hillsides.

Steep hillsides, defined as slopes greater than 25 percent, are present within the project site. As described in Section 142.0142 of the San Diego Municipal Code (City 2018), within the Coastal Overlay Zone, steep hillsides shall be preserved in their natural state. When encroachment onto such steep hillsides is unavoidable, encroachment shall be minimized; except that encroachment is permitted in such steep hillsides to provide for a development area (including Zone 1 brush management) of up to a maximum of 25 percent of the premises on premises containing less than 91 percent of such steep hillsides.

The project proposes no additional impacts to steep hillsides within the project site. The existing site is already developed within the maximum of 25 percent of steep hillsides and the project proposes to develop within the existing 25 percent of steep hillsides; therefore, the project would not conflict with the Development Regulations for Steep Hillsides in the San Diego Municipal Code. Furthermore, any increase in runoff resulting from the development of the site shall be directed away from any steep hillside areas and either into an existing or newly improved public storm drain system or onto a street developed with a gutter system or public right of way designated to carry surface drainage runoff. Impacts would be less than significant.

Issues	Potentially Significant Impact	Project Impact Adequately Addressed in the PEIR	Less Than Significant with Project-Level Mitigation Incorporated	Less Than Significant Impact	No Impact
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6.4 Energy

Would the project:

Issue 1: Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

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The project would be required to meet mandatory energy standards of the current California energy code. Energy used for construction would primarily consist of fuels in the form of diesel and gasoline. Fuel consumed by construction equipment would be the primary energy resource expended over the course of construction and would include the transportation of construction materials and construction worker commutes. Heavy-duty construction equipment associated with construction activities, haul trucks involved in the removal of construction and demolition materials, and smaller support equipment (such as lighting, air compressors, and pumps) would consume petroleum-based fuel. Construction workers would travel to and from the project site throughout the duration of construction, presumably in gasoline-powered vehicles. While construction activities would consume petroleum-based fuels, consumption of such resources would be temporary and would cease upon the completion of construction.

Once operational, the project would result in research and development uses similar to the surrounding area. Operation of the project would not require a significant increase in energy usage over the existing energy demand for the existing office uses at the site. Additionally, long-term energy usage from the building would be reduced through design measures that incorporate energy conservation features in heating, ventilation and air conditioning systems, lighting and window treatments, and insulation and weather stripping. The project would also incorporate cool-roofing materials and solar panels. Activities occurring at the site would be consistent with zoning of Industrial-Park and General Plan land use designation of Industrial Employment. Therefore, the project would not result in wasteful, inefficient, or unnecessary consumption of energy sources during project construction or operation. Impacts would be less than significant.

Issue 2: Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

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Refer to Issue 1, above. The project is consistent with the General Plan and the University Community Plan's land use designation. The project has also shown compliance with the City's Climate Action Plan ([CAP] 2015). The CAP Consistency Regulations were adopted through Ordinance O-21528 on September 21, 2022 and it became effective in certain areas of the City October 23, 2022 and effective in the coastal zone June 8, 2023. Section 10 of this ordinance states

Issues	Potentially Significant Impact	Project Impact Adequately Addressed in the PEIR	Less Than Significant with Project- Level Mitigation Incorporated	Less Than Significant Impact	No Impact

“[t]hat no permits shall be issued for development that is inconsistent with the provisions of this Ordinance unless a deemed complete application for such permits is submitted to the City prior to the date on which the applicable provisions of this Ordinance become effective.” The project application was deemed complete June 7, 2022, which was before the effective date of the CAP Consistency Regulations in the coastal zone. The CAP Consistency Regulations do not apply to the project and the project relies on the 2015 CAP and associated CAP Consistency Checklist.

A CAP Consistency Checklist was completed by the Applicant for the proposed project (Ware Malcomb 2023). Under Step 1 of the CAP Consistency Checklist, the project is consistent with the existing General Plan and Community Plan designations for the site. Therefore, the project is consistent with the growth projections and land use assumptions used in the CAP. Furthermore, completion of Step 2 of the CAP Consistency Checklist demonstrates that the project would be consistent with applicable strategies and actions for reducing greenhouse gas (GHG) emissions. This includes project features such as energy and water efficient buildings strategy, as well as bicycling, walking, transit, and land use strategy. These project features would be assured as a condition of project approval. Thus, the project is consistent with the CAP. Step 3 of the CAP Consistency Checklist would not be applicable, as the project is not proposing a land use plan amendment or a rezone. The project would therefore not conflict with the City’s CAP, and no impacts would occur.

6.5 Geology/Soils/Seismicity

Would the project:

Issue 1: Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, including liquefaction, or landslides?

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The discussion below is based on the Geotechnical Investigation prepared by Geocon Incorporated (Geocon) for the proposed project (Geocon 2022). The study included a review of geologic literature, completion of engineering analyses, soil sampling, and laboratory testing.

Seismically induced surface or ground rupture occurs when movement on a fault deep within the earth breaks through to the surface as a result of seismic activity. Fault rupture almost always follows preexisting faults, which are zones of weakness. Sudden displacements are more damaging to structures because they are accompanied by shaking. According to the Geotechnical Investigation, the project site is not located within a State of California Earthquake Fault Zone and is not underlain by active, potentially active, or inactive faults (Geocon 2022).

Issues	Potentially Significant Impact	Project Impact Adequately Addressed in the PEIR	Less Than Significant with Project-Level Mitigation Incorporated	Less Than Significant Impact	No Impact
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While there are no known active faults that cross the project site, there are several active faults that run throughout San Diego County. There are multiple small fault lines occurring as close as 0.8 mile from the project site, with the Newport-Inglewood-Rose Canyon fault zone occurring approximately 2.8 miles west of the project site. The project site is within a seismically active area and, therefore, can be subject to strong seismic ground motion.

Liquefaction typically occurs when a site meets the following four criteria: a site is located in a zone with seismic activity, onsite soils are cohesionless or silt/clay with low plasticity, groundwater is encountered within 50 feet of the surface, and soil densities are less than approximately 70 percent of the maximum dry densities. If the four criteria are met, a seismic event could result in a rapid pore water pressure increase from the earthquake-generated ground accelerations. According to the Geotechnical Investigation, the project site lacks permanent, near-surface groundwater and the underlying Very Old Paralic Deposits, Scripps Formation and Ardath Shale are very dense (Geocon 2022). As such, the potential for liquefaction to occur at the site is considered very low.

The Geotechnical Investigation prepared for the project did not observe evidence of previous or recent slope instability at the project site or on the descending slopes adjacent to the project site.

Implementation of the project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, including liquefaction, or landslides. The project would be required to comply with seismic requirement of the California Building Code (CBC), utilize proper engineering design and standard construction practices, to be verified at the building permit stage, in order to ensure that would reduce impacts to people or structures to an acceptable level of risk. Impacts would be less than significant.

Issue 2: Result in substantial soil erosion or the loss of topsoil? ☐ ☐ ☐ ☒ ☐

Soil exposed by construction activities, such as grading, could be subject to erosion if exposed to heavy rain, winds, or other storm events. Construction of the proposed project would involve a variety of heavy equipment associated with intensive earthwork, structural, and paving phases. The project would be required to comply with the City's Storm Water Standards, which require the implementation of appropriate best management practices (BMPs). Grading activities would be required to comply with the City of San Diego Grading Ordinance as well as the Storm Water Standards and the project's Stormwater Pollution Prevention Plan (SWPPP) and Stormwater Quality Management Plan (SWQMP), which would ensure soil erosion and topsoil loss is minimized to less than significant levels. Furthermore, permanent storm water BMPs would also be required post-construction consistent with the City's regulations. Therefore, the project would not result in substantial soils erosion or loss of topsoil; therefore, impacts would be less than significant.

Issue 3: Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- ☐ ☐ ☐ ☒ ☐

Issues	Potentially Significant Impact	Project Impact Adequately Addressed in the PEIR	Less Than Significant with Project- Level Mitigation Incorporated	Less Than Significant Impact	No Impact

or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

As discussed in Section 6.5, Issue 1 above, the potential for liquefaction and seismically induced settlement occurring at the site is considered negligible, and landslides would not be a concern for the project. Therefore, impacts related to lateral spreading would be less than significant. Additionally, the potential for ground rupture at the project site is considered to be negligible due to the absence of active faults at the subject site. Seismic design of structures would be required to be evaluated in accordance with the California Building Code guidelines currently adopted by the City and comply with applicable regulations. The project would not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and impacts would be less than significant.

Issue 4: Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

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According to the Geotechnical Investigation prepared for the project site, the soil encountered in the field investigation is classified as having "Very Low" to "Medium" expansion potential as defined by the American Society for Testing and Materials (ASTM) D 4829 Expansion Index Test (Geocon Incorporated 2022). Per the recommendation in the Geotechnical Investigation, the upper portion of the previously placed fill would be removed and replaced as compacted fill to reestablish proper moisture content and provide suitable fill for support of planned improvements. Very Old Parallic Deposits, Scripps Formation and Ardath Shale are suitable for the support of proposed fill and structural loads. Therefore, impacts related to expansive soil would be less than significant.

6.6 Greenhouse Gas Emissions

Would the project:

Issue 1: Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

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The CAP Consistency Checklist is used to ensure project-by-project consistency with the underlying assumptions in the CAP and to ensure that the City would achieve the emission reduction targets identified in the CAP. The CAP Consistency Regulations were adopted through Ordinance O-21528 on September 21, 2022 and it became effective in certain areas of the City October 23, 2022 and effective in the coastal zone June 8, 2023. Section 10 of this ordinance states "[t]hat no permits shall be issued for development that is inconsistent with the provisions of this Ordinance unless a

Issues	Potentially Significant Impact	Project Impact Adequately Addressed in the PEIR	Less Than Significant with Project- Level Mitigation Incorporated	Less Than Significant Impact	No Impact

deemed complete application for such permits is submitted to the City prior to the date on which the applicable provisions of this Ordinance become effective.” The project application was deemed complete June 7, 2022, which was before the effective date of the CAP Consistency Regulations in the coastal zone. The CAP Consistency Regulations do not apply to the project and the project relies on the 2015 CAP and associated CAP Consistency Checklist.

The 2015 CAP Consistency Checklist includes a three-step process to determine if the project would result in a GHG impact. Step 1 consists of an evaluation to determine the project’s consistency with existing General Plan, Community Plan, and zoning designations for the site. Step 2 consists of an evaluation of the project’s design features compliance with the CAP strategies. Step 3 is only applicable if a project is not consistent with the land use and/or zone, but is also in a transit priority area to allow for more intensive development than assumed in the CAP.

Under Step 1 of the CAP Consistency Checklist, the project is consistent with the existing General Plan and University Community Plan land use designations and zoning for the site. Therefore, the project is consistent with the growth projections and land use assumptions used in the CAP. Furthermore, completion of Step 2 of the CAP Consistency Checklist demonstrates that the project would be consistent with applicable strategies and actions for reducing GHG emissions at the project level (Ware Malcomb 2023). This includes project features consistent with the energy and water efficient buildings strategy, as well as bicycling, walking, transit, and land use strategy. These project features would be assured as a condition of project approval. Step 3 of the CAP Consistency Checklist would not be applicable, as the project is not proposing a land use amendment or a rezone. Thus, the project is consistent with the CAP.

Based on the project’s consistency with the City’s 2015 CAP Consistency Checklist, the project’s contribution of GHGs to cumulative emissions would be less than cumulatively considerable. Therefore, the project’s direct and cumulative GHG emissions would be less than significant.

Issue 2: Conflict with City’s Climate Action Plan or another applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

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Refer to Section 6.6, Issue 1 above. The project would not conflict with the City’s CAP or applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs. Impacts would be less than significant.

6.7 Health and Safety

Would the project:

Issue 1: Create a significant hazard to the public or the environment through

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Issues	Potentially Significant Impact	Project Impact Adequately Addressed in the PEIR	Less Than Significant with Project-Level Mitigation Incorporated	Less Than Significant Impact	No Impact
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routine transport, use, or disposal of hazardous materials?

Construction activities associated with the project would require transportation and use of limited quantities of fuel, oil, sealants, and other hazardous materials related to construction. The use of hazardous materials and substances during construction would be subject to federal, state, and local health and safety requirements for handling, storage, and disposal. As a result, hazardous material impacts related to construction activities would be less than significant.

The project, as a research and development facility, includes laboratory uses that could involve the use of acutely hazardous materials. However, chemicals would be located in separate containers and incompatible chemicals would be separated as specified by the International Fire Code. Materials that could involve the emission of vapors would be performed under fume hoods that would function to capture emissions at the source, dilute the emissions in the hood, and then expel the emissions where they can disperse in the atmosphere. Waste streams, if determined to be hazardous, would be organized to be disposed of as a hazardous material at a state-permitted treatment or disposal facility. The delivery and disposal of chemicals to and from the project site would occur in full accordance with all applicable federal, state, and local regulations. Therefore, the project would not create a significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials. Impacts would be less than significant.

Issue 2: Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

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As discussed above, Section 6.7, Issue 1, limited quantities of hazardous materials such as gasoline, diesel, oils, and lubricants may be required to operate the construction equipment. Construction activities would be short-term, and the use of these materials would cease once construction is complete. The hazardous substances used during construction would be required to comply with existing federal, state, and local regulations regarding the use and disposal of these materials. In the event of an accidental release during construction containment and clean up would be in accordance with existing applicable regulatory requirements.

Project operation may include the transport and use of hazardous materials onsite. However, the project would adhere to all applicable federal, state, and local regulations related to the use of hazardous materials. In the event of an accidental release during operation containment and clean up would be in accordance with existing applicable regulatory requirements. Therefore, the project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Impacts would be less than significant.

Issues	Potentially Significant Impact	Project Impact Adequately Addressed in the PEIR	Less Than Significant with Project-Level Mitigation Incorporated	Less Than Significant Impact	No Impact
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Issue 3: Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

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The proposed project is not located within one-quarter mile of an existing or proposed school. The nearest school is the Torrey Hills School, which is an elementary school located approximately one mile east of the project site. Therefore, the project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. No impact would occur.

Issue 4: Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

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A Phase 1 Environmental Site Assessment was prepared for the project site (Ninyo & Moore 2023). The scope of the Phase 1 ESA included review of physical setting and background information; site reconnaissance; review of federal, state, tribal and local regulatory agency databases for the site and surrounding area; review of historical information; interview with property owner; and preliminary vapor encroachment screen to evaluate the potential for vapor encroachment.

Available records indicated minor violations at the site and three documented releases associated with a closed case on GeoTracker. Environmental Business Solutions (EBS) discussed each release in their letter report dated November 30, 2005. The first release occurred on June 7, 1999 when approximately five gallons of Sentol solution were spilled onto the asphalt near the utility area. The solution was flushed out of the storm drain with copious amounts of water and subsequent pH readings indicated the water was neutral before it was released into the stormwater system. The second release occurred on September 10, 1999 when approximately 1.5 gallons of hydraulic oil were released in the delivery area, south of the main building. The spill was controlled using ground corn cob absorbent and cleaned up by the contractor responsible. The third release occurred on October 31, 2002 when approximately two gallons of Mincare solution were released in the delivery area south of the main building. Approximately four 30-gallon containers of impacted soil were excavated and disposed of. The County of San Diego Department of Environmental Health and Quality (DEHQ) reviewed the letter report prepared by EBS and determined cleanup goals for the site had been met. The case was closed in April 2006.

Based on the results of the ESA, no recognized environmental conditions (RECs) were identified. RECs are defined by American Society for Testing and Materials (ASTM) as: (1) the presence of hazardous substances or petroleum products in, on, or at the subject property due to a release to the environment; (2) the likely presence of hazardous substances or petroleum products in, on, or at

Issues	Potentially Significant Impact	Project Impact Adequately Addressed in the PEIR	Less Than Significant with Project- Level Mitigation Incorporated	Less Than Significant Impact	No Impact

the subject property due to a release or likely release to the environment; or (3) the presence of hazardous substances or petroleum products in, on, or at the subject property under conditions that pose a material threat of a future release to the environment. Therefore, the project would not create a significant hazard to the public or environment resulting from being included on a list of hazardous materials sites. No impact would occur.

Issue 5: Result in a safety hazard for people residing or working within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport?

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Refer to Section 6.1, Issue 3 above. The proposed project is located approximately five miles northwest of the MCAS Miramar Airport. According to the ALUCP for MCAS Miramar, the project site is located within an AICUZ Safety Zone, specifically Accident Potential Zone (APZ) II, for MCAS Miramar (San Diego County Regional Airport Authority 2011). However, project implementation would not conflict with the APZ II designation. According to the MCAS Miramar ALUCP, research and development uses are conditionally compatible in APZ II provided that the uses comply with a FAR of 0.34 and do not exceed 50 people per acre. The maximum number of people for the proposed project site would be restricted to 512 people based on occupancy permit. With a total acreage of 10.2 acres and 512 people, there would be 50 people per acre, which is consistent with APZ II. As such, the project would not result in land uses that are incompatible with an adopted ALUCP. Impacts would be less than significant.

Issue 6: Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

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Access to the project site is proposed via two driveways off Torreyana Road. The southern driveway is proposed opposite Callan Road, forming the fourth leg of the Torreyana Road/Callan Road intersection, and would be used solely for deliveries and fire access. The northern driveway, which currently serves the site, would be reconstructed per current City standards and serve as the primary day-to-day access point. Project-related traffic would not cause a significant increase in congestion. During construction of the project, heavy construction vehicles could temporarily slow response to the site or emergency evacuation procedures in the event of an emergency (e.g., vehicles traveling behind the slow-moving truck). However, such trips would be infrequent and temporary and would not conflict with typical emergency response procedures used by emergency service providers. As a result, the project's construction-related impacts would be less than significant.

The Project's trip generation is based on the Project's total building area of 203,096-square feet. Since the time in which the Project's trip generation and analysis were conducted, the Project's gross

Issues	Potentially Significant Impact	Project Impact Adequately Addressed in the PEIR	Less Than Significant with Project-Level Mitigation Incorporated	Less Than Significant Impact	No Impact
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floor area was refined to 152,080 square feet based on coordination with City staff and using the City of San Diego Municipal Code as a guide to exclude non-occupiable areas. This includes space dedicated to support-type uses. Assuming the Project's total building area of 203,096 in the Project's trip generation calculations is a conservative approach as it assumes more occupiable area as compared to the proposed 152,080 square feet. As discussed in the VMT Assessment Analysis prepared for the project by LLG (2024b), the project would generate 1,625 ADT, with 260 AM (234 in, 26 out) peak hour trips and 228 PM (23 in, 205 out) peak hour trips. By subtracting the estimated trips currently generated by the existing project site, the proposed project would result in a net increase of 1,011 ADT over existing conditions, with an increase of 162 AM (146 in, 16 out) peak hour trips and 142 PM (14 in, 128 out) peak hour trips. The project does not propose changes to the City's existing circulation network and no land uses are proposed that would impair implementation of or physically interfere with the City's emergency response plan or evacuation routes. Given the capacity of the surrounding roadways and the relatively small incremental increase of trips. The project is consistent with the underlying land use and zoning that was considered in emergency evacuation planning efforts. Thus, the proposed project would not result in interference with emergency response access or evacuation. The impacts related to the operation of the project would be less than significant.

6.8 Historical/Archaeological/Tribal Cultural Resources

Would the project:

Issue 1: Result in an alteration, including the adverse physical or aesthetic effects and/or destruction of a historic building (including architecturally significant building) structure, object, or site?

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The discussion below is based on the Archaeological Resources Report Form prepared by HELIX for the proposed project (HELIX 2022b). The study included a records search, Sacred Lands File search, tribal outreach, a review of historical aerial photographs and maps, and a pedestrian survey of the project Area of Potential Effect (APE) with a Kumeyaay Native American monitor.

The records search conducted by the South Coastal Information Center (SCIC) on December 7, 2022, identified 180 reports on file within a one-mile radius of the project area. Of these, only three studies overlap the APE: (1) a cultural resources inventory of the San Diego coast state beaches; (2) the results of a surface and subsurface testing of archaeological sites within the Torrey Pines Science Park; and (3) the results of an archaeological and geospatial investigation of fire-altered rock features at the Torrey Pines State Reserve. Additionally, HELIX conducted a cultural resource study in January 2021 for the property immediately south of the project APE (HELIX 2021); this report was not captured by the records search.

Issues	Potentially Significant Impact	Project Impact Adequately Addressed in the PEIR	Less Than Significant with Project-	Less Than Significant Impact	No Impact
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A total of 80 cultural resources are recorded within one mile of the project APE, one of which, P-37-040188 (SDM-W-1075), overlaps with the APE. During the 2022 HELIX study for the adjacent parcel (HELIX 2022b), a review of in-house records identified one resource, SDM-W-1075, mapped within that parcel and the current project APE. HELIX prepared a site form and submitted it to the SCIC—the site has subsequently been documented as P-37-040188. During a survey conducted in the 1970s of a larger area that contained the project site, WESTEC Services (WESTEC) documented SDM-W-1075 within the western portion of the project area. The resource was noted to be a surface scatter of stone tools and flakes described as being “of moderate importance” (HELIX 2022b). WESTEC conducted surface and subsurface testing of multiple resources in the area in 1977; all visible artifacts at SDM-W-1075 were collected at that time and, due to the surficial nature of the resource, neither testing nor additional fieldwork was conducted. A total of 130 artifacts were recovered from SDM-W-1075, consisting of ground stone and flaked stone tools, a projectile point, a single piece of ceramic, and more than 100 flakes and pieces of debitage. It was noted that the artifacts recovered from the site represent material that is usually associated with the manufacture of tools and quarrying activities; based on this and a comparison of other similar sites, it was determined that this resource was likely an area where lithic resources were obtained, flaked, and taken to a nearby campsite. Because the artifacts at site W-1075 were collected and analyzed, WESTEC concluded that “the data collected from this site coupled with the preservation of the recovered artifacts ensure that, although the physical manifestation of site W-1075 could be destroyed by construction, the valuable data contained therein will be preserved” (HELIX 2022b). SDM-W-1075 was recorded at the San Diego Museum of Man (now the Museum of Us) but it was never recorded at SCIC and did not have Primary numbers or trinomials assigned to it. HELIX prepared a Department of Parks & Recreation (DPR) site record for SDM-W-1075 based on Carrico’s information (1977b), which was submitted to SCIC; the site has been assigned the Primary number P-37-040188 and the trinomial CA-SDI-23327.

No structures are visible in the project area on the 1903 or 1930 La Jolla (1:62,500) topographic maps, though the Southern California Railroad is recorded to the east. The 1953 Del Mar (1:24,000) topographic map depicts the Coast Highway 101 west of the project – this highway would later become North Torrey Pines Road. The Southern California Railroad was also relabeled as the Atchison, Topeka, and Santa Fe Railway in the 1953 map. The subsequent 1967 and 1975 Del Mar topographic maps depict a trail or light-use road running through the project area. This road is not present on the 1994 Del Mar topographic map; instead, a paved road and several structures are visible in the vicinity of the project area. Between 1979 and 1980, the western portion of the project APE was graded, and by 1981 the existing building within the project site is shown on aerial photographs as being constructed.

On December 13, 2022, a HELIX archaeologist and a Kumeyaay Native American monitor conducted a field investigation of the project site, which included intensive pedestrian survey of the APE. During the pedestrian survey, most of the ground surface within the project area was inaccessible or otherwise unviewable due to buildings, paved driveways and parking areas, and landscaped berms. What ground surface was visible was located along the roadway and within the northern section of the APE. Within that area, the visible soils consisted of medium to dark brown silty loam. All accessible areas of the APE were thoroughly checked for cultural resources—none were observed

Issues	Potentially Significant Impact	Project Impact Adequately Addressed in the PEIR	Less Than Significant with Project- Level Mitigation Incorporated	Less Than Significant Impact	No Impact

within the project area. The eastern, undeveloped portion of the project within the biological open space easement could not be thoroughly surveyed, due to thick vegetation and steep slopes; however, the majority of this area is not proposed for development under the current project plan.

One objective of the field survey was to gauge the depth of grading that occurred during the construction of the existing structures on site, and to determine whether the soil was graded to depths below that which would contain cultural resources. Due to the sloped nature of the surrounding landscape, it appeared as though the property was graded approximately three to ten feet below the original ground surface, with the southern edge of the property sitting at a lower elevation than the western edge.

Therefore, due to the lack of historic resources identified on the project site from the SCIC records search and field investigation, project implementation would not impact historical resources.

The City of San Diego criteria for determination of historic significance, pursuant to CEQA, is evaluated based upon age (over 45 years), location, context, association with an important event, uniqueness, or structural integrity of the building. Projects requiring the demolition and/or modification of structures that are 45 years or older can result in potential impacts to a historical resource. The existing building at 11011 Torreyana Road was constructed after 1980. Therefore, no impact would occur.

Issue 2: Result in a substantial adverse change in the significance of a prehistoric or historic archaeological resource, a religious or sacred site, or the disturbance of any human remains those interred outside of formal cemeteries?

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As stated above, the records search conducted by the SCIC indicated that 80 cultural resources have been previously recorded within one mile of the project APE, consisting of both prehistoric and historic resources. In general, the prehistoric resources recorded within the search radius consist of shell middens, artifact scatters, fire-affected rock features, isolated artifacts, and a habitation site. Historic resources include residences, foundations, trash scatters, isolated artifacts, a segment of U.S. Highway 101, and a segment of the Atchison, Topeka, and Santa Fe Railway.

Of the 80 resources previously recorded within one mile of the project APE, one resource (P-37-040188 [SDM-W-1075]) overlaps with the APE. As discussed above, impacts to site P-37-040188 (SDM-W-1075) were considered mitigated through artifact collection and documentation prior to development of the existing buildings (HELIX 2022b).

The field investigation completed by a HELIX archaeologist and a Kumeyaay Native American monitor on December 13, 2022 did not identify archaeological material or resources within the project site.

Issues	Potentially Significant Impact	Project Impact Adequately Addressed in the PEIR	Less Than Significant with Project- Level Mitigation Incorporated	Less Than Significant Impact	No Impact

HELIX contacted the Native American Heritage Commission (NAHC) on December 1, 2022, to request a search of its Sacred Lands File. Letters were sent on December 7, 2022 to the tribal contacts provided by the NAHC. The NAHC indicated in a response dated December 16, 2022, that the search of their Sacred Lands File was completed for the project with negative results. A list of tribal contacts from whom additional information can be solicited was provided with the NAHC's response; letters were sent to these contacts on December 7, 2022. To date, one response has been received. Viejas Band of Kumeyaay Indians responded on December 20, 2022 that there are known cultural resources within or adjacent to the project area. They request that a Kumeyaay cultural monitor be on site for all ground-disturbing activities and be informed of any new developments such as inadvertent discovery of cultural artifacts, cremations site, or human remains.

However, due to the lack of archaeological material or resources identified on the project site during the field investigation, and because impacts to site P-37-040188 (SDM-W-1075) identified from the SCIC records search within the APE were previously mitigated, project implementation would not result in a substantial adverse change in the significance of a known or still existing prehistoric or historic archaeological resource.

Additionally, the project site is not located within or near a formal cemetery and is not known to be located on a burial ground. The project site is developed, and it is highly unlikely the proposed project would disturb any human remains during construction. Should human remains be uncovered during construction, the project would comply with State Health and Safety Code Section 7050.5 which a temporary construction exclusion zone to be established surrounding the area of discovery, immediate notification of the San Diego County Coroner's office, and evaluation by a forensic anthropologist. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission, shall be contacted in order to determine proper treatment and disposition of the remains in accordance with California Public Resources Code section 5097.98. Therefore, impacts would be less than significant.

Issue 3: Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

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| a. Listed or eligible for listing in the California Register of Historical Resources, or | ☐ | ☐ | ☒ | ☐ | ☐ |
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Issues	Potentially Significant Impact	Project Impact Adequately Addressed in the PEIR	Less Than Significant with Project-Level Mitigation Incorporated	Less Than Significant Impact	No Impact
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in a local register of historical resources as defined in Public Resources Code section 5020.1(k); or,

As detailed in Section 6.8, Issues 1 and 2 above, the SCIC record search indicated that 80 cultural resources have been recorded within a one mile of the project APE, with only one resource (P-37-040188 [SDM-W-1075]) occurring within the project site. However, no cultural resources, including resource P-37-040188, were identified during the pedestrian survey of the site completed by a HELIX archaeologist and a Kumeyaay Native American monitor on December 13, 2022. Additionally, in a response dated December 16, 2022, the NAHC indicated that the search of their Sacred Lands File was completed for the project with negative results. A list of tribal contacts from whom additional information can be solicited was provided with the NAHC's response; letters were sent to these contacts on December 7, 2022. To date, one response has been received. As stated above, the Viejas Band of Kumeyaay Indians responded on December 20, 2022 that there are known cultural resources within or adjacent to the project area and request that a Kumeyaay cultural monitor be on site for all ground-disturbing activities. Therefore, mitigation measure CUL-1 has been included for a cultural monitor during ground-disturbing activities to reduce impacts to below level of significance.

In accordance with the requirements of Public Resources Code 21080.3.1, the City of San Diego provided formal notifications to the Lipay Nation of Santa Ysabel, the Jamul Indian Village, and the San Pasqual Band of Mission Indians, which are traditionally and culturally affiliated with the project area requesting consultation. Formal notification letters were sent via electronic mail on June 7, 2023. The Jamul Indian Village responded within the 30-day format formal notification period requesting consultation. Consultation occurred on June 14, 2023 and on June 26, 2023, the Jamul Indian Tribe identified the area is sensitive to their tribal culture, and requested that a Native American monitor be required during ground disturbing activities. The City defers to the tribes as tribal cultural resource experts, and has determined the project has a potential to impact a tribal cultural resource. Therefore, the project would potentially result in a substantial adverse change in the significance of a tribal cultural resource. To reduce potential tribal cultural resource impacts to below a level of significance, archaeological monitoring with a Native American monitor would be required during ground-disturbing activities as detailed in Mitigation Measure CUL-1 in the Mitigation Monitoring and Reporting Program (MMRP) in Section IV.

- b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code section 5024.1,

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Issues	Potentially Significant Impact	Project Impact Adequately Addressed in the PEIR	Less Than Significant with Project-Level Mitigation Incorporated	Less Than Significant Impact	No Impact
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the lead agency shall consider the significance of the resource to a California Native American tribe.

Refer to Section 6.8, Issue 3a above. The project would potentially result in a substantial adverse change in the significance of a tribal cultural resource. To reduce potential tribal cultural resource impacts to below a level of significance, archaeological monitoring with a Native American monitor would be required during ground-disturbing activities as detailed in Mitigation Measure CUL-1 in the Mitigation Monitoring and Reporting Program (MMRP) in Section IV.

6.9 Hydrology/Water Quality

Would the project:

Issue 1: Result in flooding due to an increase in impervious surfaces or changes in absorption rates, drainage patterns, or the rate of surface runoff?

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The discussion below is based on the Hydrology and Hydraulics Study prepared by Ware Malcomb for the proposed project (2023).

The project would occur generally within the footprint of the existing developed portion of the site. As discussed in the Hydrology and Hydraulics Study prepared for the project, the drainage characteristics would remain similar to existing conditions. Two points of compliance (POC)s have been identified for the existing project, POC1 and POC2. The existing topography for POC1 generally drains southeast to an existing storm system. Runoff captured in the existing storm system for POC1 is conveyed and discharged to the vegetated offsite area east of the proposed development. The existing topography for POC2 generally drains to the north to an existing catch basin near the northern property line of the project site. Runoff captured in the existing catch basin for POC2 is conveyed and discharged to the vegetated offsite area east of the proposed development (Ware Malcomb 2023).

For the proposed project, POC1 encompasses a portion of the proposed industrial building and paving in the project site. Runoff generated within POC1 would be conveyed via curb and gutter to the proposed modular wetlands system (MWS) near the southern boundary of the project site. Captured runoff is discharged to the underground detention system then treated in the adjacent MWS. The underground detention system is sized to bypass the 100-year storm event and would provide peak flow mitigation. Mitigated flows from the underground detention system would be conveyed via storm drain and ultimately discharged to the existing vegetated offsite area southeast of the project site. POC2 encompasses a portion of the proposed industrial building and paving in the project site. Runoff generated within POC2 would be conveyed via curb and gutter to two catch basins; one located on the northern driveway and the other in the eastern parking lot. Captured

Issues	Potentially Significant Impact	Project Impact Adequately Addressed in the PEIR	Less Than Significant with Project- Level Mitigation Incorporated	Less Than Significant Impact	No Impact

runoff from both catch basins would discharge into the underground detention system then treated in the adjacent MWS. The underground detention system is sized to bypass the 100-year storm event and would provide peak flow mitigation. Mitigated flows from the underground detention system would be conveyed via storm drain and ultimately discharged to the existing vegetated offsite area northeast of the project site. The offsite vegetated areas that were not expected to be disturbed were not analyzed as they would remain the same condition as pre-development conditions (Ware Malcomb 2023). Through project design, the project’s peak flows are no greater than pre project conditions.

Additionally, a SWPPP would be prepared in compliance with the Construction General Permit. The SWPPP would identify erosion control and sediment control best management practices (BMPs) that would be implemented to minimize the occurrence of soil erosion. Therefore, the project would not substantially increase impervious surfaces, absorption rates, or the rate of surface runoff.

The project is a Priority Development Project (PDP) and, therefore, a SWQMP would also be prepared. The PDP SWQMP would include construction and post-construction BMPs in compliance with the City and RWQCB regulations such as low-impact development (LID) design practices which include source control and hydromodification designs. Implementation of these LID BMPs under the PDP SWQMP would preclude any potential violations of applicable standards and discharge violations.

The project would not result in flooding due to an increase in impervious surfaces or changes in absorption rates, drainage patterns, or the rate of surface runoff. Impacts would be less than significant.

Issue 2: Result in a substantial increase in pollutant discharge to receiving waters and increase of identified pollutants to an already impaired water body?	☐	☐	☐	☒	☐
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Refer to the discussion under Section 6.9, Issue 1 above. The project would not result in significant runoff through the incorporation of MWS and underground detention systems. A SWPPP would be prepared in compliance with the Construction General Permit, which would identify erosion control and sediment control BMPs that would be implemented to minimize the occurrence of soil erosion. A PDP SWQMP would be prepared for the project which includes construction and post-construction BMPs such as source control and hydromodification designs, which would prevent pollutant discharge to receiving waters. Therefore, the project would not result in a substantial increase in pollutant discharge to receiving waters and increase of identified pollutants to an already impaired water body. Impacts would be less than significant.

Issues	Potentially Significant Impact	Project Impact Adequately Addressed in the PEIR	Less Than Significant with Project-Level Mitigation Incorporated	Less Than Significant Impact	No Impact
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Issue 3: Deplete groundwater supplies, degrade groundwater quality, or interfere with groundwater recharge?

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There is no groundwater extraction occurring or planned at the project site; therefore, there would be no disruption to any existing groundwater levels or well production. In relation to impervious surfaces that could interfere with groundwater recharge, the project would occur generally within the footprint of the existing developed portion of the site. Additionally, as discussed in the Drainage Study prepared for the project, the project would incorporate MWS and underground detention systems to attenuate the 100-year 6-hour storm event peak flow to pre-project conditions (Ware Malcomb 2023). Captured runoff from catch basins on site would discharge into the underground detention system and then be treated in the adjacent MWS prior to entering into the groundwater basin. Therefore, the project would not result in flows that may interfere with groundwater quality. Impacts related to groundwater would be less than significant.

6.10 Noise

Would the project:

Issue 1: Result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

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Project implementation would generate noise during both construction and operation. As specified in Chapter 5, Section 59.5.0404 of the San Diego Municipal Code, construction activity that would create disturbing, excessive, or offensive noise is prohibited between the hours of 7:00 p.m. of any day and 7:00 a.m. of the following day, or on legal holidays specified in Section 21.04 of the San Diego Municipal Code with exception of Columbus Day and Washington's Birthday, or on Sundays. A significant construction noise impact would occur if temporary construction noise exceeds 75 A-weighted decibels (dBA) equivalent continuous sound level (L_{EQ}) at a noise-sensitive land use.

The nearest noise sensitive land use (hotel) to the project site property line is greater than 1,500 feet to the southwest. The loudest piece of construction equipment would be a breaker (if used) that has a 90 dBA maximum reference noise level (L_{MAX}) at 50 feet. Based on a source-to-receiver sound attenuation factor of approximately six dB per doubling of distance, project construction would not exceed the 75 dBA threshold at the closest noise sensitive land use (HELIX 2022). Therefore, construction activities would comply with the San Diego Municipal Code.

Issues	Potentially Significant Impact	Project Impact Adequately Addressed in the PEIR	Less Than Significant with Project-Level Mitigation Incorporated	Less Than Significant Impact	No Impact

The City Noise Ordinance (San Diego Municipal Code Section 59.5.0401) also sets limits for operational noise generation, as measured at the property line. For the project's land use, the applicable noise standard would be 75 dBA L_{EQ} . Operational noise would be similar to the existing uses and include heating, ventilation, and air conditioning (HVAC) units.

Additionally, vehicle related noise would occur from employee and delivery truck trips. To generate a noticeable increase in noise levels, traffic volumes generated by a project would generally have to double existing conditions. Given that the project would result in a minimal increase in trips over existing conditions, traffic volumes associated with the project would not sufficiently raise the volume of traffic to create a significant change in noise levels. Therefore, the project would not result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of established standards. Impacts would be less than significant.

Issue 2: Cause the generation of, excessive groundborne vibration or groundborne noise levels?

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Excessive ground-borne vibration would occur if construction-related ground-borne vibration exceeds the “strongly perceptible” vibration annoyance potential criteria criterion for human receptors of 0.1 inch per second peak particle velocity (PPV) at land uses where people sleep or the damage potential criteria criterion to modern commercial buildings of 0.5 inch per second PPV for continuous/frequent intermittent construction sources (such as impact pile drivers, vibratory pile drivers, and vibratory compaction equipment) at adjacent buildings, as specified by the California Department of Transportation ([Caltrans] 2020). In addition, given the surrounding research land uses that may contain vibration-sensitive equipment, the Federal Transit Administration (FTA) criterion of 65 vibration decibels (VdB) is considered in this analysis (FTA 2018). A possible source of vibration during general project construction activities would be a vibratory roller, which may be used for compaction of soil beneath building foundations and could be used within 1,500 feet of the nearest hotel and 55 feet of the nearest off-site building. A vibratory roller would create approximately 0.210 inch per second PPV at a distance of 25 feet (Caltrans 2020). A 0.210 inch per second PPV vibration level would generate 0.088 inch per second PPV and 84 VdB at a distance of 55 feet.¹ This would be much lower than the structural damage impact to commercial structures criterion of 0.5 inch per second PPV and the “strongly perceptible” impact criterion for humans of 0.1 inch per second PPV. However, the FTA criteria for vibration-sensitive equipment would be exceeded. Additionally, off-site exposure to such ground-borne vibration would be temporary as it would be limited to the short-term construction period. Therefore, even though vibration may be perceptible at nearby residences, temporary impacts associated with the roller (and other potential equipment) would be less than significant. As a research and development land use, the project

¹ Equipment PPV = Reference PPV * (25/D)ⁿ (inches per second), where Reference PPV is PPV at 25 feet, D is distance from equipment to the receiver in feet, and n = 1.1 (the value related to the attenuation rate through the ground); formula from Caltrans 2020. Equipment VdB = Reference VdB – 30log(D/25), where Reference VdB is VdB at 25 feet and D is distance from equipment to the receiver in feet, formula from FTA 2018.

Issues	Potentially Significant Impact	Project Impact Adequately Addressed in the PEIR	Less Than Significant with Project- Level Mitigation Incorporated	Less Than Significant Impact	No Impact

would not generate excessive ground-borne vibration during operations. As such, impacts related to groundborne vibration would be less than significant.

Issue 3: Be located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

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The proposed project is located approximately five miles northwest of the MCAS Miramar Airport. Although the project is located within APZ II for MCAS Miramar, the project site is not located within the MCAS Miramar noise contours provided in the ALUCP (San Diego County Regional Airport Authority 2011). Therefore, the project occupants would not be exposed to significant noise levels related to an airport. Impacts would be less than significant.

6.11 Paleontological Resources

Would the project:

Issue 1: Result in development that requires over 1,000 cubic yards of excavation in a high resources potential geologic deposit/formation/rock unit or over 2,000 cubic yards of excavation in a high resources potential geologic deposit/formation/rock unit.

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According to the Geotechnical Investigation prepared for the project, the project site is underlain with undocumented fill, Very Old Paralic Deposits, the Scripps Formation, and Ardath Shale (Geocon Incorporated 2022). The potential for paleontological resources in undocumented fill is extremely low. The Very Old Paralic Deposits represent a marine and/or non-marine terrace deposit. Fossils are rare in the Very Old Paralic Deposits and is recognized as having a moderate resource sensitivity in most areas of San Diego, including the project site. The Scripps Formation is considered to be potentially fossiliferous in most locations. Most of the fossils known from this formation consist of remains of marine organisms (i.e., bony fishes, sharks, rays, etc.) and land mammals (i.e., uinathere, brontothere, rhinoceros, and artiodactyl). Therefore, the Scripps Formation is recognized as having a high paleontological resource sensitivity. The Ardath Shale has yielded diverse and well-preserved assemblages of marine microfossils, macroinvertebrates, and vertebrates. As such, the Ardath Shale is also recognized as having a high paleontological resource sensitivity.

Issues	Potentially Significant Impact	Project Impact Adequately Addressed in the PEIR	Less Than Significant with Project-Level Mitigation Incorporated	Less Than Significant Impact	No Impact
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The project is anticipated to involve 117,500 cubic yards of cut and 5,400 cubic yards of fill during excavation which may result in a significant impact to paleontological resources during construction. However, in accordance with San Diego Municipal Code Section 142.0151 (Paleontological Resources Requirements for Grading Activities), the project would require paleontological monitoring during grading and/or excavation activities as outlined in the City's Land Development Manual Appendix P, General Grading Guidelines for Paleontological Resources. Adherence to Section 142.0151 of the San Diego Municipal Code would reduce impacts to a less than significant level.

6.12 Public Services and Facilities

Would the project:

Issue 1: Promote growth patterns resulting in the need for and/or provision of new or physically altered public facilities (including police, fire-rescue, schools, libraries, parks, or other recreational facilities), the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?

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The City of San Diego Police Department provides police services for the project site, and the City of San Diego Fire-Rescue Department provides fire-rescue services for the project site. The project would replace the existing office uses with research and development uses and supporting amenities that are consistent with the site's zoning of Industrial-Park and land use designation of Industrial Employment. As the use of the project site would remain similar, a substantial increase in the number of calls for fire or police services is not anticipated and project implementation would not require the construction of new or expanded fire and police facilities. In addition, the project would not result in population generation, thereby resulting in additional demand for fire protection, police protection, schools, parks, or other public facilities. Impacts would be less than significant.

Issue 2: Increase the use of existing neighborhood and regional recreational facilities such that substantial deterioration of the facility would occur or be accelerated?

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Issues	Potentially Significant Impact	Project Impact Adequately Addressed in the PEIR	Less Than Significant with Project-Level Mitigation Incorporated	Less Than Significant Impact	No Impact
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The proposed project involves the replacement of existing office uses with research and development uses and supporting amenities. The project would not introduce inhabitants or visitors that would use existing recreational facilities or create the need for new facilities. The proposed project would not result in physical deterioration of an existing open space area or any recreation facilities. Therefore, no impacts would occur.

Issue 3: Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

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The proposed project does not involve or require the construction or expansion of recreational facilities. Therefore, no impacts would occur.

6.13 Public Utilities and Infrastructure

Would the project:

Issue 1: Use excessive amounts of water beyond projected available supplies?

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The 2020 City Urban Water Management Plan (UWMP) serves as the water resources planning document that assesses the current and future water supply and needs for the City. The Public Utilities Department local water supply is generated from recycled water, local surface supply, and groundwater, which accounts for approximately 20 percent of the total water requirements for the City. The City purchases water from the San Diego County Water Authority to make up the difference between total water demands and local supplies (City 2016). Implementation of the project would not result in new or expanded water entitlements from the water service provider. The project would be consistent with the existing land use and zoning designations for the project site, and therefore would be consistent with existing water demand projections contained in the UWMP. Therefore, the project would not use excessive amounts of water beyond projected available supplies, and impacts would be less than significant.

Issue 2: Promote growth patterns resulting in the need for and/or provision of new or physically altered utilities, the construction of which could cause significant environmental impacts in order to maintain service ratios, or other performance objectives?

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Issues	Potentially Significant Impact	Project Impact Adequately Addressed in the PEIR	Less Than Significant with Project-Level Mitigation Incorporated	Less Than Significant Impact	No Impact
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The project involves the replacement of the existing office uses with research and development uses, consistent with the project’s land use designation of Industrial Employment and zoning of Industrial-Park. The project site is currently served by existing underground water, stormwater, and sewer lines located within the adjacent streets. Infrastructure improvements would be limited to connections with these underground utility lines located within the adjacent streets. Additionally, utility improvements would occur at the project site as part of the project, impacts of which are considered herein.

As discussed under Section 6.13, Issue 3 below, the project would generate waste during pre-construction, construction, and operation. However, the project would not generate excessive amounts of waste that would require the need for new or physically altered waste disposal facilities. The project would also provide at least 1,170-square feet of trash and recycling storage space, per the City Storage Ordinance. Furthermore, the project would be required to comply with the City’s Municipal Code (including the Refuse, Organic Waste, and Recyclable Materials Storage Regulations (Municipal Code Chapter 14, Article 2, Division 8), Recycling Ordinance (Municipal Code Chapter 6, Article 6, Division 7), and the Construction and Demolition (C&D) Debris Deposit Ordinance (Municipal Code Chapter 6, Article 6, Division 6)) for diversion of both construction waste during the demolition phase and solid waste during the long-term, operational phase.

The project would not promote growth patterns resulting in the need for new or physically altered utilities. Impacts would be less than significant.

Issue 3: Result in impacts to solid waste management, including the need for construction of new solid waste infrastructure including organics management, materials recovery facilities, and/or landfills; or result in development that would not promote the achievement of a 75 percent target for waste diversion and recycling as required under AB 341 and the City’s Climate Action Plan?	☐	☐	☐	☒	☐
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The discussion below is based upon the WMP prepared by_HELIX Environmental Planning, Inc. for the proposed project (HELIX 2024c).

During pre-construction demolition, clearing/grubbing, and grading, the project would produce 160,756 tons of excavated soils, green waste, asphalt/concrete, and other C&D waste, and divert 158,699 tons of these materials from the landfill. Approximately 2,057 tons of solid waste material generated during pre-construction is anticipated to be disposed of as non-recyclable/non-reusable waste at the Sycamore Landfill, for an overall pre-construction diversion rate of 99 percent.

Issues	Potentially Significant Impact	Project Impact Adequately Addressed in the PEIR	Less Than Significant with Project-	Less Than Significant Impact	No Impact
			Level Mitigation Incorporated		

During construction, the project would produce approximately 251 tons of solid waste (metal, concrete, concrete/steel, asphalt, brick/masonry, wood, drywall, carpet/carpet padding, mixed debris, and trash), and divert approximately 178 tons of solid waste materials from the landfill. The diverted material would consist of clean, source-separated (segregated) recyclable and/or reusable material, as well as mixed debris, to be deposited at the recycling/reuse facilities identified in the City's Certified C&D Recycling Facility Directory (City 2021). Approximately 73 tons of solid waste material generated during construction is anticipated to be disposed of as non-recyclable/non-reusable waste at the Sycamore Landfill, for an overall diversion rate during construction of approximately 71 percent.

With the combined pre-construction and construction phases, the project would produce 161,007 tons of solid waste and would divert 158,878 tons. This would be an overall diversion rate during pre-construction and construction of 98 percent. Therefore, the project would exceed the C&D diversion threshold of 75 tons in Assembly Bill (AB) 341.

During occupancy, it has been estimated that the project would generate an additional 215 tons of waste per year over existing conditions. Using an estimated 50-percent diversion rate, which is based on compliance with SB 1383, an additional approximately 112 tons per year are calculated to be diverted to recycling/reuse facilities (in comparison to existing conditions). An additional estimated 107 tons per year, or 50 percent of occupancy material generated, are projected to be disposed of as non-recyclable/non-reusable waste at the Sycamore Landfill (in comparison to existing conditions). The project would also be required to comply with the forthcoming changes in organic waste diversion pursuant to SB 1383, which requires diversion of a minimum of 50 percent of organic waste generated on site, and a minimum of 75 percent of organic waste generated on site by 2025. To assist in achieving this goal, as a condition of approval, project tenants, operators, and/or future owners shall subscribe to a City-certified organic waste collection service that either "source-separates" the waste (e.g., separate bins), or transports all unsegregated waste to a facility that recovers 75 percent of the organic content collected from the system.

Additionally, organic waste generated by the project's routine landscaping would be diverted from the landfill. Thus, the project is expected to achieve a waste diversion rate of greater than 50 percent overall. Additional waste reduction, recycling, and diversion measures, specified in the WMP, would further reduce the project's operational waste disposal. Regarding trash and recycling storage space during operation, for the proposed buildings, the project would provide at least 1,170-square feet of trash and recycling storage space, per the City Storage Ordinance. The project would comply with the City Recycling Ordinance by providing adequate space, bins, and educational materials for recycling during occupancy. Additionally, the project would provide adequate organic waste disposal space per the requirements of SDMC Section 142.0801. Therefore, the project's impacts related to solid waste would be less than significant.

Issues	Potentially Significant Impact	Project Impact Adequately Addressed in the PEIR	Less Than Significant with Project-Level Mitigation Incorporated	Less Than Significant Impact	No Impact
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6.14 Transportation

Would the project:

Issue 1: Conflict with an adopted program, plan, ordinance, or policy addressing the transportation system, including transit, roadways, bicycle, and pedestrian facilities?	☐	☐	☐	☒	☐
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The assessment below compares proposed project impacts to the transportation analysis within the Complete Communities: Housing Solutions and Mobility Choices Program PEIR (City 2020). The analysis of the proposed project’s VMT impacts is based on the VMT Assessment (LLG 2024b) prepared for the project.

Complete Communities PEIR

The Complete Communities PEIR found that the Complete Communities project would not conflict with adopted transportation policies, plans, and programs including those supporting transit, bicycle, and pedestrian facilities. The project incentivized the development of high-density multi-family residential development near existing transit areas. The Complete Communities project would support the goals of the City’s General Plan, CAP, and San Diego Forward: The Regional Plan, because it supported high densities within proximity to transit. Impacts would be less than significant.

As no policy conflicts had been identified, cumulative impacts related to transportation policy would be less than significant.

Project

The project involves the replacement of existing office uses with research and development uses that would be consistent with the land use designation of Industrial Employment and zoning of Industrial-Park. The project is anticipated to generate 1,625 weekday average daily trips with 260 AM (234 in, 26 out) peak hour trips and 228 PM (23 in, 205 out) peak hour trips. The existing land use generates approximately 614 weekday average daily trips with 98 AM (88 in, 10 out) peak hour trips and 86 PM (9 in, 77 out) PM peak hour trips. Therefore, the project would result in a net increase of 1,011 weekday average daily trips with a net increase of 162 AM (146 in, 16 out) and 142 PM (14 in, 128 out) during operation (LLG 2024a). It should be noted that the project’s trip generation and subsequent analysis contained in the LMA are based on the project’s total building area of 203,096 SF. Since the time in which the project’s trip generation and analysis were conducted, the project’s gross floor area was refined to 152,080-square feet based on coordination with City staff and using the City of San Diego Municipal Code as a guide to exclude non-occupiable areas. This includes space dedicated to support-type uses (including the cooling tower, refuse/recycling areas, emergency electrical areas, emergency generator/gas storage, and others that are typically not located within the building itself), the basement area, and overhang areas, among others. Assuming

Issues	Potentially Significant Impact	Project Impact Adequately Addressed in the PEIR	Less Than Significant with Project-	Less Than Significant Impact	No Impact
			Level Mitigation Incorporated		

the project's total building area of 203,096 in the project's trip generation calculations and subsequent analysis is a conservative approach as it assumes more occupiable area as compared to the proposed 152,080-square feet.

As part of the LMA (LLG 2024a), a review of the City of San Diego's Systemic Safety Hotspot map was conducted. Based on a review of the map the intersection of North Torrey Pines Place/Callan Road was identified as a "hot spot" and meets Bicycle Footprint #2 necessitating further evaluation. For intersections that meet the Bicycle Footprint #2 criteria, the *City of San Diego's Systemic Safety, The Data-Driven Path to Vision Zero Report* (April 2019), recommends non-engineering countermeasures that include educational countermeasures such as a public safety messaging campaign, and enforcement countermeasures such as bicycle stop sign running enforcement. However, the project does not propose these improvements since these countermeasures are not feasible for a standalone project.

The LMA included an evaluation of the pedestrian network in the study area and revealed that crosswalks are provided at the signalized study intersections and at the all-way stop-controlled intersection of Callan Road / Torreyana Road. Evaluation of the pedestrian network also found that sidewalks are missing along the south side of Genesee Avenue between Jay Hopkins Drive and the I-5 SB Ramps. To promote pedestrian mobility, the project proposes to provide access to on-site services that would reduce the need to drive and encourage walking trips.

The findings of the bicycle network evaluation in the LMA showed that there are currently Class II bike lanes provided along North Torrey Pines Road and along John Jay Hopkins Drive in both directions of travel through the study area. The Class II bike lanes along North Torrey Pines Road include enhancements such as buffers along with high-visibility green paint in the conflict zones. There are currently no bicycle facilities provided along Science Park Road, Torreyana Road, or Callan Road.

To promote bicycle mobility, the project proposes to provide the following: an on-site bicycle repair station; short-term bicycle parking spaces available to the public (at least 10 percent beyond minimum requirements); long-term bicycle parking spaces (at least 10 percent beyond minimum requirements); 3 on-site showers and 11 two-tier lockers; on-site bike sharing would be made possible and would be located directly adjacent to the main entry of the building. The project would implement a parking cash out program to incentivize employees to bike to work. The parking cash out program would include discounts or subsidies to be used at on-site amenities up to \$30 per month.

Evaluation of the transit network in the LMA revealed that there are currently two transit bus stops provided along North Torrey Pines Road within ½ mile walking distance of the project site for NCTD Route 101. There are four transit bus stops provided for MTS Route 978 along Science Park Road, Torreyana Road, and Callan Road within ½ mile walking distance of the project site. Amenities such as shelters, bench and trash receptable are provided at one of the six transit stops within walking distance of the project site. The following transit-related features would be provided by the Project: on-site multi-modal information kiosk in the lobby to encourage alternative transportation options

Issues	Potentially Significant Impact	Project Impact Adequately Addressed in the PEIR	Less Than Significant with Project- Level Mitigation Incorporated	Less Than Significant Impact	No Impact

including transit, and implementation of a parking cash out program to incentivize employees to use public transit. The parking cash out program would include discounts or subsidies to be used at on-site amenities up to \$30 per month.

Based on the above, the project would not conflict with an adopted program, plan, ordinance, or policy addressing the transportation system, including transit, roadways, bicycle, and pedestrian facilities. Impacts would be less than significant and consistent with the findings in the Complete Communities PEIR.

Issue 2: Be located within an area on the SANDAG VMT screening maps estimated to generate resident VMT per capita greater than 85 percent of the base year regional average? For mixed-use projects with a commercial component, would the project be located within an area on SANDAG VMT screening maps estimated to generate resident VMT per capita and/or employee VMT per employee greater than 85 percent of the base year regional average?

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Complete Communities PEIR

The Complete Communities PEIR found that while VMT related impacts in the majority of the Housing Solutions and Mobility Choices Program project areas would result in less than significant impacts where development is located in VMT efficient areas (at or below 85 percent of the regional average), impacts in less efficient VMT per capita and per employee areas (greater than 85 percent of the regional average) would remain significant and unavoidable. Although development under the Housing Solutions and Mobility Choices Program was anticipated to result in the implementation of infrastructure improvements that could result in reductions in VMT per capita and VMT per employee, at a program level, it could not be determined whether those improvements would sufficiently reduce potentially significant VMT impacts to below the threshold of significance. The Mobility Choices Program would provide for additional transportation infrastructure and amenities that would support reductions in VMT per capita and VMT per employee. Implementation of such infrastructure and amenities would not be associated with significant VMT related impacts, and impacts would be less than significant.

Although the Mobility Choices Program was anticipated to result in the implementation of infrastructure improvements that could result in VMT per capita and VMT per employee reductions, at a program level, potentially significant VMT impacts could nonetheless remain significant because it could not be determined with certainty whether the improvements would be implemented at the time a future development project's VMT impacts could occur and whether those impacts would be

Issues	Potentially Significant Impact	Project Impact Adequately Addressed in the PEIR	Less Than Significant with Project- Level Mitigation Incorporated	Less Than Significant Impact	No Impact

mitigated to a less than significant level. VMT impacts associated with development under the Housing Solutions Program located in less efficient VMT areas would be significant and unavoidable for both VMT per capita and VMT per employee.

The VMT analysis provided is by nature a cumulative issue. Thus, cumulative VMT impacts at this level of programmatic review would be significant for development occurring under the Housing Solutions Program located within areas on the SANDAG maps estimated to generate VMT per capita and VMT per employee greater than 85 percent of the current base year regional average as discussed above.

Project

On September 27, 2013, Governor Jerry Brown signed SB 743 into law and started a process intended to fundamentally change transportation impact analysis as part of CEQA compliance. The Office of Planning and Research (OPR) published its latest Technical Advisory on Evaluating Transportation Impacts in CEQA to the California Natural Resources Agency in December 2018. This Technical Advisory provides recommendations on how to evaluate transportation impacts under SB 743. These changes include elimination of auto delay, LOS, and other similar measures of vehicular capacity or traffic congestion as a basis for determining significant CEQA transportation impacts. The OPR guidance covers specific changes to the CEQA Guidelines and recommends elimination of auto delay for CEQA purposes and the use of VMT, as the preferred CEQA transportation metric. This new legislation requires the selection of a VMT analysis methodology, establishment of VMT thresholds for CEQA transportation impacts, and identification of feasible mitigation strategies.

The VMT Assessment prepared for the project was prepared in accordance with the City of San Diego Transportation Study Manual (TSM), which is consistent with OPR's recommendations and evaluates potential VMT transportation impacts. The City of San Diego TSM includes screening criteria, significance thresholds, analysis methodology, and mitigation.

The following screening criterion from the City's TSM was utilized to determine if the project would be screened out from VMT analysis: if this Commercial Employment Project is located within a VMT efficient location per SANDAG Screening Map (15 percent or more below average VMT per employee), the project would be screened out from a full VMT analysis and presumed to have a less than significant VMT impact. As the proposed land use of the site is research and development, it would fall within the Commercial Employment category for VMT purposes, in which the VMT threshold is based on VMT per employee.

The proposed commercial employment project is located within Census tract 83.39 with 25.1 VMT/employee (Series 14 ABM2+ Base Year 2016) which is 132.8 percent of the regional mean of 18.9 VMT/employee. Therefore, the project is not screened out from a full VMT analysis per the City's screening criteria, and due to the location of the project in a VMT-inefficient area, the project may result in a significant VMT impact.

Issues	Potentially Significant Impact	Project Impact Adequately Addressed in the PEIR	Less Than Significant with Project- Level Mitigation Incorporated	Less Than Significant Impact	No Impact

Since the project did not satisfy the above screening criterion, it must evaluate the VMT produced by the project. For Commercial Employment projects that are expected to generate less than 2,400 daily trips, the project's VMT per employee is considered the same as the VMT per employee of the census tract in which it is located.

As stated above, the project is in a census tract with 25.1 VMT per employee, or 132.8% of the regional mean. The proposed project would have a significant VMT impact based on the significance threshold for a commercial employment project of 15% below the regional mean VMT per Employee. Therefore, mitigation is required to reduce the project's VMT impact to the extent feasible.

The project is within the Coastal Overlay Zone and is not subject to the Complete Communities: Mobility Choices ordinance (effective January 18, 2021 outside of the Coastal Zone and effective July 11, 2022 within the Coastal Zone) per Resolution R-313281 and Ordinance 21274 since the project's deemed complete date (June 7, 2022) was prior to when the regulations became effective in the Coastal Zone. However, the project has chosen to participate in the City of San Diego's Complete Communities Mobility Choices Program and has chosen to rely upon the Findings and Statement of Overriding Considerations (SOC) from the Complete Communities: Housing Solutions and Mobility Choices Program Final Program Environmental Impact Report (PEIR; May 2020) (SCH No. 2019060003) and implement mitigation to the extent feasible for its significant VMT transportation impact.

The San Diego Municipal Code Ordinance Number O-21274 provides the development regulations for the Mobility Choices portion of the Complete Communities Program. According to the ordinance, the project is within Mobility Zone 2, which means its located either partially or entirely within a Transit Priority Area (TPA).

The San Diego Municipal Code Section 143.1103(b) states that all development within Mobility Zone 2 is required to provide VMT Reduction Measures in accordance with the Land Development Manual Appendix T. The Land Development Manual Appendix T provides a list of VMT Reduction Measures, each of which are given an assigned point value per unit of measure. Per SDMC Section 143.1103(b)(6), developments in Mobility Zone 2 that provide more than the minimum required parking are required to provide VMT Reduction Measures totaling at least 8 points.

Implementation of mitigation measure MM-TRA-1 would reduce VMT impacts to the extent feasible and ensure project consistency with the Complete Communities: Mobility Choices ordinance. Under MM-TRA-1, the project would provide VMT reduction measures as required by the ordinance that add up to at least 8 points as identified in the Land Development Manual Appendix T, through the measures provided in Table 4, *VMT Reduction Measures for Mobility Choices Compliance*, below.

Issues	Potentially Significant Impact	Project Impact Adequately Addressed in the PEIR	Less Than Significant with Project-Level Mitigation Incorporated	Less Than Significant Impact	No Impact
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Table 4
VMT REDUCTION MEASURES FOR MOBILITY CHOICES COMPLIANCE

Category	Measures	Points
Bicycle Supportive Measures	The Owner/Permittee will provide an on-site bicycle repair station.	1.5
	The Owner/Permittee will provide a minimum of five electric bicycle charging stations / micro mobility charging stations that are available to the public.	2
	The Owner/Permittee will provide short-term bicycle parking spaces available to the public, at least 10% beyond minimum requirements. The minimum required per the SDMC is zero spaces and three spaces will be provided.	4.5 ^a
	The Owner/Permittee will provide long-term bicycle parking spaces at least 10% beyond minimum requirements. The minimum required per the SDMC is 21 spaces and 24 spaces will be provided.	2 ^b
Other Measures	The Owner/Permittee will provide on-site multi-modal information kiosks	2
Total		12

¹ 1.5 points for each multiple of 10% beyond the minimum requirement. Credit for one unit of points is taken for each space proposed.

² 2 points for each multiple of 10% beyond the minimum requirement.

As shown above, the project's proposed VMT reduction measures under MM-TRA-1 total to 12 points, which exceeds the minimum required 8 points. Therefore, the project would mitigate its significant VMT impact to the extent feasible by opting to comply with the City's Complete Communities Mobility Choices program and rely upon the Findings and SOC's from the Complete Communities: Housing Solutions and Mobility Choices Final PEIR.

Therefore, a Mitigation Monitoring Reporting Program (MMRP), as detailed within Section V of the Mitigated Negative Declaration (MND), would be required.

Issue 3: Substantially increase hazards due to geometric design features (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment)?

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Complete Communities PEIR

The Complete Communities PEIR found that although the project did not propose specific changes to roadways, future projects implemented in accordance with the Housing Program may include transportation improvements. Additionally, transportation improvements would result from implementation of the Mobility Choices Program. Any proposed improvements to roadways or amenities such as bicycle facilities would undergo review and approval by the City Engineer. Adherence to the City standards, including the City's Street Design Manual, would ensure that a substantial increase in hazards or incompatible uses would not occur as part of the project. The

Issues	Potentially Significant Impact	Project Impact Adequately Addressed in the PEIR	Less Than Significant with Project-Level Mitigation Incorporated	Less Than Significant Impact	No Impact
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project did not include any design features or improvements that would result in a substantial increase in hazards due to design features or incompatible uses. Impacts would be less than significant.

The Complete Communities PEIR found that cumulative impacts associated with increased hazards due to design features would be less than significant as the project would support transportation infrastructure and amenities intended to increase multi-modal accessibility and safety. Development associated with the Housing Solutions Program would occur in existing Mobility Zones 1, 2, and 3. Cumulative impacts associated with hazardous geometric design features or incompatible uses would be less than significant.

Project

There would be no hazardous design features or incompatible uses introduced as a result of the project. Construction would take place within the site of the existing office uses with the exception of a small area of surface parking that would extend into the open space easement, which is an allowed use. The proposed research and development uses would be compatible with the site's land use designation of Industrial Employment and zoning of Industrial-Park. The project's paved internal roadways would not include sharp curves or intersections. Access driveways would be built to City standards with appropriate widths, sight distance, spacing, permitting turn movements, and accommodation of delivery vehicles. The parking areas would provide adequate vehicle circulation and parking maneuvers consistent with City standards. Therefore, impacts would be less than significant and would be consistent with the findings in the Complete Communities PEIR.

Issue 4: Result in inadequate emergency access?

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Complete Communities PEIR

The Complete Communities PEIR determined that future development allowed under the proposed ordinances would be required to comply with all applicable City codes and policies related to emergency access including the California Fire Code, the San Diego Municipal Code Chapter 5, Article 5, Division 87: Appendix D – Fire Apparatus Access Roads, and City Fire Policies A-14-1 Fire Access Roadways, A-14-9 Access Roadways: Modified Roadway Surface, and A-14-10 Fire Apparatus Access Road for Existing Public Streets.

The Complete Communities PEIR found that cumulative impacts associated with emergency access would be less than significant as the project would support transportation infrastructure and amenities intended to increase multi-modal accessibility and safety that would not conflict with emergency access. Development associated with the Housing Solutions Program would occur in existing Mobility Zones 1, 2, and 3. Cumulative impacts associated with emergency access would be less than significant.

Issues	Potentially Significant Impact	Project Impact Adequately Addressed in the PEIR	Less Than Significant with Project-Level Mitigation Incorporated	Less Than Significant Impact	No Impact
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Project

The project would not result in inadequate emergency access. The project would include the construction of two 25-foot- wide driveways per current City Standards, adjacent to the site on Torreyana Road with the southernmost driveway for delivery and emergency access only. The southern driveway is proposed opposite Callan Road, forming the fourth leg of the Torreyana Road / Callan Road intersection, and would be used solely for deliveries and fire access. The northern driveway, which currently serves the project site, would remain and serve as the primary day-to-day access point. The driveways would be built to current standards per City Standard Drawings with appropriate widths, sight distance, spacing, permitting turn movements, and accommodation of delivery vehicles and emergency vehicles. Therefore, the project would provide adequate emergency access. Impacts would be less than significant and would be consistent with the findings in the Complete Communities PEIR.

6.15 Wildfire

Would the project:

Issue 1: Expose people or structures, either directly or indirectly to a significant risk of loss, injury or death involving wildland fires?

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According to the California Department of Forestry and Fire Protection's (CAL FIRE's) map of Very High Fire Hazard Severity Zones (VHFHSZ) prepared for the City of San Diego, the project site and the majority of the surrounding area is located within a Local Responsibility Area VHFHSZ (CAL FIRE 2009). However, implementation of the project would not increase wildland fire risk at the site over existing conditions. The project would replace the existing office uses with research and development uses that are consistent with the site's zoning of Industrial-Park and land use designation of Industrial Employment. The project would install standard fire safety features and construct buildings in compliance with the fire regulations in the CBC. Therefore, the project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires. Impacts would be less than significant.

Issue 2: Due to slope, prevailing winds, and other factors, exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

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As discussed under Section 6.15, Issue 1 above, the VHRHSZ map prepared by CAL FIRE for the City of San Diego classifies the project site and the majority of the surrounding area is located within a VHRHSZ (CAL FIRE 2009). Areas are classified based on their terrain, weather, and other factors

Issues	Potentially Significant Impact	Project Impact Adequately Addressed in the PEIR	Less Than Significant with Project-Level Mitigation Incorporated	Less Than Significant Impact	No Impact
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relevant to exacerbating wildfires. Although the project is located near the slopes of the open space to the east, implementation of the project would not increase wildland fire risk at the site over existing conditions. The project would replace the existing office uses with research and development uses that are consistent with the site's zoning of Industrial-Park and land use designation of Industrial Employment. The project would install standard fire safety features and construct buildings in compliance with the fire regulations in the CBC. Therefore, the project would not expose project occupants to pollutant concentrations from a wildfire of the uncontrolled spread of a wildfire due to slope, prevailing winds, and other factors. Impacts would be less than significant.

Issue 3: Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

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The project has a zoning of Industrial-Park and land use designation of Industrial Employment. The project would construct research and development uses similar to those in the area, and would not install infrastructure such as power lines, or other utilities that may exacerbate fire risk. If the project requires underground utility installation or connections, the utilities would be minimal and similar to the research and development uses in the surrounding area. Construction work would be both minimal and temporary, and would not exacerbate fire risk or result in temporary or ongoing impacts to the environment. Impacts would be less than significant.

Issue 4: Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

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The proposed project involves the replacement of office land uses with research and development uses and supporting amenities on a site with a zoning of Industrial-Park and land use designation of Industrial Employment. As stated in Section 6.15, Issue 2 above, the proposed project would not exacerbate wildfire risks due to slope, prevailing winds, and other factors, and would not expose project occupants to significant levels of pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. The risk of people and structures experiencing significant risks such as downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes is negligible. As such, impacts would be less than significant.

Issues	Potentially Significant Impact	Project Impact Adequately Addressed in the PEIR	Less Than Significant with Project-Level Mitigation Incorporated	Less Than Significant Impact	No Impact
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6.16 Visual Effects and Neighborhood Character

Would the project:

Issue 1: Result in a substantial obstruction of a vista or scenic view from a public viewing area?

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A scenic vista is generally defined as a public viewpoint that provides expansive or notable views of a highly valued landscape and are typically identified in planning documents, such as a community plan, but can also include locally known areas or locations where high-quality public views are available (University Community Planning Group 2018). The University Community Plan does not explicitly list scenic vistas within the planning area, but does recognize natural resources as visual resources. As such, the open space to the east of the project site can be considered scenic resources.

The project site is currently occupied by office land uses and does not include public viewing areas. As discussed in Section 3.1, the eastern portion of the project site contains a biological open space easement. However, the easement was quitclaimed by the City to the state of California according to a Quitclaim Deed recorded in 1984. The easement does not currently provide public access or provide public views. Implementation of the project would replace the existing buildings with research and development and supporting amenities, which would be of similar scale to the existing uses. The project would not block views or remove scenic vistas at the site because none are currently available. Impacts would be less than significant.

Issue 2: Result in a substantial adverse alteration (e.g., bulk, scale, materials, or style) to the existing or planned (adopted) character of the area?

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The project involves the replacement of an existing office land use with research and development buildings and supporting amenities. Therefore, the character of the site would be similar to existing conditions. Additionally, the project would be consistent with the site's zoning of Industrial-Park and land use designation of Industrial Employment. The project would also have similar character to the nearby research and development land uses in the area. Therefore, the project would not result in a substantial adverse alteration to the existing or planned character of the area. Impacts would be less than significant.

Issue 3: Result in the loss of any distinctive or landmark tree(s), or stand of mature trees?

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Project implementation may result in the removal of onsite cultivated trees; however, the project would not result in the loss of any distinctive or landmark trees or stand of mature trees. Moreover,

Issues	Potentially Significant Impact	Project Impact Adequately Addressed in the PEIR	Less Than Significant with Project-Level Mitigation Incorporated	Less Than Significant Impact	No Impact
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as part of implementing the City's CAP the project is required to comply with the City's Urban Forestry Program. As part of the Urban Forestry Program, two trees are to be planted for every tree removed. This may occur within a two-mile radius of the site, creating a larger population of trees in the project area, and creating a visual benefit.

As discussed in Section 6.3, Biological Resources, Torrey pine trees and Nuttall's scrub oak are the only distinctive trees located on the project site. Neither of these species are federally or state listed nor City narrow endemic plant species. The proposed project is primarily limited to existing developed and disturbed areas and impacts to native habitats with the potential to support these species would be minimal. No Nuttall's scrub oak were documented within the impact footprint, and direct impacts are unlikely to occur based on the small amount of habitat to be impacted. Therefore, no significant impact to Nuttall's scrub oak would occur. Torrey pine within the project site consists of 40 cultivated trees that were planted as part of the previous development's landscaping and do not represent a naturally occurring population. As such, these individuals are not considered sensitive and do not require protection. Where practicable and safe to do so, cultivated Torrey pines would be retained in place or relocated and replanted within existing developed and landscaped areas. Therefore, the project would not result in the loss of any distinctive or landmark trees, or stand of mature trees. Impacts would be less than significant.

Issue 4: Result in a substantial change in the existing landform? ☐ ☐ ☐ ☒ ☐

Project implementation would require earthwork such as grading and excavation during construction activities. However, ground-disturbing construction activities would be typical of construction of similar land uses. The project is currently occupied by office land uses and would be replaced by research and development buildings and supporting amenities. The existing landform at the site would not be substantially altered. Impacts would be less than significant.

Issue 5: Create substantial light or glare which would adversely affect daytime or nighttime views in the area? ☐ ☐ ☐ ☒ ☐

There are two primary sources of light: light emanating from building interiors that passes through windows and light from exterior sources (e.g., street lighting, parking lot lighting, building illumination, security lighting, and landscape lighting). The introduction of light can be a nuisance by affecting adjacent areas and diminishing the view of the clear sky depending on the location of the light sources and their proximity to nearby light-sensitive areas.

The project site is located in an area that is developed with primarily commercial and industrial uses, with open space to the east. The existing light conditions in the project area include building lights, security lights, and the adjacent commercial and industrial uses. There is also nearby street lighting.

Construction activities would occur during permitted daylight hours between 7:00 a.m. and 7:00 p.m. Nighttime construction is not planned. The project would include lighting typical of

Issues	Potentially Significant Impact	Project Impact Adequately Addressed in the PEIR	Less Than Significant with Project-Level Mitigation Incorporated	Less Than Significant Impact	No Impact
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industrial park and commercial land uses; such lighting would not create a new source of substantial light that would adversely affect daytime or nighttime views in the area. Sources of light would include interior light emanating from the buildings and exterior lighting for security, ambience, and signage. Largely, the project lighting would be similar to the existing land uses. Moreover, project lighting would be regulated by compliance with Section 142.0740 of the City of San Diego Land Development Code and the MHPA Land Use Adjacency Guidelines. Similar to the existing structures, the project would incorporate glass on the building exterior to serve as windows for the building. In accordance with Section 142.0730 of the Land Development Code, glass material having a light reflectivity greater than 30 percent would not be incorporated into the project's exterior. Those areas that would provide glass material would be tempered where required and would not result in the reflection of natural or artificial light off of the glass such that a bird strike or safety impact to motorists on surrounding roadways would occur. Impacts would be less than significant.

6.17 Agricultural and Forest Resources

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation (DOC) as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

Would the project:

Issue 1: Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

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Agricultural land is rated according to soil quality and irrigation status; the best quality land is called Prime Farmland. Unique farmland is land, other than prime farmland, which has combined conditions to produce sustained high quality and high yields of specialty crops. Farmland of Statewide Importance may include tracts of land that have been designated for agriculture by State law. In some areas that are not identified as having national or statewide importance, land is

Issues	Potentially Significant Impact	Project Impact Adequately Addressed in the PEIR	Less Than Significant with Project- Level Mitigation Incorporated	Less Than Significant Impact	No Impact

considered to be Farmland of Local Importance. The Farmland Mapping and Monitoring Program (FMMP) maintained by the DOC is the responsible state agency for overseeing the farmland classification. In addition, the City's Thresholds state that in relation to converting designated farmland, a determination of substantial amount cannot be based on any one numerical criterion (i.e., one acre), but rather on the economic viability of the area proposed to be converted. Another factor to be considered is the location of the area proposed for conversion.

According to the DOC's California Important Farmland Finder (DOC 2018), the project site is classified as Other Land; land not included in any other mapping category, such as, low density rural developments; brush, timber, wetland, and riparian areas not suitable for livestock grazing; confined livestock, poultry, or aquaculture facilities; strip mines, borrow pits; and water bodies smaller than forty acres. Vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as Other Land and does not contain any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Agricultural land is not present on the site or in the general vicinity. As a result, the project would not result in the conversion of such lands to non-agricultural use. No impacts would occur.

Issue 2: Conflict with
existing zoning for
agricultural use,
or a Williamson
Act Contract?

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The Williamson Act, also known as the California Land Conservation Act of 1965, enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use; in return, landowners receive property tax assessments which are much lower than normal because they are based upon farming and open space uses as opposed to full market value. The Williamson Act is only applicable to parcels within an established agricultural preserve consisting of at least 20 acres of Prime Farmland, or at least 40 acres of land not designated as Prime Farmland. The Williamson Act is designed to prevent the premature and unnecessary conversion of open space lands and agricultural areas to urban uses.

As stated in item II(a), the project site is located in an area classified by the DOC as Other where neither farmland nor agricultural resources are present. The project site is zoned as IP-1-1, indicating that the desired land uses are research and development and those compatible with light industrial uses. Additionally, the project site is not encumbered by a Williamson Act Contract and would not affect any properties zoned for agricultural use or affected by a Williamson Act Contract, as there are none within the project vicinity. No impacts would occur.

Issues	Potentially Significant Impact	Project Impact Adequately Addressed in the PEIR	Less Than Significant with Project-Level Mitigation Incorporated	Less Than Significant Impact	No Impact
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Issue 3: Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 1220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?

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Public Resources Code Section 12220(g) defines “forest land” as land that can support 10 percent native cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. Based on this definition, no forest land occurs within or adjacent to the project site. Moreover, there is no land zoned as forest land or timberland that exists within the project site or within its vicinity. There are scattered trees throughout the site, including Torrey Pines; however, there is no concentration of trees within the site that would constitute a forest. Moreover, as discussed in Section 6.3, Issue 1, Torrey pine within the project site consists of 40 cultivated trees that were planted as part of the previous development’s landscaping and do not represent a naturally occurring population. Where practicable and safe to do so, cultivated Torrey pines would be retained in place. Torrey pine trees that would be removed by the project would be replaced on-site with minimum 15-gallon size replacement Torrey pine trees in accordance with the project’s landscape plans. The project would not conflict with existing zoning for or cause a rezoning of forest land, timberland, or timberland zoned Timberland Production. No impacts would occur.

Issue 4: Result in the loss of forest land or conversion of forest land to non-forest use?

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As stated in II(c), there is no forest land present on the site or vicinity. The site has not been historically used and is not currently used or planned to be used for forest land. As such, implementation of the proposed project would not result in the loss of forest land or conversion of forest land to non-forest use. No impact would occur.

6.18 Mineral Resources

Would the project:

Issues	Potentially Significant Impact	Project Impact Adequately Addressed in the PEIR	Less Than Significant with Project-Level Mitigation Incorporated	Less Than Significant Impact	No Impact
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Issue 1: Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

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The DOC classifies the project site as within Mineral Resource Zone 1 (MRZ-1), areas where adequate information indicates that no significant mineral deposits are present or where it is judged that there is little likelihood for their presence to exist. The project site is not currently being utilized for mineral extraction and the site is zoned and planned for research and development purposes with supporting amenities. The project would not result in the loss of availability of a known mineral resource. No impact would occur.

Issue 2: Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

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Please see response to Section 6.18 Issue 2. No impact would occur.

6.19 Population and Housing

Would the project:

Issue 1: Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

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The proposed project does not include housing that would directly induce population growth. The project would provide employment opportunities through the development of 152,080 SF of research and development land uses and associated amenities and infrastructure. As discussed, the future tenants are unknown, so it is too speculative to provide an estimate on the number of new employment opportunities that would be introduced and if those opportunities would be at a magnitude to induce the relocation of employees to the area. It is possible that some of the project's future tenants would have a percentage of employees relocate to the area, but such numbers would not be substantial so as to adversely affect existing and future housing stock in the community. Thus, any incremental population growth as a result of project-related employment opportunities could be accommodated by the current and future housing stock. Therefore, impacts would be less than significant.

Issues	Potentially Significant Impact	Project Impact Adequately Addressed in the PEIR	Less Than Significant with Project-Level Mitigation Incorporated	Less Than Significant Impact	No Impact
Issue 2: Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☐	☒

The project site is currently developed with the current research and development facility, above-ground parking structure, and auxiliary buildings, all of which would be demolished to accommodate the proposed project. Thus, the proposed project would not displace existing housing, necessitating the construction of replacement housing elsewhere. Moreover, the project site is not designated or zoned for residential land uses and therefore, project implementation would not remove land assigned for this purpose thereby indirectly resulting in the need for housing elsewhere. Therefore, no impacts would occur.

6.20 Mandatory Findings of Significance

The lead agency shall find that a project may have a significant effect on the environment and thereby require an EIR to be prepared for the project where there is substantial evidence, in light of the whole record, that any of the following conditions may occur. Where prior to commencement of the environmental analysis a project proponent agrees to mitigation measures or project modifications that would avoid any significant effect on the environment or would mitigate the significant environmental effect, a lead agency need not prepare an EIR solely because without mitigation the environmental effects would have been significant (per Section 15065 of the State CEQA Guidelines).

Issue 1: Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number, or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☒	☐	☐
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As described in Section 6.3, the project site is developed and would not result in significant impacts to special-status species or sensitive natural communities. The project would be required to comply with federal, state, and City regulations to avoid potential impacts to nesting bird species through implementation of measures that would be spelled out as conditions of approval for the project. The project therefore does not have the potential to result in impacts that would substantially degrade

Issues	Potentially Significant Impact	Project Impact Adequately Addressed in the PEIR	Less Than Significant with Project- Level Mitigation Incorporated	Less Than Significant Impact	No Impact

the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or substantially reduce the number or restrict the range of a rare or endangered plant or animal.

The project is not expected to significantly impact cultural related to major periods of California history or prehistory. Additionally, potential impacts to paleontological resources would be less than significant. The City defers to the tribes as tribal cultural resource experts, and has determined the project has a potential to impact a tribal cultural resource. Therefore, the project would potentially result in a substantial adverse change in the significance of a tribal cultural resource. To reduce potential tribal cultural resource impacts to below a level of significance, archaeological monitoring with a Native American monitor would be required during ground-disturbing activities as detailed in Mitigation Measure CUL-1 in the Mitigation Monitoring and Reporting Program (MMRP) in Section IV.

Issue 2: Does the project have impacts that are individually limited but cumulatively considerable ("cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

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Cumulative impacts are defined as two or more individual project effects that, when considered together or in concert with other projects, combine to result in a significant impact (CEQA Guidelines Section 15355). There is potential for the construction schedules of other projects in the City to overlap. Construction of the proposed project would have the potential to impact biological resources; however, impacts would be specific to the site and would not contribute to cumulative impacts. Similarly, construction impacts to cultural and tribal cultural resources would be site-specific, so the project's less than significant impacts with mitigation incorporated would not contribute to cumulative impacts. The project may result in impacts to paleontological resources that would be reduced to less than significant through standard paleontological monitoring required by San Diego Municipal Code Section 142.0151; and would also be site-specific. Construction noise and vibration would be far below the applicable thresholds, and therefore would not contribute to cumulative noise impacts. Additionally, all nearby projects would be required to comply with existing federal, state, and local regulations.

As discussed in Section 6.14 above, the project would not result in cumulative transportation impacts related to conflicting with a circulation plan, implementing hazardous design features or incompatible uses, or resulting in emergency access. While the project would result in a significant project-level impact related to VMT, the project would be consistent with the findings in the Complete Communities PEIR and would implement VMT reduction measures to reduce impacts to

Issues	Potentially Significant Impact	Project Impact Adequately Addressed in the PEIR	Less Than Significant with Project- Level Mitigation Incorporated	Less Than Significant Impact	No Impact
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the extent feasible. Therefore, the project would not result in new cumulative impacts that have not previously been analyzed in the Complete Communities PEIR.

The project would be consistent with the site's land use designation of Industrial Employment and zoning of Industrial-Park. Therefore, the project would be consistent with applicable planning documents, and operation of the project would not cause significant impacts that could contribute to cumulative impacts. The project would not result in impacts that are individually limited but cumulatively considerable.

Issue 3: Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?

☐	☐	☐	☒	☐
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The proposed project would adhere to regulatory codes, ordinances, regulations, standards, and guidelines applicable to each of the environmental issue areas analyzed herein. As described above, the project would have a less than significant impact on air quality and greenhouse gas emissions and would not result in emissions that would significantly impact sensitive receptors. The project would not have the potential to cause adverse effects on human beings through the use, transport, or storage of hazardous materials through adherence to applicable regulations. Additionally, the project would not generate noise or vibrations at such levels that would have substantial adverse effects on human beings. Impacts would be less than significant.

7. SUPPORTING INFORMATION SOURCES

Land Use

San Diego County Regional Airport Authority. 2011. MCAS Miramar Airport Land Use Compatibility Plan. November.

Air Quality

HELIX Environmental Planning, Inc. (HELIX) 2024a. Torreyana Road Project Air Quality Technical Report. December.

Linscott, Law, Greenspan Engineering (LLG). 2024a. 11011 Torreyana Road Project Local Mobility Analysis. April.

Sacramento Metropolitan Air Quality Management District (SMAQMD). 2009. Guide to Air Quality Assessment in Sacramento County. Available at: <https://www.airquality.org/Businesses/CEQA-Land-Use-Planning/CEQA-Guidance-Tools>. December.

San Diego County Air Pollution Control District (SDAPCD). 2020. 2020 Plan for Attaining the National Ambient Air Quality Standards for Ozone in San Diego County. October.

2016. Revision to the Regional Air Quality Strategy for San Diego County. December.

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Biology

California Department of Fish and Wildlife (CDFW). 2023. Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species. Retrieved from: <https://wildlife.ca.gov/Conservation/CESA>.

City of San Diego (City). 2019. University Community Plan. July.

2022. City of San Diego Significance Determination Thresholds. September.

2018. City of San Diego Municipal Code, Land Development Code, Biology Guidelines. Amended. February 1 by Resolution No. R-311507. Available at: [https://www.sandiego.gov/sites/default/files/amendment to the land development manual biology guidelines february 2018 - clean.pdf](https://www.sandiego.gov/sites/default/files/amendment%20to%20the%20land%20development%20manual%20biology%20guidelines%20february%202018%20-%20clean.pdf).

1997. Multiple Species Conservation Program: City of San Diego MSCP Subarea Plan. March. Available at: <https://www.sandiego.gov/sites/default/files/legacy/planning/programs/mscp/pdf/subareafullversion.pdf>.

1981. University City Community Plan and La Jolla Community Plan Local Coastal Program Addendum. Available at: [https://www.sandiego.gov/sites/default/files/lcp_north_city_lup - university la jolla.pdf](https://www.sandiego.gov/sites/default/files/lcp_north_city_lup_-_university_la_jolla.pdf).

1976. Torrey Pines Science Park Unit 2 Map No. 8434. Document No. 76-415027. December.

HELIX Environmental Planning, Inc. (HELIX). 2024b. 11011 Torreyana Road Project Biological Technical Report. May.

Sheppard, Mullin, Richter, & Hampton, LLP (SMRH). 2022. Memorandum: Authority to Redevelop 11011 Torreyana Road Outside of Existing Development Footprint. October.

Energy

Not applicable.

Geology/Soils/Seismicity

Geocon Incorporated. 2022. Geotechnical Investigation for Torreyana Life Science Project, 11011 Torreyana Road, San Diego, California. July 28.

Greenhouse Gas Emissions

City of San Diego (City). 2015. Climate Action Plan. December.

Health and Safety

Ninyo & Moore. 2023. Phase 1 Environmental Site Assessment for 11011 Torreyana Road, San Diego, California. January 6.

San Diego County Regional Airport Authority. 2011. MCAS Miramar Airport Land Use Compatibility Plan. November.

Historical/Archaeological/Tribal Cultural Resources

HELIX Environmental Planning, Inc. 2022b. 11011 Torreyana Road Archaeological Resources Report Form. December.

2021. One Alexandria North Archaeological Resources Report Form. July.

Hydrology/Water Quality

Ware Malcomb. 2023. Hydrology and Hydraulics Study for 11011 Torreyana Road. March 28.

Noise

California Department of Transportation (Caltrans). 2020. Transportation and Construction Vibration Guidance Manual. April.

2013. Technical Noise Supplement to the Traffic Noise Protocol. September.

Federal Transit Administration (FTA). 2018. Transit Noise and Vibration Impact Assessment Manual. September.

HELIX. 2022. Letter Report Construction Noise Control Planning for the 11011 Torreyana Road Project. December.

San Diego County Regional Airport Authority. 2011. MCAS Miramar Airport Land Use Compatibility Plan. November.

Paleontological Resources

Geocon Incorporated (Geocon). 2022. Geotechnical Investigation for Torreyana Life Science Project, 11011 Torreyana Road, San Diego, California. July 28.

Public Services and Facilities

Not applicable.

Public Utilities and Infrastructure

City of San Diego (City). 2021. 2024 Certified Construction & Demolition Recycling Facility Directory. Environmental Services Department. July 1. Available at: <https://www.sandiego.gov/sites/default/files/certified-cd-recycling-facility-directory.pdf>.

HELIX Environmental Planning, Inc. (HELIX). 2024c. 11011 North Torreyana Project Waste Management Plan. February.

Transportation

City of San Diego (City). 2020. Final Program Environmental Impact Report for Complete Communities: Housing Solutions and Mobility Choices, San Diego, California. May. Available at: https://www.sandiego.gov/sites/default/files/final_peir_for_complete_communities_housing_solutions_and_mobility_choices.pdf.

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Visual Effects and Neighborhood Character

University Community Planning Group. 2018. University Community Plan. Adopted July 7, 1987. Amended September 10.

Wildfire

California Department of Forestry and Fire Protection (CAL FIRE). 2009. Very High Fire Hazard Severity Zones in LRA As Recommended by CAL FIRE, San Diego. June 11.

Agricultural Resources

California Department of Conservation (DOC). 2018. Farmland Mapping and Monitoring Program Interactive Web Maps. Available at: <https://maps.conservation.ca.gov/agriculture/>.

Mineral Resources

California Department of Conservation (DOC). 1997. Generalized Mineral Land Classification Map of Western San Diego County. Available at: <https://maps.conservation.ca.gov/mineralresources/>.

8. LIST OF ACRONYMS AND ABBREVIATED TERMS

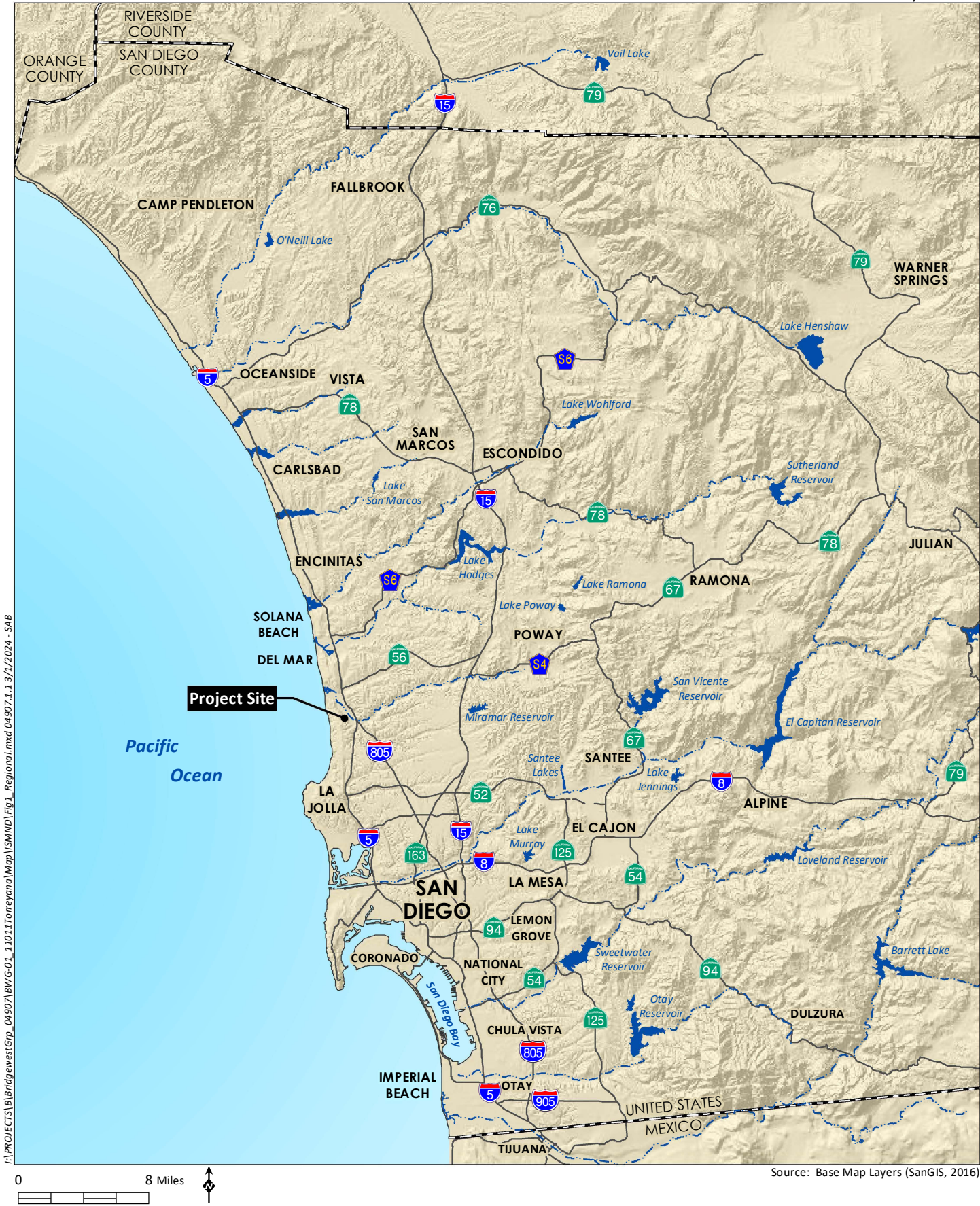
AAQS	Ambient Air Quality Standards
AB	Assembly Bill
ADT	average daily trips
AICUZ	Air Installations Compatible Use Zone
ALUCP	Airport Land Use Compatibility Plan
APE	Area of Potential Effect
APZ II	Accident Potential Zone II
BMP	best management practice
C&D	construction and demolition
CAA	Clean Air Act
CAAQS	California Ambient Air Quality Standards
CAL FIRE	California Department of Forestry and Fire Protection
Caltrans	California Department of Transportation
CAP	Climate Action Plan
CARB	California Air Resources Board
CBC	California Building Code
CDP	Coastal Development Permit
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CO	carbon monoxide
CRPR	California Rare Plant Rank
dBA	A-weighted decibels
DOC	California Department of Conservation
DPM	diesel particulate matter
DEHQ	Department of Environmental Health and Quality
ESHA	environmentally sensitive habitat area
ESL	environmentally sensitive lands
FAR	Floor Area Ratio
FTA	Federal Transit Administration
GHG	greenhouse gas
HVAC	heating, ventilation, and air conditioning
LCP	Local Coastal Program
L _{EQ}	equivalent continuous sound level
LID	low-impact development
L _{MAX}	maximum reference noise level
LOS	Level of Service
MCAS	Marine Corps Air Station
MHPA	Multiple Habitat Planning Area
MSCP	Multiple Species Conservation Plan
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NO ₂	nitrogen dioxide
NO _x	nitrogen oxides
OPR	Office of Planning and Research

PDP	Priority Development Project
PM ₁₀	respirable particulate matter 10 microns or less in diameter
PM _{2.5}	fine particulate matter 2.5 microns or less in diameter
PPV	peak particle velocity
R&D	research and development
RWQCB	Regional Water Quality Control Board
SANDAG	San Diego Association of Governments
SB	Senate Bill
SDAB	San Diego Air Basin
SDAPCD	San Diego Air Pollution Control District
SDP	Site Development Permit
SIP	state implementation plan
SMAQMD	Sacramento Metropolitan Air Quality Management District
SO ₂	sulfur dioxide
SWPPP	Storm Water Pollution Prevention Plan
SWQMP	Storm Water Quality Management Plan
TAC	toxic air contaminant
TSM	Transportation Study Manual
USEPA	U.S. Environmental Protection Agency
UWMP	Urban Waste Management Plan
VHFHSZ	Very High Fire Hazard Severity Zone
VMT	vehicle miles traveled

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Attachment

Figures



Regional Location

Figure 1



Aerial Photograph

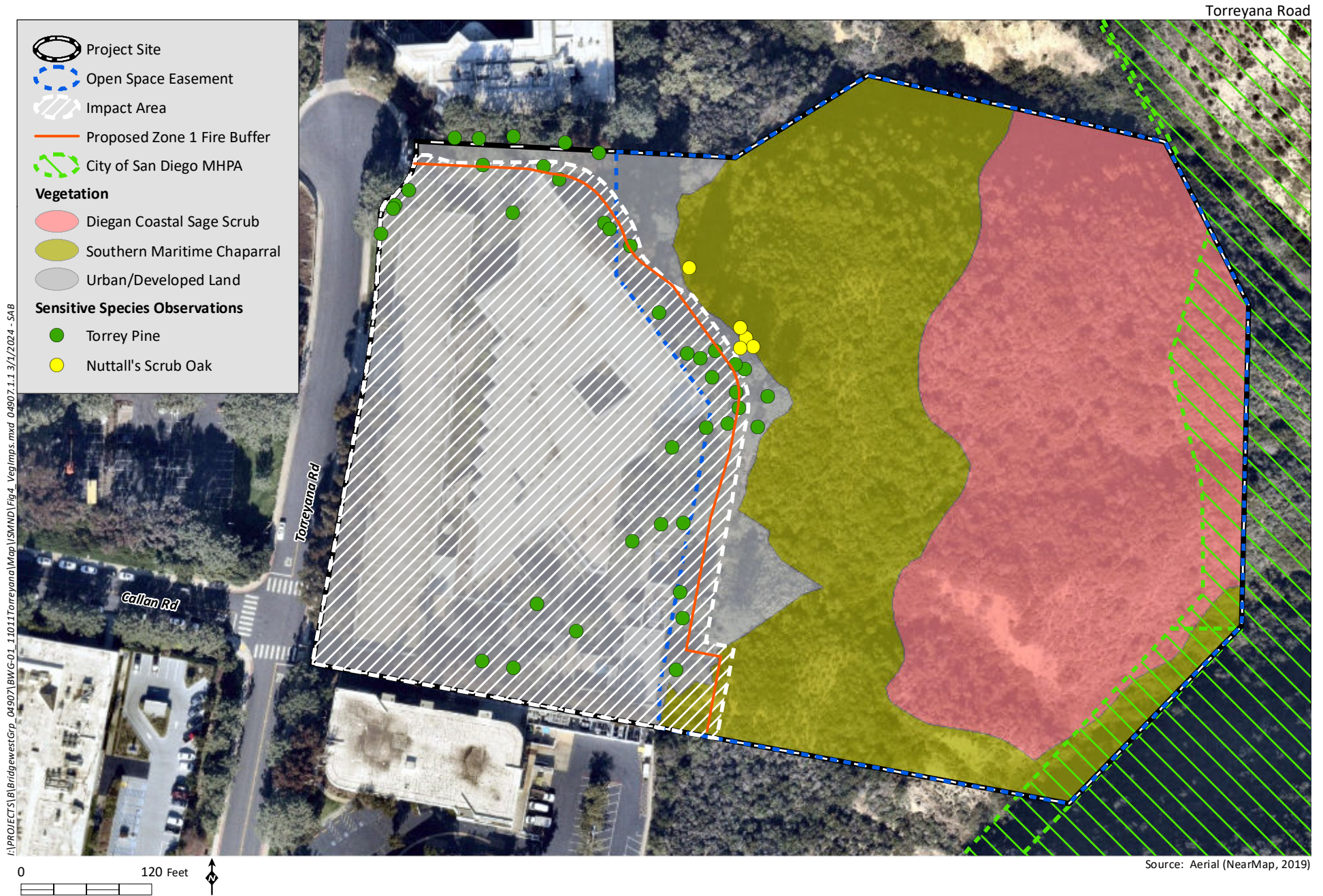
Figure 2

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Source: Ware Malcomb 12/2022

Site Plan
Figure 3



Vegetation Communities and Sensitive Resources/Impacts

Figure 4