



THE CITY OF SAN DIEGO

**DATE OF NOTICE:** April 29, 2022

# **NOTICE OF AVAILABILITY DRAFT ENVIRONMENTAL IMPACT REPORT**

**DEVELOPMENT SERVICES DEPARTMENT**

SAP No.: 24007662

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The City of San Diego (City), as Lead Agency, has prepared a draft Environmental Impact Report for the following proposed project and is inviting your comments regarding the adequacy of the document. The draft Environmental Impact Report and associated technical appendices have been placed on the City's California Environmental Quality Act (CEQA) web-site at <http://www.sandiego.gov/ceqa/draft>.

**HOW TO SUBMIT COMMENTS: Comments on this draft Environmental Impact Report must be received by close of business on June 13, 2022** to be included in the final document considered by the decision-making authorities. When submitting comments, please reference the project name and number (Paseo Montril/No. 658273). The City requests that all comments be provided electronically via email at: [DSDEAS@SanDiego.gov](mailto:DSDEAS@SanDiego.gov). However, if a hard copy submittal is necessary, it may be submitted to: **E. Shearer-Nguyen, City of San Diego Development Services Center, 1222 First Avenue, MS 501, San Diego, CA 92101.**

**GENERAL PROJECT INFORMATION:**

- Project Name: Paseo Montril
- Project No. 658273
- SCH No. 2021030038
- Community Plan Area: Rancho Peñasquitos
- Council District: 5

**PROJECT DESCRIPTION:** A GENERAL PLAN AMENDMENT to redesignate a portion of the site from Park, Open Space and Recreation to Residential; a Rancho Peñasquitos Community Plan Amendment to redesignate a portion of the site from Open Space to Low-Medium Density Residential; A REZONE from RM-2-5 and RS-1-14 to RM-1-1 (Residential-Multiple) and OC-1-1 (Open Space-Conservation); SEWER EASEMENT VACATION; VESTING TENTATIVE MAP to create two lots; PLANNED DEVELOPMENT PERMIT ; and a SITE DEVELOPMENT to construct a multi-family residential development that would adhere to Design Guidelines specifically developed for the site. The 4.9-acre Lot 1 would construct 55 multi-family residential units within five separate structures. The structures would be clustered in the center of Lot 1 near the terminus of Paseo Montril. Each structure would be up to 40 feet in height. Each unit would include a one or two-car garage. The development would include exterior open space use areas intended for residents to utilize, including a dog park, community bar-b-que and picnic areas, and landscaped areas with seating. The 10.3-acre Lot 2 would consist of an open space lot that would be preserved within a Covenant of Easement. Various site improvements would also be constructed, including on- and offsite infrastructure improvements comprised of water lines, sewer mains, storm drain system, electrical, hardscape, landscaping, other utilities, signage, parking, and retaining walls. Allowable deviations from development standards are proposed that include side yard setback, front yard setback, and building height, retaining wall, and steep slope encroachment deviations. The vacant approximate 15.2-acre project site is located at the terminus of Paseo Montril. The General Plan designates the site Park, Open Space and Recreation. Per the Rancho Peñasquitos Community Plan, the site's land use designation is Open Space and the zone is RM-2-5 (Residential Multiple) and RS-1-14 (Residential-Single).

Additionally, the site is within Airport Influence Area (MCAS Miramar –Review Areas 2), Airport Land Use Compatibility Overlay Zone (MCAS Miramar). (ASSESSOR'S PARCEL NUMBER: 315-020-55-00.) The site is not included on any Government Code listing of hazardous waste sites.

**APPLICANT:** TriPointe Homes

**RECOMMENDED FINDING:** The draft Environmental Impact Report determined the proposed project could result in potential significant environmental effects in the following areas: **Land Use, Transportation, Air Quality and Odor, Biological Resources, Energy, Geologic Conditions, Greenhouse Gas Emissions, Health and Safety, Hydrology, Noise, Paleontological Resources, Population and Housing, Public Services and Facilities, Public Utilities, Tribal Cultural Resources, Visual Effects/Neighborhood Character, Water Quality, Wildfire and Cumulative.**

**AVAILABILITY IN ALTERNATIVE FORMAT:** To request this Notice, the draft Environmental Impact Report, and/or supporting documents in alternative format, please email the Development Services Department at [DSDEASNoticing@sandiego.gov](mailto:DSDEASNoticing@sandiego.gov). Your request should include the suggested recommended format that will assist with the review of documents.

**Additional Information:** For environmental review information, contact E. Shearer-Nguyen at (619) 446-5369. For information regarding public meetings/hearings on this project, contact Development Project Manager, Martin Mendez, at (619) 446-5309. This Notice was published in the SAN DIEGO DAILY TRANSCRIPT and distributed on April 29, 2022.

Raynard Abalos  
Deputy Director  
Development Services Department



# ENVIRONMENTAL IMPACT REPORT

THE CITY OF SAN DIEGO

Project No. 658273  
SCH No. 2021030038

**SUBJECT: Paseo Montril:** A GENERAL PLAN AMENDMENT to redesignate a portion of the site from Park, Open Space and Recreation to Residential; a Rancho Peñasquitos Community Plan Amendment to redesignate a portion of the site from Open Space to Low-Medium Density Residential; A REZONE from RM-2-5 and RS-1-14 to RM-1-1 (Residential-Multiple) and OC-1-1 (Open Space-Conservation); SEWER EASEMENT VACATION; VESTING TENTATIVE MAP to create two lots; PLANNED DEVELOPMENT PERMIT; and a SITE DEVELOPMENT PERMIT to construct a multi-family residential development that would adhere to Design Guidelines specifically developed for the site. The 4.9-acre Lot 1 would construct 55 multi-family residential units within five separate structures. The structures would be clustered in the center of Lot 1 near the terminus of Paseo Montril. Each structure would be up to 40 feet in height. Each unit would include a one or two-car garage. The development would include exterior open space use areas intended for residents to utilize, including a dog park, community bar-b-que and picnic areas, and landscaped areas with seating. The 10.3-acre Lot 2 would consist of an open space lot that would be preserved within a Covenant of Easement. Various site improvements would also be constructed, including on- and offsite infrastructure improvements comprised of water lines, sewer mains, storm drain system, electrical, hardscape, landscaping, other utilities, signage, parking, and retaining walls. Allowable deviations from development standards are proposed that include side yard setback, front yard setback, and building height, retaining wall, and steep slope encroachment deviations. The vacant approximate 15.2-acre project site is located at the terminus of Paseo Montril. The General Plan designates the site Park, Open Space and Recreation. Per the Rancho Peñasquitos Community Plan, the site's land use designation is Open Space and the zone is RM-2-5 (Residential Multiple) and RS-1-14 (Residential-Single). Additionally, the site is within Airport Influence Area (MCAS Miramar –Review Areas 2), Airport Land Use Compatibility Overlay Zone (MCAS Miramar). (ASSESSOR'S PARCEL NUMBER: 315-020-55-00.) The site is not included on any Government Code listing of hazardous waste sites. Applicant: Tripointe Homes.

## ENVIRONMENTAL DETERMINATION:

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

Based on the analysis conducted for the project described above, the City of San Diego, as the Lead Agency, has prepared the following Environmental Impact Report. The analysis addressed the following issue area(s) in detail: **Land Use, Transportation, Air Quality and Odor, Biological Resources, Energy, Geologic Conditions, Greenhouse Gas Emissions, Health and Safety, Hydrology, Noise, Paleontological Resources, Population and Housing, Public Services and Facilities, Public Utilities, Tribal Cultural Resources, Visual Effects/Neighborhood Character, Water Quality, Wildfire** and **Cumulative**. The EIR concluded that project impacts to **Air Quality, Biological Resources, and Noise** would be mitigated to below a level of significance. However, **Land Use, Transportation, and Greenhouse Gas Emissions** impacts were concluded to be significant and unmitigated. All other impacts analyzed in the Draft EIR were either determined to have no impact or be less than significant.

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

**PUBLIC REVIEW DISTRIBUTION:**

The following agencies, organizations, and individuals received a copy or notice of the draft Environmental Impact Report and were invited to comment on its accuracy and sufficiency.

Federal Government

MCAS Miramar Air Station (13)  
U.S. Fish & Wildlife Service (23)

State of California

Caltrans, District 11 (31)  
Department of Fish and Wildlife (32)  
Department of Toxic Substance Control (39)  
State Clearinghouse (46)  
California Transportation Commission (51)  
California Department of Transportation (51A)  
California Department of Transportation (51B)  
California Native American Heritage Commission (56)

City of San Diego

Mayor's Office (91)  
Councilmember LaCava, District 1 (MS 10A)  
Councilmember Campbell, District 2 (MS 10A)  
Councilmember Whitburn, District 3 (MS 10A)  
Councilmember Montgomery, District 4 (MS 10A)  
Councilmember von Wilpert, District 5 (MS 10A)

City of San Diego - continued

Councilmember Cate, District 6 (MS 10A)

Councilmember Campillo, District 7 (MS 10A)  
Councilmember Moreno, District 8 (MS 10A)  
Councilmember Elo-Rivera, District 9 (MS 10A)

*Development Services Department*

Environmental Analysis Section – Elizabeth Shearer-Nguyen  
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LDR Transportation – Ann Gonsalves  
LDR Landscaping – Vanessa Kohakura  
LDR Engineering – Sean Torres  
Fire-Review – Mark Dossett  
LDR Geology – Patrick Thomas  
LDR Planning – Matthew Kessler  
LDR Planning – Joseph Stanco  
Water and Sewer Development – Gary Nguyen  
Development Project Manager – Martin Mendez

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*Planning Department*

Plan-Long-Range Planning – Shannon Mulderig  
Plan-Public Facilities Planning – Alfonso Gastelum

*Parks and Recreation Department*

Shannon Scoggins

*Fire-Rescue Department*

*San Diego Police Department*

Transportation Development - DSD (78)  
Development Coordination (78A)  
Fire and Life Safety Services (79)  
San Diego Fire – Rescue Department Logistics (80)  
Historical Resources Board (87)  
San Diego Housing Commission (88)  
City Attorney (93C)

Other Interested Organizations, Groups and Individuals

San Diego Association of Governments (108)  
San Diego Regional County Airport Authority (110)  
San Diego Transit Corporation (112)  
Metropolitan Transit Systems (115)  
Poway Unified School District (124)  
San Diego Unified School District (132)  
Sierra Club (165)  
San Diego Natural History Museum (166)  
San Diego Audubon Society (167)  
Mr. Jim Peugh (167A)  
California Native Plant Society (170)

Other Interested Organizations, Groups and Individuals - continued

Endangered Habitats League (182)

Endangered Habitats League (182A)  
Carmen Lucas (206)  
South Coastal Information Center (210)  
San Diego Archaeological Center (212)  
Save Our Heritage Organization (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)  
Kumeyaay Cultural Heritage Preservation (223)  
Kumeyaay Cultural Repatriation Committee (225)  
Native American Distribution (225 A-S)  
California Department of Parks and Recreation (378)  
Torrey Pines Associates (379)  
Ranch Penasquitos (380)  
Gary Akin (381)  
Friends of Penasquitos Canyon Preserve (382)  
Rancho Penasquitos Town Council (383)  
Los Penasquitos Lagoon Foundation (384)  
Los Penasquitos Canyon Preserve Citizens (385)  
Debbie Knight, Friends of Rose Canyon (386)  
Frank Landis, California Native Plant Society (387)  
Cint Linton, Lipay Nation of Santa Ysabel  
Lisa Cumper, Jamul Indian Village  
Jesse Pinto, Jamul Indian Village  
John Stump  
Richard Drury, Lozeau Drury LLP  
Molly Greene, Lozeau Drury LLP  
Alex Hardy  
Ada Marin-Allen  
Jimmy Ayala, Tripointe Homes, Applicant  
Maykia Vang, Civil-Sense, Inc., Agent  
Dawna Marshall, DUDEK Environmental Inc., Consultant

**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.



Elizabeth Shearer-Nguyen  
Program Manager  
Development Services Department

April 29, 2022  
Date of Draft Report

\_\_\_\_\_  
Date of Final Report

Analyst: Shearer-Nguyen



DRAFT

**Paseo Montril  
Environmental Impact Report**

**Project No. 658273 / State Clearinghouse No. 2021030038**

*Prepared for:*

**City of San Diego  
Development Services Department  
Land Development Review**

1222 First Avenue, MS501  
San Diego, California 92101-4155

APRIL 2022



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# Executive Summary

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This Environmental Impact Report (EIR) has been prepared for the proposed Paseo Montril Project (project). This document analyzes the potential environmental effects associated with implementation of the project. The EIR was prepared under the direction of the City of San Diego's (City) Environmental Analysis Section and reflects the independent judgment of the City as lead agency pursuant to the California Environmental Quality Act (CEQA) (California Public Resources Code (PRC), Section 21000 et seq.) and the CEQA Guidelines (14 CCR 15000 et seq.). This EIR was prepared to evaluate the environmental effects of the project.

## ES.1 Purpose and Scope of the EIR

This EIR has been prepared in accordance with, and complies with the all criteria, standards, and procedures of CEQA (Public Resources Code, Section 21000 et seq.), the CEQA Guidelines (14 CCR 15000 et seq.), and the City's EIR Preparation Guidelines. Per Section 21067 of CEQA and Sections 15367 and 15050 through 15053 of the CEQA Guidelines, the City is the lead agency under whose authority this document has been prepared. As an informational document, this EIR is intended for use by City decision-makers and members of the general public in evaluating the potential environmental effects of the project.

This EIR provides decision-makers, public agencies, and the public in general with detailed information about the potential significant adverse environmental impacts of the project. By recognizing the environmental impacts of the project, decision makers will have a better understanding of the physical and environmental changes that would accompany the project should it be approved. The EIR includes recommended mitigation measures which, when implemented, would provide the lead agency with ways to substantially minimize or avoid significant effects of the project on the environment, whenever feasible. Alternatives to the project are presented to evaluate alternative development scenarios that can further reduce or avoid significant impacts associated with the project.

## ES.2 Project Location and Setting

The proposed project is located within the City of San Diego (City), in the Rancho Peñasquitos Community Planning area. The project proposes a development of 55 multi-family homes and supporting improvements on the currently undeveloped site. The project is located west of the Sabre Springs Planning Area, North of the Mira Mesa and Miramar Ranch North Planning Areas, in the southeastern portion of the Rancho Peñasquitos Community Planning Area. The project is bound by Interstate 15 (I-15) to the south and east, Rancho Peñasquitos Boulevard and commercial uses to the west, and Via Del Sud and residential homes to the north. The project site is approximately 15.2 acres (project site) of undeveloped land and an off-site area consisting of 0.85 acres of roadway where the project will install underground utility improvements within the Paseo Montril roadway. In total, the project area is approximately 16.05 acres (project area). The project site currently does not have a specific address, but is located at the eastern terminus of the Paseo Montril cul-de-sac.

Currently, the project site is undeveloped. The site is primarily characterized by undeveloped land on a hillside, and includes native vegetation communities, non-native vegetation communities, urban/developed land and disturbed habitat. Surrounding land uses include residential development to the west, commercial development to the south, open space to the north, and Interstate 15 (I-15) to the east.

## ES.3 Project Objectives

The following are the goals and objectives of the project:

1. Assist the City of San Diego (City) in meeting state and local housing goals by providing new housing.
2. Provide new housing opportunities to the City by utilizing an underutilized site not currently planned for residential uses.
3. Provide an infill development.
4. Promote homeownership by providing for-sale units with entry-level housing market product types.
5. Provide a cohesive design that is compatible in use, scale and character with the surroundings.
6. Integrate the project into the existing topography of the site and cluster development in a manner that reduces the grading footprint as well as impacts to environmental resources.

## ES.4 Project Description

The project proposes the development of 55 multi-family homes and supporting improvements. Development would occur within Lot 1, and Lot 2 would be preserved as open space. The development within Lot 1 would be completed in conformance with the Paseo Montril Design Guidelines (Design Guidelines).

Residential land uses would be developed within five separate buildings within Lot 1. The project site would be graded into three terraces, with the lower terrace containing two residential buildings (Buildings 1 and 2), the middle terrace containing one residential building (Building 5), and the upper terrace containing two residential buildings (Buildings 3 through 4). The proposed residential buildings would be three-stories tall and up to 40 feet in height and would require a deviation from the Zoning Code Section 131.0443 height limit of 30 feet. The project would also include side yard and front setback deviations. All of the proposed dwelling units would consist of one- to three-bedroom townhomes and would include private garages. Proposed total parking spaces would be 142; with garage parking of 95 spaces and 47 parking spaces provided as surface parking.

Within the proposed residential development, the project includes recreational amenities, private open space, and common open space. The proposed development would include a dog park near the driveway entrance, a community bar-b-que area between Buildings 4 and 5, an outdoor amenity space at the project entrance, and another outdoor amenity space at the northeastern corner of the residential lot. These amenity spaces would total approximately 2,180 square feet. The dog park and

other outdoor amenities would be available for use by the public while the remaining interior open space areas would be dedicated to use by the residents. In addition, the project would include private balconies and patios associated with each unit.

The project includes 11.6 acres of on-site open space and would be placed within a covenant of easement (COE). This includes 1.30-acres within Lot 1 and the entirety of the 10.30 -acre Lot 2. The COE would be provided to the City pursuant to the City's Environmentally Sensitive Lands Regulation requirements (see Chapter 14, Article 3, Division 1, Environmentally Sensitive Lands Regulations), and would be maintained by the City in perpetuity pursuant to the City's Biology Guidelines. The COE would include land use restrictions. No public access to the open space preserve would be permitted.

The project's landscape plan would include drought-tolerant native vegetation. The landscape scheme would include a range of tree types, including vertical columnar trees, small accent trees, large canopy trees, palms, and cylindrical trees. In addition, the landscaped areas would contain large and small shrubs, and slope shrubs. The project would provide 7,115 square feet of planting area, which would exceed the 4,854 square feet required by the Municipal Code.

Brush Management is required for development with structures that are within 100 feet of any highly flammable area of native or naturalized vegetation. The project would implement the City's Brush Management Regulations found in Section 142.0412 of the Land Development Code.

## **ES.5 Summary of Significant Impacts and Mitigation Measures that Reduce or Avoid Significant Impacts**

Tables ES-1, located at the end of this section, summarizes the results of the environmental analysis completed for the project pursuant to the CEQA Guidelines Section 15123(b)(1). Table ES-1 identifies the significant impacts, mitigation measures to reduce and/or avoid significant environmental effects, and concludes if the impact would be mitigated to below a level of significance with implementation of mitigation measures. The mitigation measures listed in Table ES-1 are also discussed within each relevant topic area and fully contained in Mitigation Monitoring and Reporting Program.

As shown in Table ES-1, impacts related to air quality ,biological resources, and noise , were found to be potentially significant unless mitigation is incorporated. While mitigation is identified, significant impacts related to land use, transportation, and greenhouse gas emissions, would remain significant and unavoidable.

## **ES.6 Areas of Controversy**

Pursuant to CEQA Section 15123(b)(2), an EIR shall identify areas of controversy known to the lead agency, including issues raised by the agencies, and the public, and issues to be resolved. The NOP

for the EIR was distributed on March 2, 2021, for a 30-day public review and comment period, and a pre-recorded presentation was made accessible to the public and available for viewing from March 2, 2021 through April 1, 2021 in Public comments were received on the NOP that reflect controversy on several environmental issues.

Issues of controversy raised include concerns related to land use, transportation/circulation, biological resources, visual effects and neighborhood character, health and safety, hydrology and water quality, noise, greenhouse gases, cultural resources, and tribal cultural resources. The NOP, comment letter, and public scoping meeting transcript are included in this EIR as Appendix A.

## **ES.7 Issues to be resolved by the Decision-Making Body**

The City Council must review the project and this EIR and determine if the project or one of the alternatives presented in the alternatives analysis should be approved and implemented. If the project is selected for approval, the City Council will be required to certify the EIR, determine whether and how to mitigate significant impacts, and adopt associated Findings of Fact pursuant to CEQA Guidelines Section 15091 for the following significant impacts identified in the EIR:

- Air Quality
- Biological Resources
- Noise

Furthermore, a Statement of Overriding Considerations pursuant to CEQA Guidelines Section 15093 would be required for those impacts found to be to be significant and unavoidable identified in the EIR:

- Land Use
- Transportation
- Greenhouse Gas Emissions

## **ES.8 Project Alternatives**

CEQA requires that EIRs contain an analysis of alternatives to the project that would avoid or substantially lessen environmental impacts. Section 15126.6(a) of the CEQA Guidelines states that an EIR should “describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project, but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives” (14 CCR 15000 et seq.). The selection of alternatives is governed by a “rule of reason” that requires an EIR to evaluate only those alternatives necessary to permit a reasoned choice (Section 15126.6(f)). The EIR should identify any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process and briefly explain the reasons for that determination (Section 15126.6(c)). Additionally, CEQA requires discussion of a No Project

Alternative to give decision makers the ability to compare impacts of approving the project with those of not approving the project (Section 15126.6(e)).

Pursuant to the CEQA Guidelines, a range of alternatives for Paseo Montril is considered in this EIR. These alternatives were developed in the course of project planning, environmental review, and public input. The discussion in this section provides a description of alternatives considered and an analysis of whether the alternatives meet most of the objectives of the project.

Per CEQA Guidelines, Sections 15126.6 (b) and (c), the focus of this analysis is to determine (1) whether alternatives are capable of avoiding or substantially lessening the significant environmental effects of the project, (2) the feasibility of alternatives, and (3) whether an alternative meets all or most of the basic project objectives. This chapter focuses on those alternatives that are capable of reducing or eliminating significant environmental impacts, even if they would impede the attainment of some project objectives or would be more costly. In accordance with Section 15126.6 (f)(1) of the CEQA Guidelines, the factors that may be taken into account when addressing the feasibility of alternatives are site suitability; economic viability; availability of infrastructure; general plan consistency; other plans or regulatory limitations; jurisdictional boundaries; and whether the project proponent can reasonably acquire, control, or otherwise have access to an alternative site.

## ES.8.1 No Project/No Development Alternative

CEQA Guidelines Section 15126.6(e) requires that an EIR evaluate a “no project” alternative, along with its impacts. The purpose of describing and analyzing a no project alternative is to allow a lead agency to compare the impacts of approving the project to the impacts of not approving it. Specifically, Section 15126.6(e)(3)(B) requires that an EIR for a development project on an identifiable property address the no project alternative as circumstances under which the project does not proceed. As the site is designated as open space by the General Plan (City of San Diego 2015b), it is reasonable to assume the “no project” conditions would consist of no development. None of the improvements resulting from the project would occur. Multi-family and affordable units would not be established, no outdoor recreational amenities would be provided to residents, and no formal Covenant of Easement to protect the open space would be completed. Instead, the site would be left as it exists today. As no changes would occur, the No Project/No Development would avoid all significant impacts of the project. The No Project/No Development Alternative would not meet any of the project objectives set forth in Section 8.2, as it would not include housing or any development.

## ES.8.2 Reduced Density Alternative

This alternative would have the same footprint of the proposed project, but the density would be reduced. This alternative would reduce the number of multi-family homes proposed from 55 to 37 units. The intent of this alternative is to reduce the severity of impacts associated with transportation. The City’s Transportation Study Manual Screening Criteria indicate residential projects of this size would screen out as less than significant, as a small project generating less than 300 average daily trips (ADT). The reduction to 37 units would generate approximately 296 ADT (at a rate of 8 trips per dwelling unit). With this reduction, it is assumed that one building would be eliminated and the remaining buildings would be reoriented within the project site. The buildings

would remain the same height and design as the proposed project. The grading footprint and retaining walls under this alternative would remain the same as the project as well. The same discretionary actions as would be required for the project would be needed for this alternative, including a General Plan Amendment, Community Plan Amendment, and Rezone. This alternative would meet the objectives of the project, though to a reduced extent considering the reduction in units. This alternative would be potentially feasible, but additional economic feasibility analysis would be required in order to adopt this alternative.

The Reduced Density Alternative would reduce the severity of the project's significant and unavoidable impacts associated with transportation (**Impact TRA-1**) to a less than significant level considering a 37-unit development would be considered a small project and would typically be presumed to have less than significant VMT impact under the City's criteria. Thus, this alternative would avoid the project's significant VMT impacts. While this alternative would reduce the overall level of greenhouse gas emissions due to a reduction in dwelling units and vehicle trips compared to the project, it would not avoid the significant and unavoidable greenhouse gas emission impacts due to a conflict with the City's CAP. As such, the land use inconsistency impact (**Impact LND-1**) and GHG emissions impact (**Impact GHG-1**) would remain significant and unavoidable under the Reduced Density Alternative similar to the project. All other impacts (air quality, biological resources, and noise) would remain similar to the project.

### ES.8.3 Construction Noise Avoidance Alternative

This alternative would result in a similar overall development to the proposed project, in that 55 multi-family units would be constructed within five individual buildings. The internal driveways and alleys would be constructed in a similar manner compared to the proposed project, and on-site residential amenities would remain the same. The intent of this alternative is to reduce the severity of impacts associated with construction noise, specific to blasting and grading. Grading for this alternative would vary from that under the proposed project, in that this alternative would require a deviation that includes a steeper slope (1.5:1) between the residential Buildings 3 through 5 and the single-family housing to the northwest. This would reduce grading by approximately 0.13 acres. The same discretionary actions as would be required for the project would be required for this alternative, including a General Plan Amendment, Community Plan Amendment, and Rezone. An additional variance would be required for grading the slope at a more than 2:1 ratio. The Construction Noise Avoidance Alternative would meet the objectives of the project, and this alternative would be feasible to implement.

The Construction Noise Avoidance Alternative would avoid **Impact NOI-1** related to general construction noise and reduce sensitive habitat impacts (**Impact BIO-1**). This alternative would result in blasting noise and vibration impacts (**Impacts NOI-2 and NOI-3**) similar to the project. All other impacts (land use, greenhouse gas, transportation, and air quality) would remain similar to the project as well.

### ES.8.4 Environmentally Superior Alternative

Section 15126.6(e)(2) of the CEQA Guidelines states that if the No Project Alternative is the environmentally superior alternative, the EIR shall also identify an environmentally superior alternative from among the other alternatives. The context of an environmentally superior

alternative is based on consideration of several factors, including the proposed project’s objectives and the ability to fulfill the goals while reducing potential impacts to the environment.

Table ES-1 summarizes the analysis of the project alternatives analyzed in Chapter 9. As detailed in the table, the No Project/No Development Alternative would have the fewest impacts. Under this alternative, however, none of the project objectives would be met. As previously identified, Section 15126.6(e)(2) of the CEQA Guidelines states that “if the environmentally superior alternative is the No Project Alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.” Thus, the environmentally superior alternative, as identified in the analysis above, would be the Reduced Density Alternative.

**Table ES-1.  
Comparison of Alternative Impacts to Project Impacts**

Issue Areas with Potentially Significant Impacts	Proposed Project	Alternatives Considered		
		No Project/No Development	Reduced Density	Construction Noise Avoidance
Air Quality	LTSM	▼	▼	—
Biological Resources	LTSM	▼	—	▼
Greenhouse Gas Emissions	SU	▼	▼	—
Land Use	SU	▼	—	—
Noise	LTSM	▼	—	▼
Transportation	SU	▼	▼	—
Other CEQA Topics	NS	—	—	—

**Notes:**

- ▲ Alternative is likely to result in substantially greater impacts to issue when compared to proposed project.
  - Alternative is likely to result in similar impacts to issue when compared to proposed project.
  - ▼ Alternative is likely to result in substantially reduced impacts to issue when compared to proposed project.
- NS = Not a potentially significant impact.  
 LTSM = Less than significant with mitigation measures.  
 SU = Significant and Unavoidable.

The Reduced Density Alternative would avoid the project’s significant and unavoidable transportation impact (**Impact TRA-1**). However, while this alternative would reduce the amount of greenhouse gas emissions generated by the project, the Reduced Density Alternative would not avoid the project’s significant and unavoidable direct and cumulative impacts to greenhouse gas emissions (**Impact GHG-1**) or conflict with the City’s CAP (**Impact LND-1**). The following issue areas that would be less than significant with or without mitigation under the proposed project, would be slightly reduced under the Reduced Density Alternative: air quality, energy, population/housing, public utilities, public services and facilities, and visual effects and neighborhood character. In addition, this alternative would meet most of the project objectives.

**Table ES-2.  
Summary of Significant Environmental Impacts and Mitigation**

Impact	Mitigation Measures	Level of Significance After Mitigation
<i>Land Use</i>		
<p>The project would conflict with the General Plan’s Housing Element and Climate Action Plan (CAP), which would result in a secondary greenhouse gas emission (GHG) impact. Thus, the project land use impact would be <b>significant (Impact LND-1)</b>.</p>	<p><b>MM-TRA-1 to MM-TRA-5, and MM-GHG-1 to MM-GHG-4</b> (see below)</p>	<p><b>Significant and unavoidable.</b></p>
<i>Transportation</i>		
<p>As the project is located in an area above the 85th percentile mean VMT per Capita for the region, impacts associated with VMT would be <b>significant and unavoidable (Impact TRA-1)</b>.</p>	<p><b>MM-TRA-1 Pedestrian Improvements.</b> Prior to the issuance of the first building permit, Permittee shall assure by permit and bond the construction/improvement of standard City sidewalk along the south side Paseo Montril, satisfactory to the City Engineer. The improvements shall be completed and operational prior to first occupancy. This includes providing a continuous concrete sidewalk from the project access to Rancho Peñasquitos Boulevard.</p> <p><b>MM-TRA-2 Bike Parking.</b> Prior to the issuance of the first occupancy permit, the Permittee shall provide 10 short term bike parking spaces on site.</p> <p><b>MM-TRA-3 Transit Passes.</b> Prior to first occupancy, the Permittee shall implement a transit subsidy program. The subsidy value will be limited to the equivalent value of</p>	<p><b>Significant and unavoidable.</b></p>

**Table ES-2.  
Summary of Significant Environmental Impacts and Mitigation**

Impact	Mitigation Measures	Level of Significance After Mitigation
	<p>25% of the cost of an MTS “Regional Adult Monthly/30-Day Pass” (currently \$72, which equates to a subsidy value of \$18 per month). Subsidies will be available on a per unit basis to residential tenants for a period of five years (five years after issuance of the first occupancy permit). In no event shall the total subsidy exceed \$59,400. Permittee shall provide an annual report to the City Engineer in each of the first five years demonstrating how the offer was publicized to residents and documenting the results of the program each year, including number of participants and traffic counts at the project entrance.</p> <p><b>MM-TRA-4 Commute Trip Reduction Program.</b> Prior to first occupancy, the Permittee shall develop and implement a commute trip reduction program that requires each homeowner and tenant to be provided with a one page flyer every year that provides information regarding available transit, designated bicycle routes, local bicycle groups and programs, local walking routes and programs, and rideshare programs.</p> <p><b>MM-TRA-5 Bicycle Micromobility Fleet.</b> Prior to first of occupancy, the Permittee shall provide one bicycle (up to a \$400 value) per unit to the first buyer of each unit.</p>	

**Table ES-2.  
Summary of Significant Environmental Impacts and Mitigation**

Impact	Mitigation Measures	Level of Significance After Mitigation
<i>Air Quality</i>		
<p>The results of the HRA demonstrate that the TAC exposure from construction diesel exhaust emissions would result in cancer risk of 22.63 in 1 million, which would exceed the 10 in 1 million threshold. Therefore, TAC emissions from construction of the proposed project would expose sensitive receptors to substantial pollutant concentrations and would result in a <b>potentially significant impact (Impact AIR-1)</b>.</p>	<p><b>MM-AQ-1</b> Prior to the issuance of a grading permit, the grading and construction plan notes shall specify that all 50-horsepower or greater diesel-powered equipment is powered with California Air Resources Board (CARB)-certified Tier 4 Interim engines or better.</p> <p>An exemption from this requirement may be granted if (1) the applicant documents equipment with Tier 4 Interim engines or better are not reasonably available, and (2) the required corresponding reductions in diesel particulate matter (DPM) emissions can be achieved for the project from other combinations of construction equipment. Before an exemption may be granted, the applicant’s construction contractor shall: (1) demonstrate that at least two construction fleet owners/operators in San Diego County were contacted and that those owners/operators confirmed Tier 4 Interim equipment or better could not be located within San Diego County during the desired construction schedule; and (2) the proposed replacement equipment has been evaluated using California Emissions Estimator Model (CalEEMod) or other industry standard emission estimation method and documentation provided to the City of San Diego to confirm that project-generated construction emissions do not</p>	<p><b>Less than significant.</b></p>

**Table ES-2.  
Summary of Significant Environmental Impacts and Mitigation**

Impact	Mitigation Measures	Level of Significance After Mitigation
	exceed applicable San Diego Air Pollution Control District's carcinogenic (cancer) risk threshold.	
<i>Biological Resources</i>		
<p>The proposed project would result in direct impacts to sensitive vegetation communities, consisting of 3.21 acres of Tier II Diegan coastal sage scrub (including disturbed forms). Impacts would be <b>potentially significant (Impact BIO-1)</b>.</p> <p>The project would result in direct impacts to special-status wildlife species habitat, including coastal California gnatcatcher, western bluebird, orange-throated whiptail, and Blainville's horned lizard habitat. Impacts would be <b>potentially significant (Impact BIO-2)</b>.</p>	<p><b>MM-BIO-1</b> <b>Habitat Mitigation.</b> Prior to issuance of a Notice to Proceed or the first grading permit, the owner/permittee shall mitigate upland impacts in accordance with the City of San Diego Biology Guidelines. Mitigation for impacts to 3.24 acres of Diegan coastal sage scrub (including disturbed) shall be accomplished on site at a 1.5:1 mitigation ratio by on-site preservation of 4.86 acres of Tier II habitat also outside of the MHPA.</p> <p>A total of 9.91 acres of Diegan coastal sage scrub would remain on site following project implementation. This project would utilize 4.86-acres of that remaining area to mitigate for the project's direct impacts to Diegan coastal sage scrub. In accordance with ESL regulations, the owner/permittee shall convey a Covenant of Easement to be recorded against the title in over the remaining ESL area on the site.</p>	<p><b>Less than significant.</b></p>

**Table ES-2.  
Summary of Significant Environmental Impacts and Mitigation**

Impact	Mitigation Measures	Level of Significance After Mitigation
<i>Greenhouse Gas Emissions</i>		
<p>The project would conflict with the City's CAP or any applicable plan, policy, or regulation for the purpose of reducing GHG emissions (<b>Impact GHG-1</b>).</p>	<p><b>MM-GHG-1</b>    <b>CAP Strategy 1- Cool Roofs.</b> Prior to the issuance of residential building permits, the project applicant or its designee shall submit building plans illustrating that residential structures shall meet the U.S. Green Building Council standards for cool roofs. This is defined as achieving a three-year solar reflectance index (SRI) of 64 for a low-sloped roof and an SRI of 32 for a high-sloped roof.</p> <p><b>MM-GHG-2</b>    <b>CAP Strategy 1 - Low Flow Plumbing Fixtures.</b> Prior to the issuance of residential building permits, the project applicant or its designee shall submit building plans illustrating that residential structures shall have low flow fixtures including; kitchen faucets with a maximum flow rate not to exceed 1.5 gallons per minute at 60psi; standard dishwashers at 4.25 gallons per cycle; compact dishwashers at 3.5 gallons per cycle and clothes washers with a water factor of 6 gallons per cubic feet of drum capacity.</p> <p><b>MM-GHG-3</b>    <b>CAP Strategy 2 - Electrical Vehicle Charging Stations.</b> Prior to the issuance of building permits, the proposed project applicant or its designee shall submit building plans illustrating that the project</p>	<p><b>Significant and unavoidable.</b></p>

**Table ES-2.  
Summary of Significant Environmental Impacts and Mitigation**

Impact	Mitigation Measures	Level of Significance After Mitigation
	<p>provides electrical vehicle charging stations at 5% of the on-site parking (6 spaces).</p> <p><b>MM-GHG-4 Beyond CAP Strategy 2 - Electrical Vehicle Charging Stations.</b> Prior to the issuance of building permits, the proposed project applicant or its designee shall submit building plans illustrating that the project provides an additional 5% of on-site parking as EV capable spaces above Title 24 code and half of those additional spaces as EV charging stations.</p> <p>In addition, the project would also implement MM-TRA-1 to MM-TRA-5 to reduce GHG emissions.</p>	
<i>Noise</i>		
<p>Construction noise during allowable daytime hours has the potential for noise to exceed the 75 dBA <math>L_{eq}</math> 12-hour City threshold at the nearest residential receiver on occasion. Thus, temporary construction-related noise impacts would be <b>potentially significant (Impact NOI-1)</b>.</p> <p>Predicted airborne noise levels from blasting could exceed the City's standard of 75 dBA <math>L_{eq}</math> 12-hour for a blast event.</p>	<p><b>MM-NOI-1 Temporary Construction Noise.</b> Prior to issuance of demolition, grading, or building permits, Mitigation Monitoring Coordination shall verify that project applicant or its contractor shall implement one or more of the following options for on-site noise control and sound abatement means that, in aggregate, would yield a minimum of approximately 12 dBA of construction noise reduction during the grading phase of the Project:</p> <p>A. <i>Administrative controls</i> (e.g., reduce operating time of equipment and/or prohibit usage of equipment</p>	<p><b>Less than significant.</b></p>

**Table ES-2.  
Summary of Significant Environmental Impacts and Mitigation**

Impact	Mitigation Measures	Level of Significance After Mitigation
<p>Thus, blasting operation noise impacts would be considered <b>potentially significant (Impact NOI-2)</b>.</p> <p>There is the potential for the blasting associated with project excavation to cause undue temporary annoyance and damage risk to receiving structures. Thus, vibration impacts due to blasting events would be considered <b>potentially significant (Impact NOI-3)</b>.</p>	<p>type[s] within certain distances to a nearest receiving occupied off-site property).</p> <p>B. <i>Engineering controls</i> (change equipment operating parameters [speed, capacity, etc.], or install features or elements that otherwise reduce equipment noise emission [e.g., upgrade engine exhaust mufflers]).</p> <p>C. Install noise abatement on the site boundary fencing (or within, as practical and appropriate) in the form of sound blankets or comparable temporary solid barriers to occlude construction noise emission between the site (or specific equipment operation as the situation may define) and the noise-sensitive receptor(s) of concern.</p> <p><b>MM-NOI-2</b> <b>Blasting Vibration and Noise Plan.</b> Prior to issuance of building permit, Mitigation Monitoring Coordination shall verify that project applicant or its contractor have prepared, and shall require the implementation of, a blasting plan that will reduce impacts associated with construction-related noise, drilling operations and vibrations related to blasting. The blasting plan shall be site specific, based on general and exact locations of required blasting and the results of a project-specific geotechnical investigation. The blasting plan shall include a description of the planned blasting methods, an</p>	

**Table ES-2.  
Summary of Significant Environmental Impacts and Mitigation**

Impact	Mitigation Measures	Level of Significance After Mitigation
	<p>inventory of receptors potentially affected by the planned blasting, and calculations to determine the area affected by the planned blasting. Noise calculations in the blasting plan shall account for blasting activities and all supplemental construction equipment. The final blasting plan and pre-blast survey shall meet the requirements provided below:</p> <ul style="list-style-type: none"> <li>• Prior to blasting, a qualified geotechnical professional shall inspect and document the existing conditions of facades and other visible structural features or elements of the nearest neighboring off-site residential buildings. Should this inspector determine that some structural features or elements appear fragile or otherwise potentially sensitive to vibration damage caused by the anticipated blasting activity, the maximum per-delay charge weights and other related blast parameters shall be re-evaluated to establish appropriate quantified limits on expected blast-attributed PPV. The geotechnical professional shall consider geologic and environmental factors that may be reasonably expected to improve attenuation of groundborne vibration between the blast detonations and the receiving structure(s) of concern.</li> </ul>	

**Table ES-2.  
Summary of Significant Environmental Impacts and Mitigation**

Impact	Mitigation Measures	Level of Significance After Mitigation
	<ul style="list-style-type: none"> <li>• All blasting shall be designed and performed by a blast contractor and blasting personnel licensed to operate per appropriate regulatory agencies.</li> <li>• Each blast shall be monitored and recorded with an air-blast overpressure monitor and groundborne vibration accelerometer that is located outside the closest residence to the blast. This data shall be recorded, and a post-blast summary report shall be prepared and be available for public review or distribution as necessary.</li> <li>• Blasting shall not exceed 1 ips PPV (transient or single-event), or a lower PPV determined by the aforesaid inspector upon completion of the pre-blast inspection, at the façade of the nearest occupied residence.</li> <li>• To ensure that potentially impacted residents are informed, the applicant will provide notice by mail to all property owners within 500 feet of the project at least 1 week prior to a scheduled blasting event.</li> <li>• Where a blast event may be expected to cause an airborne noise level that exceeds the City's 12-hour <math>L_{eq}</math> standard, the proposed project applicant or its contractor(s) shall coordinate with the potentially affected neighboring property owner-occupant for permission to install at or near the proposed</li> </ul>	

**Table ES-2.  
Summary of Significant Environmental Impacts and Mitigation**

Impact	Mitigation Measures	Level of Significance After Mitigation
	<p>project property line (to the extent feasible, given the terrain of the proposed project vicinity) a field-erected temporary noise wall (e.g., sound blankets suspended from framing members, such as those provided by Behrens &amp; Associates, Pacific Sound Control, or other vendors of comparable equipment). The installing contractor shall be responsible for determining the height and extent of the temporary noise barrier, so that its proper on-site implementation can be expected to provide up to 15 dBA of noise reduction and thus enable the 12-hour <math>L_{eq}</math> representing the blast event noise level to comply with the City's standard of 75 dBA.</p> <ul style="list-style-type: none"> <li>Where a blast event may be expected to cause an airborne noise level that contributes to exceedance of the City's 12-hour <math>L_{eq}</math> standard, the proposed project applicant or its contractor(s) shall utilize blasting noise abatement techniques (at the discretion of the blast contractor) such as steel or rubber blasting mats over sand/dirt, so that its proper on-site implementation can be expected to provide approximately 15 dBA of noise reduction and thus enable the 12-hour <math>L_{eq}</math> representing the blast event noise level to comply with the City's standard of 75 dBA.</li> </ul>	

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# 1 Introduction

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This chapter provides the purpose and legal authority for this Environmental Impact Report (EIR) for the proposed Paseo Montril Project (project), the EIR scope and process, and an explanation of how the EIR is organized.

## 1.1 EIR Purpose

The purposes of an EIR are to accomplish the following:

- Inform governmental decision makers and the general public of the potentially significant environmental effects of the proposed project.
- Identify the ways that environmental impacts can be avoided or significantly reduced.
- Reduce environmental impacts by identifying changes in the proposed project through the use of alternatives or mitigation measures.
- Streamline environmental review for subsequent projects consistent with the project.

### 1.1.1 EIR Legal Authority

The City of San Diego (City) is the Lead Agency as defined by Section 21067 of the California Environmental Quality Act (CEQA) is “the public agency which has the principal responsibility for carrying out or approving a project which may have a significant effect upon the environment.” This document complies with the criteria, standards, and procedures of CEQA (California Public Resources Code, Section 21000 et seq.) and the State CEQA Guidelines (14 CCR 15000 et seq.). Further, this document has been prepared as a project EIR pursuant to Section 15161 of the State CEQA Guidelines

This EIR has been prepared in accordance with the City’s EIR Guidelines (City of San Diego 2005) and the City’s CEQA Significance Determination Thresholds (City of San Diego 2016). This document represents the independent judgment of the City as Lead Agency (State CEQA Guidelines Section).

### 1.1.2 Intended Use of the EIR

The EIR is an informational document that will provide decision makers, responsible or trustee agencies (as defined under CEQA), other interested public agencies or jurisdictions, and members of the general public with information about (1) the potential for significant adverse environmental impacts that would result from the development of the proposed project, (2) possible ways to minimize any significant environmental impacts, and (3) feasible alternatives to the proposed project (California Public Resources Code (CCR), Section 21002.1[a]; 14 CCR 15121[a]). Responsible agencies will use this EIR to fulfill their legal authority to issue permits for the proposed project.

The EIR is informational in nature and is intended for use by City decision makers; other responsible, trustee, or interested agencies; and the general public in evaluating the potential environmental effects, mitigation measures, and alternatives of the project. This EIR provides detailed information about the potential significant adverse environmental impacts of the project. By recognizing the environmental impacts of the project, decision makers will have a better understanding of the physical environmental changes that would accompany the approval of the project. The EIR includes recommended mitigation measures which, when implemented, would substantially lessen or avoid significant effects of the project on the environment, whenever feasible. Alternatives to the project are presented to evaluate alternative development scenarios that can further reduce or avoid significant impacts associated with the project.

## 1.2 EIR Legal Authority

### 1.2.1 Lead Agency

The City is the Lead Agency, defined in CEQA Guidelines Sections 15050 and 15367 as the “public agency which has the principal responsibility for carrying out or approving a project.” This EIR is intended to analyze the environmental impacts associated with the discretionary actions that require ultimate approval by the San Diego City Council.

### 1.2.2 Responsible and Trustee Agencies

State law requires that all EIRs be reviewed by responsible and trustee agencies. A Responsible Agency, defined pursuant to State CEQA Guidelines Section 15381, includes all public agencies other than the Lead Agency that have discretionary approval power over the project. A Trustee Agency is defined in Section 15386 of the CEQA Guidelines as a state agency having jurisdiction by law over natural resources affected by a project that are held in trust for the people of the state of California. There are no United States Army Corps of Engineer or California Department of Fish and Wildlife regulated impacts that would occur as part of the proposed project. Trustee and responsible agencies for the proposed project include, but are not limited to the California Department of Fish and Wildlife, San Diego Regional Water Quality Control Board, and United States Fish and Wildlife Services.

## 1.3 EIR Type

### 1.3.1 Type of EIR

This EIR has been prepared as a project EIR, as defined in Section 15161 of the CEQA Guidelines. A project EIR should “focus primarily on the changes in the environment that would result from the development project.” Furthermore, a project EIR should “examine all phases of the project including planning, construction and operation.” The proposed project and other related actions are described in Chapter 3, Project Description.

### 1.3.2 Notice of Preparation

In reviewing the application for the project, the City concluded that the project could result in potentially significant environmental impacts. As Lead Agency, the City prepared a Notice of Preparation (NOP) on March 2, 2021 to all responsible and trustee agencies, as well as various governmental agencies, including the Office of Planning and Research’s State Clearinghouse (SCH), and interested individuals pursuant to CEQA Section 15097(a). Consistent with Section 21083.9 of CEQA and Section 15082 of the CEQA Guidelines, a public scoping meeting was to be held to solicit comments regarding the scope and analysis of the EIR. However, due to the state of emergency related to the COVID-19 virus and in the interest of protecting public health and safety, the City followed health mandates from Governor Newsom and the County of San Diego to slow the spread of the COVID-19 virus by limiting public meetings. Therefore, the City did not conduct the in-person scoping meeting. In accordance with mandated safety requirements outlined by the County of San Diego, a pre-recorded presentation will be made accessible to the public and available for viewing from March 2, 2021 through April 1, 2021 in lieu of a public scoping meeting to be held in person.

The scope of analysis for this EIR was determined by the City as a result of initial project review and consideration of comments received in response to the NOP. The NOP and public comments received are included as Appendix A of this EIR. Through these scoping activities, two issue areas were determined not to be significant: agricultural resources and mineral resources, as described in Chapter 7, Effects Found Not to be Significant. Based on the information available at the time, the proposed project was determined to have the potential to result in significant environmental impacts to the following subject areas:

- Air Quality
- Biological Resources
- Energy
- Geologic Conditions
- Greenhouse Gas Emissions
- Health and Safety
- Hydrology
- Land Use
- Noise
- Paleontological Resources
- Population and Housing
- Public Services and Facilities
- Public Utilities
- Transportation
- Tribal Cultural Resources
- Visual Effects and Neighborhood Character
- Water Quality
- Wildfire

Subsequent to public review of the NOP, a Cultural Resources Report was prepared (Appendix N) and it was determined that no cultural resources exist or are expected to occur within the project area. Thus, the analysis was accordingly moved to Chapter 7, Effects Found Not to be Significant. Refer to Chapter 7 for additional details.

Verbal and written comments received during the scoping process have been taken into consideration during the preparation of this EIR. An outline of the issues noted during the scoping process is contained in the Areas of Controversy/Issues to be Resolved discussion in the Executive

Summary section. The environmental conditions evaluated as the baseline in this EIR are those that existed at the time the NOP was circulated as described in Chapter 2, Environmental Setting.

### 1.3.3 EIR Organization

The content and format of this project EIR are in accordance with the most recent guidelines and amendments to CEQA and the State CEQA Guidelines. Technical studies have been summarized within individual environmental issue sections, and the full technical studies have been included in the appendices.

The following is a brief overview of the chapters of this EIR:

- **Executive Summary.** This chapter provides a summary of the EIR; a brief description of the proposed project; an identification of areas of controversy; and a summary table identifying significant impacts, proposed mitigation measures, and the significance of impacts after mitigation. A summary of the proposed project alternatives and a comparison of the potential impacts of the alternatives with those of the proposed project are also provided.
- **Chapter 1, Introduction.** This chapter contains an overview of the legal authority, purpose, and intended uses of the EIR, as well as its scope and content. It also provides a discussion of the CEQA environmental review process, including public involvement.
- **Chapter 2, Environmental Setting.** This chapter describe the precise location of the project with an emphasis on the physical features of the site and the surrounding areas. In addition, the section provides a local and regional description of the environmental setting of the project, as well as the zoning and General Plan/Community Plan land use designations of the site and its contiguous properties, area topography, drainage characteristics, and vegetation.
- **Chapter 3, Project Description.** This chapter provides a detailed discussion of the proposed project, including background, objectives, and key features.
- **Chapter 4, History of Project Changes.** This chapter outlines the history of the project and any physical changes that were made to the project in response to environmental concerns identified during the review of the project (i.e., in response to City's review of the project, the notice of preparation, or during the public review period for the Draft EIR).
- **Chapter 5, Environmental Analysis.** This chapter provides a detailed evaluation of the potential environmental impacts associated with the proposed project. The topics analyzed in this section include: land use, transportation, air quality, biological resources, energy, geologic conditions, greenhouse gas emissions, health and safety, hydrology, noise, paleontological resources, population and housing, public services, public utilities, tribal cultural resources, visual effects, water quality, and wildfire. The analysis of each issue begins with a discussion of the existing conditions, regulatory framework, and a statement of the specific thresholds used to determine the significance of impacts, followed by an evaluation of potential impacts and identification of specific mitigation measures to avoid or reduce significant impacts (if any). A statement regarding the significance of the impact after mitigation is also provided.
- **Chapter 6, Cumulative Impacts.** This chapter analyzes the proposed project in addition to other cumulative projects in the surrounding area to determine potential impacts as a result of all the projects all being implemented. It is noted that some topics are

inherently cumulative, such as greenhouse gas emissions, and those topics are detailed in Chapter 5 with summaries provided in Chapter 6.

- **Chapter 7, Effects Found Not to Be Significant.** This chapter describes issue areas that were determined to be less than significant during the initial study phase for the proposed project and were not analyzed in detail as part of the EIR. This Chapter includes agricultural and forestry resources, cultural resources, and mineral resources.
- **Chapter 8, Alternatives.** This chapter provides a description of the alternatives to the proposed project, including the No Project/No Build Alternative, Reduced Density Alternative and Construction Noise Avoidance Alternative.
- **Chapter 9, Mandatory Discussion Areas.** This chapter evaluates the potential influence the proposed project may have on economic or population growth within the project vicinity and the region, either directly or indirectly. It identifies all of the issues determined in the scoping and preliminary environmental review process to not be significant, and briefly summarizes the basis for these determinations. It also identifies impacts that are significant and unavoidable, or irreversible, as well as describes mandatory findings of significance.
- **Chapter 10, Mitigation Monitoring and Reporting Program.** This chapter identifies significant impacts and the mitigation measures that would help to reduce such impacts. Required in this chapter are the following: (1) the department responsible for monitoring, (2) the monitoring and reporting schedule, and (3) the completion requirements.
- **Chapter 11, References.** This chapter lists all of the references cited in the EIR.
- **Chapter 12, Individuals and Agencies Consulted.** This chapter identifies all the agencies, organizations, and individuals responsible for the preparation of the EIR.

### Technical Appendices

Technical reports, used as a basis for much of the environmental analysis in the EIR, have been summarized in the EIR outlined in Section 15147 of the CEQA Guidelines, and are included as appendices to this EIR. The technical reports prepared for the proposed project and their location in the EIR are listed in the table of contents.

### Incorporation by Reference

As permitted by CEQA Guidelines Section 15150, this EIR references several technical studies and reports. Information from these documents is briefly summarized in this EIR, and their relationship to this EIR is described in the respective chapters. All reference materials are included in Chapter 11, References, and are hereby incorporated by reference.

## 1.4 Public Review Process

The City, as Lead Agency, is responsible for the preparation and review of this EIR. The EIR review process occurs in two basic stages. The first stage is the Draft EIR, which offers the public the opportunity to comment on the document, and the second stage is the Final EIR, which will be considered by the decision-maker when it evaluates the proposed project.

### 1.4.1 Draft EIR

In accordance with CEQA Guidelines Section 15105, the Draft EIR is distributed for review to the public and interested and affected agencies for a review period of 45 days. The purpose of the review period is to allow the public an opportunity to provide comments “on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided and mitigated” (14 CCR 15204). In accordance with CEQA Guidelines Sections 15085 and 15087(a)(1), upon completion of the Draft EIR, a notice of completion will be filed with the State Clearinghouse and a notice of availability of the Draft EIR will be issued in a newspaper of general circulation in the area. The public review period is from (April 29, 2022 to June 13, 2022). The EIR and all supporting technical studies and documents are available for review at the City of San Diego, Development Services Department, 1222 First Avenue, Fifth Floor, San Diego, 92101-4153. An electronic copy of the EIR and the technical appendices are posted on the City’s website at [www.sandiego.gov/ceqa/draft](http://www.sandiego.gov/ceqa/draft).

### 1.4.2 Final EIR

Comments addressing the scope and adequacy of the environmental analysis will be solicited during the Draft EIR public review. Following the end of the public review period, the City, as the Lead Agency, will provide written responses to comments received on the Draft EIR per CEQA Guidelines Section 15088. All comments and responses will be considered in the review of the EIR. Responses to the comments received during public review, a mitigation monitoring and reporting program, findings of fact, and a statement of overriding considerations for any impacts identified in the Draft EIR as significant and unmitigable will be prepared and compiled as part of the EIR finalization process. The Final EIR will be finalized consistent with CEQA Guidelines Section 15088, prior to the first public hearing. The culmination of this process is a public hearing where the decision-maker will determine to certify the Final EIR and adopt the mitigation, monitoring, and reporting program, Findings of Fact, and, a , Statement of Overriding Considerations as being complete and in accordance with CEQA.

# 2 Environmental Setting

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This chapter provides a description of existing site conditions for the proposed Paseo Montril Project (project). The existing setting addresses the project site and provides an overview of the local and regional environmental setting, per Section 15125 of the California Environmental Quality Act (CEQA) Guidelines.

## 2.1 Project Location

The proposed project is located within the City of San Diego (City), in the Rancho Peñasquitos Community Planning Area (Figure 2-1, Regional Location). The project site is approximately 15.2 acres (project site) of undeveloped land and an off-site area consisting of 0.85 acres of roadway where the project will install underground utility improvements within the Paseo Montril roadway. In total, the project area is approximately 16.05 acres (project area). The project is located west of the Sabre Springs Planning Area, North of the Mira Mesa and Miramar Ranch North Planning Areas, in the southeastern portion of the Rancho Peñasquitos Community Planning Area (Figure 2-2, Project Location). The project is bound by Interstate 15 (I-15) to the south and east, Rancho Peñasquitos Boulevard and commercial uses to the west, and Via Del Sud and residential homes to the north. The project site currently does not have a specific address but is located at the eastern terminus of the Paseo Montril cul-de-sac. The approximate centroid of the project area is within Section 17 of Township 14 South, Range 2 West, of the Poway, California, U.S. Geological Survey 7.5-minute topographic quadrangle.

## 2.2 Environmental Setting

### 2.2.1 Project Site

The project site is currently undeveloped. An aerial image of the existing project site is shown on Figure 2-3, Project Site Aerial. The site is primarily characterized by undeveloped land on a hillside, and includes native vegetation communities, non-native vegetation communities, urban/developed land and disturbed habitat. The project site supports a small drainage swale that originates from the residential development to the west and conveys runoff towards the east to the Caltrans right-of-way. Several brow ditches are also located along the western side of the site associated with the existing residential development to the west.

Topography on site ranges from 580 feet above mean sea level (MSL) at the northwest corner to approximately 440 feet MSL at the southwest corner. According to the geotechnical investigation, the project site is underlain by surficial deposits consisting of undocumented fill, topsoil, weathered Metamorphic rock, and weathered Mesozoic age metamorphic rock (undifferentiated Metamorphic rock) (Appendix E.1, Geotechnical Investigation).

The off-site area consists of the existing Paseo Montril roadway and is comprised of urban/developed land. Paseo Montril currently exists as a two-lane local roadway with a sidewalk along the southern side. Paseo Montril includes striping near the Rancho Peñasquitos Boulevard intersection, as well as dedicated left-turn lane. The southern sidewalk is notably covered by overgrown vegetation and not currently usable as a walkway for the entire extent. Refer to Section 2.2, Surrounding Roadway Network, for additional details regarding Paseo Montril.

The site includes two easements. A sewer easement located just east of the Paseo Montril cul-de-sac granted to the City in 1986 and a public street easement to the benefit of the City that extends over Paseo Montril.

### 2.2.2 Surrounding Environment

The surrounding development consists of residential to the west, commercial to the south, open space to the north, and Interstate 15 (I-15) to the east. The adjacent residential to the west consists of single-family residents and past the single-family residences are multi-family single-family residences. The multi-family homes are located along the southbound lane of Rancho Peñasquitos Boulevard, including the Rancho Villas, Eaves Ranch Peñasquitos, and Peñasquitos Point complexes. Additional multi-family homes exist along the portion of Paseo Montril to the west of Rancho Peñasquitos Boulevard.

To the south, adjacent to the project site and along Rancho Peñasquitos Boulevard are a variety of commercial and employment uses. The commercial areas include drive-thru/dine-in fast food restaurants, gas stations, an auto repair shop, a hotel, and various other small-scale commercial shops. To the west of the commercial areas are additional single-family neighborhoods.

To the east is I-15. The adjacent segment of I-15 is 14 lanes wide and includes an off-ramp adjacent to the site to Rancho Peñasquitos Boulevard. Past the I-15 is open space and residential uses. The residential uses include both single-family and multi-family residential. The open space that is located 440 feet across the freeway includes City MSCP Multi-Habitat Planning Area (MHPA).

The adjacent area to the north is open space. Past the open space to the north is multi-family residential and a site under development as a recreational vehicle storage facility. State Route 56 (SR-56) (Ted William Parkway) is located 0.5 miles to the north of the project site.

The closest public parks include the Views West Neighborhood Park to the northwest approximately 0.5 miles, the Sabre Springs Park approximate 0.6 miles to the east, and Ridgewood Park approximately 0.7 miles to the southwest. There is also a playground about 0.5 miles to the north accessible via a pedestrian path only that extends from Avenida Grande.

## 2.3 Planning Context

The following describes the plans, policies, and regulations that are applicable to the project.

### 2.3.1 General Plan

The City's General Plan is comprised of 10 elements that provide a comprehensive slate of citywide policies and further the City of Villages smart growth strategy for growth and development. The various elements of the General Plan include: Land Use and Community Planning Element; Mobility Element; Urban Design Element; Economic Prosperity Element; Public Facilities, Services, and Safety Element; Recreation Element; Conservation Element; Noise Element; and Historic Preservation Element. It recognizes and explains the critical role of the community planning program as the vehicle to tailor the "City of Villages" strategy for each neighborhood. It also outlines the plan amendment process and other implementation strategies and considers the continued growth of the City beyond 2020 (City of San Diego 2008). The project site is designated Park, Open Space, and Recreation in the General Plan, while the off-site area is designated as Roads/Freeway/Transportation (City of San Diego 2008) (Figure 2-4, Existing General Plan Land Use Designation).

### 2.3.2 Rancho Peñasquitos Community Plan

The Community Plan Area consists of approximately 6,500-acres located in the northern area of the City. It is located west of I-15 between the existing communities of Carmel Mountain Ranch, Sabre Springs, and Miramar Ranch North to the east, and Black Mountain, Torrey Highlands, and Del Mar Mesa to the west. The Mira Mesa community is to the south, and the Rancho Bernardo community lies to the north.

The Community Plan sets forth goals, policies, and proposals to guide future development within the Community Plan Area. The Community Plan provides guidance for the orderly development of the Rancho Peñasquitos community, and emphasizes the importance of providing public facilities in phase with development. The Community Plan identifies the issues and goals of the community with respect to land use, public facilities, urban design and environmental constraints.

12 Community Plan Elements were developed and included within the Community Plan in order to serve as a guide for development within the Community Plan Area. The 12 Community Plan Elements include the Residential Element; Commercial Element; Neighborhood Planning Element; Industrial Element; Community Appearance and Design Element; Transportation Element; Park and Recreation Element; Open Space and Resource Management Element; Education Environment, Public Facilities and Services Element; Marine Corps Air Station (MCAS) Miramar Element; and Social Needs Element.

The overall land use plan for the Community Plan Area encompasses parcels designated for residential, commercial, industrial, and open space. The project site is currently designated as Open Space, as identified within the Community Plan Land Use Map (City of San Diego 2011) (Figure 2-5, Existing Community Plan Land Use Designation).

### 2.3.3 Zoning

The majority of the project site is zoned as Residential-Multiple (RM-2-5), while the western corner of the site is zoned as Residential-Single (RS-1-14) (Figure 2-6, Existing Zoning). The RM-2-5 zone

allows for residential development of up to one dwelling unit for each 1,500 square feet of lot area. The RS-1-14 zone allows for residential development of up to one dwelling unit per a minimum lot size of 5,000 square feet. The off-site area is located within the Commercial-Community (CC-1-3) zone and is currently constructed as a roadway. Permitted uses within the RM zones include multiple-dwelling-unit development at varying densities. Each of the RM zones are intended to establish development criteria that consolidate common development regulations, accommodate specific dwelling types, and respond to locational issues regarding adjacent land uses. Permitted uses within the RS zones include development of single-dwelling units that accommodate a variety of lot sizes and residential dwelling types and which promote neighborhood quality, character, and livability.

### **Airport Zones**

The project site is within the Airport Influence Area (MCAS-Miramar), Airport Land Use Compatibility Overlay Zone, as described in Section 2.3.4 below

### **Environmentally Sensitive Lands**

The City's Environmentally Sensitive Lands (ESL) Regulations include sensitive biological resources, steep hillsides, coastal beaches, sensitive coastal bluffs, and 100-year floodplains. The project site does not contain coastal beaches or sensitive coastal bluffs. It does contain sensitive biological resources (uplands and wetlands) and steep hillsides.

## 2.3.4 Regional Plans

In accordance with Section 15125(d) of the CEQA Guidelines, this environmental setting discussion includes statements relative to conformance with applicable regional plans. In addition to the City's General Plan and Community Plan described above, the following regional plans are assessed for consistency.

### **Regional Air Quality Plan**

The San Diego Air Pollution Control District and San Diego Association of Governments (SANDAG) jointly developed the San Diego Regional Air Quality Strategy (RAQS) to identify feasible emissions control measures to achieve compliance with the state ozone standard. The RAQS addresses volatile organic compounds and oxides of nitrogen, which are the precursors to the photochemical formation of ozone. The current RAQS was initially adopted in 1991 and most recently revised in 2016 (SDAPCD 2016). The San Diego Air Pollution Control District has also developed the San Diego Air Basin's input to the State Implementation Plan, which is required under the federal Clean Air Act for areas that are in nonattainment of air quality standards. The RAQS relies on information from the California Air Resource Board and SANDAG, including mobile area source emissions and information regarding projected growth in the county to project future emissions. The RAQS then determines the strategies necessary for reduction of emissions through regulatory controls. The project would propose development that has been anticipated in local air quality plan and would be consistent with the RAQS. See Section 5.3, Air Quality, for further details.

### **Airport Land Use Compatibility Plan – Marine Corps Air Station Miramar**

The Airport Authority, which serves as the state-designated Airport Land Use Commission for San Diego County, adopts airport land use compatibility plans (ALUCPs). ALUCPs serve as a tool for the Airport Land Use Commission when conducting reviews of proposed land uses in areas surrounding airports. The plans also assist the City, as an affected local land use jurisdiction, in the preparation or amendment of land use plans and ordinances, including its General Plan.

Adopted in October 2008, and amended in December 2010 and November 2011, the Marine Corps Air Station Miramar ALUCP provides for the orderly growth of the area surrounding the airport and safeguards the welfare of the public within the vicinity of the airport. The project site is located within Review Area 2 of the Airport Influence Area and the Marine Corps Air Station Miramar Real Estate Disclosure Area, according to the Marine Corps Air Station Miramar ALUCP. Review Area 2 consists of locations beyond Review Area 1 but within the airspace protection and/or overflight notification area. Limits on the heights of structures, particularly in areas of high terrain, are the only restrictions on land use within Review Area 2.

### **Water Quality Control Plan for the San Diego Basin**

The U.S. Environmental Protection Agency has delegated responsibility for implementation of portions of the Clean Water Act to the State Water Resources Control Board and the Regional Water Quality Control Boards (RWQCBs), including water quality control planning and control programs, such as the National Pollutant Discharge Elimination System program. The National Pollutant Discharge Elimination System program is a set of permits designed to implement the Clean Water Act that apply to various activities that generate pollutants with potential to impact water quality.

The RWQCB adopted a Water Quality Control Plan (Basin Plan) for the San Diego Basin. This Basin Plan sets forth water quality objectives for constituents that could potentially cause an adverse impact on the beneficial uses of water. The Basin Plan is designed to preserve and enhance the quality of water resources in the San Diego region. The purpose of the Basin Plan is to designate beneficial uses of the region's surface waters and groundwater, designate water quality objectives for the reasonable protection of those uses, and establish an implementation plan to achieve the objectives. The Basin Plan incorporates by reference all applicable State Water Resources Control Board and RWQCB plans and policies (RWQCB 2016).

Projects resulting in discharges, whether to land or water, are subject to Section 13263 of the California Water Code and are required to obtain approval of Waste Discharge Requirements from the RWQCB. During construction and operation, private and public development projects are required to include stormwater best management practices to reduce pollutants discharged from the project site.

### **City of San Diego Multiple Species Conservation Program Subarea Plan**

The San Diego Multiple Species Conservation Program (MSCP) is a long-term regional conservation plan established to protect sensitive species and habitats in San Diego County. The regional MSCP is divided into subarea plans that are implemented separately from one another (County of San Diego 1997). The entire project site is within the City of San Diego Subarea Plan. This subarea

encompasses 206,124 acres and is generally characterized by urban land use. Within the City's MSCP Subarea, a largely contiguous, habitat baseline area or Multi-Habitat Planning Area (MHPA) of approximately 60,000 acres was identified. At the end of the 50-year permit, the City's final MSCP preserve will consist of 90% or greater conserved lands from the City's MHPA. The MHPA "baseline/hard line" areas were developed by the City in cooperation with the wildlife agencies, property owners, developers, and environmental groups. The MHPA identifies biological core resource areas and corridors targeted for conservation, in which only limited development may occur (City of San Diego 1997). The proposed project area is located outside of these habitat linkages and core areas, with the nearest MHPA being approximately 0.08 miles from the project site.

### **San Diego Forward – Regional Plan**

Every 4 years, SANDAG prepares a Regional Plan in collaboration with the 18 cities and County of San Diego, along with regional, state, and federal partners. This is a broad-based community effort that plans for how our region will grow and how we will get around. The Regional Plan addresses many important issues, including: using land more wisely, building an efficient and more accessible transportation system, protecting the environment, improving public health, promoting a strong regional economy, better managing our access to energy, incorporating equity into the planning process, addressing pressing needs on tribal lands, and supporting a vibrant international border. The most recent regional plan is the 2021 Regional Plan, which builds off the 2019 San Diego Forward Federal Transportation Plan (SANDAG 2021). The 2021 Regional Plan is the long-term blueprint for the San Diego region that seeks to meet regulatory requirements, address traffic congestion, and create equal access to jobs, education, healthcare, and other community resources. The SANDAG Board of Directors adopted the 2021 Regional Plan on December 10, 2021.

### **Climate Action Plan**

Pursuant to Executive Order S-3-05 and Assembly Bill 32 that set greenhouse gas reduction targets, as well as the California Air Resources Board (CARB) Scoping Plan, the City of San Diego adopted a Climate Action Plan (CAP) (City of San Diego 2015). Pursuant to implementing the CAP, the City also adopted the use of a CAP Checklist to be implemented by development projects on a project-by-project basis. Projects that are consistent with the CAP and associated assumptions may rely on the CAP to address cumulative greenhouse gas impacts. Projects that are inconsistent with the CAP require a comprehensive project-specific analysis of GHG emissions and the incorporation of measures to reduce potential impacts to the extent feasible. Cumulative GHG impacts would be significant for any project that is not consistent with the CAP. The CAP land use assumptions were based on the SANDAG Series 12 growth projections, which assumed the project site was open (Cortes 2020).

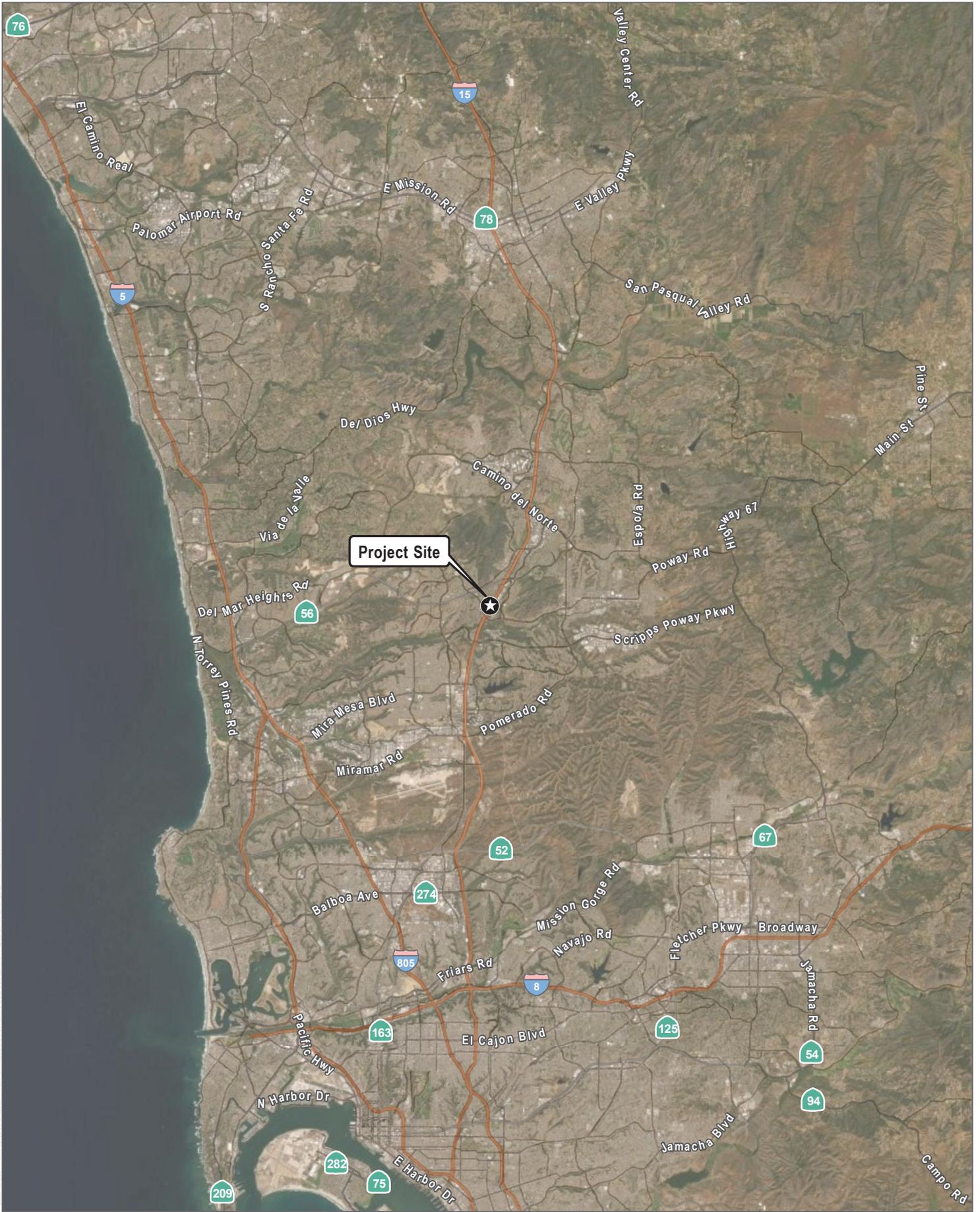
### **Complete Communities: Housing Solutions and Mobility Choices**

The City of San Diego recently adopted two new ordinances, collectively referred to as Complete Communities: Housing Solutions and Mobility Choices (Complete Communities). Regulations for Complete Communities: Mobility Choices can be found in the San Diego Municipal Code Chapter 14, Article 3, Division 11. General Regulations for Complete Communities Housing Solutions can be found in San Diego Municipal Code Chapter 14, Article 3, Division 10. These ordinances are

intended to encourage building residential uses, near high-frequency transit, as well as providing transit, bicycle and pedestrian-oriented improvements within communities of concern where the need for mobility choices is the greatest. As a part of this effort, the City has designated Mobility Zones as well as an Active Transportation In-Lieu Fee program that collects fees from development projects to provide for mobility improvements, and has tied this information into the City's Transportation Study Manual and updated City CEQA transportation significance thresholds. The adoption of the Active Transportation In-Lieu Fee Program regulations (Resolution R-313281 and Ordinance 21274) specifically indicate these Ordinances do not apply to projects "deemed complete prior to the date on which the applicable provision of this Ordinance become effective". These ordinances do not apply to the project considering the project was deemed complete in February 2020 and these regulations were not effective until 2021.

It is noted that the Complete Communities "Play Everywhere" program related to recreational needs was recently adopted in August 2021. However, the "Infrastructure Now" component related to providing public facilities across all communities is in process at the City and is not currently adopted.

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SOURCE: Esri World Imagery 2019; Open Street Map 2019

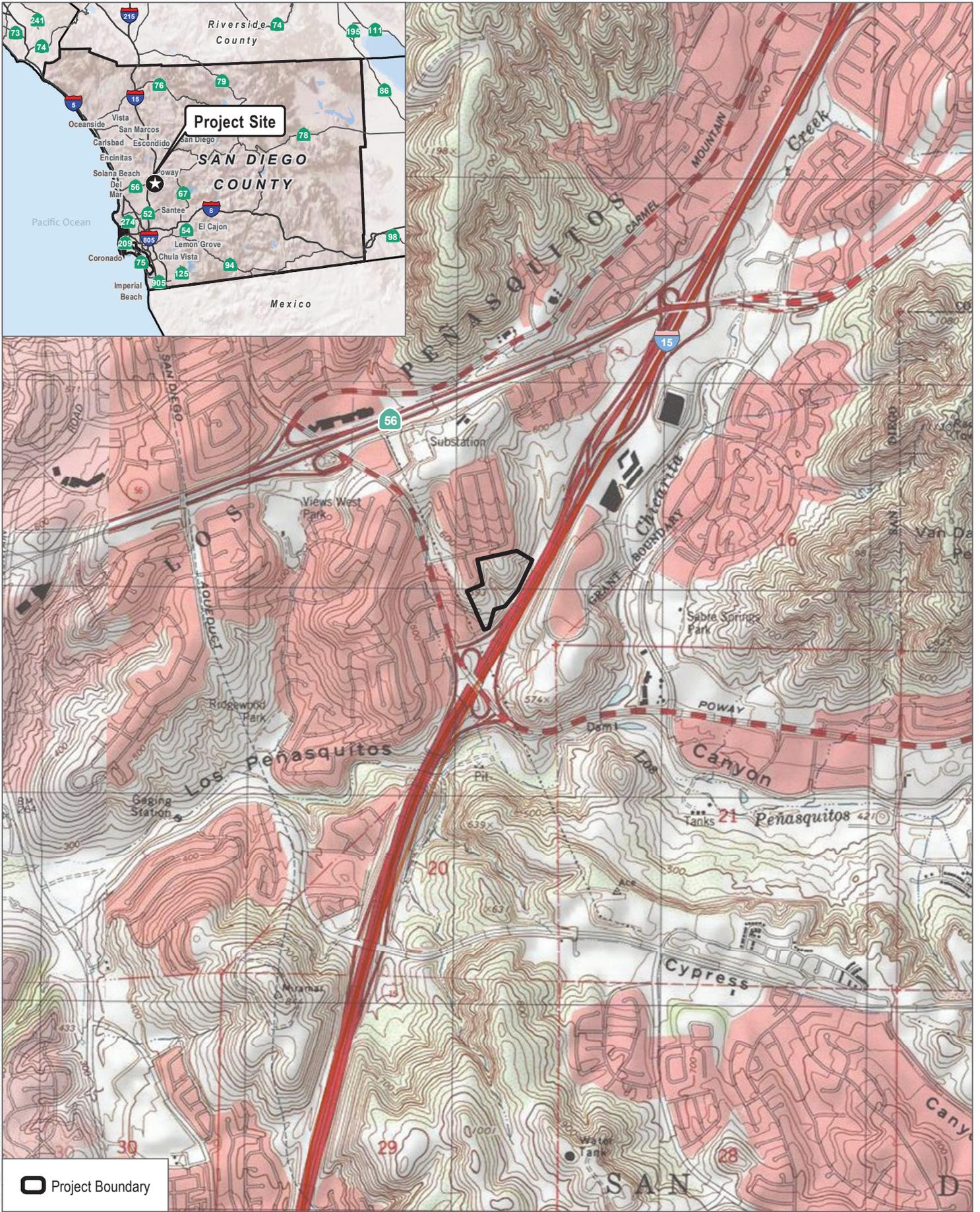


**FIGURE 2-1**

**Regional Location**

Paseo Montrail Development Project

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SOURCE: USGS 7.5-Minute Series Poway Quadrangle



**FIGURE 2-2**

**Project Location**

Paseo Monrtil Development Project

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SOURCE: SanGIS 2019; Open Street Map 2019



**FIGURE 2-3**

**Project Site Aerial**

Paseo Montril Development Project

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Project Boundary  
 Off-site Impact Area  
**General Plan Land Use**  
 Commercial Employment, Retail, & Services  
 Industrial Employment  
 Institutional & Public and Semi-Public Facilities  
 Park, Open Space, & Recreation  
 Residential  
 Roads / Freeways / Transportation

SOURCE: SANGIS 2017, 2019; Civil Sense 2020



**FIGURE 2-4**  
 Existing General Plan Land Use Designation  
 Paseo Montril Development Project

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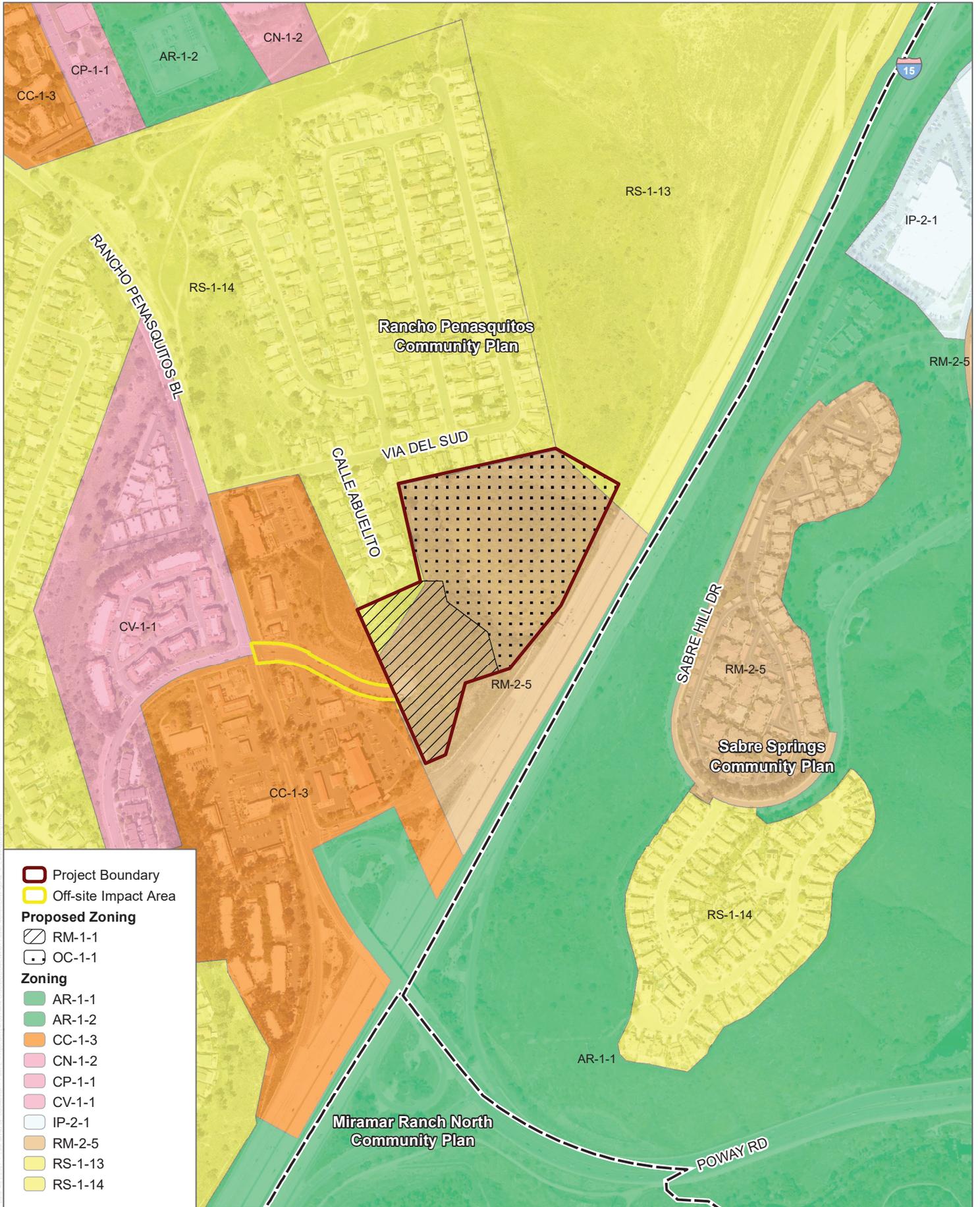
SOURCE: SANGIS 2017, 2019; Civil Sense 2020



**FIGURE 2-5**  
Existing Community Plan Land Use Designation

Paseo Montril Development Project

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SOURCE: SANGIS 2017, 2019; Civil Sense 2020



**FIGURE 2-6**

**Existing Zoning**

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# 3 Project Description

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This chapter provides a statement of project goals and objectives, describes the specific characteristics of the proposed Paseo Montril Project (project), discusses project construction and operation, and identifies the discretionary actions necessary to implement the project. This chapter has been prepared pursuant to Section 15124 of the California Environmental Quality Act Guidelines.

## 3.1 Project Objectives

The following are the goals and objectives of the project:

1. Assist the City of San Diego (City) in meeting state and local housing goals by providing new housing.
2. Provide new housing opportunities to the City by utilizing an underutilized site not currently planned for residential uses.
3. Provide an infill development.
4. Promote homeownership by providing for-sale units with entry-level housing market product types.
5. Provide a cohesive design that is compatible in use, scale and character with the surroundings.
6. Integrate the project into the existing topography of the site and cluster development in a manner that reduces the grading footprint as well as impacts to environmental resources.

## 3.2 Project Components

The project proposes the development of 55 multi-family homes and supporting improvements (Figure 3-1, Site Plan). Development would occur within Lot 1, and Lot 2 would be preserved as open space. The development within Lot 1 would be completed in conformance with the Paseo Montril Design Guidelines (Design Guidelines). The purpose of Design Guidelines is to provide the development standards and architectural guidelines in lieu of specific floor plans and elevations. The Design Guidelines are intended to allow for flexibility and creativity. Each project component is described below.

### 3.3.1 Residential

Residential land uses would be developed within five separate buildings within Lot 1. The project site would be graded into three terraces, with the lower terrace containing two residential buildings (Buildings 1 and 2), the middle containing one residential building (Building 5), and the upper terrace containing two residential buildings (Buildings 3 and 4). Buildings 1 and 2 would be located on the lower terrace within the eastern half of Lot 1, bound by project "Driveway A" to the east and a graded slope to the west. Building 5 would be located nearest to the Paseo Montril cul-de-sac. Buildings 3 and

4 would be located on the upper terrace to the north of Building 5. All proposed buildings would contain 11 dwelling units each.

All of the proposed dwelling units would consist of one- to three-bedroom townhomes and would include private garages. Approximately 10 units would be one bedroom, 10 units would be two bedroom, and 35 units would be three bedrooms. Each unit would have a square-footage ranging from 864 to 1,720 square feet, with a total of approximately 65,000 square feet of livable space. The proposed garage parking would total 95 spaces. Each garage would either be a one car, two car tandem or two car standard configuration. Forty-seven parking spaces would be provided as surface parking, as detailed in Section 3.3.5, Parking and Access Improvements.

Paseo Montril encourages a modern architectural style that would incorporate Spanish Mission and Old West Ranch style features that are predominant in the existing neighborhood. Figures 3-2a and 3-2b, Architectural Elevations, shows an example of the anticipated building style. The proposed architectural style would be subject to the proposed Paseo Montril Design Guidelines (Design Guidelines) (Appendix O). The Design Guidelines include guidance on building form, mass, and scale; materials and colors; and site design. This includes guidance on providing architectural elements with visual interest such as varied rooflines and facades. The proposed colors shall consist of up to three different earth tone shades per building. The site design, as indicated in the project goals, includes clustering development to minimize changes to the natural topography and environmental resources. Refer to Figure 3-3, Site Cross Sections, for an illustration of the building heights in relation to the surrounding topography. Lighting would be minimized, directed downward and shielded to reduce light spillage. The proposed residential buildings would be three-stories tall and up to 40 feet in height and would require a deviation from the 30-foot height limit required by Table 131-04G. The project would also include deviations to side yard and front setback, steep hillsides, and retaining wall height regulations, which are further detailed in Section 3.3.9, Discretionary Actions.

The proposed residential development would include establishing a Homeowners Association (HOA). Maintenance and operation of the project would be financed through HOA and the owners of the multi-family development would be responsible for all private roads, private utilities, and common amenities. The HOA would be required to contract with qualified professionals for the long-term care and maintenance of the bioretention basins and fuel modification zones. The HOA would also be responsible for enforcement of the project's Covenants, Conditions, and Restrictions.

### 3.3.2 Recreational Amenities and Open Space

Within the proposed residential development, the project includes recreational amenities, private open space, and common open space. The proposed development would include a dog park in the northwest, a community bar-b-que area between Buildings 4 and 5, an outdoor amenity space at the project entrance, and another outdoor amenity space at the northeastern corner of the residential lot. These amenity spaces would total approximately 2,180 square feet.

### 3.3.3 Landscaping and Brush Management

The landscape development plan is identified and illustrated on Figure 3-4. The primary goal of the landscape design is to provide common open space areas for gathering, passive landscape corridors, and revegetation for graded areas. The project's landscape plan would include drought-tolerant native vegetation and utilize low water use plants. The landscape scheme would include a range of tree types and forms, including vertical columnar trees, small accent trees, and large shade-producing canopy trees. In addition, the landscaped areas would contain shrubs of varying heights. Native vegetation would be used to revegetate graded areas. The proposed landscaping would be designed in accordance with the City's Municipal Code Section 142.0402, the Land Development Manual, Landscape Standards, and other applicable city and regional standards for landscape installation and maintenance as identified in the Design Guidelines. A detailed landscape plan and plant palette would be submitted to the City Landscaping Section the San Diego Fire Department for review and approval prior to the issuance of building permits. As required through conditions of approval, no highly flammable plant species shall be used within the proposed ornamental landscaping.

Brush Management is required for premises with structures that are within 100 feet of any highly flammable area of native or naturalized vegetation. The project would implement the City's Brush Management Regulations found in Section 142.0412 of the Land Development Code, which establishes a means of providing fire safety in the landscape. Fire hazard conditions currently exist in the open space area to the north, east, and south of the project site. The brush management plan is identified on the project site plan (Figure 3-1).

Two distinct brush management areas referred to as "Zone One" and "Zone Two" reduce fire hazards around structures by providing an effective fire break between all structures and contiguous areas of native or naturalized vegetation. Brush management Zone One is the area adjacent to the structure and shall be the least flammable. It shall consist of pavement and permanently irrigated ornamental planting and trees canopies no closer than 10' from the habitable structure. Brush management Zone One shall not be allowed on the project's slopes with a gradient greater than 4:1. Brush management Zone Two is the area between Zone One and any area of native or naturalized vegetation and would consist of thinned, native, or naturalized non-irrigated vegetation. As shown on the landscape development plan, the development cannot provide the full defensible space required, and therefore, is subject to alternative compliance measures. Alternative compliance measures for Buildings 1, 2, and 3 are required due to the reduced brush management Zone Two. Alternative compliance measures proposed for these buildings would include a combo masonry block/1-hr fire rated wall or a 6' high masonry block wall. Maintenance of brush management zones shall include the removal of invasive species. Management and maintenance of brush management zones will be the responsibility of the Paseo Montril HOA and shall be completed in accordance with San Diego Municipal Code.

### 3.3.4 Covenant of Easement

The project includes 11.6 acres of on-site open space and would be placed within a covenant of easement (COE), as shown on Figure 3-5, Grading Plan. This includes 1.30-acres within Lot 1 and the entirety of the 10.30 -acre Lot 2. The COE would be provided to the City pursuant to the City's Environmentally Sensitive Lands Regulation requirements (see Chapter 14, Article 3, Division 1,

Environmentally Sensitive Lands Regulations), and would be maintained by the City in perpetuity pursuant to the City's Biology Guidelines. The COE would include land use restrictions. No public access to the open space preserve would be permitted.

### 3.3.5 Parking and Access Improvements

Access to the project site would be provided via Paseo Montril, an existing public roadway extending east from the Rancho Peñasquitos Boulevard/Paseo Montril intersection to the site. Rancho Peñasquitos Boulevard provides access to I-15 to the south, and SR-56 to the north. The Rancho Peñasquitos Boulevard/Paseo Montril intersection is currently signalized. Paseo Montril currently ends in a paved cul-de-sac. The project includes demolition of a portion of the existing sidewalk in order to construct the 25-foot wide project driveway on the southeastern side of the cul-de-sac.

The project's internal circulation system consists of a 26-foot-wide internal private drive starting at the Paseo Montril driveway and wraps around the proposed buildings (Private Drive A and Private Drive B as shown on Figure 3-1). Private Drives A and B would be constructed around the outer boundary of the project site, allowing for vehicular access to three internal private alleys, located between Buildings 1/2, 3/4, and 4/5. These 20-foot wide alleys would allow for vehicular access to the private garage spaces for the dwelling units associated with these buildings. Surface parking would also be provided along the southeastern side of Driveway A and along the northwestern side of Driveway B. These internal drives and alleys would provide access for firefighting apparatus, as shown on the fire access plan prepared for the project (Figure 3-6, Fire Access Plan).

Per the Municipal Code Section 142.0525, a 114 parking spaces would be required for the proposed residential uses (1.5 spaces per each 1-bedroom unit, 2.0 spaces per each 2-bedroom unit, and 2.25 spaces per each 3-bedroom unit). In addition, the project is required to provide common area parking at a rate of 20% due to the proposal for multiple dwelling units that is being processed with a Planned Development Permit within the Rancho Peñasquitos area (Municipal Code Section 142.0525(c)). The common area parking required for the project is 23 parking spaces. Overall, 137 parking spaces are required. Within the required 137 spaces, the project is also required to provide 5 accessible spaces, 6 motorcycle spaces, 6 electric vehicle (EV) spaces, and 6 EV capable spaces. The project includes a total of 142 parking spaces, which consist of 95 private garage spaces and 47 open surface lot spaces. The surface parking spaces would include 5 accessible spaces, 6 motorcycle parking spaces, 9 EV charging spaces, and 9 EV capable spaces (additional EV provided as GHG mitigation).

A pedestrian and bicycle path network would be provided within the site that would connect the proposed residential uses to internal amenities as well as the existing public sidewalk located adjacent to the site to the west, along the southern side of Paseo Montril. The project would provide improvements to the existing sidewalk located along the south side of Paseo Montril as VMT transportation mitigation. Similarly, while there is no Municipal Code requirement for this project to provide bike parking, the project would provide 10 short term bike parking spaces via bike racks throughout the site and bike storage hooks within each garage as VMT transportation mitigation.

### 3.3.6 Utilities

Utilities are shown on Figure 3-7, Utilities Plan. Below is a description of each proposed utility improvement.

#### **Project Water System**

Water service for the project site would connect to the existing 12-inch water line within Paseo Montril at the project entrance. Additionally, the project would construct a new public 12-inch water line adjacent to the existing water line within Paseo Montril in order to comply with the City's Design Criteria of having no more than 30 homes on a dead-end water line. The public water facilities would be designed and constructed in accordance with the City's Water Facility Design Guidelines and Regulations. Each Unit within the project is proposed to have a private domestic water system and a private fire protection system. In accordance with City standards, private domestic water systems will include a meter and backflow preventer, and private fire protection systems will include backflow preventers.

#### **Project Wastewater System**

The project would construct an internal private sewer system that would connect to the City's sewer system. Wastewater collection and the City's sewage system are maintained and operated by the City's Public Utilities Department to ensure sufficient capacity is available for dry weather peak-flow conditions and storm or wet weather events. The new internal private sewer mains would connect the project site to the existing gravity sewer system located off site, to the south of the proposed cul-de-sac. The internal private sewer system would make one connection to the existing 10-inch sewer main that runs from the Paseo Montril cul-de-sac through the adjacent commercial developments to the west of the project site. The existing 10-inch sewer main and associated manhole within the cul-de-sac and project site would be demolished. In addition, a portion of the existing sewer easement located to the southeast of the Paseo Montril cul-de-sac would be vacated, as it would be no longer necessary with the proposed sewer improvements.

#### **Storm Drain System**

The project would include a private on-site drainage system (storm drainpipes, inlets, ditches, and drive aisles) to capture and convey stormwater runoff. The runoff would be directed to a Bio Clean Modular Wetlands System Linear system each with a connected vault for flow control, located under the parking spaces along the eastern boundary of the project site. Storm runoff from the proposed development area would be conveyed south in a proposed storm drain within Paseo Montril that would connect to the existing inlet on Paseo Montril near the Rancho Peñasquitos Boulevard intersection. Detention and water quality treatment facilities would be provided within all areas of proposed development in accordance with the requirements of the City's Municipal Code and San Diego Regional Water Quality Control Board MS4 permit.

#### **Other Utilities**

Electrical power and natural gas would be provided by San Diego Gas and Electric. No major improvements to the local distribution networks are anticipated to be needed to support the growth facilitated by the proposed project. However, changes in existing easements or new easements may be required to provide the proposed electrical connections to the existing grid.

### 3.3.7 Signage

Project signage would be installed at the project entrance, where Private Driveway A connects with the cul-de-sac of Paseo Montril. The monument sign at the northern site driveway would identify the project name (“Paseo Montril”). As indicated in the Design Guidelines, signage would be minimized, and the graphic design would be complementary to the neighborhood character.

### 3.3.8 Grading and Construction

Construction of the proposed project is anticipated to take approximately two years. Construction of the project would include site preparation, grading, paving, trenching for utilities, building construction, and architectural coating as follows:

- Site Preparation – 1 month
- Grading – 5 months
- Utilities – 5 months
- Paving – 5 months
- Building Construction – 13 months
- Architectural Coating – 1 month

Table 3-1 presents the construction anticipated to be utilized during these phases.

**Table 3-1.  
Anticipated Construction Equipment**

Construction Phase	One-Way Vehicle Trips			Equipment		
	Average Daily Worker Trips	Average Daily Vendor Truck Trips	Total Haul Truck Trips	Equipment Type	Quantity	Usage Hours
Site Preparation	18	0	0	Rubber Tired Dozers	3	8
				Tractors/Loaders/Backhoes	4	8
Grading	20	0	5,638	Graders	1	8
				Excavators	2	8
				Rubber Tired Dozers	1	8
				Scrapers	2	8
				Tractors/Loaders/Backhoes	2	8
Utilities	14	0	0	Excavators	2	8

**Table 3-1.  
Anticipated Construction Equipment**

Construction Phase	One-Way Vehicle Trips			Equipment		
	Average Daily Worker Trips	Average Daily Vendor Truck Trips	Total Haul Truck Trips	Equipment Type	Quantity	Usage Hours
				Rubber Tired Loaders	1	8
				Tractors/Loaders/Backhoes	2	8
Building Construction	62	20	0	Cranes	1	7
				Forklifts	3	8
				Generator Sets	1	8
				Tractors/Loaders/Backhoes	3	7
				Welders	1	8
Paving	16	0	0	Rollers	2	8
				Pavers	2	8
				Paving Equipment	2	8
Architectural Coating	12	0	0	Air Compressors	1	6

Source: Appendix C.

During construction activities, construction equipment and materials would be staged on site. Solid waste generated by the project, including during the demolition, grading and construction phases, would be managed in accordance with the Waste Management Plan (WMP) (Appendix M). This plan provides a minimum 75% diversion of demolition and construction waste.

Approximately 3.27 acres (21.5% of the total project site) within the project site would be graded to accommodate the proposed development (Figure 3-5). This would include 1.71 acres of steep slopes considered Environmentally Sensitive Lands per the City's Municipal Code (Chapter 14, Article 3, Division 1, Environmentally Sensitive Lands Regulations), which represents 11.3% of the total 11.17 acres of the existing steep slopes on the site.

Blasting is also expected to be required during the grading phase due to the underlying geologic conditions (Appendix E.1). No more than one blast per day would occur during proposed construction activities, with each blazed utilizing a maximum of 2.9 tons of ammonium nitrate/fuel oil. With 28,000 cubic yards of material requiring blasting and 2,300 cubic yards basted per day, about 12 blasts would be required. The project would also involve on-site rock crushing within the southern area of the development footprint, with a conservative estimate that all subsurface soils (about 53,500 cubic yards) potentially requiring crushing. The rock-crushing equipment was assumed to consist of two

crushers, two screens, two conveyors with dust control sprayers, and a 1,000-horsepower diesel-engine generator.

Overall grading would require 59,600 cubic yards of cut, and 12,900 cubic yards of fill, resulting in a net export of 46,700 cubic yards of soil. Soil export is expected to be taken to either Hanson Aggregates West – Miramar (9229 Harris Plant Road), Moody's (3210 Oceanside Boulevard) or Terra Bella Nursery (302 Hollister Street), as discussed in the WMP (Appendix M). The maximum height of fill slopes would be approximately 22 feet, while the maximum height of cut slopes would be approximately 49 feet.

In order to reduce the grading footprint, five retaining walls would be included in the project with a maximum length of 390 feet and maximum height of 26 feet (Figure 3-5). The retaining walls would be located along the Paseo Montril cul-de-sac (Wall 1; 2 to 13.5 feet tall), the southwestern boundary of the project site (Wall 2; 2.5 to 6.5 feet tall), two terraced walls along the northeastern boundary (Wall 3a; 2 to 14.5 feet tall, and Wall 3b; 6 to 12.5 feet tall), along the western side of the development (Wall 4; 2 to 26 feet tall), and between the terraced building pads (Wall 5; 2 to 6 feet tall). Due to the wall height above 12 feet, the project would include a deviation per Municipal Code Section 142.0340(e). Accordingly in compliance with deviation requirements, the walls above 12 feet would include an etched stone surface to give the wall a more natural look similar to the existing slope next to Paseo Montril, and walls exceeding the wall height limits would be designed to be screened from public view via landscaping and buildings.

Due to the location of the walls where people may access the area, fall protecting fencing or view glass walls would be provided (Figure 3-8, Wall Plan). The 42-inch fall protection fencing consists of four galvanized steel cable wire ropes extended between poles. This fall protection fencing would be located near or atop Walls 1, 4 and 5. The view glass wall would be along the western and northwestern edge of development near or atop Walls 2 and 3. The view glass fencing would entail a two-foot concrete masonry unit wall base with a 4-foot tempered glass on top and intended to reduce visual obstructions while also providing fire safety and fall protection. Wall 4 would consist of a soil nail wall due to geologic conditions. Other minor retaining walls under 3 feet tall may also ultimately included within the development footprint.

Graded slopes would be promptly revegetated in compliance with the overall Landscape Development Plan, Section 142.0411 of the City's Municipal Code, Section III of the Steep Hillside Guidelines in the Land Development Manual, and other applicable City requirements.

### 3.3.9 Discretionary Actions

The project requires the following entitlements from the City, which would be processed concurrently:

#### **General Plan Amendment**

The General Plan would be amended to change Lot 1 from Park, Open Space and Recreation to Residential. Lot 2 would remain as Park, Open Space and Recreation. The Amendment would include updates to Figure LU-2 of the General Plan to reflect this change.

### **Community Plan Amendment**

The Rancho Peñasquitos Community Plan would be amended to re-designate Lot 1 (4.9 acres) from Open Space to Low-Medium Density Residential. Lot 2 would remain as Open Space. Low-Medium Density Residential is defined as 10 to 14 dwelling units per developable acre of multi-family attached development. The Rancho Peñasquitos Community Plan indicates the Low-Medium Density Residential building height should be limited to 30 feet. Considering Lot 1 is 4.90 acres and 55 units are proposed, the project would include a residential density of 11.2 units per acre and would be located within the Low-Medium Density Residential density range.

### **Rezone**

The project includes a Rezone to change Lot 1 from RS-1-14 and RM-2-5 to RM-1-1 and Lot 2 from RM-2-5 to OC-1-1. The RM-1-1 zone permits a maximum density of 1 dwelling unit for each 3,000 sf of lot area and would support up to 71 dwelling units on the 4.9-acre residential Lot 1. The proposed project's 55 units falls within this RM-1-1 density range and would be consistent with this proposed zone. The project proposes to rezone the Lot 2 from RM-2-5 to OC-1-1. The OC-1-1 zone is consistent with proposed open space uses for this lot.

### **Easement Vacation**

An easement is located on the site, just south of the Paseo Montril cul-de-sac. This sewer easement was recorded in April 1986 for the benefit of the City, and is recorded as document 86-127174. As this sewer easement would no longer be required with the proposed sewer improvements, the project proposes the vacation of this easement. This easement would be vacated pursuant to Section 66434(G) of the Subdivision Map Act.

### **Vesting Tentative Map**

A Vesting Tentative Map (VTM) No. 2366422 has been prepared as a part of the project in order to create new legal lots. The VTM details land development, grading, parcel configuration, and necessary infrastructure in accordance with the guidelines and development intensities presented in the Planned Development Permit (PDP) and Design Guidelines.

### **Site Development Permit**

A Site Development Permit (SDP) would be required because the site is located within the Airport Land Use Compatibility Overlay Zone (ALUCOZ) for Marine Corps Air Station and due to the presence of Environmentally Sensitive Lands (ESL) on site in the form of sensitive biological resources (e.g., uplands, wetlands and sensitive species) and steep slopes.

### **Planned Development Permit**

A Planned Development Permit (PDP) is also proposed pursuant to City Municipal Code Chapter 14, Article 3, Division 4, Planned Development Permit Regulations. This Permit provides flexibility in the application of development regulations for projects where strict application of the base zone development regulations would restrict design options and result in a less desirable project. The

regulations are intended to accommodate, to the greatest extent possible, an equitable balance of development types, intensities, styles, site constraints, project amenities, public improvements, and community and City benefits. The project includes a PDP to allow for flexibility and deviations from the City's Municipal Code. To address these deviations and maintain consistency with the intent of the zoning, the project includes Design Guidelines. These deviations and design guidelines are discussed further below.

### ***Deviations***

The project is requesting deviations from the City's Municipal Code. These deviations include:

Municipal Code Section Table 131-04G

- A 10-foot side yard setback (LDC allows 8-feet or 10% of lot width).
- An 11-foot front setback (LDC allows a 15-foot minimum).
- 19-foot standard front setback (LDC requires a minimum 20 feet).
- 40-foot structure height (LDC allows a 30-foot maximum).

Municipal Code Section 142.0340(e) and Steep Hillside Guidelines

- Walls located outside of the yards shall not exceed 12 feet and walls within the rear yard cannot exceed 6 feet per Municipal Code. The Steep Hillside Guidelines also indicate that the height for a single wall shall not exceed 10 feet grade to grade, but walls may be stepped with 3 feet horizontal distance between walls. Due to the wall height, the project would include a deviation from the Municipal Code and Steep Hillside Guidelines for the proposed 26-foot tall wall.

Municipal Code Section 143.0142(a)(2)

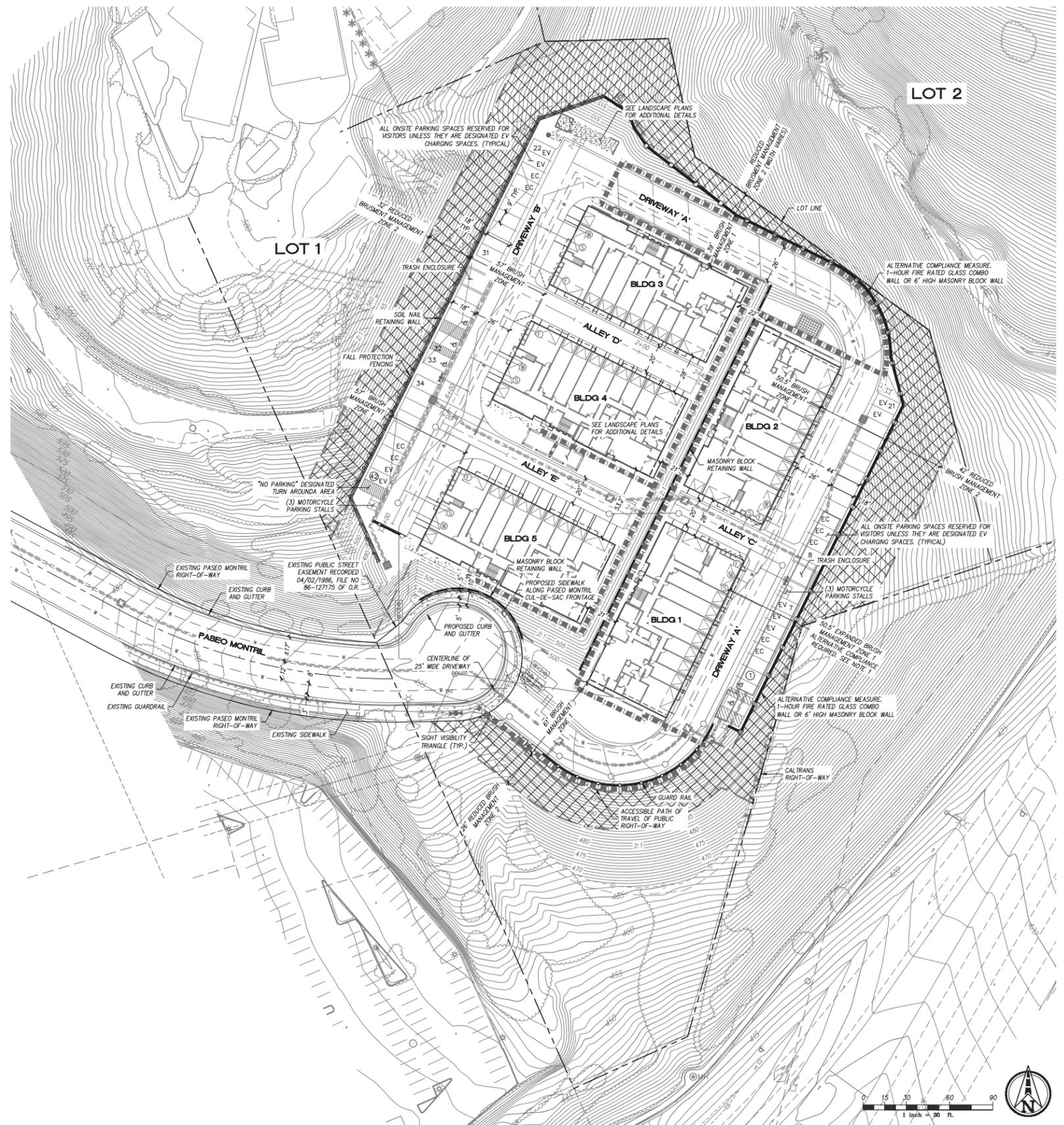
- The Municipal Code allows 25% encroachment into steep hillsides. The project proposes a deviation to encroach into 27.3%.

### ***Design Guidelines***

Design Guidelines have been prepared for the project, as discussed in Section 3.3.1 above. The primary purpose and intent of the design guidelines is to provide guidance and direction on future site planning, building design and landscape design. Additionally, the design guidelines are intended to provide a framework for future project implementation and, as such, must be consistent with, support and implement the goals and policies of the Rancho Peñasquitos Community Plan, City of San Diego General Plan and Climate Action Plan.

### **Neighborhood Development Permit**

The project includes various deviations (detailed above), and a Neighborhood Development Permit is the process required in order to accomplish those changes. Thus, the project includes a Neighborhood Development Permit.



### LEGEND

	SLOPES 2:1 MAX
	VTM BOUNDARY
	PROPOSED LOT LINE
	PROPOSED DAYLIGHT LINE
	PROPOSED 6" CURB AND GUTTER
	PROPOSED 6" CURB
	PROPOSED SIDEWALK
	PROPOSED STORM DRAIN
	PROPOSED SD CATCH BASIN INLET
	PROPOSED SD CLEANOUT
	PROPOSED POTABLE WATER (PRIVATE)
	PROPOSED FIRE MAIN (PRIVATE)
	PROPOSED SEWER MAIN (PRIVATE)
	PROPOSED WATER SERVICE
	PROPOSED FIRE SERVICE
	PROPOSED SEWER SERVICE
	PROPOSED IRRIGATION SERVICE
	PROPOSED WATER METER AND BACKFLOW
	PROPOSED FIRE BACKFLOW
	PROPOSED FIRE HYDRANT
	PROPOSED STREET LIGHT
	PROPOSED COMBO WALL W/ FIRE RATED GLASS
	PROPOSED WROUGHT IRON FENCE
	PROPOSED FALL PROTECTION FENCE
	PROPOSED RETAINING WALL/COMBO WALL
	PROPOSED GUARDRAIL
	BRUSH MANAGEMENT ZONES
	ADA PATH OF TRAVEL
	MOTORCYCLE PARKING STALL (6 TOTAL)
	PARKING STALL (44 NON-ADA STALLS)
	PARKING ADA STALL AND LOADING AREA (5 ADA STALLS)
	VISIBILITY TRIANGLE NO OBSTRUCTION INCLUDING LANDSCAPING OR SOLID WALLS IN THE VISIBILITY AREA SHALL EXCEED 24 INCHES IN HEIGHT.
	EV ELECTRIC VEHICLE CHARGING SPACE
	EC ELECTRIC VEHICLE CHARGING CAPABLE SPACE (FOR FUTURE CONNECTION)

SOURCE: Civil Sense 2021

**FIGURE 3-1**  
Site Plan  
Paseo Montrail Development Project

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Left Elevation



Front Elevation

MATERIAL LEGEND	
1.	Concrete S-Tile Roof
2.	Stucco
3.	Stucco Corbel
4.	Vinyl Windows
5.	Light Fixture
6.	Sectional Garage Doors
7.	Fiber-Cement Siding
8.	Metal Railing
9.	Metal Awning



Right Elevation



Rear Elevation

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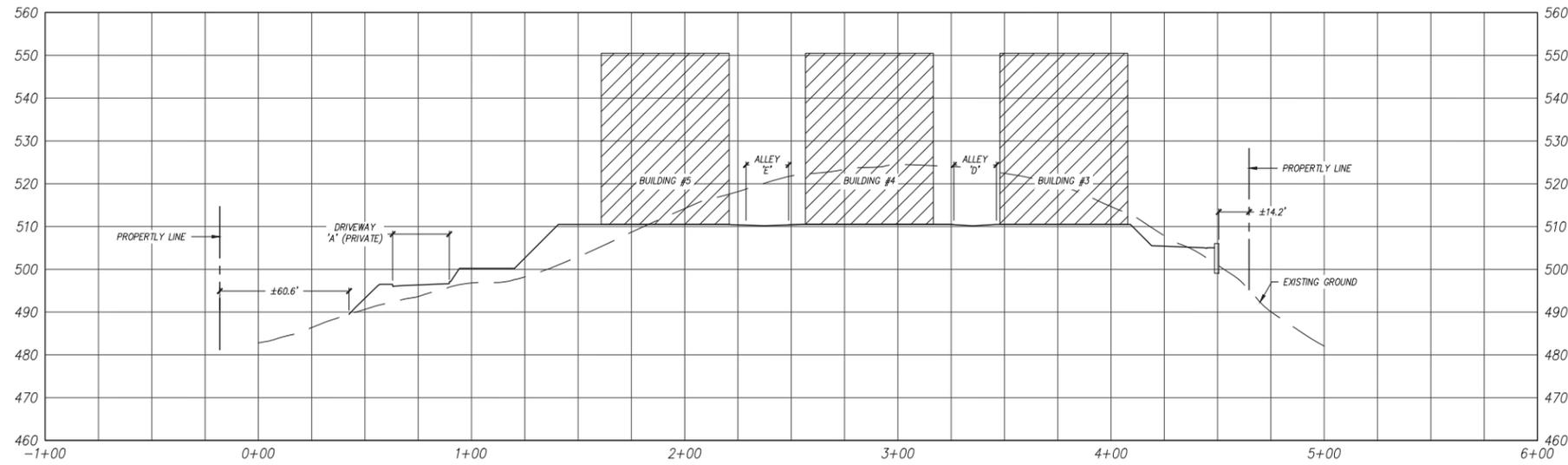


Photo: J. P. Powell / K&S Architecture / K&S Architecture

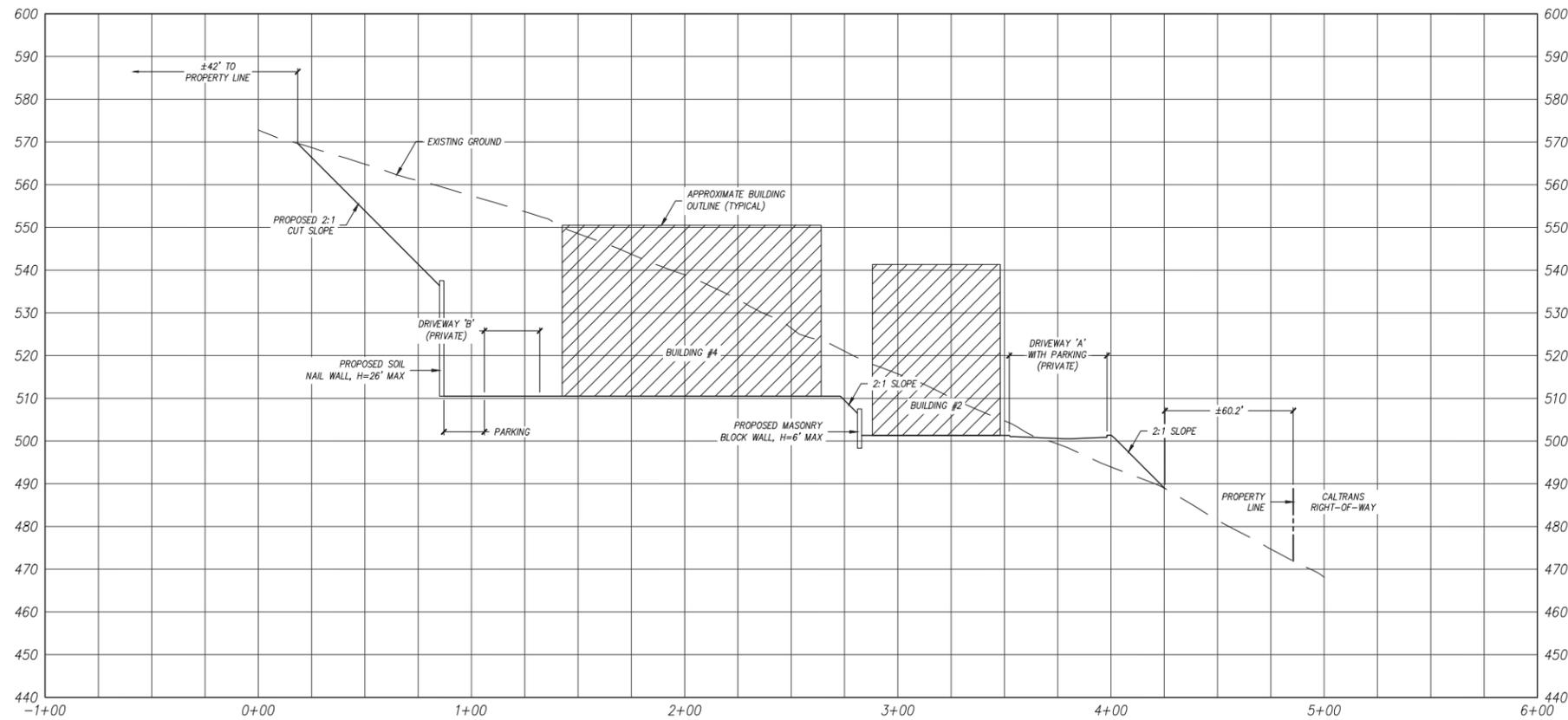
SOURCE: KTG 2020

**FIGURE 3-2b**  
Architectural Elevations  
Paseo Montral Development Project

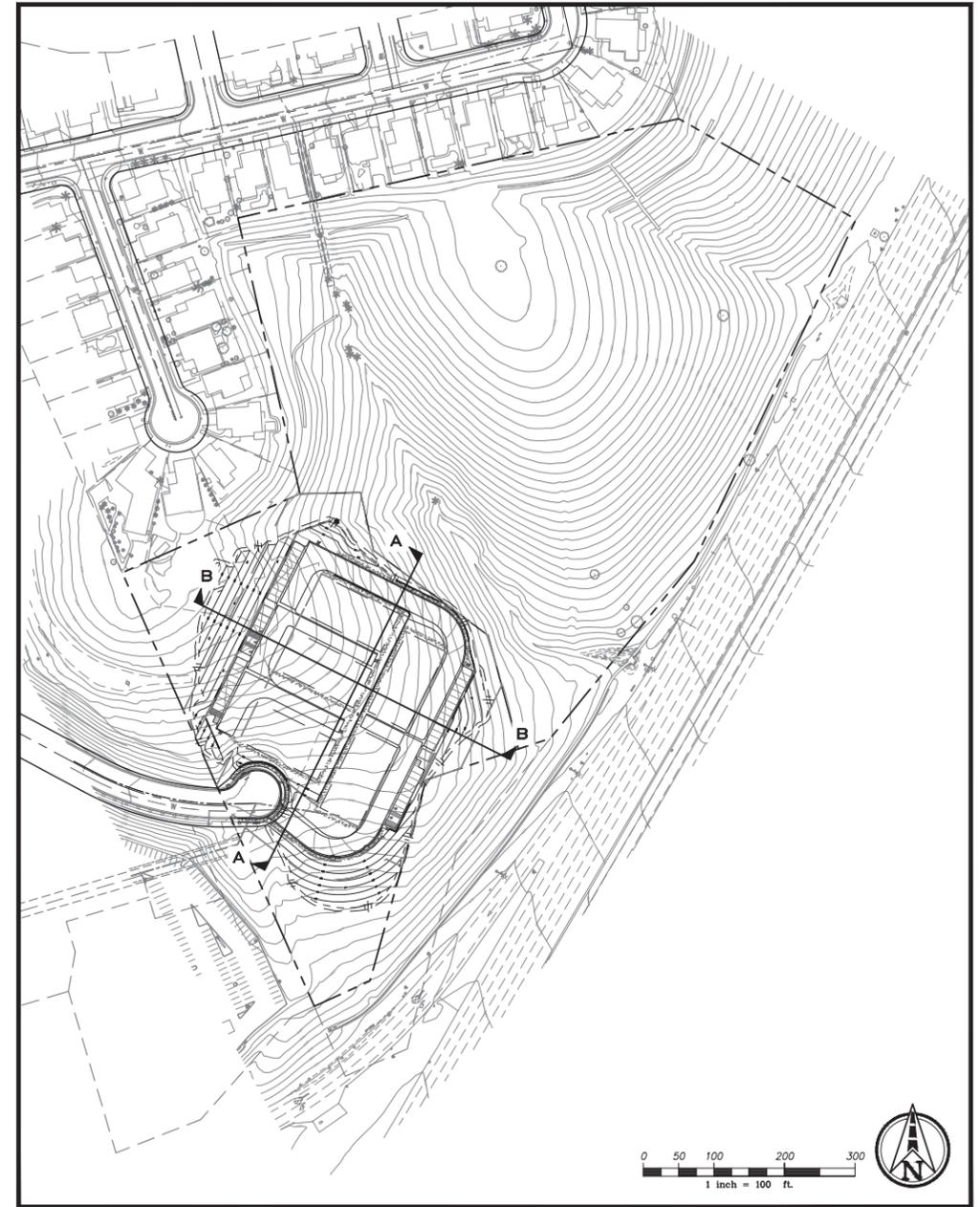
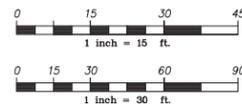
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**SECTION A-A**  
**SCALE HORIZ. 1"=30' VERT. 1"=15'**

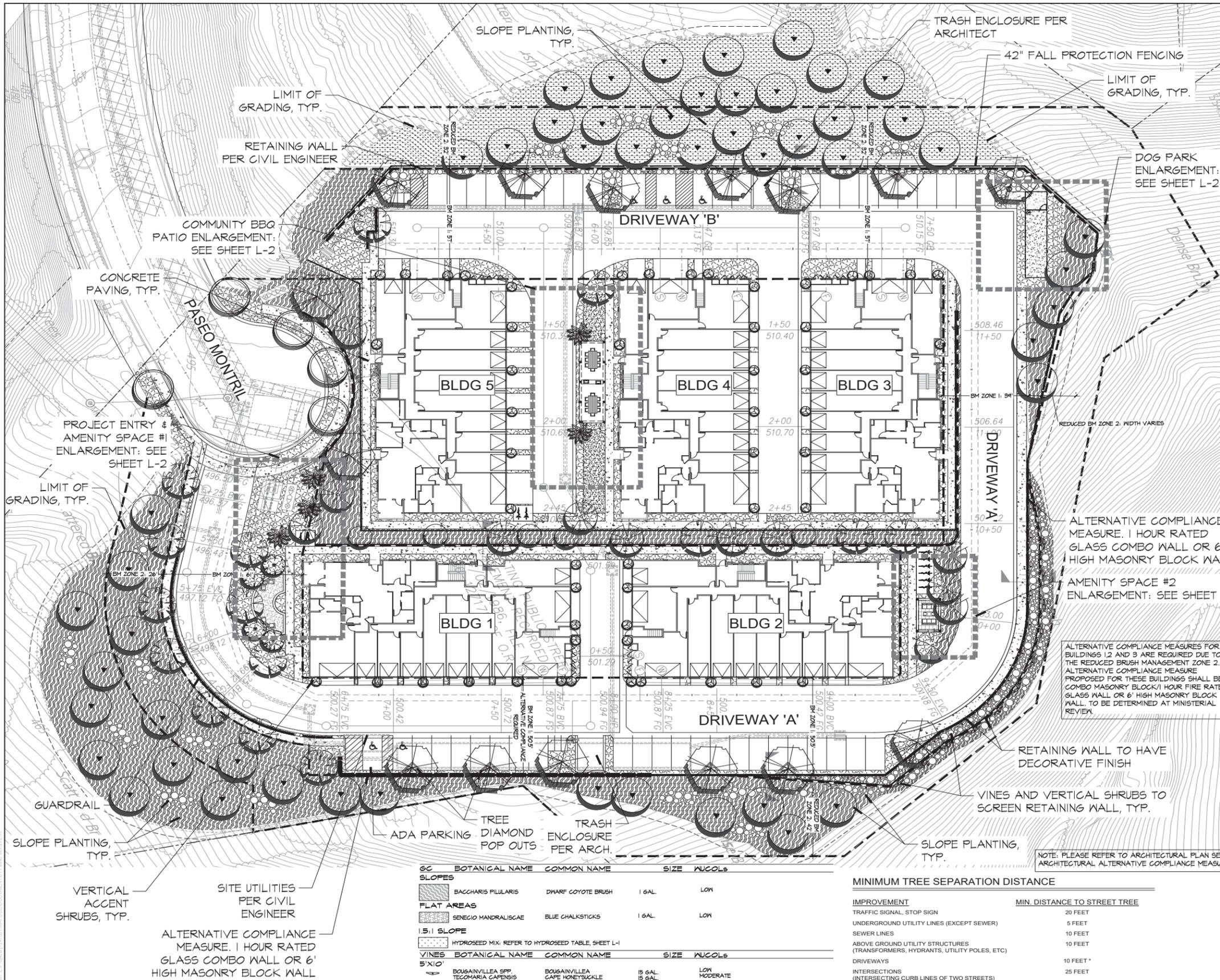


**SECTION B-B**  
**SCALE HORIZ. 1"=30' VERT. 1"=15'**



Path: J:\Projects\121250\121250\DWG\121250\_SiteCrossSections.dwg; Plot: 121250\_SiteCrossSections.dwg

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**\*NOTE:** ALL TREES TO BE PLANTED ON SLOPE SHALL BE 15 GAL.

**PLANT LEGEND** NOTE: ALL PLANTS SHOWN ON LEGEND MAY ULTIMATELY NOT BE USED AND ADDITIONAL PLANTS MAY BE ADDED OR CONSTRUCTION DOCUMENTS.

TREES	SYM.	BOTANICAL NAME	COMMON NAME	QTY 25-35	H X W	SIZE	MULCH
VERTICAL COLUMNAR TREES, SUCH AS	SYM.	HYMENOPHYLLUM FLAVUM	SWEET SHADE	30 X 20	15 GAL/24" BOX	M	
		STENOCAERUS SINUATUS	FIREWHEEL TREE	30 X 15	15 GAL/24" BOX	M	
		TRISTANIA CONFERTA	BRISBANE BOX	30 X 25	15 GAL/36" BOX	M	
<b>SMALL ACCENT TREES, SUCH AS</b>							
LASESTROPHIA INDICA							
MAGNOLIA GRANDIFLORA 'LITTLE GEM'							
NARROW/CYLINDRICAL, SUCH AS							
BOTANICAL NAME							
COMMON NAME							
QTY 80-90							
CUPRESSUS SEMPERVIRENS 'TINY TOWERS'							
PODOCARPUS MAKI							
SPECIMEN/ACCENT TREES, SUCH AS							
BOTANICAL NAME							
COMMON NAME							
QTY 20-30							
ALBIZIA JULIBRISSEN							
OLEA EUROPAEA 'SHAN HILL'							
SCHEFFLERA ACTINOPHYLLA							
LARGE CANOPY TREES, SUCH AS							
BOTANICAL NAME							
COMMON NAME							
QTY 20-30							
SPARTOCDEA CAMPANULATA							
ULMUS PARVIFOLIA							
PALMS							
BOTANICAL NAME							
COMMON NAME							
QTY 20-30							
PHOENIX DACTYLIFERA							
DATE PALM							
30 X 15							
15" BTH							
L							
NATIVE TREES							
BOTANICAL NAME							
COMMON NAME							
QTY 8-10							
HETEROMELES ARBUTIFOLIA							
TOYON							
20 X 10							
15 GAL							
VL							
COAST LIVE OAK							
80 X 50							
15 GAL							
VL							
PARKINSONIA DESERT MUSEUM							
PALO VERDE							
25 X 25							
15 GAL							
VL							
STREET TREES (PASEO MONTRIL)							
BOTANICAL NAME							
COMMON NAME							
QTY 5							
RUS LANCEA							
AFRICAN SUMAG							
25 X 30							
24" BOX							
L							
PARKINSONIA DESERT MUSEUM							
PALO VERDE							
25 X 25							
24" BOX							
VL							

SHRUBS	BOTANICAL NAME	COMMON NAME	SIZE	MULCH
LARGE	ALYOSYNE HUEGELII	BLUE HIBISCUS	5 GAL	LOW
SHRUBS	CEANOTHUS CONCHA	CONCHA MOUNTAIN LILAC		LOW
4"-5"	CISTUS PURPUREUS	ROCK ROSE		LOW
HEIGHT	LEUCOPHYLLUM FRUTESCENS	TEXAS SAGE		LOW
	TEXAS RANGER			LOW
	MYRTUS COMMIS	COMMON MYRTLE		LOW
	ROSMARINUS 'TUSCAN BLUE'	TUSCAN BLUE ROSEMARY		LOW
	SALVIA LEUCANTHA	SANTA BARBARA SAGE		VERY LOW
	SALVIA CLEVELANDII	CLEVELAND SAGE		VERY LOW
	WESTRINGIA F. 'SMOKEY'	COAST ROSEMARY		LOW

SHRUBS	BOTANICAL NAME	COMMON NAME	SIZE	MULCH
SMALL	ANISOZANTHUS FLAVIDUS	RED KANGAROO PAIN	1 GAL	LOW
SHRUBS	BOUGAINVILLEA SPP	BOUGAINVILLEA		LOW
1"-3"	BULBINE FRUTESCENS	ORANGE STALKED BULBINE		LOW
HEIGHT	GLIVIA MINATA	TORCH LILY		LOW
	LANTANA 'GOLD MOUND'	GOLD SPREADING LANTANA		LOW
	LAURENTIA ANGSTUFOLIA	ENGLISH LAVENDER		LOW
	MULLEBERGIA RIGENS	DEER GRASS		LOW
	RHAPHIOLEPSIS UMBELLATA MINOR	DWARF YERBONIA		LOW
	SALVIA GREGGII 'HOT LIPS'	HOT LIPS SALVIA		LOW

SHRUBS	BOTANICAL NAME	COMMON NAME	SIZE	MULCH
SLOPE	ARCTOSTAPHYLOS SPP	MANZANITA	1 GAL	LOW
SHRUBS	CEANOTHUS SPP.	CALIFORNIA LILAC		LOW
	CERCIS OCCIDENTALIS	WESTERN REDBUD SHRUB		LOW
	ENCELIA CALIFORNICA	COAST SUNFLOWER		LOW
	HETEROMELES ARBUTIFOLIA	TOYON		LOW
	RUS OVATA	SUGAR BUSH		LOW
	SALVIA LEUCANTHA	MEXICAN SAGE		LOW

**IRRIGATED HYDROSEED MIX: NATIVE**

BOTANICAL SEED NAME	RATE LBS/ACRE	% PURTTY	PURE GERMINATION	% PURE LIVE SEED	% PURE LIVE SEED/LB
ARTEMISIA CALIFORNICA	3.0	15	60	9	.54
CISTUS CORSCUS	6.0	98	75	74	6.68
ELYMUS TRITICOIDES	10.0	95	85	81	8.10
ENCELIA CALIFORNICA	6.0	40	60	24	2.40
ERIOGONUM FASCICULATUM	15.0	10	65	7	1.47
ERIOGONUM CONFERTIFLORUM	4.0	35	75	26	1.56
ESCHSCHOLZIA CALIFORNICA	3.5	95	75	71	3.20
VULPIA MICROSTACYS	5.0	85	85	68	6.80
GAZANIA SPENDENS 'SUNRISE YELLOW'	10.0	70	85	60	6.00
LOTUS SCOPARIUS	6.0	40	60	24	3.12
MIMULUS LONGIFLORUS	2.0	5	70	4	.20
MIMULUS PLINCEIUS	2.5	2	55	1	.045
NEMOPHILA MENZIESII	2.0	95	85	81	1.62
PHACELIA CAMPANULARIA	3.0	95	75	71	3.20
SALVIA MELLIFERA	4.5	85	50	43	2.37
VERBENA TENUISECTA	9.0	95	70	67	4.70

SC	BOTANICAL NAME	COMMON NAME	SIZE	MULCH
SLOPES	BACCHARIS PILLULARIS	DWARF COYOTE BRUSH	1 GAL	LOW
FLAT AREAS	SENEGIO MANDRALISCAE	BLUE CHALKSTICKS	1 GAL	LOW
1.5:1 SLOPE	HYDROSEED MIX. REFER TO HYDROSEED TABLE, SHEET L-1			
VINES	BOTANICAL NAME	COMMON NAME	SIZE	MULCH
5'X10'	BOUGAINVILLEA SPP	BOUGAINVILLEA	15 GAL	LOW
	TECOMARIA CAPENSIS	CAPE HONEYSUCKLE	15 GAL	MODERATE

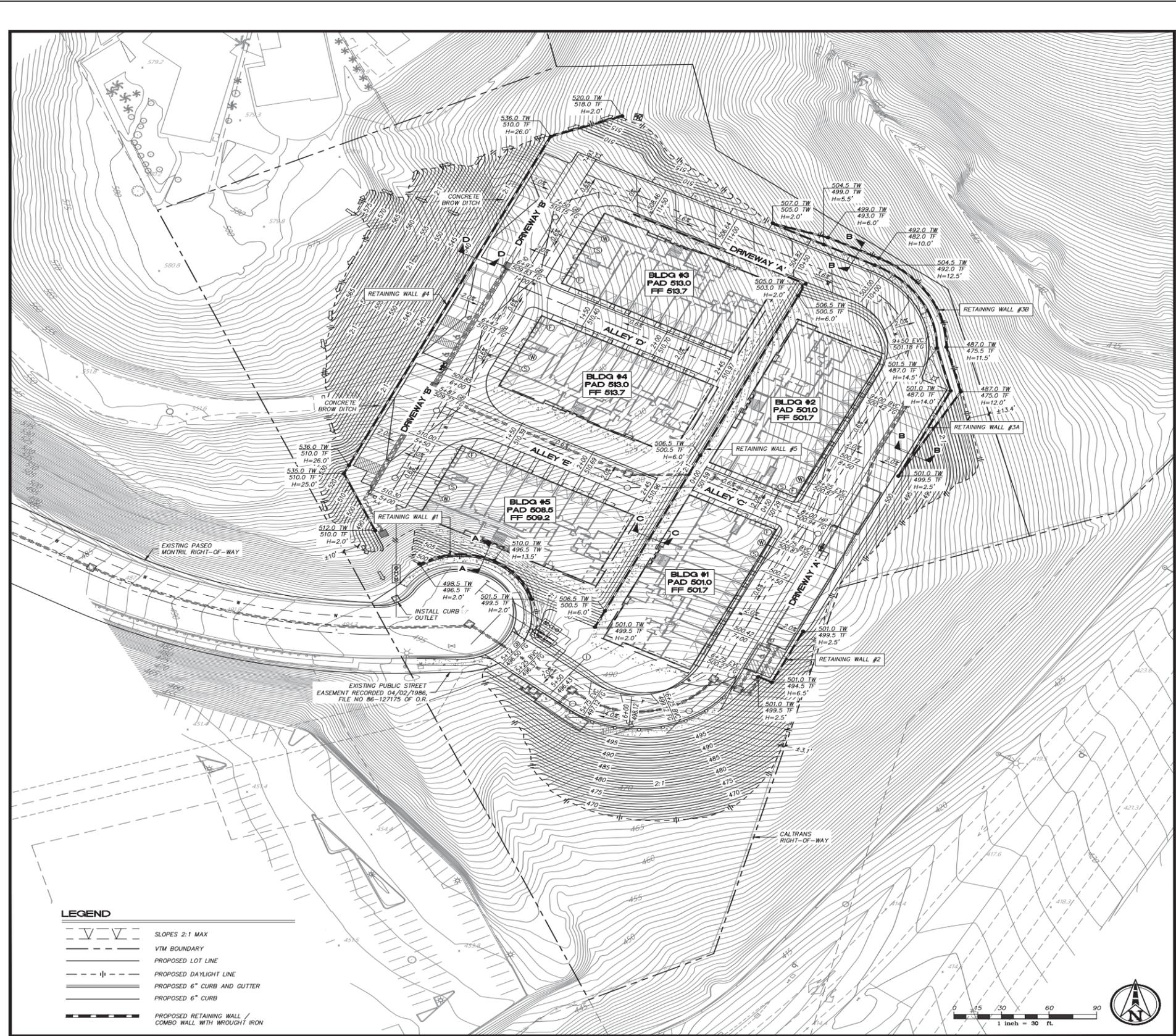
**MINIMUM TREE SEPARATION DISTANCE**

IMPROVEMENT	MIN. DISTANCE TO STREET TREE
TRAFFIC SIGNAL, STOP SIGN	20 FEET
UNDERGROUND UTILITY LINES (EXCEPT SEWER)	5 FEET
SEWER LINES	10 FEET
ABOVE GROUND UTILITY STRUCTURES (TRANSFORMERS, HYDRANTS, UTILITY POLES, ETC)	10 FEET
DRIVEWAYS	10 FEET*
INTERSECTIONS (INTERSECTING CURB LINES OF TWO STREETS)	25 FEET

SOURCE: GMP 2021

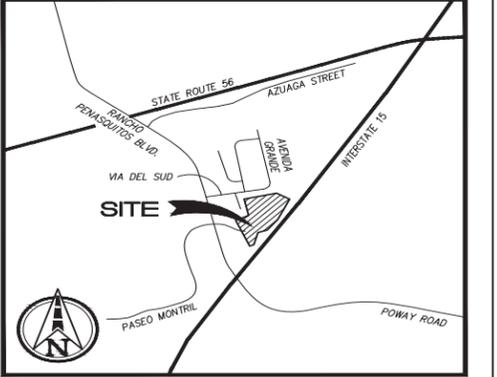
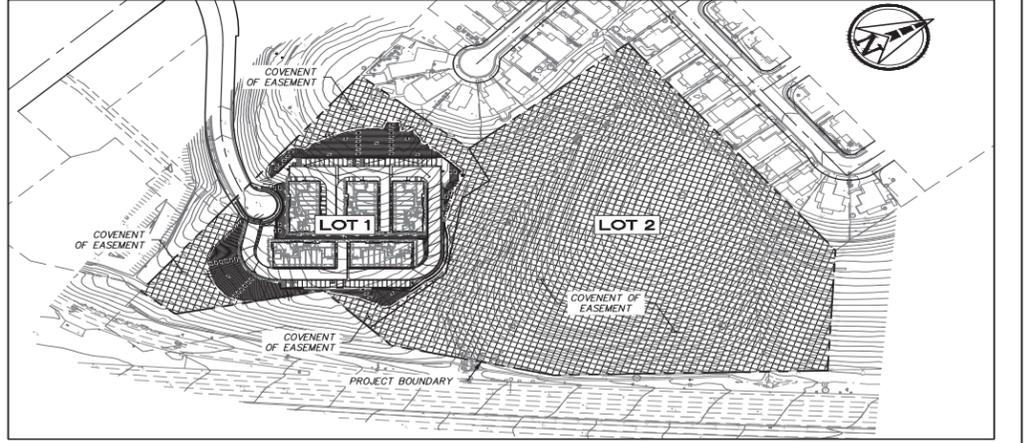
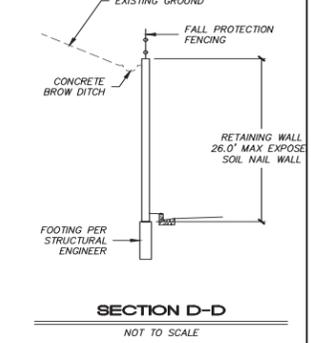
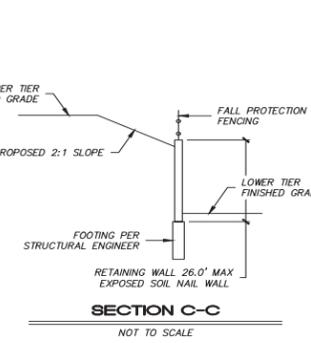
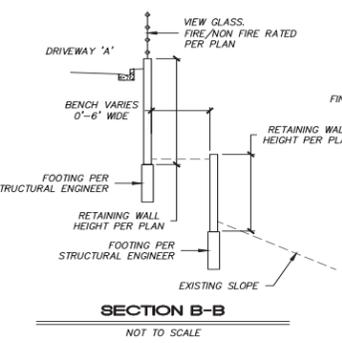
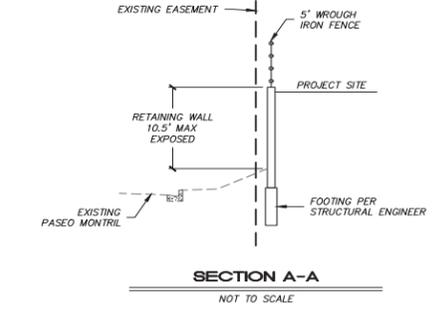
**FIGURE 3-4**  
Landscape Plan  
Paseo Montrail Development Project

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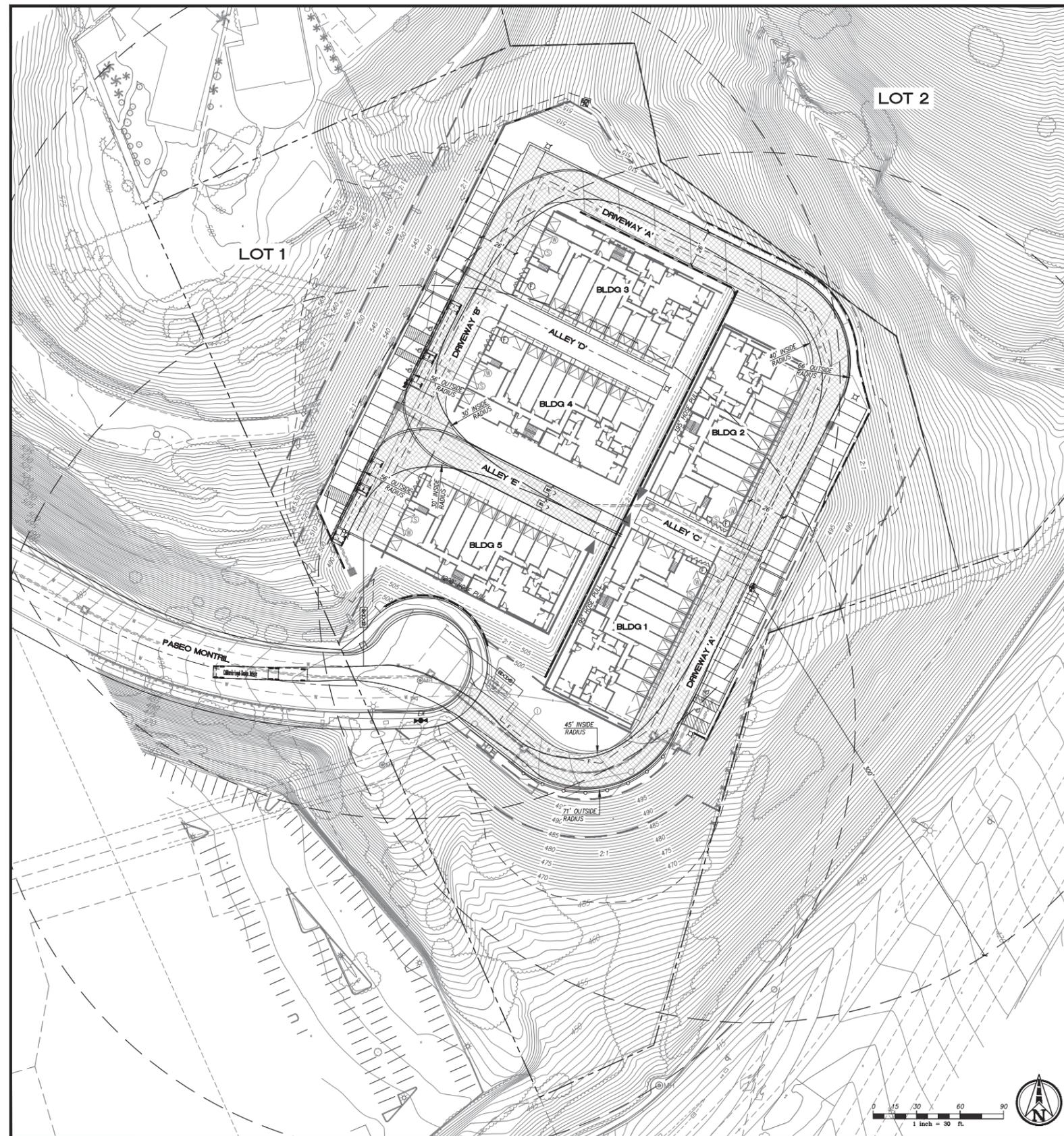


**GRADING NOTES / BMP NOTES**

- BMP MAINTENANCE - PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMIT, THE OWNER/PERMITEE SHALL ENTER INTO A MAINTENANCE AGREEMENT FOR THE ONGOING PERMANENT BMP MAINTENANCE, SATISFACTORY TO THE CITY ENGINEER.
- CONSTRUCTION BMP - PRIOR TO ISSUANCE OF ANY CONSTRUCTION PERMIT, THE OWNER/PERMITEE SHALL INCORPORATE ANY CONSTRUCTION BEST MANAGEMENT PRACTICES NECESSARY TO COMPLY WITH CHAPTER 14, ARTICLE 2, DIVISION (GRADING REGULATIONS) OR SAN DIEGO MUNICIPAL CODE, INTO THE CONSTRUCTION PLANS OR SPECIFICATIONS.
- THE PROPOSED PROJECT WILL COMPLY WITH ALL THE REQUIREMENTS OF THE CURRENT CITY OF SAN DIEGO STORM WATER STANDARDS MANUAL BEFORE A GRADING OR BUILDING PERMIT IS ISSUED. IT IS THE RESPONSIBILITY OF THE OWNER/DESIGNER/APPLICANT TO ENSURE THAT THE CURRENT STORM WATER PERMANENT BMP DESIGN STANDARDS ARE INCORPORATED INTO THE PROJECT.

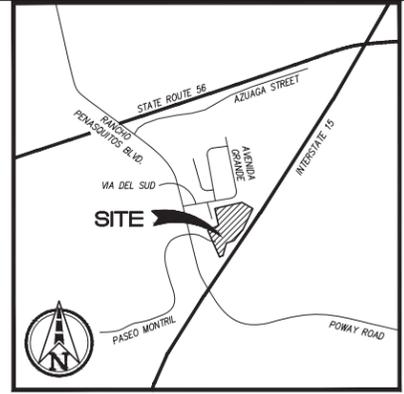


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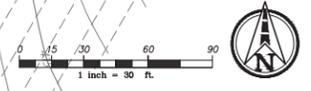
-  FIRE HYDRANT SERVICE RADIUS = 300'
-  PROPOSED FIRE ACCESS ROADWAY, NO PARKING ALLOWED. FIRE LANE - NO PARKING SIGNS TO BE INSTALLED AT 150' INTERVALS.
-  PROPOSED FIRE HYDRANT
-  EXISTING FIRE HYDRANT
-  200' MAX HOSE PULL TO ALL PORTIONS OF THE EXTERIOR OF BUILDINGS PER POLICY A-14-1
-  FIRE TRUCK TURN



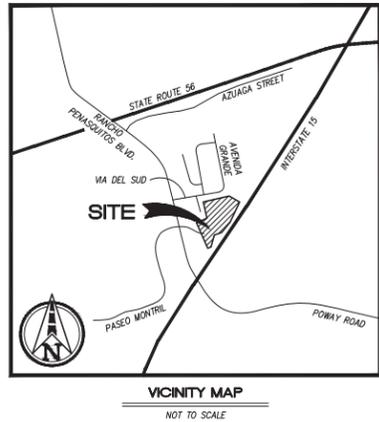
VICINITY MAP  
NOT TO SCALE

**FIRE NOTES:**

1. FIRE APPARATUS ACCESS ROADS AND WATER SUPPLIES FOR FIRE PROTECTION, SHALL BE INSTALLED AND MADE SERVICEABLE PRIOR TO AND DURING TIME OF CONSTRUCTION CFC 501.4.
2. CFC 507.5.5 - CLEAR SPACE AROUND HYDRANTS - A 3 FOOT CLEAR SPACE SHALL BE MAINTAINED AROUND THE CIRCUMFERENCE OF FIRE HYDRANTS, EXCEPT AS OTHERWISE REQUIRED OR APPROVED.
3. SAN DIEGO MUNICIPAL CODE SECTION 55.0507 ITEM (C) HYDRANT LOCATIONS SHALL BE IDENTIFIED BY THE INSTALLATION OF REFLECTIVE BLUE COLORED MARKERS. SUCH MARKERS SHALL BE AFFIXED TO THE ROADWAY SURFACE, APPROXIMATELY CENTERED BETWEEN CURBS, AND AT A RIGHT ANGLE TO THE HYDRANT.
4. CFC 507.5.6 - PHYSICAL PROTECTION - IF ADDITIONAL HYDRANTS ARE REQUIRED AND WHERE FIRE HYDRANTS ARE SUBJECT TO IMPACT BY A MOTOR VEHICLE, GUARD POSTS OR OTHER APPROVED MEANS SHALL COMPLY WITH SECTION CC 312.
5. VEGETATION SHALL BE SELECTED AND MAINTAINED IN SUCH A MANNER AS TO ALLOW IMMEDIATE ACCESS TO ALL HYDRANTS, VALVES, FIRE DEPARTMENT CONNECTIONS, PULL STATIONS, EXTINGUISHERS, SPRINKLER RISERS, ALARM CONTROL PANELS, RESCUE WINDOWS, AND OTHER DEVICES OR AREAS USED FOR FIREFIGHTING PURPOSES. VEGETATION OR BUILDING FEATURES SHALL NOT OBSTRUCT ADDRESS NUMBERS OR INHIBIT THE FUNCTIONING OR ALARM BELLS, HORNS OR STROBES.
6. ALL BUILDINGS AND SITES UNDERGOING CONSTRUCTION, ALTERATION, OR DEMOLITION SHALL COMPLY WITH THE REQUIREMENTS OF CHAPTER 33 OF THE CFC.
7. CFC 105.4.4 - CONSTRUCTION DOCUMENTS APPROVED BY THE FIRE CODE OFFICIAL ARE APPROVED WITH THE INTENT THAT SUCH CONSTRUCTION DOCUMENTS COMPLY IN ALL RESPECTS WITH THE CFC/CBC. REVIEW AND APPROVAL BY THE FIRE CODE OFFICIAL SHALL NOT RELIEVE THE APPLICANT OF THE RESPONSIBILITY OF COMPLIANCE WITH THIS CODE.
8. FIRE APPARATUS ACCESS ROADS SHALL BE DESIGNED AND MAINTAINED TO SUPPORT THE IMPOSED LOADS OF FIRE APPARATUS AND SHALL BE SURFACED SO AS TO PROVIDE ALL WEATHER DRIVING CAPABILITIES. CFC 503.2.3.
9. NO ON STREET PARKING ALLOWED ON ALL PRIVATE DRIVEWAYS AND PRIVATE ALLEYS.
10. ALL RED CURB/NO PARKING SIGN AREAS HAVE BEEN SHOWN WITH A KEY INDICATOR. ALL REQUIRED ACCESS ROADWAYS SHALL NOT PROVIDE LESS THAN THE REQUIRED/APPROVED WIDTH AND/OR BE OBSTRUCTED IN ANY MANNER, INCLUDING THE PARKING OF VEHICLES. WHERE INADEQUATE WIDTH HAS NOT PROVIDED FOR PARKING ALONG ACCESS ROADWAYS, THEN SUCH ACCESS SHALL BE KEPT CLEAR BY THE POSTING.
11. AN ILLUMINATED DIRECTORY, IN ACCORDANCE WITH FHPS POLICY I-00-6, SHALL BE PROVIDED.
12. SITE PLAN, AS SHOWN, MEETS FIRE ACCESS AND SETBACK REQUIREMENTS FOR BUILDINGS LESS THAN 30' IN HEIGHT. SETBACK AND ACCESS REQUIREMENTS TO BE REVIEWED AGAIN DURING BUILDING PERMIT PROCESS TO ENSURE THAT REQUIREMENTS CONTINUE TO BE MET FOR BOTH RESIDENTIAL AND COMMERCIAL SITES.
13. BUILDING ADDRESS NUMBER(S) LOCATION(S) SHALL BE VISIBLE AND LEGIBLE FROM THE STREET/ROAD FRONTING THE PROPERTY PER SAN DIEGO MUNICIPAL CODE SECTIONS 95.0209.
14. FOR ADU/CDU; IT SHALL BE NECESSARY TO PROVIDE A SEPARATE ADDRESS FOR THE SEPARATE UNIT. THE APPLICANT WILL NEED TO REQUEST THAT THE PROJECT MANAGER ADDS A REVIEW CYCLE FOR MIS ADDRESSING TO REVIEW THE PROJECT TO ASSIGN AND/OR RE-ASSIGN A PHYSICAL ADDRESS WITH STREET NAME, NUMBER AND/OR UNIT DESIGNATION.
15. ALL REQUIRED HOSE PULLS ARE SHOWN TO REACH ALL PORTIONS OF THE EXTERIOR OF THE BUILDING(S) PER POLICY A-14-1. HOSE PULL IS MEASURED FROM THE FIRE APPARATUS (ENGINE) WHEN THE FIRE ENGINE IS IN FIRE ACCESS ROAD/LANE. HOSE PULL CAN BE MEASURED FROM MULTIPLE LOCATIONS WITHIN THE ACCESS ROAD/LANE. THE HOSE PULLS MUST CONNECT OR OVERLAP TO SHOW COMPLETE COVERAGE. FOR SPRINKLERED BUILDING(S); THE MAXIMUM HOSE PULL IS 200'. FOR NON-SPRINKLERED BUILDING(S); THE MAXIMUM HOSE PULL IS 150'. CHANGE IN VERTICAL ELEVATION MUST ALSO BE ACCOUNTED FOR.
16. ALL EXISTING AND/OR PROPOSED FIRE HYDRANTS WITHIN 600' OF THE PROJECT SITE AND A 300' RADIUS OVERLAY SHALL BE SHOWN TO ENCOMPASS ALL PORTIONS OF ALL STRUCTURES AS PART OF SUBMITTED PROJECT.
17. ALL RED CURB/NO PARKING SIGN AREAS HAVE BEEN SHOWN WITH A KEY INDICATOR. ALL REQUIRED ACCESS ROADWAYS SHALL NOT PROVIDE LESS THAN THE REQUIRED/APPROVED WIDTH AND/OR BE OBSTRUCTED IN ANY MANNER, INCLUDING THE PARKING OF VEHICLES. WHERE INADEQUATE WIDTH HAS NOT PROVIDED FOR PARKING ALONG ACCESS ROADWAYS, THEN SUCH ACCESS SHALL BE KEPT CLEAR BY THE POSTING OF SIGNS OR THE PAINTING OF CURBS PER POLICY A-14-1.
18. DECORATIVE MATERIALS SHALL BE PROVIDED AND/OR MAINTAINED IN A FLAME-RETARDANT CONDITION. CFC SEC. 804.
19. FIRE PROTECTION EQUIPMENT SHALL BE IDENTIFIED IN AN APPROVED MANNER. ROOMS CONTAINING CONTROLS FOR AC SYSTEMS, SPRINKLER RISERS AND VALVES, OR OTHER FIRE DETECTION, SUPPRESSION OR CONTROL ELEMENTS SHALL BE IDENTIFIED FOR THE USE OF THE FIRE DEPARTMENT. APPROVED SIGNS REQUIRED TO IDENTIFY FIRE PROTECTION EQUIPMENT AND EQUIPMENT LOCATION SHALL BE CONSTRUCTED OF DURABLE MATERIALS, PERMANENTLY INSTALLED AND READILY VISIBLE.
20. ANY HAMMERHEAD/TURNAROUND/CUL-DE-SAC SHALL BE PROVIDED IN ACCORDANCE WITH APPENDIX D CFC. FIGURE D103.1. ALL DIMENSIONS HAVE BEEN SHOWN ON THE FIRE ACCESS PLAN. TURN RADIUS 30' INSIDE/50' OUTSIDE. SDFD FPB POLICY A-14-1.
21. AERIAL FIRE ACCESS ROAD(S) ADJACENT TO BUILDINGS THAT ARE GREATER THAN 30 FEET IN HEIGHT FROM GRADE PLANE, SHALL HAVE A MINIMUM WIDTH OF 26 FEET. THE PROXIMAL EDGE OF AERIAL FIRE ACCESS SHALL BE A MINIMUM OF 15-30 FEET FROM THE BUILDING FACADE(S) AND/OR PLUMB LINE OF GABLE(S). AERIAL ACCESS SHALL BE PROVIDED ALONG ONE ENTIRE LONG SIDE(S) OF THE BUILDING(S). SHOW ALL PROPOSED LOCATIONS WHERE AERIAL ACCESS IS BEING PROVIDED. SEE CFC APPENDIX D/FPB POLICY A-14-A.



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**MINIMUM TREE SEPARATION DISTANCE**

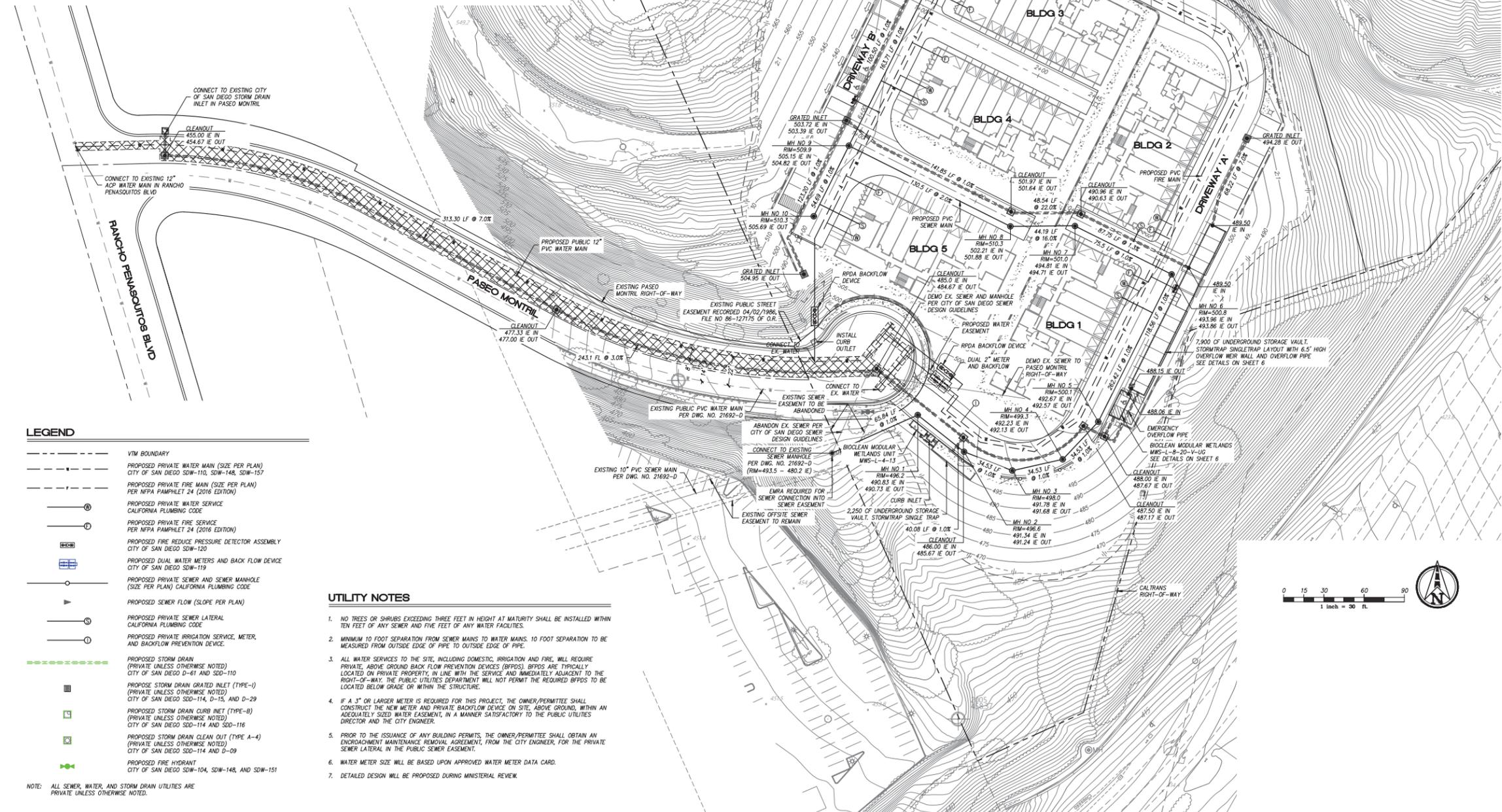
IMPROVEMENT	MIN. DISTANCE TO STREET TREE
TRAFFIC SIGNAL, STOP SIGN	20 FEET
UNDERGROUND UTILITY LINES (EXCEPT SEWER)	5 FEET
SEWER LINES	10 FEET
ABOVE GROUND UTILITY STRUCTURES (TRANSFORMERS, HYDRANTS, UTILITY POLES, ETC)	10 FEET
DRIVEWAYS	10 FEET *
INTERSECTIONS (INTERSECTING CURB LINES OF TWO STREETS)	25 FEET

\* 5 FEET ON RESIDENTIAL LOCAL STREETS WITH A DESIGN SPEED OF 25MPH OR SLOWER

**UTILITY TABLE**

UTILITY	OVERHEAD/UNDERGROUND
GAS	UNDERGROUND
ELECTRIC	UNDERGROUND
TELEPHONE (AT&T)	UNDERGROUND
CABLE TELEVISION (SPECTRUM)	UNDERGROUND
SEWER	UNDERGROUND
STORM DRAIN	UNDERGROUND
FIRE	UNDERGROUND
WATER	UNDERGROUND

NOTE: THE SUBDIVIDER SHALL ENSURE THAT ALL ONSITE UTILITIES SERVING THE SUBDIVISION SHALL BE UNDERGROUND WITH ALL OF THE APPROPRIATE PERMITS.



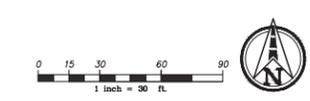
**LEGEND**

- VTM BOUNDARY
- PROPOSED PRIVATE WATER MAIN (SIZE PER PLAN) CITY OF SAN DIEGO SDW-110, SDW-148, SDW-157
- PROPOSED PRIVATE FIRE MAIN (SIZE PER PLAN) PER NFPA PAMPHLET 24 (2016 EDITION)
- PROPOSED PRIVATE WATER SERVICE CALIFORNIA PLUMBING CODE
- PROPOSED PRIVATE FIRE SERVICE PER NFPA PAMPHLET 24 (2016 EDITION)
- PROPOSED FIRE REDUCE PRESSURE DETECTOR ASSEMBLY CITY OF SAN DIEGO SDW-120
- PROPOSED DUAL WATER METERS AND BACK FLOW DEVICE CITY OF SAN DIEGO SDW-119
- PROPOSED PRIVATE SEWER AND SEWER MANHOLE (SIZE PER PLAN) CALIFORNIA PLUMBING CODE
- PROPOSED SEWER FLOW (SLOPE PER PLAN)
- PROPOSED PRIVATE SEWER LATERAL CALIFORNIA PLUMBING CODE
- PROPOSED PRIVATE IRRIGATION SERVICE, METER, AND BACKFLOW PREVENTION DEVICE
- PROPOSED STORM DRAIN (PRIVATE UNLESS OTHERWISE NOTED) CITY OF SAN DIEGO D-61 AND D-110
- PROPOSED STORM DRAIN GRADED INLET (TYPE-I) (PRIVATE UNLESS OTHERWISE NOTED) CITY OF SAN DIEGO SD-114, D-15, AND D-29
- PROPOSED STORM DRAIN CURB INLET (TYPE-B) (PRIVATE UNLESS OTHERWISE NOTED) CITY OF SAN DIEGO SD-114 AND SD-116
- PROPOSED STORM DRAIN CLEAN OUT (TYPE A-4) (PRIVATE UNLESS OTHERWISE NOTED) CITY OF SAN DIEGO SD-114 AND D-09
- PROPOSED FIRE HYDRANT CITY OF SAN DIEGO SDW-104, SDW-148, AND SDW-151

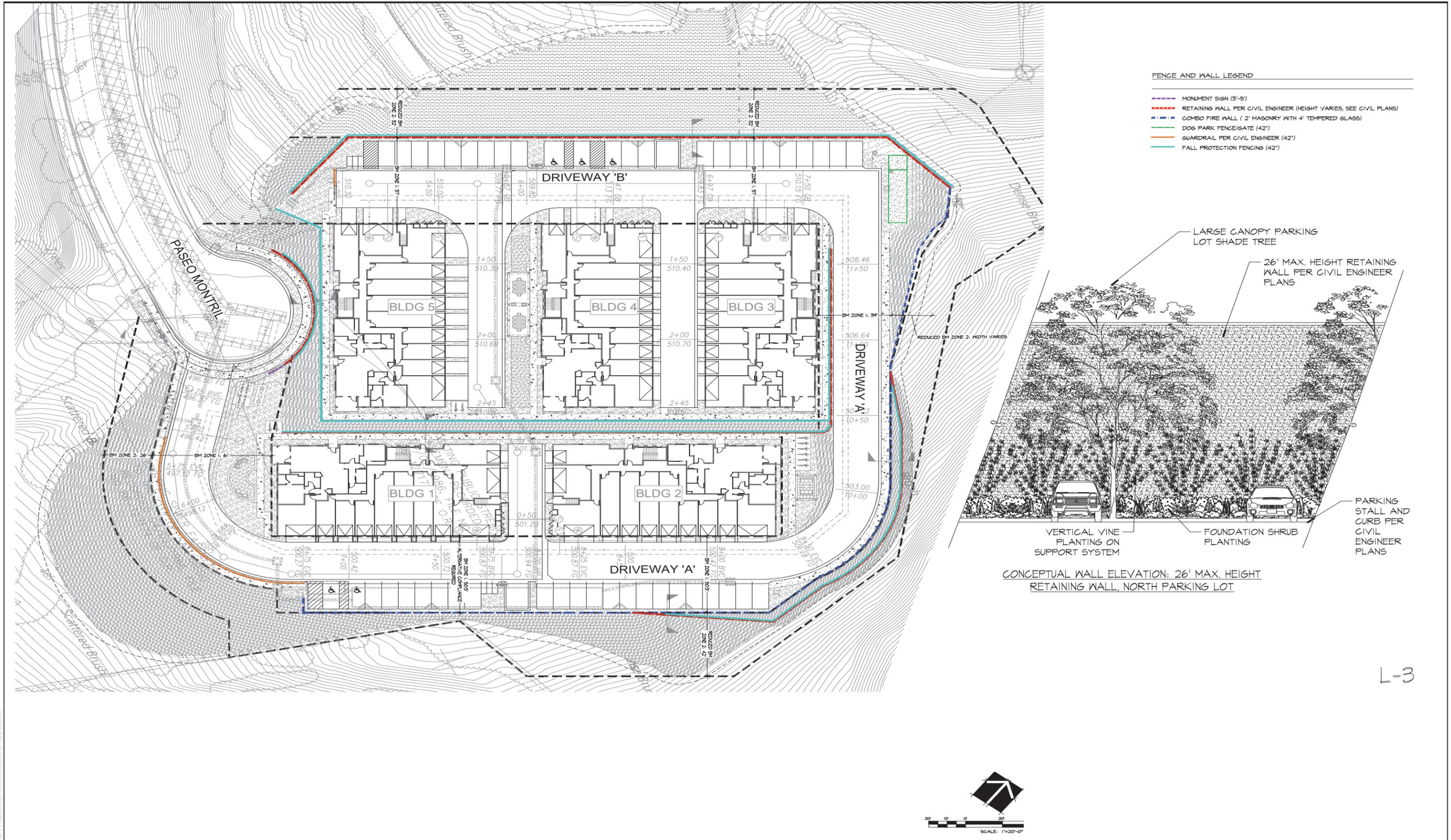
NOTE: ALL SEWER, WATER, AND STORM DRAIN UTILITIES ARE PRIVATE UNLESS OTHERWISE NOTED.

**UTILITY NOTES**

- NO TREES OR SHRUBS EXCEEDING THREE FEET IN HEIGHT AT MATURITY SHALL BE INSTALLED WITHIN TEN FEET OF ANY SEWER AND FIVE FEET OF ANY WATER FACILITIES.
- MINIMUM 10 FOOT SEPARATION FROM SEWER MAINS TO WATER MAINS. 10 FOOT SEPARATION TO BE MEASURED FROM OUTSIDE EDGE OF PIPE TO OUTSIDE EDGE OF PIPE.
- ALL WATER SERVICES TO THE SITE, INCLUDING DOMESTIC, IRRIGATION AND FIRE, WILL REQUIRE PRIVATE, ABOVE GROUND BACK FLOW PREVENTION DEVICES (BFPDS). BFPDS ARE TYPICALLY LOCATED ON PRIVATE PROPERTY, IN LINE WITH THE SERVICE AND IMMEDIATELY ADJACENT TO THE RIGHT-OF-WAY. THE PUBLIC UTILITIES DEPARTMENT WILL NOT PERMIT THE REQUIRED BFPDS TO BE LOCATED BELOW GRADE OR WITHIN THE STRUCTURE.
- IF A 3" OR LARGER METER IS REQUIRED FOR THIS PROJECT, THE OWNER/PERMITEE SHALL CONSTRUCT THE NEW METER AND PRIVATE BACKFLOW DEVICE ON SITE, ABOVE GROUND, WITHIN AN ADEQUATELY SIZED WATER EASEMENT, IN A MANNER SATISFACTORY TO THE PUBLIC UTILITIES DIRECTOR AND THE CITY ENGINEER.
- PRIOR TO THE ISSUANCE OF ANY BUILDING PERMITS, THE OWNER/PERMITEE SHALL OBTAIN AN ENCROACHMENT MAINTENANCE REMOVAL AGREEMENT, FROM THE CITY ENGINEER, FOR THE PRIVATE SEWER LATERAL IN THE PUBLIC SEWER EASEMENT.
- WATER METER SIZE WILL BE BASED UPON APPROVED WATER METER DATA CARD.
- DETAILED DESIGN WILL BE PROPOSED DURING MINISTERIAL REVIEW.



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# 4 History of Project Changes

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This section chronicles the physical changes that have been made to the project in response to revisions requested by City staff, as well as through the project review and refinement process. These changes are described below:

- The initial version of the project submitted for the Community Plan Amendment Initiation process in 2018 included 92 multi-family units on 5.5 acres and 9.7 acres of open space. The project was reduced to 32 dwelling units within 6 buildings for the first submittal. Due to cost feasibility issues, the project product type was changed to townhomes and design was changes to consist of 55 units within five buildings. Overall, the project units and grading footprint were reduced, which reduced impacts associated with greenhouse gas emissions and biological resources.
- The December 2020 version of the project was originally seeking a deviation for grading, as it was including a 1.5:1 slope gradient for the western slope adjacent to the nearby residences in order to reduce the grading footprint within Environmentally Sensitive Lands (sensitive habitat and steep slopes) and create a larger distance between the grading activities and adjacent existing homes to avoid construction noise impacts. However, the City ultimately required the slope be 2:1. With this change, the project resulted in an additional 0.13-acre impact to sensitive biological habitat and steep slopes, and a new impact to the adjacent residences from the construction noise and vibration being moved closer to those sensitive receivers.
- The project drainage was originally designed to discharge to the Interstate 15 Caltrans right of way to the east of the site. The project was revised in December 2020 to collect runoff from the development area and discharge it into the City's stormwater system in Paseo Montril instead, which reduced biological impacts to sensitive habitats as well as eliminate the need for a Caltrans Encroachment Permit.
- At the request of the City, the proposed wall and landscaping located at the northeastern corner of the development was modified to include enhanced landscape screening and wall tiering. The original 27-foot tall wall was modified to instead include two walls; Wall 3a that is up to 14.5 feet tall, and Wall 3b that is up to 12.5 feet tall. This change increased the project footprint and associated biological resource sensitive habitat impacts in this area, but also provided increased compliance with City's Municipal Code Section 142.0340(e) that is intended to preserve visual quality and identifies a wall height limit of 12 feet.

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# 5 Environmental Analysis

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The following sections analyze the potential environmental impacts that may occur as a result of implementation of the proposed Paseo Montril Project (project). Each issue analysis section includes a description of existing conditions, the criteria for the determination of impact significance, evaluation of potential project impacts including mitigation measures (if applicable), and a conclusion of significance after mitigation for impacts identified as requiring mitigation (if applicable).

The environmental issues addressed in this chapter include the following:

- Land Use
- Transportation
- Air Quality and Odor
- Biological Resources
- Energy
- Geologic Conditions
- Greenhouse Gas Emissions
- Health and Safety
- Hydrology
- Noise
- Paleontological Resources
- Population and Housing
- Public Services and Facilities
- Public Utilities
- Tribal Cultural Resources
- Visual Effects and Neighborhood Character
- Water Quality
- Wildfire

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## 5.1 Land Use

This section describes the existing land use and planning conditions of the proposed Paseo Montril Project (project) site, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures, if applicable, related to implementation of the project.

### 5.1.1 Existing Conditions

#### **Existing Physical Conditions**

The 15.2-acre project site currently consists of an undeveloped hillside located along Interstate 15 between commercial, residential and open space uses. The site contains native habitat (Diegan coastal sage scrub), as well as disturbed habitats (eucalyptus woodland, urban/developed and disturbed habitat). The site is accessible from the Paseo Montril cul-de-sac that terminates at the south side of the site.

#### **Surrounding Land Uses and Setting**

The surrounding development consists of residential (single-family) to the north, and commercial development along Rancho Peñasquitos Boulevard. Multi-family homes exist to the west of the project site, along the southbound lane of Rancho Peñasquitos Boulevard, including the Rancho Villas Eaves Ranch Peñasquitos, and Peñasquitos Point complexes. Additional multi-family homes exist along the portion of Paseo Montril to the west of Rancho Peñasquitos Boulevard (Figure 2-4).

To the west, adjacent to the project site and along Rancho Peñasquitos Boulevard are a variety of commercial and employment uses. The commercial areas include drive-thru/dine-in fast food restaurants, gas stations, an auto repair shop, a hotel, and various other small-scale commercial shops. To the west of the commercial areas, located along Paseo Montril, are additional single-family neighborhoods. The closest public parks include the Views West Neighborhood Park to the northwest, the Sabre Springs Park to the east, and Ridgewood Park to the southwest. The Peñasquitos Creek and Los Peñasquitos Canyon preserve are located to the south of the project site, separated from the project site by I-15 and the freeway interchange with Rancho Peñasquitos Boulevard and Poway Road.

Regional access to the project area is provided by I-15, which runs north–south adjacent to the project area, allowing for vehicular and transit access to the larger San Diego region as well as Riverside County to the north. State Route 56 runs east–west where it transitions from Ted Williams Parkway to I-5, also providing regional vehicular access to points west of the project area. The existing roadway network within and immediately surrounding the project area is summarized herein.

#### **Site Land Use and Zoning**

According to City's General Plan, the project site is designated Park, Open Space, and Recreation in the General Plan, while the off-site area is designated as Roads/Freeway/Transportation (City of San Diego 2015a) (Figure 2-4, Existing General Plan Land Use Designation). Most of the project site

is zoned as Residential-Multiple (RM-2-5), while the western corner of the site is zoned as Residential-Single (RS-1-14). The RM-2-5 zone allows for residential development of up to one dwelling unit for each 1,500 square feet of lot area. The RS-1-14 zone allows for residential development of up to one dwelling unit per a minimum lot size of 5,000 square feet. The off-site area is located within the Commercial-Community (CC-1-3) zone and is currently constructed as a roadway (Figure 2-6, Existing Zoning).

The project site is located in the Rancho Peñasquitos Community Plan (Community Plan), last amended in April 2019 (City of San Diego 2019). The project site is currently designated as Open Space, while the off-site area is designated as Major Utility Facility, as identified within the Community Plan Land Use Map (City of San Diego 2011).

### 5.1.2 Regulatory Framework

#### **State**

##### ***California Building Code Title 24***

California Building Code Title 24, also known as the California Building Standards Code, establishes building standards applicable to all occupancies throughout the state. Title 24 analysis is not a CEQA requirement but is a project permitting requirement. The code provides acoustical regulations for both exterior-to-interior sound insulation as well as sound and impact isolation between adjacent spaces of various occupied units. Title 24 regulations state that interior noise levels generated by exterior noise sources shall not exceed 45 dBA CNEL/day-night average noise level ( $L_{dn}$ ) with windows closed, in any habitable room for general residential use (State of California 2019). These regulations are applicable to the proposed project.

Additionally, Part 11 of Title 24, known as the California Green Building Standards Code, provides guidance on mandatory and voluntary measures for environmental comfort and acoustical control. The California Green Building Standards Code recommends that classrooms have a maximum background noise level of 45 dBA  $L_{eq}$  (State of California 2019).

##### ***Senate Bill 18***

Native American involvement in the development review process is addressed by several state laws. As the project requires an amendment to the General Plan to an area designated as open space, it is therefore subject to the consultation requirements of Senate Bill (SB) 18. SB 18 includes detailed requirements for local agencies to consult with identified California Native American Tribes early in the planning and/or development process. The California Native American Graves Protection and Repatriation Act (2001) ensures that Native American human remains, and cultural items are treated with respect and dignity during all phases of the archaeological evaluation process in accordance with CEQA and any applicable local regulations.

**Local*****San Diego Forward: The Regional Plan***

The San Diego Association of Governments (SANDAG) is the federally designated Metropolitan Planning Organization for the San Diego region. SANDAG serves as a forum for public decision making on regional issues such as growth, transportation, and land use in San Diego County and consists of representatives from each of the county's local jurisdictions. SANDAG builds consensus, develops strategic plans, obtains and allocates resources, and provides information on a broad range of topics pertinent to the region's quality of life.

The Regional Comprehensive Plan (RCP), adopted in 2004 by SANDAG, laid out key principles for managing the region's growth while preserving natural resources and limiting urban sprawl. The plan covered eight policy areas, including urban form, transportation, housing, healthy environment, economic prosperity, public facilities, our borders, and social equity.

In 2011, SANDAG approved the 2050 Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS). This approval marked the first time SANDAG's RTP included a sustainable communities strategy, consistent with the Sustainable Communities and Climate Protection Act of 2008, also known as Senate Bill 375. This RTP/SCS provided a blueprint to improve mobility, preserve open space, and create communities, all with transportation choices to reduce greenhouse gas emissions and meet specific targets set by the California Air Resources Board (CARB) as required by the 2008 Sustainable Communities and Climate Protection Act. In 2010, CARB established targets for each region in California governed by a metropolitan planning organization.

On December 10, 2021, the SANDAG Board of Directors adopted San Diego Forward: The Regional Plan (Regional Plan). The Regional Plan combines the two previously described existing regional planning documents: the RCP and the RTP/SCS. The Regional Plan updates growth forecasts and is based on the most recent planning assumptions from currently adopted land use plans, including the City's General Plan and other factors from the cities in the region and the County. SANDAG's Regional Plan will change in response to the ongoing land use planning of the City and other jurisdictions. For example, the City's General Plan, and other local cities' General Plans, may change based on General Plan Amendments initiated by the jurisdiction or landowner applicants. The General Plan Amendments may result in increases in development densities by amending the regional category designations or zoning classifications. Accordingly, SANDAG's RTP/SCS latest forecasts of future development in the San Diego region, including location, must be coordinated closely with each jurisdiction's ongoing land use planning because that planning is not static, as recognized by the need for updates to SANDAG's RTP/SCS every 4 years. .

***City of San Diego General Plan***

The City's General Plan was unanimously adopted by the City Council on March 10, 2008, with some updates to other sections occurring later.

The General Plan builds upon many of the goals and strategies of the former 1979 General Plan, in addition to offering new policy direction in the areas of urban form, neighborhood character, historic preservation, public facilities, recreation, conservation, mobility, housing affordability,

economic prosperity, and equitable development. It recognizes and explains the critical role of the community planning program as the vehicle to tailor the City of Villages strategy, which promotes pedestrian- friendly and mixed-use activity centers, for each neighborhood. The General Plan also outlines the plan amendment process, implementation strategies, and considers the continued growth of the City beyond the year 2020 (City of San Diego 2008a). The General Plan includes a Strategic Framework that lists the ten overall Guiding Principles, outlines the purpose of each of the different elements of the General Plan, and how the General Plan is implemented (including an action plan, budgeting process, and the City of Villages strategy). The different elements of the General Plan are described in the following paragraphs.

**Land Use and Community Planning Element (City of San Diego 2015a):** The purpose of this element is to guide future growth and development into a sustainable citywide development pattern, while maintaining or enhancing quality of life in the City's communities. The Land Use and Community Planning Element addresses land use issues that apply to the City as a whole. The community planning program, which incorporated the various community plans adopted throughout the City, is the mechanism to refine citywide policies, designate land uses, and make additional site-specific recommendations as needed. The Land Use and Community Planning Element establishes the structure to respect the diversity of each community and includes policy direction to govern the preparation of community plans. The element also provides policy direction in areas including zoning and policy consistency, the plan amendment process, coastal planning, airport land use compatibility planning, annexation policies, balanced communities, equitable development, and environmental justice. The project site is designated Park, Open Space, and Recreation in the General Plan Land use and Community Planning Element. According to Figure LU-1 of the Land Use and Community Planning Element, the project site itself has low Village Propensity, however the area immediately to the north (residential and Carmel Mountain Plaza) is considered to have higher Village Propensity.

**Mobility Element (City of San Diego 2015b):** This element strives to improve mobility in the City by providing policies that support a balanced, multimodal transportation network, while minimizing environmental and neighborhood impacts. The Mobility Element contains policies that help make walking more viable for short trips, in addition to addressing various other transportation choices in a manner that strengthens the City of Villages land use visions and helps to achieve a sustainable environment.

**Urban Design Element (City of San Diego 2008b):** "Urban design" describes the physical features that define the character or image of a street, neighborhood, community, or the City as a whole. Urban design provides the visual and sensory relationship between people and the built and natural environment. The built environment includes buildings and streets, and the natural environment includes features such as shorelines, canyons, mesas, and parks as they shape and are incorporated into the urban framework. Citywide urban design recommendations are necessary to ensure that the built environment continues to contribute to the qualities that distinguish the City as a unique living environment.

**Economic Prosperity Element (City of San Diego 2015c):** The policies in this element are intended to improve economic prosperity by ensuring that the economy grows in ways that strengthen our industries, retain and create good jobs with self-sufficient wages, increase average income, and

stimulate economic investment in our communities. A strong economy creates the wealth that allows San Diegans to support the public facilities, services, and quality of life they demand.

**Public Facilities, Services, and Safety Element (City of San Diego 2018):** This element addresses facilities and services that are publicly managed and have a direct influence on the location of land use. These include fire rescue, police, wastewater, stormwater, water infrastructure, waste management, libraries, schools, information infrastructure, disaster preparedness, and seismic safety. Public Facilities, Services, and Safety Element goals and policies are associated with providing adequate public facilities and services to serve the existing population and new growth. Applicable recommendations include requiring development proposals to fully address impacts to public facilities and services.

**Recreation Element (City of San Diego 2021):** The City has over 38,930 acres of park and open space lands that offer a diverse range of recreational opportunities. The Recreation Element contains goals and policies to address the challenges the City faces to preserve, protect, develop, operate, maintain, and enhance public recreation opportunities and facilities throughout the City. The purpose of the element is to help manage the increasing demand on existing/remaining usable park and recreation resources/facilities; develop open space lands and resource-based parks for population-based recreational purposes; ensure the distribution and access to parks is achieved equally citywide recognizing the unique differences among communities; and achieve livable neighborhoods and communities.

**Conservation Element (City of San Diego 2008c):** The Conservation Element contains policies to guide the conservation of resources that are fundamental components of San Diego's environment, help define the City's identity, and are relied upon for continued economic prosperity. The purpose of this element is to help the City become an international model of sustainable development and conservation and to provide for the long-term conservation and sustainable management of the rich natural resources that help define the City's identity, contribute to its economy, and improve its quality of life.

**Housing Element:** The City of San Diego adopted the 2021–2029 Housing Element on June 16, 2020. The 2021-2029 Housing element is the sixth update, or the 6th cycle, to the City's Housing Element as it needed to be updated alongside the recent regional housing needs allocation (RHNA) updates given by SANDAG (City of San Diego 2020a). Key goals to the Housing Element are to ensure the provision of sufficient housing for all income groups to accommodate San Diego's anticipated share of regional growth, ensure a sense of community through new development, align housing policies with climate adaption strategies, and encourage sustainable patterns of movement.

**Noise Element:** The purpose of the noise element is to protect people living and working in the City from excessive noise. The Noise Element provides goals and policies to guide compatible land uses and incorporates noise attenuation measures for new uses to protect people living and working in the City from an excessive noise environment. It also establishes noise land use compatibility guidelines. Table 5.1-1 provides the noise land use compatibility guidelines, which is copied from Table NE-3 of the General Plan Noise Element. The following goals and policies are applicable to the project:

**Table 5.1-1.  
City of San Diego Land Use – Noise Compatibility Guidelines**

Land Use Category	Exterior Noise Exposure (dBA CNEL)				
	60	65	70	75	
<i>Parks and Recreational</i>					
Parks, Active and Passive Recreation					
Outdoor Spectator Sports; Golf Courses; Water Recreational Facilities; Indoor Recreation Facilities					
<i>Agricultural</i>					
Crop Raising and Farming; Community Gardens, Aquaculture, Dairies; Horticulture Nurseries and Greenhouses; Animal Raising, Maintenance and Keeping; Commercial Stables					
<i>Residential</i>					
Single Dwelling Units; Mobile Homes		45			
Multiple Dwelling Units; <i>*For uses affected by aircraft noise, refer to Policies NE-D.2. and NE-D.3.</i>		45	45*		
<i>Institutional</i>					
Hospitals; Nursing Facilities; Intermediate Care Facilities; Kindergarten through Grade 12 Educational Facilities; Libraries; Museums; Child Care Facilities		45			
Other Educational Facilities including Vocational/Trade Schools and Colleges and Universities		45	45		
Cemeteries					
<i>Retail Sales</i>					
Building Supplies/Equipment; Food, Beverages, and Groceries; Pets and Pet Supplies; Sundries, Pharmaceutical and Convenience Sales; Wearing Apparel and Accessories			50	50	

**Table 5.1-1.  
City of San Diego Land Use – Noise Compatibility Guidelines**

Land Use Category		Exterior Noise Exposure (dBA CNEL)				
		60	65	70	75	
<i>Commercial Services</i>						
Building Services; Business Support; Eating and Drinking; Financial Institutions; Maintenance and Repair; Personal Services; Assembly and Entertainment (includes public and religious assembly); Radio and Television Studios; Golf Course Support				50	50	
Visitor Accommodations			45	45	45	
<i>Offices</i>						
Business and Professional; Government; Medical, Dental and Health Practitioner; Regional and Corporate Headquarters				50	50	
<i>Vehicle and Vehicular Equipment Sales and Services Use</i>						
Commercial or Personal Vehicle Repair and Maintenance; Commercial or Personal Vehicle Sales and Rentals; Vehicle Equipment and Supplies Sales and Rentals; Vehicle Parking						
<i>Wholesale, Distribution, Storage Use Category</i>						
Equipment and Materials Storage Yards; Moving and Storage Facilities; Warehouse; Wholesale Distribution						
<i>Industrial</i>						
Heavy Manufacturing; Light Manufacturing; Marine Industry; Trucking and Transportation Terminals; Mining and Extractive Industries						
Research and Development					50	
	Compatible	Indoor Uses	Standard construction methods should attenuate exterior noise to an acceptable indoor noise level. Refer to Section I.			
		Outdoor Uses	Activities associated with the land use may be carried out.			
	Conditionally Compatible	Indoor Uses	Building structure must attenuate exterior noise to the indoor noise level indicated by the number for occupied areas. Refer to Section I.			
		Outdoor Uses	Feasible noise mitigation techniques should be analyzed and incorporated to make the outdoor activities acceptable. Refer to Section I.			

**Table 5.1-1.  
City of San Diego Land Use – Noise Compatibility Guidelines**

Land Use Category			Exterior Noise Exposure (dBA CNEL)				
			60	65	70	75	
Incompatible	Indoor Uses	New construction should not be undertaken.					
	Outdoor Uses	Severe noise interference makes outdoor activities unacceptable.					

**Source:** City of San Diego 2015d.

**Historic Preservation Element (City of San Diego 2008d):** The purpose of this element is to guide the preservation, protection, restoration, and rehabilitation of historical and cultural resources and maintain a sense of the City. It also aims to improve the quality of the built environment, encourage appreciation for the City's history and culture, maintain the character and identity of communities, and contribute to the City's economic vitality through historic preservation.

***Rancho Peñasquitos Community Plan***

The Rancho Peñasquitos Community Plan (Community Plan) identifies the issues and goals of the community with respect to land use, public facilities, urban design and environmental constraints. Issues have been identified based on an examination of existing conditions and as the result of meetings and workshops with residents of Rancho Peñasquitos. The following are the Community Plan overall goals (City of San Diego 2011):

- Ensure that needed public facilities are provided at the time of need.
- Provide a diversity of housing opportunities for a variety of household types, lifestyles and income levels, while maximizing the health, safety and welfare of the community.
- Provide attractive commercial development to serve the community's day-to-day shopping, service and recreational requirements.
- Provide public parks and recreation facilities as needed, while preserving and maintaining landscaped and natural open space areas.
- Construct and maintain an adequate system for vehicular, bicycle and pedestrian circulation within the community, while providing adequate access to the larger San Diego region.
- Ensure a pleasant and healthful physical and social environment for Rancho Peñasquitos residents by balancing development with the preservation of the community's natural resources and amenities.
- Provide and maintain a high level of public facilities and services concurrent with community growth and tailored to community needs.

The overall land use plan encompasses parcels designated for residential, commercial, industrial, and open space. The project site is currently designated as Open Space, while the off-site area is designated as Major Utility Facility, as identified within the Community Plan Land Use Map (City of San

Diego 2011) (Figure 2-5, Existing Community Plan Land Use Designation). Given these designations, the open space and housing policies are particularly pertinent and discussed further below.

### **Community Plan: Open Space Policies**

The Rancho Peñasquitos Community contains a unique system of canyons, hillsides and ridges which are an important part of the community character. The primary goal of the Open Space Element within the Community Plan is to conserve, enhance and restore all open space and sensitive resource areas. Open space policies aim to use open space as a buffer, ensure the interface between developments remain non-intrusive, protect hillside resources, and preserve open space systems.

### **Community Plan: Housing Policies**

The primary goal of the Residential Element is to provide housing opportunities for a variety of household types, lifestyle, and income levels. Housing policies also hope to maintain open space, preserving hillside character, support low- and moderate- income level housing, and develop with site characteristics and resources in mind.

### ***City of San Diego Municipal Code***

#### **Land Development Code Regulations**

##### ***Base Zones***

Chapter 13, Zones, of San Diego Municipal Code, establishes base zones and overlay zones for the land within the City. The establishment of base zones helps ensure that land uses within the City are properly located. Base zones are intended to regulate uses; minimize adverse impacts of these uses; regulated density and intensity; building size; and address the relationships between land and buildings (City of San Diego 2020b). The project site is zoned as Residential-Multiple Unit (RM-2-5) and Residential Single Unit (RS-1-14) (see Section 3.3.9, Discretionary Actions).

##### ***Overlay Zones***

The establishment of overlay zones is supplemental to the regulations established for base zones. Overlay zones are tailored to specific geographic areas of the city and address specific issues not addressed in base zones (City of San Diego 2020b). This project site is within the Airport Compatibility Overlay Zone (ALUOZ) (see Section 3.3.9).

##### ***Environmentally Sensitive Lands***

The project site contains Environmentally Sensitive Land due to biologically sensitive resources and steep hillsides. Regulations for land use plans that are proposed for sites that contains ESL are regulated by the City's Environmentally Sensitive Lands Regulations contained in San Diego Municipal Code Section 143.0115 (Procedures and Regulations for Project- Specific Land Use Plans). The City's Environmentally Sensitive Lands Regulations are intended to protect environmentally

sensitive lands and ensure that development in these areas is done in a way that preserves the resources and natural character of the land.

### ***City of San Diego Multiple Species Conservation Program Subarea Plan***

The San Diego Multiple Species Conservation Program (MSCP) is a long-term regional conservation plan established to protect sensitive species and habitats in San Diego County. The regional MSCP is divided into subarea plans that are implemented separately from one another (City of San Diego 1997). The entire project site is within the City of San Diego Subarea Plan. This subarea encompasses 206,124 acres and is generally characterized by urban land use. Within the City's MSCP Subarea, a largely contiguous, habitat baseline area or Multi-Habitat Planning Area (MHPA) of approximately 60,000 acres was identified. At the end of the 50-year permit, the City's final MSCP preserve will consist of 90% or greater conserved lands from the City's MHPA. The MHPA "baseline/hard line" areas were developed by the City in cooperation with the wildlife agencies, property owners, developers, and environmental groups. The MHPA identifies biological core resource areas and corridors targeted for conservation, in which only limited development may occur (City of San Diego 1997). The project area is located outside of these habitat linkages and core areas. The nearest MHPA area is located across the I-15 freeway to the east, approximately 0.08 miles (440 feet) away.

### ***City of San Diego Climate Action Plan***

In December 2015, the City adopted a Climate Action Plan (CAP) that outlines the actions that the City will undertake to achieve its proportional share of state greenhouse gas (GHG) emission reductions. The CAP includes a variety of potential GHG reduction policies and measures selected to help meet the City's 2050 GHG reduction goals of 80% below the 2010 baseline and meet the City's 2035 interim target that was set based upon the trajectory for meeting the 2050 reductions. Successful implementation of the CAP will prepare for anticipated climate change impacts in the coming decades, help California achieve its reduction target by contributing the City's fair share of GHG reductions, and have a positive impact on the regional economy. The CAP includes a baseline inventory for 2010; emissions forecasts for 2020 and 2035; establishes reduction targets for 2020 and 2035; and identifies federal, state and local measures to reduce emissions that, when totaled, meet or exceed the 2020 and 2035 targets. The CAP also provides an implementation action and phasing for individual goals (City of San Diego 2015e). Each of the City's CAP strategies includes goals to identify ways to reduce GHG emissions.

The CAP includes the following five strategies developed to reduce Citywide GHG emissions and to achieve reduction targets for the years 2020 and 2035 (City of San Diego 2015e):

1. Energy- and water-efficient buildings
2. Clean and Renewable Energy
3. Bicycling, Walking, Transit and Land Use
4. Zero Waste (Gas and Waste Management)
5. Climate Resiliency

The CAP Consistency Checklist, adopted July 12, 2016, is the primary document used by the City to ensure project-by-project consistency with the underlying assumptions in the CAP and confirm that a project would not impact the City's ability to achieve its emission reduction targets identified in the CAP. The CAP checklist is used as the City's GHG threshold in conjunction with the City of San Diego CEQA Thresholds (City of San Diego 2020c).

### **MCAS Miramar Airport Land Use Compatibility Plan**

The Airport Authority, which serves as the state-designated Airport Land Use Commission for San Diego County, adopts ALUCPs. ALUCPs serve as a tool for the Airport Land Use Commission when conducting reviews of proposed land uses in areas surrounding airports. The plans also assist the City, as an affected local land use jurisdiction, in the preparation or amendment of land use plans and ordinances, including its General Plan.

Originally adopted in October 2008, the MCAS Miramar ALUCP provides for the orderly growth of the area surrounding the airport and safeguards welfare of the public within the vicinity of the airport. The project site is located within Review Area 2 of the Airport Influence Area and the MCAS Miramar Real Estate Disclosure Area, according to the MCAS Miramar ALUCP (San Diego Regional Airport Authority 2011). Review Area 2 consists of locations within the airspace protection and/or overflight notification area. Limits on the heights of structures, particularly in areas of high terrain, are the only restrictions on land use within Review Area 2.

## 5.1.3 Impacts Analysis

### 5.1.3.1 Issue 1: Community Plan Consistency

***Issue 1: Would the project result in a conflict with the environmental goals, objectives, and recommendations of the community plan in which it is located?***

#### **Thresholds**

According to the City's Significance Determination Thresholds (City of San Diego 2020c), an inconsistency with a plan is not in of itself a significant impact; the inconsistency would have to relate to an environmental issue (i.e., cause a direct or indirect physical change in the environment) to be considered significant under CEQA. Land use impacts may be significant if a project would be:

- Inconsistent or conflict with an adopted land use designation or intensity and result in indirect or secondary environmental impacts;
- Inconsistent or conflict with the environmental goals and/or objectives of a community or general plan; or
- Substantially incompatible with an adopted plan.

#### **Impact**

As described previously, the project site is designated Park, Open Space, and Recreation in the General Plan, while the off-site area is designated as Roads/Freeway/Transportation. The parcels

within the project site are zoned as Residential-Multiple Unit (RM-2-5) and Residential Single Unit (RS-1-14) (see Section 3.3.9). In the Community Plan, the project site is currently designated as Open Space, while the off-site area is designated as Major Utility Facility (City of San Diego 2011) (Figure 2-4). The project is concurrently processing General Plan Amendment and Community Plan Amendment (CPA), as well as a Rezone, which would increase the intensity of use and allow for the proposed residential development on site. The project includes a Rezone to change Lot 1 to RM-1-1 and Lot 2 to OC-1-1.

Impacts associated with the increase in use intensity on the site are analyzed and addressed throughout this EIR; refer to Section 5.2, Transportation; Section 5.3, Air Quality and Odor; Section 5.7, Greenhouse Gas Emissions; Section 5.10, Noise; Section 5.13, Public Services; Section 5.2; Section 5.16, Visual Effects/Neighborhood Character; and Chapter 6, Cumulative Impacts. The land use consistency analysis takes several factors into consideration such as whether or not the project implements a principle, goal, or policy or directly conflicts with the implementation of a principle, goal, or policy Included in a planning document.

### **General Plan**

The project would be consistent with the General Plan's Land Use and Community Planning Element, as the project would proposing a General Plan Amendment (GPA) and CPA that would help to implement General Plan policies and CPA policies related to increasing the housing stock and providing housing available to a variety of income-levels.

The project would be consistent with the General Plan's Mobility Element goals and policies, as the project would directly improve the walkability of the project site and surroundings as a pedestrian and bicycle path network would be provided within the site that would connect the proposed residential uses to internal private amenities as well as the public Paseo Montril sidewalk. Additionally, the project would provide one bike per unit, Commute Trip Reduction Program, bike parking, bike storage, and transit passes would be provided to residents as mitigation (**MM-TRA-1 to MM-TRA-5**).

The project would be consistent with the General Plan's Urban Design Element goals and policies. The project design is detailed in the project's Design Guidelines, Implementation of the Design Guidelines would result in a project that is architecturally and visually similar to the existing surrounding neighborhood. The project also plans on maintaining the open space characteristics of the area by preserving the majority of the site as open space via a Covenant of Easement. Sustainability design features to align with urban design policies include but are not limited to, developing a site within an urbanized area to reduce sprawl, clustering buildings to reduce the project footprint, infrastructure for future electrical vehicle charging stations, photovoltaic solar panels, energy efficient appliances, and use of drought tolerant landscaping and native species. Overall, the proposed development of the site would be consistent with the General Plan's Urban Design Element goals and policies.

The project would be consistent with the General Plan's Public Facilities, Services, and Safety Element goals and policies, as well as Recreation Element goals and policies. As discussed in Section 5.13 Public Services, implementation of the project would increase the demand for public services and facilities including police and fire protection services, parks and recreation facilities, schools, and

libraries. However, the project would be adequately served by existing fire and police protection services and there would be no need to expand or build new police or fire facilities as a result of the project. Additionally, development impact fees would also be paid to the Poway Unified School District and there would be no need to expand or build new school facilities as a result of the project. With regard to parks and recreation facilities, the project would increase demand for recreational areas or uses in the community. The project would not substantially increase demand on public facilities and would pay all relevant fees towards these services. Additionally, this EIR has analyzed potential safety hazards associated with the project and would implement all relevant codes and mitigation measures to reduce safety impacts to a level below significance (see Sections 5.6, Geologic Conditions; 5.8, Health and Safety). This EIR has analyzed its utility and water infrastructure potential impacts and also have determined those to have a less than significant impact (see Sections 5.9, Hydrology; 5.14, Public Utilities; 5.17, Water Quality).

The project would be consistent with the General Plan's Conservation Element, as the project would include sustainability design features and mitigation measures to help reduce the project's carbon footprint and preserve biological resources (**MM-BIO-1**, which requires recording a Covenant of Easement on Lot 2 for preservation and protection of Diegan coastal sage scrub; , **MM-GHG-1** to **MM-GHG-4**, and **MM-TRA-1** to **MM-TRA-5**).

The project would be consistent with the General Plan's Noise Element. The project has analyzed potential noise impacts in the Noise Technical Report (Appendix H) and EIR Section 5.10 to determine if the project would result in any substantial impacts. With mitigation **MM-NOI-1**, which requires on-site noise control and sound abatement, and **MM-NOI-2**, which requires implementation of a blasting vibration and noise plan, the project would provide compliance with the construction noise and vibration limits at surrounding sensitive receivers. The project would also comply with applicable existing local and state noise regulations which are found in the City of San Diego Municipal Code Chapter 5, Article 9.5, Caltrans Transport Construction Vibration Guidance Manual, and Title 24 of the California Code of Regulations.

The project would be consistent with the General Plan's Historic Preservation Element. This EIR has analyzed potential cultural and historic impacts through its Cultural Resources Technical Report (Appendix N) and Chapter 7, Effects not Found to be Significant, and impacts would be less than significant.

### ***General Plan 2021-2029 Housing Element***

The City's General Plan housing element contains policies that focus on ensuring the provision of sufficient housing for all income groups to accommodate San Diego's anticipated share of regional growth over the next Housing Element cycle from 2021 to 2029. The project would comply with policies that require housing accessibility to lower income residents (Policy HE-I.2) by providing 10% affordable housing units. The City's policy states new housing is to foster a sense of community through development regulations that address building orientation and architectural design features that promote interaction and active lifestyles / commutes. The project would be consistent with this policy of fostering a sense of community by maintaining an architectural style consistent with the surrounding area (Spanish Mission and Old West Ranch style). In addition, the project recreational amenities such as a dog part, bar-b-que area, and various outdoor amenity spaces, would be open to the public and promote interaction and active lifestyles (Policy HE-M.2).

The City's General Plan housing element also incorporates sustainability policies that align housing policies with climate adaptation policies. The project would provide transit pass subsidies for tenants via the HOA, and a pedestrian and bicycle path network would be provided within the site that would connect the proposed residential uses to internal private amenities as well as the public Paseo Montril sidewalk, via **MM-TRA-1 to MM-TRA-5** in accordance with Policy HE-O.2 (Objective P).

However, Goal 5 – Objective O of the Housing Element states that housing policies should align with state and local GHG emissions reduction and climate adaptation strategies. As discussed in Section 5.7, while these measures are expected to reduce GHG emissions, the GHG emission reductions are not quantified, because the GHG reductions from these mitigation measures can't be substantiated within an acceptable level of accuracy (CAPCOA 2009). Per the City of San Diego's Climate Action Plan (CAP), a project that was not accounted for in the CAP could have a significant impact with regards to GHG emissions. As the site is designated as open space and undeveloped, the CAP assumed the site would generate no emissions. To meet the assumptions in the CAP, the project would have to obtain net zero or negative GHG emissions. While the proposed mitigation measures (**MM-GHG-1 to MM-GHG-4** and **MM-TRA-1 to MM-TRA-5**) would reduce GHG emissions, the associated reduction cannot be shown to result in net zero emissions. Thus, it cannot be demonstrated that the project would achieve emissions consistent with the CAP. As such, the project would not be consistent with the City's Climate Action Plan (CAP) and the project would not be consistent with this goal. The project would be inconsistent with the General Plan's Housing Element and land use impacts would be considered **significant (Impact LND-1)** considering the resulting significant secondary GHG emission impact.

### ***Climate Action Plan***

The CAP includes a CAP Consistency Checklist to provide a streamlined review process for the GHG emissions analysis of proposed new development projects that are subject to discretionary review and trigger environmental review pursuant to CEQA. The CAP Consistency Checklist contains measures that are required to be implemented on a project-by-project basis to ensure that the specified emissions targets identified in the CAP are achieved. Implementation of these measures would ensure that new development is consistent with the CAP's assumptions for relevant CAP strategies toward achieving the identified GHG emissions reduction targets. Projects that are consistent with the CAP as determined through the use of this checklist may rely on the CAP for the cumulative impacts analysis of GHG emissions. Projects that are not consistent with the CAP must prepare a comprehensive project-specific analysis of GHG emissions, including quantification of existing and projected GHG emissions and incorporation of the measures in this checklist to the extent feasible.

As detailed in Section 5.7, Greenhouse Gas Emissions, although various mitigation measures would reduce GHG emissions, the project would not be consistent with the City's Climate Action Plan (CAP). The CAP utilizes the San Diego Association of Governments (SANDAG) growth assumptions to determine the expected City build out GHG emissions. The existing site is designated as open space, and the SANDAG Series 12 growth planning model assumes no development of the project site (Cortes, pers comm. 2020). Thus, the CAP assumes no emissions would be generated by the site. To meet the assumptions in the CAP, the project would have to obtain net zero or negative GHG emissions. While the proposed mitigation measures would reduce GHG emissions, the associated

reduction has not been shown to achieve net zero emissions (see Section 5.7). The project would not be consistent with the City's CAP. Due to the inconsistencies with the CAP, as detailed in Section 5.7, the project would result in a significant impact (**Impact LND-1**).

### ***Rancho Peñasquitos Community Plan (Community Plan)***

The Rancho Peñasquitos Community Plan (Community Plan) open space policies include provisions to conserve open space areas. Additionally, the Community Plan housing policies indicate that residential development should use creative and flexible site planning to maximize the preservation of open space and hillside areas, and the density of new residential development should be based on the capacity of the land for development consistent with the objective of preserving the character of the hillside and canyon areas. Although Lot 1 would be amended from Open Space to Low-Medium Density Residential in the Community Plan, Lot 2 would remain designated as Open Space. As discussed in Chapter 3, Project Description, the 15.2-acre project site would consist of 11.6-acres of on-site open space with a covenant of easement (COE) (see Figure 3-5, Grading Plan). The CPA would allow for development to occur on the project site, which would fulfill the Community Plan's Residential Element goal of providing housing opportunities for varying income levels. The CPA re-designation to Low-Medium Density Residential would be compatible with the surrounding residential land uses. However, as the project site is located in the Views neighborhood as designated in the Community Plan, the Community Plan recommends that large open space areas should be preserved to provide a buffer between the Interstate 15 (I-15) and the residential areas. The project takes into consideration this Community Plan policy as a large majority of the project site would designate a majority of its land (11.6-acres) as Open Space within the covenant of easement (COE), which would be provided to the City pursuant to the City's Environmentally Sensitive Lands Municipal Code requirements, and would be maintained by the City in perpetuity pursuant to the City's Multiple Species Conservation Program Implementing Agreement (Section 3.3.4, Covenant of Easement). The residential land use designations would allow for residential development that would fulfill Residential Element goals in the Community Plan. The project, however, would conflict with the Community Plan's intention to preserve the hillsides adjacent to I-15 to provide a visual buffer. As detailed Section 5.16, the removal of approximately 4.90 acres of visual buffer would not result in any significant impacts regarding visual effects and neighborhood character. While it was the intent of the Community Plan to preserve the hillsides adjacent to the I-15 to provide a visual buffer and the project proposes to alter approximately 5 acres within that area, the change would not result in a significant environmental impact.

The project would be consistent with the Community Plan's Community Appearance and Design Element, as all project designs and safety measures from the project would be implemented in a way that would satisfy all goals and relevant Community Appearance and Design Element policies (see Table 5.1-5).

The project would be consistent with the Community Plan's Transportation Element as the project would include provisions to improve pedestrian infrastructure, include bike parking across the project site, and provide transit passes to encourage use of public transport (see Table 5.1-5).

The project would be consistent with the Community Plan's Park and Recreation Element, as the project would provide adequate open space areas and would pay all applicable fees (see Section

5.13). Additionally, consistency with the Community Plan's Public Facilities and Services Element is provided as the project would not substantially increase demands for fire, police, school, and library services (see Section 5.13).

In conclusion, impacts regarding consistency with the Community Plan would be **less than significant impact**.

### Significance of Impact

Impacts associated with the increase in use intensity are discussed throughout this EIR in the sections identified above. As shown in Table 5.1-5, the project would not conflict the environmental principles, goals, and policies contained within the Community Plan.

However, as discussed above, and as shown in Tables 5.1-4, the project would conflict with some of the environmental principles, goals, and policies contained within the General Plan, specially policies in the Housing Element that require consistency with the City's Climate Action Plan (CAP) (**Impact LND-1**). As detailed in Section 5.7, although mitigation measures **MM-GHG-1** through **MM-GHG-4** and **MM-TRA-1** to **MM-TRA-5** would be implemented to reduce project emissions, they would not reduce the impact to below a level of significance. Therefore, impacts would be considered **significant and unavoidable**.

### Mitigation

As detailed in Section 5.2, Transportation, the project would implement **MM-TRA-1** (implementation of pedestrian improvements), **MM-TRA-2** (implementation of 10 bike parking spaces), **MM-TRA-3** (implementation of a transit subsidy program), **MM-TRA-4** (implementation of a commute trip reduction program), and **MM-TRA-5** (provide one bicycle per unit to the first buyer of each unit). As detailed in Section 5.7, Greenhouse Gas Emissions, the project would implement **MM-GHG-1** (implementation of cool roofs), **MM-GHG-2** (implementation of low flow plumbing fixtures), **MM-GHG-3** (implementation of electric vehicle charging stations), and **MM-GHG-4** (implementation of electric vehicle capable spaces),.

### Significance of Impact After Mitigation

Although **MM-TRA-1** through **MM-TRA-5** and **MM-GHG-1** through **MM-GHG-4** would help to reduce project emissions, the project cannot adequately prove that the project would be consistent with CAP goals. To meet the assumptions in the CAP, the project would have to obtain net zero or negative GHG emissions. While the proposed mitigation measures would reduce GHG emissions, the associated reductions would not achieve net zero. Thus, it cannot be demonstrated that the project would achieve net zero emissions consistent with the CAP. The proposed project land use impact would be **significant and unavoidable (Impact LND-1)** after mitigation.

### 5.1.3.2 Issue 2: Deviation or Variance

**Issue 2: *Would the project require a deviation or variance, and the deviation or variance would in turn result in a physical impact on the environment?***

#### **Threshold**

According to the City's Significance Determination Thresholds (City of San Diego 2020c), land use impacts may be significant if a project would result in:

- Conflict with an adopted land use designation or intensity and indirect or secondary environmental impacts could occur.

#### **Impact**

As described in Chapter 3, the project would request deviations, including:

- A 10-foot side yard setback (LDC allows 8-feet or 10% of lot width).
- An 11-foot front setback (LDC allows a 15-foot minimum).
- 19-foot standard front setback (LDC requires a minimum 20 feet).
- 40-foot structure height (LDC allows a 30-foot maximum).
- Retaining wall heights (LDC allows 12 feet and 26 feet proposed)
- Steep slope encroachment (LDC allows 25% and 27.3% proposed)

As described in Section 2.2.1, Surrounding Environment, the surrounding development consists of residential (single-family) to the north, and commercial development along Rancho Peñasquitos Boulevard. Multi-family homes exist to the north of the project site, along the southbound lane of Rancho Peñasquitos Boulevard, including the Rancho Villas, Eaves Ranch Peñasquitos, and Peñasquitos Point complexes. Additional multi-family homes exist along the portion of Paseo Montril to the west of Rancho Peñasquitos Boulevard.

Assuming that the majority of existing residential structures are built within the allowable heights of the underlying base zones, maximum residential building heights would range from 37 to 48 feet. In the instances where maximum building height is greater than 40 feet, it is likely that differences in grade and topography would not result in a substantial visible difference between existing and proposed development. Similarly, variations in lot area, setback, width, depth, and frontage would not result in development that is substantially visibly different from the surrounding community. As detailed in Section 5.16, Visual Effects and Neighborhood Character the project with these deviations would result in less than significant aesthetic impacts. As deviations requested would not affect any other environmental issue or sensitive resource, it would not result in a physical impact on the environment. While allowable deviations are requested, they would not result in a conflict or a secondary physical environmental impact.

### Significance of Impact

Deviations requested would not affect any other environmental issue or sensitive resource, it would not result in a physical impact on the environment. Impacts would be **less than significant**.

### Mitigation

No mitigation would be required.

### 5.1.3.3 Issue 3: Conflicts with City's MSCP Subarea Plan

***Issue 3: Would the project result in a conflict with the provisions of the City's MSCP Subarea Plan or other approved local, regional, or state habitat conservation plan?***

### Threshold

According to the City's Significance Determination Thresholds, impacts may be significant if a project would be:

- inconsistent and/or conflict with adopted environmental plans for an area.

### Impact

The project site lies within the "Urban Area" of the City's Multiple Specific Conservation Program (MSCP) Subarea Plan. The MSCP Subarea Plan provides guidelines for compatible uses within the MHPA, general planning policies, design guidelines, and general management directives regarding issues such as mitigation, restoration, public access, trails and recreation, litter/trash storage, adjacency management issues, exotics control, and flood control. The proposed project site does not occur within or adjacent to an MHPA. The nearest MHPA occurs approximately 0.08 miles (440 feet) from the proposed project site. As detailed in Section 5.4, Biological Resources, the project development would also comply with the species Area Specific Management Directives (ASMD) of the MSCP. Overall, the project is consistent with the City's MSCP.

### Significance of Impact

The proposed project would not conflict with the City's MSCP or an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan, or any local policies or ordinances. Therefore, impacts would be **less than significant**.

### Mitigation

No mitigation would be required.

### 5.1.3.4 Issue 4: Physically Divide an Established Community

***Issue 4: Would the project physically divide an established community?***

**Threshold**

According to the City's Significance Determination Thresholds (City of San Diego 2020c), land use impacts may be significant if a project would:

- Physically divide an established community.

**Impact**

Currently, the project site is undeveloped land on a hillside between an existing residential community and the I-15. The project would not construct structures that have the potential to physically divide an established community, as the structures would be located on a site that does not serve to connect two areas. The site is located adjacent to the I-15, which already sets a physical boundary to the east. The site is also currently privately owned and public access through the site is not provided. Overall, development of the project site would not physically divide an established community.

**Significance of Impact**

The project would not divide an established community; therefore, impacts would not occur.

**Mitigation**

No mitigation would be required.

### 5.1.3.5 Issue 5: Airport Land Use Compatibility Plans

***Issue 5: Would the project result in land uses which are not compatible with an adopted Airport Land Use Compatibility Plan (ALUCP)?***

**Thresholds**

According to the City's Significance Determination Thresholds (City of San Diego 2020c), land use impacts may be significant if a project would:

- Include incompatible uses as defined in an airport land use plan or inconsistency with an airport's land use compatibility plan as adopted by the Airport Land Use Commission to the extent that the inconsistency is based on valid data.
- If the project is proposed within the Airport Environs Overlay Zone (AEOZ) as defined in Chapter 13, Article 2, Division 3 of the San Diego Municipal Code, the potential exterior noise impacts from aircraft noise would not constitute a significant environmental impact.

### Impact

The project site is located approximately 6-miles northeast of MCAS Miramar’s airport. The project site is located within the Airport Influence Area for MCAS-Miramar – Review Area 2, which consists of locations that are within the airspace protection and/or overflight areas as depicted in the MCAS Miramar ALUCP (San Diego Regional Airport Authority 2011). Limits on the heights of structures, particularly in areas of high terrain, are the only restrictions on land use within Review Area 2. The project site is located outside of Review Area 1 which encompasses noise and safety zones.

Projects located in Review Area 2 requiring review include projects that create objects in a High Terrain Zone, projects that create electrical or visual hazards to airplanes in flight, and projects that have the potential to cause an increase in bird or wildlife activity. The project site is not located within a High Terrain Zone (San Diego Regional Airport Authority 2011). Moreover, the project does not propose uses that would create electrical hazards to aircraft, and it does not propose the use of neon lights that could be mistaken for airport lighting or interfere with night vision goggles used by military pilots. The project also would not include large water features or proposes uses that would attract wildlife such as birds that would interfere with aircraft operations. The project would provide a Real Estate Disclosure, as required by state law, as a condition of sale or lease of property within the airport influence area.

Overall, the project would not result in land uses that are incompatible with the MCAS Miramar ALUCP and less-than-significant impacts would occur.

### Significance of Impact

The project would not result in land uses that are incompatible with the MCAS Miramar ALUCP and impacts would be **less than significant**.

### Mitigation

No mitigation would be required.

### 5.1.3.6 Issue 6: Noise Compatibility

***Issue 6: Would the project result in the exposure of people due to current or future noise levels, which exceed standards established in the Noise Element of the General Plan?***

#### Thresholds

A significant land use impact would occur if a project would expose new development to noise levels at exterior use areas or interior areas in excess of the noise compatibility guidelines established in the City General Plan Noise Element (shown in Table 5.1-1). As shown in Table 5.1-1, the conditionally compatible exterior noise level for the project land uses is:

- 70 dBA CNEL to be conditionally compatible for multi-family residential, provided that interior noise levels of 45 dBA CNEL can be maintained.

## Impact

The analysis contained herein is provided for General Plan consistency analysis purposes. The Federal Highway Administration (FHWA) traffic noise model (TNM) software was used to predict the buildout plus project scenario traffic noise levels at multiple on-site exterior areas, as listed in Table 5.1-2 and detailed in Appendix H. Modeled receptor locations, which appear in Figure 5.10-2, Noise Modeled Receptor Locations, include representative positions for the exteriors of multiple floors of the eastern facades. Predicted exterior sound levels presented in Table 5.1-2 that are higher than 65 dBA CNEL indicate locations where an exterior-to-interior noise analysis should be performed for the proximate occupied residential unit.

Although not generally considered compatible, the City conditionally allows multiple unit and mixed-use residential uses up to 75 dBA CNEL in areas affected primarily by motor vehicle traffic noise. Any future residential use above the 70 dBA CNEL must include noise attenuation measures to ensure an interior noise level of 45 dBA CNEL (City of San Diego 2015).

**Table 5.1-2.  
On-Site Exterior Roadway Traffic Noise Modeling Results**

Location	Modeled Receiver	Description	Predicted Traffic Noise Exposure at Modeled Receiver (dBA CNEL)
Building 1	M1-1	1st floor	70
	M1-2	2nd floor/Balcony	75
	M1-3	3rd floor	75
	M2-1	1st floor	67
	M2-2	2nd floor/Balcony	74
	M2-3	3rd floor	75
	M3-1	1st floor	65
	M3-2	2nd floor/Balcony	73
	M3-3	3rd floor	75
Building 2	M4-1	1st floor	64
	M4-2	2nd floor/Balcony	73
	M4-3	3rd floor	75
	M5-1	1st floor	63
	M5-2	2nd floor/Balcony	73
	M5-3	3rd floor	74

**Table 5.1-2.  
On-Site Exterior Roadway Traffic Noise Modeling Results**

Location	Modeled	Description	Predicted Traffic Noise Exposure
Building 3	M6-1	1st floor	62
	M6-2	2nd floor	71
	M6-3	3rd floor	72
Dog Run	DR-1	n/a	54
Central Community Barbeque and Picnic Area	OS-1	n/a	49
South of Building 1 – Seating Area	OS-2	n/a	71
North of Building 2 – Seating Area	OS-3	n/a	57

**Source:** Appendix H.

**Notes:** dBA = A-weighted decibel; CNEL = Community Noise Equivalent Level.

As indicated in Table 5.1-2, future traffic noise levels would exceed the 70 dBA CNEL exterior noise exposure threshold of the City's Noise Compatibility Guidelines. With the 45 dBA CNEL interior background sound level limit, this means the minimum composite sound transmission class (STC) rating for the exterior shell separating the habitable interior space from the outdoor sound level would be a minimum 30 ( $75 \text{ dBA} - 45 \text{ dBA} = 30$ ). The composite STC rating for the portion of a building shell that separates an interior space from the outdoors is calculated from the area-dependent contributions of its elements: windows, wall assemblies, and doors.

Windows are typically the weakest sound isolation element of residential buildings. Based on Title 24 (Title 24, Part 6 of the California Code of Regulations) requirements, this analysis presumed such dual-paned vinyl windows would be used for the project.

Some of the proposed project residential units feature patios or balconies, for which access is provided by single-panel, out-swing fiberglass French doors with hinges. An open window or open door to an adjoining patio or balcony greatly compromises the sound insulation performance of the façade wall assembly, as presented for the sample units appearing in Table 5.1-3. However, when such windows and doors are closed, all facades are anticipated to exhibit a predicted STC rating of at least 34, and thus would provide sufficient exterior-to-interior sound insulation from outdoor traffic noise to yield interior background sound levels that are less than 45 dBA CNEL and thus compliant with the City's General Plan Noise Element and state standards for interior levels. None of the predicted exterior traffic noise levels at the studied receptor locations exceeded 75 dBA CNEL; thus, the STC rating value (for closed windows and doors) subtracted from these exterior noise values results in interior noise levels of less than 45 dBA CNEL (e.g.,  $75 - 34 = 41 \text{ dBA CNEL}$ , which is less than 45). Thus, the General Plan Noise Element, of 45 dB CNEL within habitable rooms would not be exceeded.

**Table 5.1-3.  
Predicted Net Sound Transmission Class of Occupied Room Façade**

Unit	Occupied Room Façade	Predicted Net Sound Transmission Class (STC) for Scenario		
		<i>Closed Window(s) and Door(s)</i>	<i>Open Window</i>	<i>Open Door</i>
Building 1	M1-1	n/a	n/a	n/a
	M1-2	34	11	5
	M1-3	37	14	n/a
	M2-1	n/a	n/a	n/a
	M2-2	34	11	5
	M2-3	37	14	n/a
	M3-1	n/a	n/a	n/a
	M3-2	34	11	5
	M3-3	37	14	n/a
Building 2	M4-1	n/a	n/a	n/a
	M4-2	34	11	5
	M4-3	37	14	n/a
	M5-1	n/a	n/a	n/a
	M5-2	34	11	5
	M5-3	37	14	n/a
Building 3	M6-1	n/a	n/a	n/a
	M6-2	34	11	5
	M6-3	37	14	n/a

**Notes:** n/a = not applicable

Overall, the project would place multi-family residential uses within an area where exterior traffic noise levels exceed the 70 db CNEL limit set in the City's Noise Compatibility Guidelines. The project includes a condition of approval to require exterior usable areas, such as the balconies, achieve the 70 db CNEL noise compatibility level identified in the Noise Element. The project would include a condition of approval in accordance with CCR Title 24 requirements and the General Plan Noise Element that requires interior noise levels of the proposed residences to be attenuated to 45 decibels. As such, the project would be in compliance with the City's Noise Element compatibility guidelines.

### Significance

The proposed project would place multi-family residential uses with exterior usable areas within an area where exterior traffic noise levels exceed the 70 db CNEL limit set in the City's Noise Element compatibility guidelines. However, a preliminary analysis demonstrates that the exterior-to-interior noise levels would be attenuated through standard CCR Title 24 building construction to below the 45 db CNEL interior noise level threshold. While the project would result in a potential conflict with the City's Noise Compatibility standards due to exterior noise levels exceeding the City's guidelines, this conflict would not lead to a significant environmental impact. CEQA Section 15126.2 states "[a]n EIR shall identify and focus on the significant effects of the proposed project on the environment." The impact of traffic noise onto the future residents of the project does not constitute an impact of the project on the environment. The project would also be required to demonstrate compliance with the City's compatibility guidelines and CCR Title 24 interior noise level requirements as conditions of approval. Overall, noise compatibility impacts would be **less than significant**.

### Mitigation

Mitigation measures would not be required.

**Table 5.1-4.  
Project’s Consistency with City of San Diego’s General Plan**

Goal/Policy	Goal/Recommendation	Analysis	Project Consistency
<i>Land Use and Community Planning Element</i>			
<i>Policy LU-D.1</i>	Require a general plan and community plan amendment for proposals that involve: a change in community-plan-adopted land use or density/intensity range; a change in the adopted community plan development phasing schedule; or a change in plan policies, maps, or diagrams. (Note: state law mandates that General Plan and community plan amendments are not to be required for projects utilizing state mandated housing density bonuses.)	<p>The project would involve a change in the community plan adopted land use. Therefore, the project would require a General Plan Amendment (GPA) and a Community Plan Amendment (CPA) to the Rancho Peñasquitos Community Plan (Community Plan) to be processed concurrently. The GPA and CPA would be implemented upon approval of the project.</p> <p>As discussed in Section 3.3.9, Discretionary Actions, the GPA would change Lot 1 from Park, Open Space and Recreation to Residential. Lot 2 would remain as Park, Open Space and Recreation. The CPA would re-designate Lot 1 from Open Space to Low-Medium Density Residential. Lot 2 would remain as Open Space.</p> <p>The project would require a GPA and CPA due to the proposed change in community plan land use on the project site. Therefore, the project would be consistent with this policy.</p>	The project would be consistent with this policy.
<i>Policy LU-D.3</i>	Evaluate all plan amendment requests through the plan amendment initiation process and present the proposal to the planning commission or city council for consideration.	The land use plan amendments would be reviewed by the planning commission and city council pursuant to the requirements of the General Plan, Community Plan, and San Diego Municipal Code. Therefore, the project would be consistent with this policy.	The project would be consistent with this policy.

**Table 5.1-4.  
Project’s Consistency with City of San Diego’s General Plan**

<b>Goal/Policy</b>	<b>Goal/Recommendation</b>	<b>Analysis</b>	<b>Project Consistency</b>
<i>Policy LU-D.12</i>	Evaluate specific issues that were identified through the initiation process as well as any additional community-specific amendment evaluation factors.	<p>The Planning Commission initiated an Amendment to the Rancho Peñasquitos Community Plan for the project on May 10, 2018 (Report No PC-18-023). The following issues were identified in that initiation:</p> <p>Determine the appropriate land use designation and intensity for the site.</p> <p>Evaluate the accessibility of transit, including shuttle service to nearby transit centers.</p> <p>Analyze urban design issues within the site with regards to neighborhood interface and pedestrian access and circulation.</p> <p>Evaluate sensitive site design with respect to the surrounding natural environment.</p> <p>Ensure that residential development of the site provides housing for varying income levels.</p> <p>The City Long Range Planning Staff has evaluated the appropriate land use designation and zoning for the site; transit and pedestrian access was assessed and measures incorporated into the project as possible (see Section 5.2, Transportation), the natural environment was considered (see Section 5.4, Biological Resources), and the project proposes multi-family townhomes with 10% for low-income. Therefore, the project would be consistent with this policy.</p>	The project would be consistent with this policy.

**Table 5.1-4.  
Project’s Consistency with City of San Diego’s General Plan**

Goal/Policy	Goal/Recommendation	Analysis	Project Consistency
<i>Policy LU-D.13</i>	Address the standard plan amendment issues prior to the planning commission decision at a public hearing related to level and diversity of community support; appropriate size and boundary for the amendment site; provision of additional benefit to the community; implementation of major general plan and community plan goals, especially as related to the vision, values, and City of Villages strategy; and provision of public facilities.	<p>Refer to the analyses in <b>Land Use Policy LU-D.12</b>.</p> <p>The project’s proposed GPA and CPA were analyzed for consistency with the existing City General Plan and the existing Community Plan in Section 5.1, Land Use.</p> <p>The GPA and CPA would provide additional benefit to the community and would implement major General Plan and Community Plan goals by adding housing that would be available to all income levels (the project would designate 10% of its units as low-income housing) and would be adding to the housing stock as needed per the regional housing needs assessment (RHNA).</p> <p>The project would have less than significant impacts to public facilities, as detailed in Section 5.13, Public Services and Facilities.</p> <p>Additionally, the project would have less than significant impacts regarding visual effects and neighborhood character, as detailed in Section 5.16, Visual Effects and Neighborhood Character.</p>	The project would be consistent with this policy.
<i>Policy LU-H.1</i>	<p>Promote development of balanced communities that take into account community-wide involvement, participation, and needs.</p> <p>a. Plan village development with the involvement of a broad range of neighborhood, business, and recognized community planning groups and consideration of the needs of individual</p>	<p>a) Located within the Rancho Peñasquitos Community, Paseo Montril (project) is a 55-unit low-medium density residential project proposed on 4.9-acres of an approximately 15.20-acre site.</p> <p>The City General Plan Housing Element identifies a need for housing (City of San Diego 2020a). The project would provide affordable housing (10% of the units will be</p>	The project would be consistent with this policy.

**Table 5.1-4.  
Project’s Consistency with City of San Diego’s General Plan**

Goal/Policy	Goal/Recommendation	Analysis	Project Consistency
	<p>neighborhoods, available resources, and willing partners.</p> <p>b. Invest strategically in public infrastructure and offer development incentives that are consistent with the neighborhood’s vision.</p> <p>c. Recognize the important role that schools play in neighborhood life and look for opportunities to form closer partnerships among local schools, residents, neighborhood groups, and the City with the goal of improving public education.</p> <p>d. Ensure that neighborhood development and redevelopment addresses the needs of older people, particularly those disadvantaged by age, disability, or poverty.</p> <p>e. Provide affordable housing opportunities within the community to help offset the displacement of the existing population.</p> <p>f. Provide a full range of senior housing from active adult to convalescent care in an environment conducive to the specific needs of the senior population.</p>	<p>designated as low-income housing units) within close proximity to schools, community recreational amenities, major transportation corridors, and existing infrastructure.</p> <p>The project is nearby to multimodal transit options including the State Route 56 (SR-56) bike path, park-and-ride lots, and the Sabre Springs/Peñasquitos Transit Station. The project would provide 10 bike parking spaces via bike racks throughout the site and bike storage hooks within each garage as mitigation. A bike would also be provided to each unit upon sale as mitigation. Transit pass subsidies for tenants via the HOA would also be provided as mitigation to promote the use of transit. A pedestrian and bicycle path network would be provided within the site that would connect the proposed residential uses to internal private amenities as well as the public Paseo Montril sidewalk. The project also includes a Commute Trip Reduction program as well. Refer to Section 5.2, Transportation, for additional details.</p> <p>The project features recreational amenities, green space and courtyards. Additionally, the project would designate 11.60-acres of the total 15.20-acre project site as open space.</p> <p>All of the proposed dwelling units would consist of one- to three-bedroom townhomes and would include private garages. Approximately 10 units would be 1 bedroom, 10 units would be 2 bedroom, and 35 units would be three</p>	

**Table 5.1-4.  
Project’s Consistency with City of San Diego’s General Plan**

Goal/Policy	Goal/Recommendation	Analysis	Project Consistency
		<p>bedrooms. Each unit would have a square footage ranging from 864 to 1,720 square feet, with a total of approximately 65,000 square feet of livable space. Lot 1 is 4.90 acres, and the project proposed 55 units, which makes the residential density 11.2 units per acre. 6 dwelling units shall be designated as affordable to meet the City of San Diego’s Inclusionary Affordable Housing Regulations, including two on site dwelling units and four dwelling units at on off-site location.</p> <p>As such, the project would ensure a diverse and balanced neighborhood, as well as equitable development, by providing housing that would provide affordable housing on a quality development site that contains homes of varying sizes and recreational activities. The project would be consistent with these goals.</p> <p>b) Policy LU-H.1.a, LU-H.1.c, and LU-H.1.f would not be applicable to the project. The project is not a village development, does not propose a school, and senior housing policies would be undertaken by community planning on a broader scale rather than single developments projects such as the project.</p> <p>The project would be consistent with these policies.</p>	

**Table 5.1-4.  
Project’s Consistency with City of San Diego’s General Plan**

<b>Goal/Policy</b>	<b>Goal/Recommendation</b>	<b>Analysis</b>	<b>Project Consistency</b>
<i>Policy LU-H.2</i>	Provide affordable housing throughout the City so that no single area experiences a disproportionate concentration.	Refer to the analysis in <i>Policy LU-H.1a</i>	The project would be consistent with this policy.
<i>Policy LU-H.3</i>	Provide a variety of housing types and sizes with varying levels of affordability in residential and village developments.	Refer to the analysis in <i>Policy LU-H.1a</i>	The project would be consistent with this policy.
<i>Policy LU-H.6</i>	Provide linkages among employment sites, housing, and villages via an integrated transit system and a well-defined pedestrian and bicycle network.	Refer to the analysis in <i>Policy LU-H.1a</i>	The project would be consistent with this policy.
<i>Mobility Element</i>			
<i>Policy ME-A.1</i>	Design and operate sidewalks, streets, and intersections to emphasize pedestrian safety and comfort through a variety of street design and traffic management solutions, including but not limited to those described in the Pedestrian Improvements Toolbox, Table ME-1.	<p>The project would directly improve the walkability of the project site and surroundings as a pedestrian and bicycle path network would be provided within the site that would connect the proposed residential uses to internal private amenities as well as the public Paseo Montril sidewalk. For crime prevention purposes, canopies of mature trees should be maintained at least 8 feet above the ground.</p> <p>The project would provide an open space amenity, recreation amenities, greenspace and courtyards. The site features multiple gathering areas of varying sizes for limited size gatherings or large community gatherings. A combination of open and covered areas with seating,</p>	The project would be consistent with this policy.

**Table 5.1-4.  
Project’s Consistency with City of San Diego’s General Plan**

Goal/Policy	Goal/Recommendation	Analysis	Project Consistency
		<p>BBQs, and open play areas, provide spaces for socializing or simply enjoyment of some of the varied views of the property. A dog run area is also provided to provide a safe, on-site environment for residents’ pets.</p> <p>Project signage would be installed at the project entrance, where Private Driveway A connects with the cul-de-sac of Paseo Montril. The monument sign at the northern site driveway would identify the project name (“Paseo Montril”). As indicated in the Design Guidelines, signage would be minimized, and the graphic design would be complementary to the neighborhood character.</p>	
<i>Policy ME-A.2</i>	<p>Design and implement safe pedestrian routes.</p> <ol style="list-style-type: none"> <li>a. Collaborate with appropriate community groups, and other interested private and public sector groups or individuals to design and implement safe pedestrian routes to schools, transit, and other highly frequented destinations. Implement needed improvements and programs such as wider and noncontiguous sidewalks, more visible pedestrian crossings, traffic enforcement, traffic calming, street and pedestrian lighting, pedestrian trails, and educating children on traffic and bicycle safety.</li> <li>b. Promote “Walking School Bus” efforts where parents or other responsible adults share the responsibility of escorting children to and from school by foot or bicycle.</li> </ol>	Refer to the analysis for <i>Policy ME-A.1</i>	The project would be consistent with this policy.

**Table 5.1-4.  
Project’s Consistency with City of San Diego’s General Plan**

Goal/Policy	Goal/Recommendation	Analysis	Project Consistency
	<ul style="list-style-type: none"> <li>c. When new schools are planned, work with school districts and affected communities to locate schools so that the number of students who can walk to school safely is maximized.</li> <li>d. Implement Crime Prevention Through Environmental Design (CPTED) measures to reduce the threat and incidence of crime in the pedestrian environment (see also Urban Design Element, Policy UD-A.17).</li> <li>e. Ensure that there are adequate law enforcement, code enforcement, and litter and graffiti control to maintain safe and attractive neighborhoods.</li> <li>f. Provide adequate levels of lighting for pedestrian safety and comfort.</li> </ul>		
<i>Policy ME-A.4</i>	<p>Make sidewalks and street crossings accessible to pedestrians of all abilities.</p> <ul style="list-style-type: none"> <li>a. Meet or exceed all federal and state requirements.</li> <li>b. Provide special attention to the needs of children, the elderly, and people with disabilities.</li> <li>c. Maintain pedestrian facilities to be free of damage or trip hazards.</li> </ul>	Refer to the analysis for <i>Policy ME-A.1</i> All proposed sidewalks and street crossings would be constructed in accordance with all federal, state, and local safety requirements.	The project would be consistent with this policy.
<i>Policy ME-A.5</i>	<p>Provide adequate sidewalk widths and clear path of travel as determined by street classification, adjoining land uses, and expected pedestrian usage.</p> <ul style="list-style-type: none"> <li>a. Minimize obstructions and barriers that inhibit</li> </ul>	Refer to the analysis for <i>Policy ME-A.1</i>	The project would be consistent with this policy.

**Table 5.1-4.  
Project’s Consistency with City of San Diego’s General Plan**

Goal/Policy	Goal/Recommendation	Analysis	Project Consistency
	<p>pedestrian circulation.</p> <p>b. Consider pedestrian impacts when designing the width and number of driveways within a street segment.</p>		
<i>Policy ME-A.6</i>	<p>Work toward achieving a complete, functional and interconnected pedestrian network.</p> <p>a. Ensure that pedestrian facilities such as sidewalks, trails, bridges, pedestrian oriented and street lighting, ramps, stairways and other facilities are implemented as needed to support pedestrian circulation. Additional examples of pedestrian facilities are provided in the Pedestrian Improvements Toolbox, Table ME-1.</p> <ol style="list-style-type: none"> <li>1 Close gaps in the sidewalk network.</li> <li>2. Provide convenient pedestrian connections between land uses, including shortcuts where possible.</li> <li>3. Design grading plans to provide convenient and accessible pedestrian connections from new development to adjacent uses and streets.</li> </ol> <p>b. Link sidewalks, pedestrian paths and multipurpose trails into a continuous region-wide network where possible.</p> <p>c. Provide and maintain trash and recycling receptacles, and restrooms available to the public</p>	Refer to the analysis for <i>Policy ME-A.1</i>	The project would be consistent with this policy.

**Table 5.1-4.  
Project’s Consistency with City of San Diego’s General Plan**

Goal/Policy	Goal/Recommendation	Analysis	Project Consistency
	<p>where needed.</p> <p>d. Address pedestrian needs as an integral component of community and public facilities financing plan updates and amendments, other planning studies and programs, and the development project review process.</p> <p>e. Routinely accommodate pedestrian facilities and amenities into private and public plans and projects.</p>		
<i>Policy ME-A.7</i>	<p>Improve walkability through the pedestrian-oriented design of public and private projects in areas where higher levels of pedestrian activity are present or desired.</p> <p>a. Enhance streets and other public rights-of-way with amenities such as street trees, benches, plazas, public art or other measures including, but not limited to those described in the Pedestrian Improvement Toolbox, Table ME-1 (see also Urban Design Element, Policy UD-A.10)</p> <p>b. Design site plans and structures with pedestrian-oriented features (see also Urban Design, Policies UD-A.6, UD-B.4, and UD-C.6).</p> <p>c. Encourage the use of non-contiguous sidewalk design where appropriate to help separate pedestrians from auto traffic. In some areas, contiguous sidewalks with trees planted in</p>	<p>Refer to the analysis for <i>Policy ME-A.1</i></p> <p>The Design Guidelines include landscaping and architectural requirements, which would enhance public spaces and create compatibility with surrounding communities.</p>	<p>The project would be consistent with this policy.</p>

**Table 5.1-4.  
Project’s Consistency with City of San Diego’s General Plan**

Goal/Policy	Goal/Recommendation	Analysis	Project Consistency
	<p>grates adjacent to the street may be a preferable design.</p> <p>d. Enhance alleys as secure pathways to provide additional pedestrian connections.</p> <p>e. Implement traffic-calming measures to improve walkability in accordance with Policy ME-C.5.</p> <p>f. When existing sidewalks are repaired or replaced, take care to retain sidewalk stamps and imprints that are indicators of the age of a particular neighborhood, or that contribute to the historic character of a neighborhood.</p>		
<i>Policy ME-E.1</i>	Support and implement TDM strategies including, but not limited to: alternative modes of transportation, alternative work schedules, and telework.	<p>Refer to the analysis for <i>Policy ME-A.1</i></p> <p>The project’s internal circulation system consists of a 26-foot-wide internal private driveway starting at the Paseo Montril driveway and wraps around the proposed buildings (Private Driveway A and Private Driveway B as shown on Figure 3-1, Site Plan). Private Driveway A and B would be constructed around the outer boundary of the project site, allowing for vehicular access to three internal private alleys, located between Buildings 1/2, 3/4, and 4/5. These 20-foot-wide alleys would allow for vehicular access to the private garage spaces for the dwelling units associated with these buildings. Surface parking would also be provided along the southeastern side of Driveway A and along the northwestern side of Driveway B.</p> <p>A pedestrian and bicycle path network would be provided</p>	The project would be consistent with this policy.

**Table 5.1-4.  
Project’s Consistency with City of San Diego’s General Plan**

Goal/Policy	Goal/Recommendation	Analysis	Project Consistency
		<p>within the site that would connect the proposed residential uses to internal private amenities as well as the public Paseo Montril sidewalk.</p> <p>A transportation demand management program (TDM) would not be applicable to the project, as detailed in Section 5.7, Greenhouse Gas Emissions. However, the project would provide a transit voucher to encourage transit ridership, and the project would include bike and pedestrian paths on the project site and connecting to existing bike and pedestrian paths in the surrounding area. The project mitigation will also include a Commute Trip Reduction Program and a bicycle to each unit. The project would provide 10 bicycle parking spaces in common areas and bike storage in the garage of each unit for mitigation, as detailed in Section 5.7, Greenhouse Gas Emissions. Therefore, the project would be consistent with this policy.</p>	
<i>Policy ME-E.3</i>	Emphasize the movement of people rather than vehicles.	<p>As discussed in Section 3.3.5, Parking and Access Improvements, a pedestrian and bicycle path network would be provided within the site that would connect the proposed residential uses to internal private amenities as well as the public Paseo Montril sidewalk. Additionally, improvements to existing sidewalks located along the south side of the roadway would be part of the project as well.</p> <p>The project would provide pedestrian paths for future residents of the project, therefore emphasizing and taking into consideration the movement of people. The project would be consistent with this policy.</p>	The project would be consistent with this policy.

**Table 5.1-4.  
Project’s Consistency with City of San Diego’s General Plan**

Goal/Policy	Goal/Recommendation	Analysis	Project Consistency
<i>Policy ME-E.6.</i>	Require new development to have site designs and on-site amenities that support alternative modes of transportation. Emphasize pedestrian and bicycle-friendly design, accessibility to transit, and provision of amenities, that are supportive and conducive to implementing TDM strategies such as car sharing vehicles and parking spaces, bike lockers, preferred rideshare parking, showers and lockers, on-site food service, and child care, where appropriate.	Refer to the analysis for <i>Policy ME-E.1.</i> Additionally, as discussed in Section 3.3.5, per the San Diego Municipal Code Section 142.0525, an overall 137 parking spaces would be required (2.49 spaces per unit). The project would exceed this parking requirement by providing 142 spaces, which consist of 95 private garage spaces and 47 open surface lot spaces. The surface parking spaces would include 5 accessible spaces, 6 motorcycle parking spaces, 6 electric vehicle (EV) charging spaces, and 6 EV capable spaces. As mitigation (see Section 5.7, Greenhouse Gas Emissions), the project would also provide 3 additional EV charging stations and EV capable spaces. The project mitigation will also include a Commute Trip Reduction Program and a bicycle to each unit. The project would have a bicycle-friendly design and other features that are conducive to TDM strategies, therefore the project would be consistent with this policy.	The project would be consistent with this policy.
<i>Policy ME-F.4</i>	Provide safe, convenient, and adequate short- and long-term bicycle parking facilities and other bicycle amenities for employment, retail, multifamily housing, schools and colleges, and transit facility uses.  a. Continue to require bicycle parking in commercial and multiple unit residential zones.  b. Provide bicycle facilities and amenities to help reduce the number of vehicle trips.	As discussed in Section 3.3.5, a pedestrian and bicycle path network would be provided within the site that would connect the proposed residential uses to internal private amenities as well as the public Paseo Montril sidewalk.  The proposed project would also include a number of features designed to reduce vehicle miles traveled, such as creating a pedestrian and bicycle path network that would provide internal connections throughout the project site	The project would be consistent with this policy.

**Table 5.1-4.  
Project’s Consistency with City of San Diego’s General Plan**

Goal/Policy	Goal/Recommendation	Analysis	Project Consistency
		<p>and connect residents to the neighborhoods and commercial developments surrounding the project.</p> <p>Additionally, the project would provide 10 bicycle parking spaces in common areas and provide bike storage in the garage of each unit. The project mitigation will also include a Commute Trip Reduction Program identifying safe bike routes and provide a bicycle to each unit. These features would encourage and facilitate safe and convenient bicycling, as well as contribute to the bike path network from the project site into the surrounding areas.</p> <p>The project would be consistent with this policy</p>	
<i>Policy ME-G.1</i>	Provide and manage parking so that it is reasonably available when and where it is needed.	<p>The project would provide adequate parking as required by San Diego Municipal Code Table 142-05C. Per the San Diego Municipal Code Section 142.0525, an overall 137 parking spaces would be required (2.49 spaces per unit). The project would exceed this parking requirement by providing 142 spaces, which consist of 95 private garage spaces and 47 open surface lot spaces. The surface parking spaces would include 5 accessible spaces, 6 motorcycle parking spaces, 6 electric vehicle (EV) charging spaces, and 6 EV capable spaces. As mitigation (see Section 5.7, Greenhouse Gas Emissions), the project would also provide 3 additional EV charging stations and EV capable spaces</p>	The project would be consistent with this policy.
<i>Policy ME-G.2.b</i>	Strive to reduce the amount of land devoted to parking through measures such as parking structures, shared parking, mixed-use developments,	Refer to the analysis for <i>Policy ME-G.1</i>	The project would be consistent with

**Table 5.1-4.  
Project’s Consistency with City of San Diego’s General Plan**

Goal/Policy	Goal/Recommendation	Analysis	Project Consistency
	and managed public parking, while still providing appropriate levels of parking.		this policy.
<i>Urban Design Element</i>			
<i>Policy UD-A.1</i>	<p>Preserve and protect natural landforms and features.</p> <ul style="list-style-type: none"> <li>a. Protect the integrity of community plan designated open spaces</li> <li>b. Continue to implement the Multiple Species Conservation Program (MSCP) to conserve San Diego’s natural environment and create a linked open space system. Preserve and enhance remaining naturally occurring features such as wetlands, riparian zones, canyons, and ridge lines.</li> </ul>	<p>The project site is located in the Views neighborhood as designated in the Community Plan, the Community Plan recommends that large open space areas should be preserved to provide a buffer between the Interstate 15 (I-15) and the residential areas.</p> <p>The project takes into consideration this Community Plan policy as a large majority of the project site would designate a majority of its land (11.6-acres) as Open Space within the covenant of easement (COE), which would be provided to the City pursuant to the City’s Environmentally Sensitive Lands Municipal Code requirements, and would be maintained by the City in perpetuity pursuant to the City’s Multiple Species Conservation Program Implementing Agreement (Section 3.3.4, Covenant of Easement). The residential land use designations would allow for residential development that would fulfill Residential Element goals in the Community Plan. Additionally, the project would not result in any significant impacts regarding visual effects and neighborhood character (see Section 5.16, Visual Effect/Neighborhood Character).</p> <p>Ultimately, the proposed project would require a General Plan Amendment (GPA) and a Community Plan Amendment (CPA) to the Rancho Peñasquitos Community</p>	The project would be consistent with this goal.

**Table 5.1-4.  
Project’s Consistency with City of San Diego’s General Plan**

Goal/Policy	Goal/Recommendation	Analysis	Project Consistency
		<p>Plan (Community Plan) to change Lot 1 from Park, Open Space and Recreation to Residential.</p> <p>As discussed in Section 5.4, Biological Resources, the impact footprint associated with the project would not occur within or adjacent to designated Multi-Habitat Planning Area (MHPA) lands intended for biological conservation. None-the-less, the project preserves 11.6 of the 15.2-acre site as open space, and would mitigate for sensitive habitat loss and potential impacts to nesting raptors in accordance with the City’s Biological Guidelines (City of San Diego 2018). Thus, the project would be implemented in accordance with the MSCP.</p>	
<i>Policy UD-A.3</i>	<p>Design development adjacent to natural features in a sensitive manner to highlight and complement the natural environment in areas designated for development.</p> <ul style="list-style-type: none"> <li>a. Integrate development on hillside parcels with the natural environment to preserve and enhance views, and protect areas of unique topography.</li> <li>b. Minimize grading to maintain the natural topography, while contouring any landform alterations to blend into the natural terrain.</li> <li>c. Utilize variable lot sizes, clustered housing, stepped-back facades, split-level units or other alternatives to slab foundations to minimize the</li> </ul>	<p>The Design Guidelines include guidance on building form, mass, and scale; materials and colors; and site design. This includes guidance on providing architectural elements with visual interest such as varied rooflines and facades. The intent of the guidelines is to have the project design be harmonious with the surrounding community. The project plans maintain the natural topography of the area by minimizing grading for the project.</p> <p>Additionally, as discussed in Section 5.16, Visual Effect/Neighborhood Character, the project would not result in visual effect of neighborhood character impacts. Architectural articulation would also be used to provide visual relieve from new buildings facing existing residential</p>	The project would be consistent with this goal.

**Table 5.1-4.  
Project’s Consistency with City of San Diego’s General Plan**

Goal/Policy	Goal/Recommendation	Analysis	Project Consistency
	<p>amount of grading.</p> <p>d. Consider terraced homes, stepped down with the slope for better integration with the topography to minimize grading in sensitive slope areas.</p> <p>e. Utilize a clustered development pattern, single-story structures or single-story roof elements, or roofs sloped toward the open space system or natural features, to ensure that the visibility of new developments from natural features and open space areas are minimized.</p> <p>f. Provide increased setbacks from canyon rims or open space areas to ensure that the visibility of new development is minimized.</p> <p>g. Screen development adjacent to natural features as appropriate so that development does not appear visually intrusive, or interfere with the experience within the open space system. The provision of enhanced landscaping adjacent to natural features could be used to soften the appearance of or buffer development from the natural features.</p> <p>h. Use building and landscape materials that blend with and do not create visual or other conflicts with the natural environment in instances where new buildings abut natural areas. This guideline must be balanced with a need to clear natural</p>	<p>developments. Project visual impacts on open space has been reduced because of the clustering of buildings to reduce the project footprint. Views from public roads are limited due to the presence of hills and views of the project are partially blocked by existing infrastructure such as structures and walls. Despite being visible from some trails within Sabre Springs Open Space, the project site would only take up a small portion of the expansive views available to public viewers. Walls would have a glass component to reduce visual impacts and would have vegetation that would block the masonry component of the wall.</p> <p>There would be deviations in setback patterns, as detailed in Section 3.3.9, Discretionary Actions. Should the project be approved, approval of these setback deviations would also be approved.</p> <p>The project is not near a waterfront, therefore policy that involves protecting views near waterfront does not apply.</p> <p>The proposed project does not include the creation of trails. Refer to the analysis for <i>Policy ME-A.1</i> for discussion on proposed outdoor amenities for the project.</p> <p>Additionally, as discussed in Section 5.18, Wildfire, portions of the project site are located within the Very High Fire Hazard Severity Zone. However, the project would include brush management zones and fuel modification area vegetation management shall occur as needed for fire</p>	

**Table 5.1-4.  
Project’s Consistency with City of San Diego’s General Plan**

Goal/Policy	Goal/Recommendation	Analysis	Project Consistency
	<p>vegetation for fire protection to ensure public safety in some areas.</p> <p>i. Ensure that the visibility of new development from natural features and open space areas is minimized to preserve the landforms and ridgelines that provide a natural backdrop to the open space systems. For example, development should not be visible from canyon trails at the point the trail is located nearest to proposed development. Lines-of-sight from trails or the open space system could be used to determine compliance with this policy.</p> <p>j. Design and site buildings to permit visual and physical access to the natural features from the public right-of-way.</p> <p>k. Encourage location of entrances and windows in development adjacent to open space to overlook the natural features.</p> <p>l. Protect views from public roadways and parklands to natural canyons, resource areas, and scenic vistas.</p> <p>m. Preserve views and view corridors along and/or into waterfront areas from the public right-of-way by decreasing the heights of buildings as they approach the shoreline, where possible.</p> <p>n. Provide public pedestrian, bicycle, and equestrian</p>	<p>safety, in compliance with the Brush Management Zone requirements detailed in Section 5.18, Wildfire, and as determined by the San Diego Fire Rescue Department. The project would also use drought-tolerant, native landscaping, as discussed in the Design Guidelines. The project would be required to design, construct, and maintain structures, private drives, and facilities in compliance with applicable local, regional, state, and federal requirements related to fire safety, emergency access, and evacuation plans, as well as building materials, setbacks, water supply, hydrants, fire-flow, and defensible space requirements for development in fire hazard areas. The project would include appropriate measures to reduce wildfire risks as conditions of approval, including pre-construction brush management is completed to reduce potential impacts related to construction and avoidance of highly flammable landscaping plant materials.</p>	

**Table 5.1-4.  
Project's Consistency with City of San Diego's General Plan**

Goal/Policy	Goal/Recommendation	Analysis	Project Consistency
	<p>access paths to scenic view points, parklands, and where consistent with resource protection, in natural resource open space areas.</p> <p>o. Provide special consideration to the sensitive environmental design of roadways that traverse natural open space systems to ensure an integrated aesthetic design that respects open space resources. This could include the use of alternative materials such as "quiet pavement" in noise sensitive locations, and bridge or roadway designs that respect the natural environment.</p> <p>p. Design structures to be ignition and fire-resistant in fire prone areas or at-risk areas as appropriate. Incorporate fire-resistant exterior building materials and architectural design features to minimize the risk of structure damage or loss due to wildfires.</p>		

**Table 5.1-4.  
Project’s Consistency with City of San Diego’s General Plan**

Goal/Policy	Goal/Recommendation	Analysis	Project Consistency
<i>Policy UD-A.4</i>	Use sustainable building methods in accordance with the sustainable development policies in the Conservation Element.	<p>The project includes multiple sustainability design features to incorporate sustainable building methods in accordance with sustainable development policies. Sustainable design features for the project include:</p> <ul style="list-style-type: none"> <li>• Development of a site within an urbanized area to reduce urban sprawl.</li> <li>• Clustering of residential buildings and minimization of the project footprint.</li> <li>• Development in proximity to transit, with a bus station located within walking distance at 700 feet away.</li> <li>• Provision of 10% of parking (12 spaces) that include electrical equipment to allow for the future installation of electrical vehicle charging stations.</li> <li>• Use of drought tolerant landscaping to reduce water demand.</li> <li>• Rooftop photovoltaic solar panels consistent with Title 24 requirements</li> </ul> <p>Energy-efficient lighting and appliances, as well as energy-efficient windows consistent with Title 24 requirements</p>	The project would be consistent with this policy.

**Table 5.1-4.  
Project’s Consistency with City of San Diego’s General Plan**

Goal/Policy	Goal/Recommendation	Analysis	Project Consistency
<p><i>Policy UD-A.5</i></p>	<p>Design buildings that contribute to a positive neighborhood character and relate to neighborhood and community context.</p> <ul style="list-style-type: none"> <li>a. Relate architecture to San Diego's unique climate and topography.</li> <li>b. Encourage designs that are sensitive to the scale, form, rhythm, proportions, and materials proximate to commercial areas and residential neighborhoods that have a well-established, distinctive character.</li> <li>c. Provide architectural features that establish and define a building’s appeal and enhance the neighborhood character.</li> <li>d. Encourage the use of materials and finishes that reinforce a sense of quality and permanence.</li> <li>e. Provide architectural interest to discourage the appearance of blank walls for development. This would include not only building walls, but fencing bordering the pedestrian network, where some form of architectural variation should be provided to add interest to the streetscape and enhance the pedestrian experience. For example, walls could protrude, recess, or change in color, height, or texture to provide visual interest.</li> <li>f. Design building wall planes to have shadow</li> </ul>	<p>As discussed in Section 3.3.1, Residential, the project proposes a modern architectural style that would incorporate Spanish Mission and Old West Ranch style features that are predominant in the existing neighborhood. Figures 3-2a and 3-2b, Architectural Elevations, shows an example of the anticipated building style. The proposed architectural style would be subject to the proposed Paseo Monril Design Guidelines (Design Guidelines; Appendix O). The Design Guidelines include guidance on building form, mass, and scale; materials and colors; and site design. This includes guidance on providing architectural elements with visual interest such as varied rooflines and facades. The proposed colors shall consist of up to three different earth tone shades per building. The site design, as indicated in the project goals, includes clustering development to minimize changes to the natural topography and environmental resources.</p> <p>Project signage would be installed at the project entrance, where Private Driveway A connects with the cul-de-sac of Paseo Monril. The monument sign at the northern site driveway would identify the project name (“Paseo Monril”). As indicated in the Design Guidelines, signage would be minimized, and the graphic design would be complementary to the neighborhood character.</p>	<p>The project would be consistent with this policy.</p>

**Table 5.1-4.  
Project’s Consistency with City of San Diego’s General Plan**

Goal/Policy	Goal/Recommendation	Analysis	Project Consistency
	<p>relief, where pop-outs, offsetting planes, overhangs, and recessed doorways are used to provide visual interest at the pedestrian level.</p> <p>g. Design rear elevations of buildings to be as well-detailed and visually interesting as the front elevation, if they will be visible from a public right-of-way or accessible public place or street.</p> <p>h. Acknowledge the positive aspects of nearby existing buildings by incorporating compatible features in new developments.</p> <p>i. Maximize natural ventilation, sunlight, and views.</p> <p>j. Provide convenient, safe, well-marked, and attractive pedestrian connections from the public street to building entrances.</p> <p>k. Design roofs to be visually appealing when visible from public vantage points and public rights-of-way.</p>		
<i>Policy UD-A.6</i>	<p>Create street frontages with architectural and landscape interest to provide visual appeal to the streetscape and enhance the pedestrian experience.</p> <p>a. Locate buildings on the site so that they reinforce street frontages.</p> <p>b. Relate buildings to existing and planned adjacent uses.</p> <p>c. Ensure that building entries are prominent, visible,</p>	<p>Refer to the analyses for <b>Policy UD-A.5</b>.</p> <p>In Section 3.6, Site Design, of the project’s Design Guidelines document, the site buildings would be located to reinforce street frontages.</p> <p>The project would be designed to have buildings related to existing adjacent uses. One of the project objectives is to provide a cohesive design that is compatible in use, scale, and character with the surroundings (see Section</p>	<p>The project would be consistent with this policy.</p>

**Table 5.1-4.  
Project’s Consistency with City of San Diego’s General Plan**

Goal/Policy	Goal/Recommendation	Analysis	Project Consistency
	<p>and well-located.</p> <p>d. Maintain existing setback patterns, except where community plans call for a change to the existing pattern.</p> <p>e. Minimize the visual impact of garages, parking and parking portals to the pedestrian and street façades.</p>	<p>3.1, Project Objectives). The project site would be residential buildings with recreational facilities for future potential residents. The surrounding development consists of residential (single-family) to the north, and commercial development along Rancho Peñasquitos Boulevard.</p> <p>There would be deviations in setback patterns, as detailed in Section 3.3.9, Discretionary Actions. Should the project be approved, approval of these setback deviations would also be approved.</p>	
<i>Policy UD-A.8</i>	<p>Landscape materials and design should enhance structures, create and define public and private spaces, and provide shade, aesthetic appeal, and environmental benefits.</p> <p>a. Maximize the planting of new trees, street trees, and other plants for their shading, air quality, and livability benefits (See also Urban Forestry section of Conservation Element, Policies CE-A.11, CE-A.12, and Section J).</p> <p>b. Encourage water conservation through the use of drought-tolerant landscape.</p> <p>c. Use landscape to support stormwater management goals for filtration, percolation, and erosion control.</p> <p>d. Use landscape to provide unique identities within neighborhoods, villages, and other</p>	<p>As detailed in Section 3.3.3, Landscaping and Brush Management, the project’s landscape plan would include drought-tolerant native vegetation. The landscape scheme would include a range of tree types, including vertical columnar trees, small accent trees, large canopy trees, palms, and cylindrical trees. In addition, the landscaped areas would contain large and small shrubs, and slope shrubs. The proposed landscaping would be designed in accordance with the City’s Municipal Code Section 142.0402, the Land Development Manual, Landscape Standards, and other applicable city and regional standards for landscape installation and maintenance as identified in the Design Guidelines. A detailed landscape plan and plant palette would be submitted to the Landscape Section and San Diego Fire Department (SDFD) for review and approval prior to the issuance of building permits Landscaping</p>	<p>The project would be consistent with this policy.</p>

**Table 5.1-4.  
Project’s Consistency with City of San Diego’s General Plan**

Goal/Policy	Goal/Recommendation	Analysis	Project Consistency
	<p>developed areas.</p> <p>e. Landscape materials and design should complement and build upon the existing character of the neighborhood (See also Conservation Element, Section J).</p> <p>f. Design landscape bordering the pedestrian network with new elements, such as a new plant form or material, at a scale and at intervals appropriate to the site. This is not intended to discourage a uniform street tree or landscape theme, but to add interest to the streetscape and enhance the pedestrian experience.</p> <p>h. Shade paved areas, especially parking lots.</p> <p>j. Use landscaped walkways to direct people to proper entrances and away from private areas.</p> <p>k. Reduce barriers to views or light by selecting appropriate tree types, pruning thick hedges, and large overhanging tree canopies.</p> <p>l. Utilize landscape adjacent to natural features to soften the visual appearance of a development and provide a natural buffer between the development and open space areas</p>	<p>would be a carefully planned aspect of the project and would be consistent with landscaping aesthetics and patterns throughout the City, as the landscaping plan for the project would comply with all relevant local regulations regarding landscaping.</p> <p>Drought-tolerant, native landscaping would be used to replace some of the natural vegetation associated with the portion of the vacant lot that would be redeveloped into residential units.</p> <p>A Stormwater Quality Management Plan has also been developed for the project and includes best management practices (BMPs) to maintain natural drainage features and minimize potential impacts to storm drain facilities. Additionally, as discussed in the Drainage Study prepared for the project, Appendix G, implementation of the project would not adversely affect existing drainage patterns.</p> <p>Furthermore, as discussed in Section 5.6, Geologic Conditions, short-term erosion and sedimentation impacts would be addressed through conformance with applicable elements of the City stormwater program and related National Pollutant Discharge Elimination System (NPDES) standards. Additionally, the project would implement an approved Stormwater Pollution Prevention Plan and related plans and BMPs, including appropriate measure to address erosion and sedimentation. As such, potential erosion and sedimentation impacts from implementation</p>	

**Table 5.1-4.  
Project’s Consistency with City of San Diego’s General Plan**

Goal/Policy	Goal/Recommendation	Analysis	Project Consistency
		of the project would be less than significant.	
<i>Policy UD-A.13.</i>	<p>Provide lighting from a variety of sources at appropriate intensities and qualities for safety.</p> <ol style="list-style-type: none"> <li>a. Provide pedestrian-scaled lighting for pedestrian circulation and visibility.</li> <li>b. Use effective lighting for vehicular traffic while not overwhelming the quality of pedestrian lighting.</li> <li>c. Use lighting to convey a sense of safety while minimizing glare and contrast.</li> <li>d. Use vandal-resistant light fixtures that complement the neighborhood and character.</li> <li>e. Focus lighting to eliminate spill-over so that lighting is directed and only the intended use is illuminated.</li> </ol>	<p>As discussed in Section 5.16, Visual Effects/Neighborhood Character, the project would introduce new sources of lighting on the project site. All lighting proposed would be constructed in compliance with the standards contained in the City’s Outdoor Lighting Regulations (San Diego Municipal Code Section 142.0740), which requires that all outdoor lighting fixtures shall be installed in a manner that minimizes negative impacts from light pollution including light trespass, glare, and urban sky glow in order to preserve enjoyment of the night sky and minimize conflict caused by unnecessary illumination. Pedestrian lighting would be provided to increase on-site safety, visibility, and wayfinding throughout the site during nighttime hours. Security lighting would be provided within the parking areas and structures. In addition, lighting would be provided throughout the project, especially along the pedestrian walkways. To minimize glare and contrast, safety lighting would be directed downward and would only be provided to the level necessary for the safety of pedestrians and vehicles. All outdoor lighting would be shielded to prevent spillover and glare to adjacent land uses. It is also important to note that there are no sensitive receptors in the vicinity of the project site.</p> <p>Furthermore, Section 5.16 determined that the project would result in less-than-significant impacts from light and glare.</p>	The project would be consistent with this policy.

**Table 5.1-4.  
Project’s Consistency with City of San Diego’s General Plan**

Goal/Policy	Goal/Recommendation	Analysis	Project Consistency
<i>Policy UD-A.14.</i>	<p>Provide comprehensive project sign plans to effectively utilize sign area.</p> <ol style="list-style-type: none"> <li>Design signs as a means to communicate a unified theme and identity for the project.</li> <li>Include pedestrian-oriented signs to acquaint users with various aspects of a development. Place signs to direct vehicular and pedestrian circulation.</li> <li>Post signs to provide directions and rules of conduct where appropriate behavior control is necessary.</li> <li>Design signs to minimize negative visual impacts.</li> </ol>	<p>Design guidelines have been developed for the project that are intended to provide a framework for future project implementation. These guidelines include requirements for the use of signage on the project site. All signage would be consistent with Chapter 14 Article 2 Division 12 of the San Diego Municipal Code and the Project Design Guidelines, where appropriate.</p> <p>Project signage would be installed at the project entrance, where Private Driveway A connects with the cul-de-sac of Paseo Montril. The monument sign at the northern site driveway would identify the project name (“Paseo Montril”). As indicated in the Design Guidelines, signage would be minimized, and the graphic design would be complementary to the neighborhood character.</p>	The project would be consistent with this policy.
<i>Policy UD-A.16</i>	<p>Minimize the visual and functional impact of utility systems and equipment on streets, sidewalks, and the public realm.</p> <ol style="list-style-type: none"> <li>Convert overhead utility wires and poles, and overhead structures such as those associated with supplying electric, communication, community antenna television, or similar service to underground.</li> <li>Design and locate public and private utility infrastructure, such as phone, cable and communications boxes, transformers, meters, fuel</li> </ol>	<p>Details regarding utilities is found in Section 3.3.6, Utilities. No new overhead utility wires and poles or other overhead structures are proposed as part of the project.</p> <p>Water service for the project site would connect to the existing 12-inch water line within Paseo Montril at the project entrance. Additionally, the project would construct a new public 12-inch water line adjacent to the existing water line within Paseo Montril in order to comply with the City’s Design Criteria of having no more than 30 homes on a dead-end water line. The public water facilities would be</p>	The project would be consistent with this policy.

**Table 5.1-4.  
Project’s Consistency with City of San Diego’s General Plan**

Goal/Policy	Goal/Recommendation	Analysis	Project Consistency
	<p>ports, back-flow preventors, ventilation grilles, grease interceptors, irrigation valves, and any similar elements, to be integrated into adjacent development and as inconspicuous as possible. To minimize obstructions, elements in the sidewalk and public right of way should be located in below grade vaults or building recesses that do not encroach on the right of way (to the maximum extent permitted by codes). If located in a landscaped setback, they should be as far from the sidewalk as possible, clustered and integrated into the landscape design, and screened from public view with plant and/or fencelike elements.</p> <p>c. Traffic operational features such as streetlights, traffic signals, control boxes, street signs and similar facilities should be located and consolidated on poles, to minimize clutter, improve safety, and maximize public pedestrian access, especially at intersections and sidewalk ramps. Other street utilities such as storm drains and vaults should be carefully located to afford proper placement of the vertical elements.</p>	<p>designed and constructed in accordance with the City of San Diego Water Facility Design Guidelines and Regulations.</p> <p>The project would include a private on-site drainage system (storm drainpipes, inlets, ditches, and drive aisles) to capture and convey stormwater runoff. Detention and water quality treatment facilities would be provided within all areas of proposed development in accordance with the requirements of the SDMC and San Diego Regional Water Quality Control Board MS4 permit.</p> <p>No new traffic operational features are proposed as part of the project.</p>	
<i>Policy UD-A.17.</i>	<p>Incorporate crime prevention through environmental design measures, as necessary, to reduce incidences of fear and crime, and design safer environments.</p> <p>a. Design projects to encourage visible space and</p>	<p>The project would incorporate safety lighting throughout the project site for security purposes. Public spaces would also be clearly marked and would only be open for public use during designated hours. Pedestrian lighting would be provided to increase on-site safety, visibility, and</p>	<p>The project would be consistent with this policy.</p>

**Table 5.1-4.  
Project’s Consistency with City of San Diego’s General Plan**

Goal/Policy	Goal/Recommendation	Analysis	Project Consistency
	<p>“eyes on the street” security that will serve as a means to discourage and deter crime through the location of physical features, activities, and people to maximize visibility.</p> <p>b. Define clear boundaries between public, semi-public/private, and private spaces.</p> <p>c. Promote regulations, programs, and practices that result in the proper maintenance of the measures employed for CPTED surveillance, access control, and territoriality.</p> <p>d. Consider pedestrian scale lighting and indirect techniques to provide adequate security but not glare and flood-light conditions.</p>	<p>wayfinding throughout the site during nighttime hours. Security lighting would be provided within the parking areas and structures. In addition, lighting would be provided throughout the project, especially along the pedestrian walkways.</p>	
<i>Policy UD-B.1</i>	<p>Recognize that the quality of a neighborhood is linked to the overall quality of the built environment. Projects should not be viewed singularly, but viewed as part of the larger neighborhood or community plan area in which they are located for design continuity and compatibility.</p> <p>a. Integrate new construction with the existing fabric and scale of development in surrounding neighborhoods. Taller or denser development is not necessarily inconsistent with older, lower-density neighborhoods but must be designed with sensitivity to existing development. For example, new development should not cast shadows or create wind tunnels that will</p>	<p>Refer to analyses in <i>Policy LU-H.1a and Policy ME-A.1</i></p>	<p>The project would be consistent with this policy.</p>

**Table 5.1-4.  
Project’s Consistency with City of San Diego’s General Plan**

Goal/Policy	Goal/Recommendation	Analysis	Project Consistency
	<p>significantly impact existing development and should not restrict vehicular or pedestrian movements from existing development.</p> <p>b. Design new construction to respect the pedestrian orientation of neighborhoods.</p> <p>c. Provide innovative designs for a variety of housing types to meet the needs of the population.</p>		
<i>Policy UD-B.2</i>	<p>Achieve a mix of housing types within single developments.</p> <p>a. Incorporate a variety of unit types in multifamily projects.</p> <p>b. Incorporate a variety of single-family housing types in single-family projects/subdivisions.</p> <p>c. Provide transitions of scale between higher-density development and lower density neighborhoods.</p> <p>d. Identify sites for revitalization and additional housing opportunities in neighborhoods.</p>	Refer to analyses in <i>Policy LU-H.1a</i>	The project would be consistent with this policy.

**Table 5.1-4.  
Project’s Consistency with City of San Diego’s General Plan**

Goal/Policy	Goal/Recommendation	Analysis	Project Consistency
<i>Policy UD-B.4</i>	<p>Create street frontages with architectural and landscape interest for both pedestrians and neighboring residents.</p> <ol style="list-style-type: none"> <li>a. Locate buildings on the site so that they reinforce street frontages.</li> <li>b. Relate buildings to existing and planned adjacent uses.</li> <li>c. Provide ground level entries and ensure that building entries are prominent and visible.</li> <li>d. Maintain existing setback patterns, except where community plans call for redevelopment to change the existing pattern.</li> <li>e. Locate transparent features such as porches, stoops, balconies, and windows facing the street to promote a sense of community.</li> <li>f. Encourage side- and rear-loaded garages. Where not possible, reduce the prominence of the garage through architectural features and varying planes.</li> <li>g. Minimize the number of curb-cuts along residential streets.</li> </ol>	Refer to analysis in <b>Urban Design Policy UD-A.6.</b>	The project would be consistent with this policy.
<i>Policy UD-B.8</i>	<p>Provide usable open space for play, recreation, and social or cultural activities in multifamily as well as single-family projects.</p> <ol style="list-style-type: none"> <li>a. Design attractive recreational facilities, common facilities, and open space that can be easily accessed by everyone in the development it serves.</li> </ol>	As discussed in Section 3.3.2, Recreational Amenities and Open Space, Within the proposed residential development, the project includes recreational amenities. The proposed development would include a dog park in the northwestern area of Lot 1, a community bar-b-que area between Buildings 4 and 5, an outdoor amenity space at the project entrance, and another outdoor amenity space	The project would be consistent with this policy.

**Table 5.1-4.  
Project’s Consistency with City of San Diego’s General Plan**

Goal/Policy	Goal/Recommendation	Analysis	Project Consistency
	<ul style="list-style-type: none"> <li>b. Design outdoor space as “outdoor rooms” and avoid undifferentiated, empty spaces.</li> <li>c. Locate small parks and play areas in central accessible locations.</li> </ul>	(dog park) at the northeastern corner of the residential lot. Ultimately the project would provide payment of the Citywide Park Fee to provide compliance with the General Plan’s park requirements.	
<i>Public Facilities, Services, and Safety Element</i>			
<i>Policy PF-C.1</i>	Require development proposals to fully address impacts to public facilities and services: <ul style="list-style-type: none"> <li>a. Identify the demand for public facilities and services resulting from discretionary projects.</li> <li>b. Identify specific improvements and financing which would be provided by the project, including but not limited to sewer, water, storm drain, solid waste, fire, police, libraries, parks, open space, and transportation projects.</li> <li>c. Subject projects, as a condition of approval, to exactions that are reasonably related and in rough proportionality to the impacts resulting from the proposed development.</li> <li>d. Provide public facilities and services to assure that current levels of service are maintained or improved by new development within a reasonable time period.</li> </ul>	As discussed in Section 5.13, Public Services and Facilities, implementation of the project would increase the demand for public services and facilities including police and fire protection services, parks and recreation facilities, schools, and libraries. However, the project would be adequately served by existing fire and police protection services and there would be no need to expand or build new police or fire facilities as a result of the project. Additionally, the project would increase student enrollment at nearby schools. However, development impact fees would be paid to the Poway Unified School District. With regard to parks and recreation facilities, the project would not result in the need for new or expanded park facilities. Finally, the project would increase the use of library facilities; however, the project would nor result in the need for new or expanded libraries. Impacts to public services and facilities were all deemed less-than-significant during preparation of this EIR. Refer to Section 5.13, Public Services and Facilities, for additional details.	The project would be consistent with this policy.
<i>Policy PF-C.3</i>	Satisfy a portion of the requirements of PF-C.1 through physical improvements, when a nexus exists, that will	Refer to the analysis for General Plan <i>Policy PF-C.1</i>	The project would be

**Table 5.1-4.  
Project’s Consistency with City of San Diego’s General Plan**

Goal/Policy	Goal/Recommendation	Analysis	Project Consistency
	benefit the affected community planning area when projects necessitate a community plan amendment due to increased densities.		consistent with this policy.
<i>Policy PF-D.5</i>	Maintain service levels to meet the demands of continued growth and development, tourism, and other events requiring fire-rescue services.	Refer to the analysis for General Plan <i>Policy PF-C.1</i>	The project would be consistent with this policy.
<i>Policy PF-D.12</i>	<p>Protect communities from unreasonable risk of wildfire within very high fire hazard severity zones.</p> <ul style="list-style-type: none"> <li>a. Assess site constraints when considering land use designations near wildlands to avoid or minimize wildfire hazards as part of a community plan update or amendment. (see also LU-C.2.a.4)</li> <li>b. Identify building and site design methods or other methods to minimize damage if new structures are located in very high fire hazard severity zones on undeveloped land and when rebuilding after a fire.</li> <li>c. Require ongoing brush management to minimize the risk of structural damage or loss due to wildfires.</li> <li>d. Provide and maintain water supply systems to supplies for structural fire suppression.</li> <li>e. Provide adequate fire protection. (see also PF-D.1 and PF-D.2)</li> </ul>	As discussed in Section 5.18, Wildfire, portions of the project site are located within the Very High Fire Hazard Severity Zone. However, the project would include brush management zones and fuel modification area vegetation management shall occur as needed for fire safety, in compliance with the Brush Management Zone requirements. The HOA would provide for brush management annually. Buildings would also be designed in accordance with Title 24 standards for fire safety. The project would include appropriate measures to reduce wildfire risks as conditions of approval, including pre-construction brush management to reduce potential impacts related to construction and prohibiting highly flammable landscaping materials. The project includes adequate fire flows.	The project would be consistent with this policy.
<i>Policy PF-D.13</i>	Incorporate fire safe design into development within very high fire hazard severity zones to have fire-resistant	Refer to the analysis for General Plan <i>Policy PF-D.10</i> Additionally, as discussed in Section 5.18, Wildfire, portions	The project would be

**Table 5.1-4.  
Project’s Consistency with City of San Diego’s General Plan**

Goal/Policy	Goal/Recommendation	Analysis	Project Consistency
	<p>building and site design, materials, and landscaping as part of the development review process.</p> <ol style="list-style-type: none"> <li>a. Locate, design and construct development to provide adequate defensibility and minimize the risk of structural loss from wildland fires.</li> <li>b. Design development on hillsides and canyons to reduce the increased risk of fires from topography features (i.e., steep slopes, ridge saddles).</li> <li>c. Minimize flammable vegetation and implement brush management best practices in accordance with the Land Development Code.</li> <li>d. Design and maintain public and private streets for adequate fire apparatus vehicles access (ingress and egress), and install visible street signs and necessary water supply and flow for structural fire suppression.</li> <li>e. Coordinate with the Fire-Rescue Department to provide and maintain adequate fire breaks where feasible or identify other methods to slow the movement of a wildfire in very high fire hazard severity zones.</li> </ol>	<p>of the project site are located within the Very High Fire Hazard Severity Zone. However, the project would include brush management zones and fuel modification area vegetation management shall occur as needed for fire safety, in compliance with the Brush Management Zone requirements detailed in Section 5.18, Wildfire, and as determined by the San Diego Fire Rescue Department. The project would also use drought-tolerant, native landscaping as detailed in the Design Guideline. The project would be required to design, construct, and maintain structures, private drives, and facilities in compliance with applicable local, regional, state, and federal requirements related to fire safety, emergency access, and evacuation plans, as well as building materials, setbacks, water supply, hydrants, fire-flow, and defensible space requirements for development in fire hazard areas. as discussed in Section 5.18, Wildfire, The project would include appropriate measures to reduce wildfire risks, including pre-construction brush management and prohibiting highly flammable landscaping materials.</p> <p>As discussed in Section 5.13, Public Services and Facilities, implementation of the project would increase the demand for public services and facilities including police and fire protection services, parks and recreation facilities, schools, and libraries. However, the project would pay development impact fees to the City of San Diego Fire and Rescue Department and Police Departments and would be</p>	<p>consistent with this policy.</p>

**Table 5.1-4.  
Project’s Consistency with City of San Diego’s General Plan**

Goal/Policy	Goal/Recommendation	Analysis	Project Consistency
		adequately served by existing fire and police protection services and there would be no need to expand or build new police or fire facilities as a result of the project. Impacts to public services and facilities were all deemed less-than-significant during preparation of this EIR.	
<i>Policy PF-D.14</i>	Implement brush management along City maintained roads in very high fire hazard severity zones adjacent to open space and canyon areas.	Refer to the analysis for <i>Policy PF-D.13</i> .	The project would be consistent with this policy.
<i>Policy PF-E.6</i>	Monitor how development affects average police response time goals and facilities needs (see also PF-C.5).	Refer to the analysis for <i>Policy PF-C</i> .	The project would be consistent with this policy.
<i>Policy PF-E.7</i>	Maintain service levels to meet demands of continued growth and development, tourism, and other events requiring police services.	Refer to the analysis for <i>Policy PF-C</i> .	The project would be consistent with this policy.
<i>Policy PF-F.4</i>	Maintain conveyance and treatment capacity.	The project would connect to the City’s sewer system. Wastewater from the project would ultimately be conveyed through the City’s Municipal Wastewater System to the North City Water Reclamation Plant for treatment and disposal.  There will be proposed modifications to the existing sewer system in the immediate vicinity of the project as well. The existing private on-site gravity sewer will be abandoned and	The project would be consistent with this policy.

**Table 5.1-4.  
Project’s Consistency with City of San Diego’s General Plan**

Goal/Policy	Goal/Recommendation	Analysis	Project Consistency
		<p>removed. The existing public off-site gravity sewer within the project right-of-way and corresponding easement south of the project cul-de-sac will be abandoned and kept in place per the City’s Sewer Design Guide.</p> <p>A proposed private gravity sewer line will be constructed on site to adequately convey sewer at a 1% slope to the existing public manhole near the project boundary. An Encroachment Maintenance and Removal Agreement (EMRA) will be established for this sewer connection to the existing manhole/easement.</p> <p>As discussed in Section 5.14, Public Utilities, the applicant has coordinated with water and wastewater providers to ensure that adequate service levels would be available with the implementation of the project. As such, the project would result in less-than-significant impacts to the City’s wastewater system.</p>	
<i>Policy PF-F.6</i>	Coordinate land use planning and wastewater infrastructure planning to provide for future development and maintain adequate service levels.	Refer to the analysis for <i>Policy PF-F.4</i>	The project would be consistent with this policy.
<i>Policy PF-G.1</i>	Ensure that all storm water conveyance systems, structures, and maintenance practices are consistent with federal Clean Water Act and California Regional Water Quality Control Board NPDES Permit standards.	As discussed in Chapter 3, Project Description, the project would include a private on-site drainage system (storm drainpipes, inlets, ditches, and drive aisles) to capture and convey stormwater runoff. The runoff would be directed to a Modular Wetlands Nutrient Separating Baffle Box for pollutant control and a vault for flow control, located under	The project would be consistent with this policy.

**Table 5.1-4.  
Project’s Consistency with City of San Diego’s General Plan**

Goal/Policy	Goal/Recommendation	Analysis	Project Consistency
		<p>the parking spaces along the eastern boundary of the project site. Storm runoff from the BMPs would be conveyed south in a proposed storm drain within Paseo Montril that would connect to the existing inlet on Paseo Montril near the Rancho Peñasquitos Boulevard intersection. Detention and water quality treatment facilities would be provided within all areas of proposed development in accordance with the requirements of the SDMC and San Diego Regional Water Quality Control Board MS4 permit.</p> <p>The project would not adversely affect existing drainage patterns. It was determined that development on the project site would result in an overall increase in runoff flows from the project site. The proposed development would mitigate potential 100-year flow increases from the increased impervious surface area, as needed, with detention. The project will have a private on-site drainage system to convey flow to the pollutant and flow control BMPs.</p> <p>The detention and hydromodification features would be implemented in accordance with the federal Clean Water Act and California Regional Water Quality Control Board for the San Diego region municipal stormwater NPDES permit (MS4 Permit). As discussed in Section 5.17, Water Quality, the project would adhere to the City’s Stormwater Standards and would result in less-than-significant impacts to Water Quality.</p>	

**Table 5.1-4.  
Project’s Consistency with City of San Diego’s General Plan**

Goal/Policy	Goal/Recommendation	Analysis	Project Consistency
<i>Policy PF-G.2</i>	Install infrastructure that, where feasible, includes components to capture, minimize, and prevent pollutants in urban runoff from reaching receiving waters and our potable water supplies.	Refer to the analyses for <i>Policy PF-G.1</i>	The project would be consistent with this policy.
<i>Policy PF-G.5</i>	Identify and implement BMPs for projects that repair, replace, extend, or otherwise affect the stormwater conveyance system. These projects should also include design considerations for maintenance, inspection, and, as applicable, water quality monitoring.	Refer to the analyses for <i>Policy PF-G.1</i>	The project would be consistent with this policy.
<i>Policy PF-H.3</i>	<p>Coordinate land use planning and water infrastructure planning with local, state, and regional agencies to provide for future development, maintain adequate service levels, and ensure adequate water supply during emergency situations.</p> <ul style="list-style-type: none"> <li>a. Plan for a water supply and emergency reserves to meet peak load demand during a natural disaster such as a fire or earthquake.</li> <li>b. Plan for water supply and emergency reserves recognizing anticipated Climate Change impacts.</li> <li>c. Recognize the water/energy nexus. Plan and implement water projects after consideration of their energy demands in coordination with energy suppliers to minimize and optimize the energy impact of projects.</li> </ul>	<p>The City's Public Utilities Department would provide domestic water to the proposed project.</p> <p>Water service for the project site would connect to the existing 12-inch water line within Paseo Montril at the project entrance. Additionally, the project would construct a new public 12-inch water line adjacent to the existing water line within Paseo Montril to comply with the City's Design Criteria of having no more than 30 homes on a dead-end water line. The public water facilities would be designed and constructed in accordance with the City of San Diego Water Facility Design Guidelines and Regulations. Each Unit within the project is proposed to have a private domestic water system and a private fire protection system. In accordance with City of San Diego standards, private domestic water systems will include a meter and backflow preventer, and private fire protection systems will include backflow preventers.</p>	The project would be consistent with this policy.

**Table 5.1-4.  
Project’s Consistency with City of San Diego’s General Plan**

Goal/Policy	Goal/Recommendation	Analysis	Project Consistency
		The applicant has coordinated with the City Water Department to ensure that adequate water supplies are available with the implementation of the project. As discussed in Section 5.14, Public Utilities, the project would result in less-than-significant impacts to water supplies.	
<i>Policy PF-1.2</i>	Maximize waste reduction and diversion (see also Conservation Element, Policy CE-A.8).	<p>The project would implement a Waste Management Plan (WMP) for solid waste generated by the project. The project would comply with all state and local laws regarding solid waste and recycling with the preparation of a WMP. This plan provides 100% recycling of demolition waste and 75% diversion of construction waste.</p> <p>Additionally, the proposed project would be required to adhere to City ordinances, including the Construction Debris Diversion Deposit Program, the City’s Recycling Ordinance, and the Refuse and Recyclable Materials Storages Regulations. In addition, waste reduction, recycling, and management programs would be implemented as a part of CALGreen Building Standards Code.</p>	The project would be consistent with this policy.
<i>Policy PF-1.2.a</i>	Conveniently locate facilities and informational guidelines to encourage waste reduction, diversion, and recycling practices.	<p>Refer to the analysis for <i>Policy PF-1.2</i></p> <p>Additionally, the project would implement waste reduction by improving management and recycling programs, both during and after construction, provide permanent, adequate and convenient space for individual homes to collect refuse and recyclable material.</p>	The project would be consistent with this policy.

**Table 5.1-4.  
Project’s Consistency with City of San Diego’s General Plan**

Goal/Policy	Goal/Recommendation	Analysis	Project Consistency
<i>Policy PF-I.2.f</i>	Reduce and recycle construction and demolition (C&D) debris to the extent feasible.	Refer to the analysis for General Plan <i>Policy PF-I.2</i>	The project would be consistent with this policy.
<i>Policy PF-M.4.d</i>	For projects, in particular large-scale developments (such as those requiring redevelopment plans, community plan updates, general plan amendments), consult and coordinate with all appropriate public utilities early on to determine the type, size, and location of facilities that are needed to accommodate the project’s increased demand.	As discussed in Section 5.14, Public Utilities, the City’s Public Works Department would provide domestic water to the project site. The project would connect to existing pipelines and would include improvements to the public water system. The project would also connect to the City’s sewer system. The internal private sewer system would make one connection to the existing 10-inch sewer main that runs from the Paseo Montril cul-de-sac through the adjacent commercial developments to the west of the project site. The existing 10-inch sewer main and associated manhole within the cul-de-sac and project site would be demolished. Wastewater from the project would ultimately be conveyed through the City’s Municipal Wastewater System to the North City Water Reclamation Plant for treatment and disposal. Dry utilities, including electric power and natural gas would be provided by San Diego Gas & Electric. No major improvements to the local distribution networks are anticipated to be needed to support the growth facilitated by the proposed project. The applicant would work with dry utility providers to ensure utility systems have adequate capacity to serve the project. Telephone, cable TV, and internet service would be available from a variety of providers. The project would also implement a WMP for	The project would be consistent with this policy.

**Table 5.1-4.  
Project’s Consistency with City of San Diego’s General Plan**

Goal/Policy	Goal/Recommendation	Analysis	Project Consistency
		<p>solid waste generated by the project. As discussed in Section 5.14, implementation of the project would result in less-than-significant impacts to all public utilities.</p> <p>The project has coordinated with the applicable public utilities providers and would be adequately served.</p>	
<p><i>Policy PF-Q.1</i></p>	<p>Protect public health and safety through the application of effective seismic, geologic, and structural considerations.</p> <p>a. Ensure that current and future community planning and other specific land use planning studies continue to include consideration of seismic and other geologic hazards. This information should be disclosed, when applicable, in the CEQA document accompanying a discretionary action.</p> <p>c. Require the submission of geologic and seismic reports, as well as soils engineering reports, in relation to applications for land development permits whenever seismic or geologic problems are suspected.</p> <p>g. Adhere to state laws pertaining to seismic and geologic hazards.</p>	<p>Health and Safety are discussed in Section 5.8 of this EIR. However, seismic hazards are discussed in Section 5.6, Geologic Conditions. As determined therein, the project has the potential to expose people or structures to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards.</p> <p>Per the geotechnical investigation (see Appendix E.1 of this EIR), no soils or geologic conditions were encountered that would preclude the development of the project site as proposed, with incorporation of the recommendations outlined in the geotechnical investigation.</p> <p>The geotechnical report would be prepared in accordance with the City’s “Guidelines for Geotechnical Reports” and would be reviewed for adequacy by the Geology Section of Development Services. The project would also be required to adequately demonstrate compliance with the CBC and applicable geologic hazards regulations. Upon preparation of a final, design-specific geotechnical investigation report, all potential impacts due to geologic conditions would be reduced to less-than-significant levels.</p>	<p>The project would be consistent with this policy.</p>

**Table 5.1-4.  
Project’s Consistency with City of San Diego’s General Plan**

<b>Goal/Policy</b>	<b>Goal/Recommendation</b>	<b>Analysis</b>	<b>Project Consistency</b>
<i>Policy PF-Q.2</i>	Maintain or improve integrity of structures to protect residents and preserve communities.  b. Continue to consult with qualified geologists and seismologists to review geologic and seismic studies submitted to the City as project requirements.	Refer to the analysis for <i>Policy PF-Q.1</i>	The project would be consistent with this policy.
<i>Recreation Element</i>			
<i>Policy RE-A.10</i>	RE-A.10. Encourage private development to include recreation facilities, such as children’s play areas, rooftop parks and courts, useable public plazas, and mini-parks. (see also Urban Design Policies, UD-B.8 and UD-C.5)  a. Consider private recreation facilities when evaluating development park needs when it is clearly identified that the facilities and programs provide a public benefit and are bound by easements and agreements that remain in effect in perpetuity according to adopted policies (see also RE-C.6.).	The project includes recreational amenities, as described in EIR Section 3.3.2. These amenities would be open to the public, but are not proposed pursuant to park requirements. The project would provide payment of the Citywide Park Development Impact Fee to satisfy the General Plan park requirements.	The project would be consistent with this policy.
<i>Conservation Element</i>			
<i>Policy CE-A.5</i>	Employ sustainable or “green” building techniques for the construction and operation of buildings.	A) As detailed in Section 5.7, Greenhouse Gas Emissions, the project would implement several parts of the City’s Climate Action Plan consistency checklist. In doing so, the project would help to reduce the City’s overall carbon dioxide footprint. The project would include the following as mitigation:	The project would be consistent with this policy.

**Table 5.1-4.  
Project’s Consistency with City of San Diego’s General Plan**

Goal/Policy	Goal/Recommendation	Analysis	Project Consistency
		<ul style="list-style-type: none"> <li>• The proposed project would include roofing materials with a minimum 3-year aged solar reflection.</li> <li>• The proposed project would include low-flow fixtures and appliances.</li> <li>• The project would include 50% of the EV capable spaces as EV charging stations. As 16 spaces would be required to be EV capable per Title 24, this would entail 8 EV charging stations be provided. The project would provide an additional 8 EV capable spaces and 4 EV charging stations.</li> <li>• The project would provide 10 bicycle parking spaces in common areas, provide bike storage in the garage of each unit, and provide a bike with each unit.</li> <li>• Transit pass subsidies and a Commute Reduction Program for tenants via the HOA would also be provided as mitigation to promote the use of transit and other transportation options.</li> </ul> <p>b) Additionally, as discussed in Section 3.3.8, Grading and Construction, solid waste generated by the project would be managed in accordance with the Waste Management Plan (see Appendix M of this EIR), which would recycle 100% of demolition waste and would divert 75% of construction waste.</p>	
<i>Policy CE-A.7</i>	Construct and operate buildings using materials, methods, and mechanical and electrical systems that ensure a healthful indoor air quality. Avoid	Refer to the analysis in <i>Policy CE-A.5a</i>  As discussed in Section 5.8, Health and Safety, there are no existing structures within the project site that would require	The project would be consistent with

**Table 5.1-4.  
Project’s Consistency with City of San Diego’s General Plan**

Goal/Policy	Goal/Recommendation	Analysis	Project Consistency
	contamination by carcinogens, volatile organic compounds, fungi, molds, bacteria, and other known toxins.	demolition that could contain hazardous materials. Any hazardous materials utilized during construction of the project, or during operation, would be transported, stored, handled, and disposed of in accordance with all applicable federal, state, and local laws and regulations pertaining to the management and use of hazardous materials.	this policy.
<i>Policy CE-A.8</i>	Reduce construction and demolition waste in accordance with Public Facilities Element, Policy PF-I-2, or by renovating or adding on to existing buildings, rather than constructing new buildings where feasible.	Refer to the analysis <i>Policy CE-A.5</i> .	The project would be consistent with this policy.
<i>Policy CE-A.9:</i>	Reuse building materials, use materials that have recycled content, or use materials that are derived from sustainable or rapidly renewable sources to the extent possible.	Refer to the analysis <i>Policy CE-A.5</i> .	The project would be consistent with this policy.
<i>Policy CE-A.10</i>	<p>Include features in buildings to facilitate recycling of waste generated by building occupants and associated refuse storage areas.</p> <ul style="list-style-type: none"> <li>a. Provide permanent, adequate, and convenient space for individual building occupants to collect refuse and recyclable material.</li> <li>b. Provide a recyclables collection area that serves the entire building or project. The space should allow for the separation, collection, and storage of paper, glass, plastic, metals, yard waste, and other materials as needed.</li> </ul>	<p>Refer to the analysis in <i>Policy PF-I.2</i></p> <p>Additionally, the project would implement waste reduction by improving management and recycling programs, both during and after construction, and providing permanent, adequate, and convenient space for individual homes to collect refuse and recyclable material. As discussed in Section 5.14, Public Utilities, the project would be adequately served by landfills and would have less-than-significant impacts on solid waste services.</p>	The project would be consistent with this policy.

**Table 5.1-4.  
Project’s Consistency with City of San Diego’s General Plan**

Goal/Policy	Goal/Recommendation	Analysis	Project Consistency
<i>Policy CE-A.11</i>	<p>Implement sustainable landscape design and maintenance, where feasible.</p> <ul style="list-style-type: none"> <li>a. Use integrated pest management techniques, where feasible, to delay, reduce, or eliminate dependence on the use of pesticides, herbicides, and synthetic fertilizers.</li> <li>b. Encourage composting efforts through education, incentives, and other activities.</li> <li>c. Decrease the amount of impervious surfaces in developments, especially where public places, plazas and amenities are proposed to serve as recreation opportunities.</li> <li>d. Strategically plant deciduous shade trees, evergreen trees, and drought tolerant native vegetation, as appropriate, to contribute to sustainable development goals.</li> <li>e. Reduce use of lawn types that require high levels of irrigation.</li> <li>f. Strive to incorporate existing trees and native vegetation into site designs.</li> <li>g. Minimize the use of landscape equipment powered by fossil fuels.</li> <li>h. Implement water conservation measures in site/building design and landscaping.</li> <li>i. Encourage the use of high efficiency irrigation</li> </ul>	<p>The project would utilize integrated pest management to maintain the landscaping on the project site.</p> <p>Composting education would not be a part of the proposed project. No lawns are proposed alongside the project.</p> <p>The project would maximize pervious surfaces wherever feasible.</p> <p>The project would replace the natural vegetation associated with the vacant lot with drought-resistant, native landscaping. New trees would be planted on the project site in accordance with the design guidelines and existing trees on site would be retained where feasible.</p> <p>The project would reduce the use of pesticides, herbicides, and synthetic fertilizers for pest management. The project would be subject to a water budget in accordance with Municipal Code section 142.0413 which will encourage the use of drought-tolerant, low water-use species and efficient irrigation systems to help further reduce water usage. The project design would also include on-site detention and hydromodification features to reduce stormwater runoff.</p>	<p>The project would be consistent with this policy.</p>

**Table 5.1-4.  
Project’s Consistency with City of San Diego’s General Plan**

Goal/Policy	Goal/Recommendation	Analysis	Project Consistency
	<p>technology, and recycled site water to reduce the use of potable water for irrigation. Use recycled water to meet the need of development project to the maximum extent feasible.</p>		
<p><i>Policy CE-B.1</i></p>	<p>Protect and conserve the landforms, canyon lands, and open spaces that: define the City’s urban form; provide public views/vistas; serve as core biological areas and wildlife linkages; are wetlands habitats; provide buffers within and between communities; or provide outdoor recreational opportunities.</p> <ul style="list-style-type: none"> <li>a. Utilize Environmental Growth Funds and pursue additional funding for the acquisition and management of MHPA and other important community open space lands.</li> <li>c. Protect urban canyons and other important community open spaces including those that have been designated in community plans for the many benefits they offer locally, and regionally as part of a collective citywide open space system (see also Recreation Element, Sections C and F; Urban Design Element, Section A).</li> <li>d. Minimize or avoid impacts to canyons and other environmentally sensitive lands, by relocating sewer infrastructure out of these areas where possible, minimizing construction of new sewer access roads into these areas, and redirecting of</li> </ul>	<p>Refer to the analysis for <i>Policy UD-A.1</i></p> <p>As discussed in Section 3.3.3, Landscaping and Brush Management, the project’s landscaping plan would include various drought tolerant native vegetation.</p> <p>No trails are proposed in part of this project.</p>	<p>The project would be consistent with this policy.</p>

**Table 5.1-4.  
Project’s Consistency with City of San Diego’s General Plan**

Goal/Policy	Goal/Recommendation	Analysis	Project Consistency
	<p>sewage discharge away from canyons and other environmentally sensitive lands.</p> <p>e. Encourage the removal of invasive plant species and the planting of native plants near open space preserves.</p> <p>f. Pursue formal dedication of existing and future open space areas throughout the City, especially in core biological areas of the City’s adopted MSCP Subarea Plan.</p> <p>g. Require sensitive design, construction, relocation, and maintenance of trails to optimize public access and resources conservation.</p>		
<i>Policy CE-B.4</i>	Limit and control runoff, sedimentation, and erosion both during and after construction activity.	<p>As discussed in Section 5.6, Geologic Conditions, potential erosion and sedimentation impacts would be temporarily increased during proposed construction, through activities such as excavation, grading, and removal of surface stabilizing features (e.g., vegetation and pavement). Extensive or prolonged erosion can result in effects such as damaging or destabilizing slopes, soil loss, and deposition of eroded material in roadways or drainage structures. In addition, the off-site transport of sediment can potentially result in effects to downstream receiving water quality, such as increased turbidity and the provision of a transport mechanism for other contaminants that tend to adhere to sediment particles (e.g., hydrocarbons). However, with implementation of appropriate erosion and sediment control best management practices (BMPs) as part of an</p>	The project would be consistent with this policy.

**Table 5.1-4.  
Project’s Consistency with City of San Diego’s General Plan**

Goal/Policy	Goal/Recommendation	Analysis	Project Consistency
		approved Storm Water Pollution Prevention Plan (SWPPP) and related City and NPDES requirements, erosion and sedimentation impacts from the project would be less than significant.	
<i>Policy CE-B.6</i>	Provide an appropriate defensible space between open space and urban areas through the management of brush, the use of transitional landscaping, and the design of structures (see also Urban Design Element, Policy UD-A.3.o). Continue to implement a citywide brush management system.	As detailed in Section 3.3.3, Landscaping and Brush Management, the project would implement the City of San Diego’s Brush Management Regulations found in Section 142.0412 of the Land Development Code. The project building design would also comply with building code requirements pertaining to fire safety. The project would include additional features that would be conditions of approval, including pre-construction brush management and prohibiting the use of highly flammable plant materials in landscaping. Refer to Section 3.3.3 and 5.18 for additional details.	The project would be consistent with this policy.
<i>Policy CE-E.2</i>	<p>Apply water quality protection measures to land development projects early in the process-during project design, construction, and operations-in order to minimize the quantity of runoff generated on-site, the disruption of natural water flows and the contamination of storm water runoff.</p> <ul style="list-style-type: none"> <li>a. Increase on-site infiltration, and preserve, restore or incorporate natural drainage systems into site design.</li> <li>b. Direct concentrated drainage flows away from the MHPA and open space areas. If not possible,</li> </ul>	Refer to the analysis for <i>Policy CE-A.11</i> regarding landscaping; <i>Policy CE-B.4</i> regarding drainage and runoff; and <i>Policy CE-B.1</i> and <i>Policy UD-A.1</i> regarding the MHPA.	The project would be consistent with this policy.

**Table 5.1-4.  
Project’s Consistency with City of San Diego’s General Plan**

Goal/Policy	Goal/Recommendation	Analysis	Project Consistency
	<p>drainage should be directed into sedimentation basins, grassy swales or mechanical trapping devices prior to drainage into the MHPA or open space areas.</p> <p>c. Reduce the amount of impervious surfaces through selection of materials, site planning, and street design where possible.</p> <p>d. Increase the use of vegetation in drainage design.</p> <p>e. Maintain landscape design standards that minimize the use of pesticides and herbicides.</p> <p>f. Avoid development of areas particularly susceptible to erosion and sediment loss (e.g., steep slopes) and, where impacts are unavoidable, enforce regulations that minimize their impacts.</p> <p>g. Apply land use, site development and zoning regulations that limit impacts on, and protect the natural integrity of topography, drainage systems, and water bodies.</p> <p>h. Enforce maintenance requirements in development permit conditions.</p>		
<i>Policy CE-E.3</i>	<p>Require contractors to comply with accepted storm water pollution prevention planning practices for all projects.</p> <p>a. Minimize the amount of graded land surface exposed to erosion and enforce erosion control</p>	Refer to the analysis for <i>Policy CE-B.4</i> .	The project would be consistent with this policy.

**Table 5.1-4.  
Project’s Consistency with City of San Diego’s General Plan**

Goal/Policy	Goal/Recommendation	Analysis	Project Consistency
	<p>ordinances.</p> <p>b. Continue routine inspection practices to check for proper erosion control methods and housekeeping practices during construction.</p>		
<i>Policy CE-E.6</i>	Continue to encourage “Pollution Control” measures to promote the proper collection and disposal of pollutants at the source, rather than allowing them to enter the storm drain system.	Refer to the analysis for <i>Policy CE-B.4</i> .	The project would be consistent with this policy.
<i>Policy CE-F.4</i>	Preserve and plant trees and vegetation that are consistent with habitat and water conservation policies and that absorb carbon dioxide and pollutants.	Refer to the analysis <i>Policy CE-A.11</i> .	The project would be consistent with this policy.
<i>Policy CE-F.6</i>	Encourage and provide incentives for the use of alternative to single-occupancy vehicle use, including using public transit, carpooling, vanpooling, teleworking, bicycling, and walking. Continue to implement programs to provide City employees with incentives for the use of alternatives to single-occupancy vehicles.	A pedestrian and bicycle path network would be provided within the site that would connect the proposed residential uses to internal private amenities as well as the public Paseo Montril sidewalk. While only the cul-de-sac fronts on the project site and this non-frontage roadway is already built out by the City, the project would provide improvements to the existing sidewalk located along the south side of this roadway as mitigation. Similarly, while there is no Municipal Code requirement for this project to provide bike parking, the project would provide 10 bike parking spaces via bike racks throughout the site as mitigation. Transit pass subsidies for tenants via the HOA would also be provided as mitigation to promote the use of transit.	The project would be consistent with this policy.

**Table 5.1-4.  
Project’s Consistency with City of San Diego’s General Plan**

<b>Goal/Policy</b>	<b>Goal/Recommendation</b>	<b>Analysis</b>	<b>Project Consistency</b>
<i>Policy CE-G.1</i>	Preserve natural habitats pursuant to the MSCP, preserve rare plants and animals to the maximum extent practicable, and manage all City-owned native habitats to ensure their long-term biological viability.	As discussed in Section 5.4, Biological Resources, the impact footprint associated with the project would not occur within or adjacent to designated MHPA lands within the City. Therefore, the City’s MSCP Land Use Adjacency Guidelines would not be applicable to the proposed project, and no significant adverse edge effects associated with the introduction of a land use within an area adjacent to the MHPA would occur. None-the-less, the project would preserve the majority of the natural habitats on the site. No city-owned native habitats exist on the site. Refer to Section 5.4 for additional details.	The project would be consistent with this policy.
<i>Policy CE-I.4</i>	Maintain and promote water conservation and waste diversion programs to conserve energy.	As mentioned in Section 5.14, Public Utilities, the project would incorporate water sustainable design features, techniques, and materials that would reduce water consumption. These sustainability measures as they pertain to water resources include high efficiency plumbing fixtures and fittings in all structures and the use of recycled water instead of potable water for irrigation at within the open space and park areas. The project applicant has committed to implement these water conservation standards into the design of the new residences, buildings, and other infrastructure that would be constructed as part of the project.  The project would be subject to a water budget in accordance with Municipal Code section 142.0413 which would encourage the use of drought-tolerant, low water-use species and efficient irrigation systems to help	The project would be consistent with this policy.

**Table 5.1-4.  
Project’s Consistency with City of San Diego’s General Plan**

Goal/Policy	Goal/Recommendation	Analysis	Project Consistency
		<p>further reduce water usage.</p> <p>Drought-tolerant landscaping would include a variety of trees, shrubs, grasses, and groundcover that would be native and drought-tolerant species that would not require the excessive use of water, or pesticides and fertilizers. Irrigation of the project site would utilize irrigation applied via low precipitation rate spray heads, drip emitters, or other highly efficient systems. Landscaping would be installed in compliance with the City’s Landscape Standards.</p> <p>Additionally, the project would implement sustainability measures to decrease water and resource consumption, including high-efficiency plumbing fixtures and fittings and landscaping with non-invasive drought-tolerant native species. The project would also implement a WMP for solid waste generated by the project.</p>	
<i>Policy CE-1.5</i>	Support the installation of photovoltaic panels, and other forms of renewable energy production. Promote the use and installation of renewable energy alternatives in new and existing development.	The project would include the installation of rooftop photovoltaic solar panels consistent with Title 24 requirements.	The project would be consistent with this policy.
<i>Policy CE-1.10</i>	Use renewable energy sources to generate energy to the extent feasible.	The project would include the installation of rooftop photovoltaic solar panels consistent with Title 24 requirements.	The project would be consistent with this policy.

**Table 5.1-4.  
Project’s Consistency with City of San Diego’s General Plan**

Goal/Policy	Goal/Recommendation	Analysis	Project Consistency
<i>Noise Element</i>			
<p><i>Policy NE-A.1</i></p>	<p>Separate excessive noise-generating uses from residential and other noise-sensitive land uses with a sufficient spatial buffer of less sensitive uses.</p>	<p>A Noise Technical Report was prepared for the project and is incorporated as Appendix H to this EIR. Section 5.10, Noise, addressed existing and potential future noise levels generated by the project. It was determined that the project would result in potentially significant impacts due to short-term construction noise, blasting operations, and blasting event vibration.</p> <p>However, the project would incorporate mitigation measures <b>MM-NOI-1</b> to reduce temporary construction noise, <b>MM-NOI-2</b> to reduce blasting vibration impacts. With implementation of mitigation measures, <b>MM-NOI-1</b> and <b>MM-NOI-2</b>, the project would result in less-than-significant noise impacts.</p> <p>Therefore, the project has considered existing and future noise levels in its planning decisions and have created mitigation measures to minimize people’s exposure to excessive noise. Existing noise-sensitive land uses in the project area include single-family residential and multi-family residential nearby. No impacts would occur to noise sensitive land uses.</p>	<p>The project would be consistent with this goal.</p>

**Table 5.1-4.  
Project’s Consistency with City of San Diego’s General Plan**

<b>Goal/Policy</b>	<b>Goal/Recommendation</b>	<b>Analysis</b>	<b>Project Consistency</b>
<i>Policy NE-A.2</i>	Assure the appropriateness of proposed developments relative to existing and future noise levels by consulting the guidelines for noise-compatible land use (shown on Table NE-3) to minimize the effects on noise-sensitive land uses.	Refer to the analysis for <i>Policy NE-A.1</i> .  The project would follow the City’s guidelines for noise-compatible land uses as shown in Table NE-3 of the General Plan.	The project would be consistent with this goal.
<i>Policy NE-A.3</i>	Limit future residential and other noise-sensitive land uses in areas exposed to high levels of noise.	Refer to the analysis for <i>Policy NE-A.1</i> .	The project would be consistent with this goal.
<i>Policy NE-A.4</i>	Require an acoustical study consistent with acoustical study guidelines (Table NE-4) for proposed developments in areas where the existing or future noise level exceeds or would exceed the “compatible” noise level thresholds as indicated on the land use-noise compatibility guidelines (Table NE-3), so that noise mitigation measures can be included in the project design to meet the noise guidelines.	R Refer to the analysis for <i>Policy NE-A.2</i> .	The project would be consistent with this goal.
<i>Policy NE-A.5</i>	Prepare noise studies that address existing and future noise levels from noise sources that are specific to a community when updating community plans.	Refer to the analysis for <i>Policy NE-A.1</i> .	The project would be consistent with this goal.

**Table 5.1-4.  
Project’s Consistency with City of San Diego’s General Plan**

Goal/Policy	Goal/Recommendation	Analysis	Project Consistency
<i>Policy NE-B.1</i>	Encourage noise-compatible land uses and site planning adjoining existing and future highways and freeways.	The project would be consistent with the existing and surrounding uses and provides project features and mitigation measures to reduce potential impact to sensitive noise receptors and would comply with the City’s noise ordinance.	The project would be consistent with this goal.
<i>Policy NE-B.2</i>	Consider traffic calming design, traffic control measures, and low-noise pavement surfaces that minimize motor vehicle traffic noise	As discussed in Section 5.10, Noise, the long-term operational noise from roadway traffic associated with implementation of the project would be below the City of San Diego threshold for significant change in the ambient noise environment, and impacts would be less than significant. Additionally, the project’s circulation system is designed to interconnect with the existing adjacent public street system and discourage cut-through automobile traffic, further limiting traffic-related noise within the project site.	The project would be consistent with this policy.
<i>Policy NE-B.3</i>	Require noise reducing site design, and/or traffic control measures for new development in areas of high noise to ensure that the mitigated levels meet acceptable decibel limits.	Refer to the analysis for <i>Policy NE-B.2</i> .	The project would be consistent with this policy.
<i>Policy NE-B.4</i>	Require new development to provide facilities which support the use of alternative transportation modes such as walking, bicycling, carpooling, and, where applicable, transit to reduce peak-hour traffic.	A pedestrian and bicycle path network would be provided within the site that would connect the proposed residential uses to internal private amenities as well as the public Paseo Montril sidewalk. The project shall also implement <b>MM-TRA-1</b> to <b>MM-TRA-5</b> that support alternative transportation modes, including cycling, pedestrian access, and transit.	The project would be in conformance with this policy.

**Table 5.1-4.  
Project’s Consistency with City of San Diego’s General Plan**

<b>Goal/Policy</b>	<b>Goal/Recommendation</b>	<b>Analysis</b>	<b>Project Consistency</b>
<i>Policy NE-B.7</i>	Promote the use of berms, landscaping, setbacks, and architectural design where appropriate and effective, rather than conventional wall barriers to enhance aesthetics.	Retaining walls have been incorporated into the project design (see Section 3.3.8, Grading and Construction) to reduce the grading footprint. The project includes heavy landscaping in front of the proposed retaining walls to enhance aesthetics. The project also proposes glass safety walls to reduce visual effects.	The project would be consistent with this policy.
<i>Policy NE-D.1</i>	Encourage noise-compatible land use within airport influence areas in accordance with federal and state noise standards and guidelines.	The project site is located within Review Area 2 of the MCAS Miramar Airport. Limits on the heights of structures, particularly in areas of high terrain, are the only restrictions on land uses within Review Area 2. The project site is not located within a noise compatibility zone of the MCAS Miramar Airport thus aircraft-related noise would not be a concern for the project.	The project would be in conformance with this policy.
<i>Policy NE-G.1</i>	Implement limits on the hours of operation for non-emergency construction and refuse vehicle and parking lot sweeper activity in residential areas and areas abutting residential areas.	Refer to the analysis for <i>Policy NE-A.1</i> .  Additionally, the project would comply with the requirements set forth in the City’s noise ordinance, including limiting construction activity to 7a.m. to 7p.m.	The project would be in conformance with this policy.
<i>Policy NE-1.1</i>	Require noise attenuation measures to reduce the noise to an acceptable noise level for proposed developments to ensure an acceptable interior noise level, as appropriate, in accordance with California’s noise insulation standards (CCR Title 24) and Airport Land Use Compatibly Plans.	Refer to the analysis for <i>Policy NE-A.1</i> .	The project would be consistent with this policy.

**Table 5.1-4.  
Project’s Consistency with City of San Diego’s General Plan**

<b>Goal/Policy</b>	<b>Goal/Recommendation</b>	<b>Analysis</b>	<b>Project Consistency</b>
<i>Policy NE-1.2</i>	Apply CCR Title 24 noise attenuation measures requirements to reduce the noise to an acceptable noise level for proposed single-family, mobile homes, senior housing, and all other types of residential uses not addressed by CCR Title 24 to ensure an acceptable interior noise level, as appropriate.	Refer to the analysis for <i>Policy NE-A.1</i> .	The project would be consistent with this policy.
<i>Policy NE-1.3</i>	Consider noise attenuation measures and techniques addressed by the Noise Element, as well as other feasible attenuation measures not addressed as potential mitigation measures, to reduce the effect of noise on future residential and other noise-sensitive land uses to an acceptable noise level.	Refer to the analysis for <i>Policy NE-A.1</i> .	The project would be in conformance with this policy.
<i>Historic Preservation Element</i>			
<i>Housing Element</i>			
<i>Policy HE-A.3</i>	Require new development to meet applicable zone and land use designation density minimums to ensure efficient use of remaining land available for residential development and redevelopment.	Refer to the analysis for <i>Policy UD-A.1</i>	The project would be consistent with this goal.
<i>Policy HE-A.5</i>	Identify and evaluate options to increase housing opportunities in areas planned and zoned for single-family residential densities.	Refer to the analysis for <i>Policy UD-A.1</i>	The project would be consistent with this policy.
<i>Policy HE-M.1</i>	Implement General Plan and community plan goals and policies that relate to architectural design, public	Refer to analyses <i>Policy HE-I.1</i> and <i>UD-A.1</i> . Additionally, no historic structures or properties exist	The project would be consistent with

**Table 5.1-4.  
Project’s Consistency with City of San Diego’s General Plan**

Goal/Policy	Goal/Recommendation	Analysis	Project Consistency
	spaces, and historical and tribal cultural resources.	within the project Area of Potential Effect (APE) and the property itself is not eligible to be classified as a historical resource. As such, no impacts to historical resources would occur with implementation of the project. According to Appendix N, no known cultural resources are on the project site and is unlikely to discover any previously unknown cultural resources. Impacts would be less than significant.	this policy.
<i>Policy HE-M.2</i>	Ensure that new housing fosters a sense of community through development regulations that address building orientation and architectural design features that promote interaction and active lifestyles / commutes.	Refer to analyses <i>Policy HE-I.1</i> and <i>UD-A.1</i> .	The project would be consistent with this policy.
<i>Policy HE-M.4</i>	Engage actively with local tribal representatives to identify opportunities to preserve and feature tribal, cultural, historical, and archaeological resources.	Consultation with Native American tribes has occurred in accordance with Assembly Bill (AB) 52 and Senate Bill (SB) 18 requirements.	The project would be consistent with this policy.

**Table 5.1-5.  
Project’s Consistency with Rancho Peñasquitos Community Plan**

Objective/Guideline	Goal/Recommendation	Analysis	Project Consistency
<i>Residential Element</i>			
<i>Policies</i>	<ul style="list-style-type: none"> <li>• A harmonious community appearance should be created by using a compatible variety of architectural styles, colors, building heights, lot sizes, setbacks, landscaping and street furniture.</li> <li>• Residential development should use creative and flexible site planning to maximize the preservation of open space and hillside areas.</li> <li>• The density of new residential development should be based on the capacity of the land for development consistent with the objective of preserving the character of the hillside and canyon areas.</li> </ul>	<p>Refer to analysis for Refer to analyses <i>Policy HE-1.1</i> in Table 5.1-4. regarding the policy about building a harmonious community.</p> <p>Refer to analyses for <i>UD-A.1</i> in Table 5.1-4 regarding the policy about residential development using creative and flexible site planning, and the policy about the density of new residential development.</p>	The project would be consistent with these policies.
<i>Community Appearance and Design Element</i>			
<i>Policies (1)</i>	All new development should be sensitive to the environment and be designed to avoid incremental contributions to the problems of air and water pollution, natural fire hazards, soil erosion, siltation, slope instability, flooding and severe hillside cutting and scarring.	The project EIR has analyzed potential impacts regarding water pollution in Section 5.17, Water Quality, to which the project would have less than significant impacts regarding potential pollutant discharges because the project would implement site specific design, source control, treatment control BMPs, low-impact development practices, project design measures, related maintenance efforts, and conformance with City stormwater standards and associated requirements (including the NPDES Construction General, Municipal and Groundwater permits). This would include native species along	The project would be consistent with this policy.

**Table 5.1-5.  
Project’s Consistency with Rancho Peñasquitos Community Plan**

Objective/Guideline	Goal/Recommendation	Analysis	Project Consistency
		<p>slopes for erosion control.</p> <p>The project would implement the City of San Diego’s Brush Management Regulations found in Section 142.0412 of the Land Development Code. In addition, all habitable structures would be equipped with automatic alarm and sprinkler systems and would have fire resistance construction per Chapter 7A of the CBC. The project would include appropriate measures to reduce wildfire risks as conditions of approval such as pre-construction brush management to reduce potential impacts related to construction and using plant species that are not highly flammable.</p> <p>Section 5.6, Geologic Conditions, determined that project impacts regarding soil erosion, siltation, slope instability, and flooding were less than significant impacts. No evidence of landslide deposits was encountered at the site during the geotechnical investigation (Appendix E.1). Based on implementation of appropriate erosion and sediment control BMPs as part of, and in conformance with, an approved SWPPP and related City and NPDES requirements, associated potential erosion and sedimentation impacts from implementation of the project would be less than significant.</p>	

**Table 5.1-5.  
Project’s Consistency with Rancho Peñasquitos Community Plan**

Objective/Guideline	Goal/Recommendation	Analysis	Project Consistency
		In Chapter 3, Project Description, five retaining walls would be included in the project to reduce the grading footprint, which would lessen the severity of hillside cutting and scarring.	
<i>Policies (3)</i>	Protect environmental resources that are typically associated with hillsides, preserve significant public views of and from hillsides, and maintain a clear sense of natural hillside topography throughout the Rancho Peñasquitos Community.	Refer to analyses <i>Policy for UD-A.1</i> in Table 5.1-4.	This project would be consistent with this policy.
<i>Policies (4)</i>	Develop a sense of neighborhood identity by encouraging design diversity between development areas while promoting design integration and compatibility within neighborhood areas.	Refer to analysis for <i>Policy HE-I.1</i> in Table 5.1-4.	This project would be consistent with this policy.
<i>Policies (7)</i>	All new development should incorporate aesthetics and functional features into the design of fences, signs, street furniture and lighting.	The project would comply with Chapter 14, Article 2, Division 3 (Fence Regulations). As discussed in Chapter 3, Project Description, project signage would be installed at the project entrance, where Private Driveway A connects with the cul-de-sac of Paseo Montril. The monument sign at the northern site driveway would identify the project name (“Paseo Montril”). As indicated in the Design Guidelines, signage would be minimized, and the graphic design would be complementary to the neighborhood character.  Lighting would be minimized, directed downward and shielded to reduce light spillage. According to	This project would be consistent with this policy.

**Table 5.1-5.  
Project’s Consistency with Rancho Peñasquitos Community Plan**

Objective/Guideline	Goal/Recommendation	Analysis	Project Consistency
		<p>the project’s Design Guidelines, lighting fixtures would be provided along sidewalks and pathways as well.</p> <p>With regards to street furniture, according to the project’s Design Guidelines, the design, selection, and placement of site furnishings such as tables, benches, and trash receptacles shall be compatible with the overall site design and architectural character of the development. Seating would be provided in shaded and sunny areas.</p>	
<i>Policies (8)</i>	Crime preventive design and defensible space should be used in all future developments.	The project’s Design Guidelines state that the project design encourages a variety of elements that reinforce Crime Prevention through Environmental Design (CPTED) techniques and social interaction. For crime prevention purposes, canopies of mature trees should be maintained at least 8 feet above the ground.	This project would be consistent with this policy.
<i>Transportation Element</i>			
<i>Policies (1)</i>	Developers of all future residential, commercial and industrial projects in Rancho Peñasquitos must participate in building or funding needed transportation improvements identified in this Plan and further defined in the Public Facilities Financing Plan.	The project would provide transportation improvements such as bike parking, bike parking with units, and transit passes as identified in MM-TRA-1 to MM-TRA-5. The project would be required to provide payment of development impact fees, as applicable.	The project would be consistent with this policy.
<i>Policies (2)</i>	Each new development should contribute its fair	The project would provide transportation	The project would

**Table 5.1-5.  
Project’s Consistency with Rancho Peñasquitos Community Plan**

<b>Objective/Guideline</b>	<b>Goal/Recommendation</b>	<b>Analysis</b>	<b>Project Consistency</b>
	share to needed transportation improvements based on traffic, transit ridership and population expected to be generated by the development.	improvements such as bike parking, bike parking with units, and transit passes as identified in MM-TRA-1 to MM-TRA-5	be consistent with this policy.
<i>Park and Recreation Element</i>			
<i>Policies (3)</i>	Natural and landscaped open space areas should be protected from unauthorized use of off-road vehicles.	The open space on the project site would be protected from unauthorized use of off-road vehicles because no public access to the open space preserve would be permitted (Section 3.3.4, Covenant of Easement).	The project would be consistent with this policy.
<i>Policies (5)</i>	Developers should be required to dedicate selected open space areas which can serve as visual and noise buffers between and within neighborhoods.	The proposed uses would not result in operational noise impacts (see Section 5.10) and the project would comply with CCR Title 24 interior noise level requirements and General Plan Noise Element compatibility guidelines (see Section 5.1.3.6). In addition, the project does not result in significant visual impacts (see Section 5.16). As such, buffers for noise or visual purposes are not warranted.	The project would be consistent with this policy.
<i>Open Space and Resource Management Element</i>			
<i>Policies (3)</i>	Open space with reduced long-term biological value (due to proximity of development) should be used for moderate impact activities such as jogging, horseback riding, pet walking and interpretive trail hiking.	Of the 15.2 acre project site, only 3.6 acres of the total area would be developed for the project, and the remainder of the project site would be placed within the Covenant of Easement. As discussed in Section 3.3.4, Covenant of Easement, no public access to the open space preserve would be permitted. The biological resources located in this	The project would be consistent with this policy.

**Table 5.1-5.  
Project’s Consistency with Rancho Peñasquitos Community Plan**

Objective/Guideline	Goal/Recommendation	Analysis	Project Consistency
		preserved area would be impacted by such recreational uses suggested in this policy. The project site’s open space also includes steep slopes not suitable for recreational use. Thus, it would not be appropriate for the project open space to be utilized for recreation because the site conditions as well as the resulting impacts to sensitive biological resources	
<i>Policies (4)</i>	Open space serving as wildlife habitat should be maintained in its natural state.	The project site is not designated as a wildlife habitat preserve or MHPA.	The project would be consistent with this policy.
<i>Policies (5)</i>	Vernal pools and their associated native landforms and contributing watersheds should not be disturbed.	No vernal pools exist on the site.	The project would be consistent with this policy
<i>Policies (6)</i>	Exotic or invasive plant species should not be planted adjacent to natural open space areas.	The project’s landscape plan would include drought-tolerant native vegetation. No exotic or invasive plant species are included in the project’s landscape plan.	The project would be consistent with this policy.
<i>Education Element</i>			
<i>Policies (2)</i>	Integrate public school facilities and residential development planning to assure adequate school housing is available with need.	Per the Rancho Peñasquitos Community Plan, schools were operating at 5% over capacity and need for additional school housing (capacity) was identified as a goal of the Community Plan. The project’s potential impact on nearby schools was analyzed in Section 5.13, Public Services and	The project would be consistent with this policy.

**Table 5.1-5.  
Project’s Consistency with Rancho Peñasquitos Community Plan**

Objective/Guideline	Goal/Recommendation	Analysis	Project Consistency
		<p>Facilities. Potential impacts to schools serving the project site would be related to the number of students generated by the project. Based on the PUSD multi-family student generation rates, the project is estimated to generate 9 elementary school students, 5 middle school students, and 6 high school students, resulting in a total of 20 students within the PUSD school system. As shown in Table 5.13-3, there is an existing additional capacity of 2,205/4,646 students within the PUSD under the State Loading/District Loading scenarios. As such, the new student population generated by the project is not anticipated to cause the schools serving the project area to reach or exceed capacity. The project would have a less than significant impact.</p> <p>The analysis done in Section 5.13, Public Services and Facilities, shows that the project integrated public school facilities into the analysis to assure adequate housing and school services are available.</p>	

**Table 5.1-5.  
Project’s Consistency with Rancho Peñasquitos Community Plan**

Objective/Guideline	Goal/Recommendation	Analysis	Project Consistency
<i>Public Facilities and Services Element</i>			
<i>Policies (2)</i>	All new development should be phased with the provision of adequate public facilities and services.	As discussed in Section 5.13, Public Services and Facilities, the project would increase demands for fire protection services, police services, public parks and recreation facilities, schools, and libraries. However, although demands for these services would increase, these facilities would be able to adequately serve the proposed project. No expansion of public facilities would be required.	The project would be consistent with this policy.

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## 5.2 Transportation

This section describes the existing transportation conditions of the proposed Paseo Montril Project (project) site, identifies associated regulatory requirements, evaluates potential significant impacts and identifies mitigation measures, if applicable, related to implementation of the project. The following discussion is based on the Local Mobility Analysis (LMA) (Appendix B.1) prepared by LOS Engineering Inc. dated March 14, 2022, and Vehicle Miles Traveled (VMT) Analysis (Appendix B.2) prepared by LOS Engineering Inc. dated April 12, 2022.

### 5.2.1 Existing Conditions

#### **Physical Conditions**

Currently, the project site is undeveloped, surrounded by existing residential, commercial, and transportation infrastructure. The site is primarily characterized by undeveloped land on a hillside within an urbanized area. Paseo Montril roadway ends in a cul-de-sac at the western property boundary.

#### ***Existing Roadway Network***

Existing roadways surrounding the project site include Rancho Peñasquitos Boulevard and Paseo Montril. Major roadways nearby include Ted Williams Parkway and Interstate (I) 15. Regional access to the project area is provided by I-15, which runs north-south adjacent to the project area. The I-15 provides for vehicular and transit access to the larger San Diego region as well as Riverside County to the north. State Route 56 runs east-west where it transitions from Ted Williams Parkway to I-5, also providing regional vehicular access to points west of the project area. The existing roadway network within and immediately surrounding the project area is summarized herein.

**Rancho Peñasquitos Boulevard** from Via Del Sud to I-15 is classified as a 4-Lane Major in the Rancho Peñasquitos Community Plan (City of San Diego 2011). From Via Del Sud to I-15, Rancho Peñasquitos Blvd is constructed as a 4-lane major roadway with a raised median and 2 travel lanes in each direction. On-street parking is generally permitted on both sides of the roadway. The posted speed limit is 40 miles per hour (MPH). This roadway has contiguous sidewalks and has no marked bike lanes.

**Paseo Montril** east of Rancho Peñasquitos Boulevard is not classified in the Rancho Peñasquitos Community Plan. Paseo Montril east of Rancho Peñasquitos Boulevard is constructed as a two-lane undivided roadway with on-street parking generally allowed on both sides of the roadway starting approximately 200 feet east of Rancho Peñasquitos Boulevard. The roadway near the commercial uses is approximately 50 feet (curb to curb) from Rancho Peñasquitos Boulevard to the commercial driveways about 150 feet east of Rancho Peñasquitos Boulevard and then approximately 38 feet (curb to curb) from the commercial driveways to the eastern cul-de-sac terminus. This portion of Paseo Montril has no sidewalk on the north side of the street east of the commercial driveways and no bike lanes.

### ***Existing Pedestrian Conditions***

The existing pedestrian facilities surrounding the project site generally consist of sidewalks and curb ramps. Rancho Peñasquitos Boulevard from approximately 150 feet north of Calle De Las Rosas down to the I-15 NB Ramps with Rancho Peñasquitos /Poway Road currently has contiguous sidewalks on both sides of the roadway. Curb ramps currently exist at each of the following intersections:

- Rancho Peñasquitos Boulevard/Calle De Las Rosas
- Rancho Peñasquitos Boulevard/Via Del Sud
- Rancho Peñasquitos Boulevard/Paseo Montril
- Rancho Peñasquitos Boulevard/I-15 SB Ramps
- Rancho Peñasquitos Boulevard/I-15 NB Ramps

Paseo Montril from the easterly cul-de-sac terminus to approximately 150 feet east of Rancho Peñasquitos Boulevard (delineated by commercial driveways on the north and south sides of Paseo Montril) currently has a contiguous sidewalk on the southside of the roadway, except for approximately 230 feet of the south side and no sidewalk on the north side of the roadway. Paseo Montril from approximately 150 feet east of Rancho Peñasquitos Boulevard (at the commercial driveways) to Rancho Peñasquitos Boulevard currently has contiguous sidewalk on both sides of the roadway.

The pedestrian facilities within a 0.5 mile walking distance along the project area roadways did not have any observed missing sidewalk sections, curb ramps, or significant obstructions, except for approximately 450 feet along the north side of Paseo Montril from the easterly cul-de-sac to approximately 150 feet east of Rancho Peñasquitos Boulevard, and about 230 feet of south side of Paseo Montril, approximately 150 feet east of Rancho Peñasquitos Road. The north side of Paseo Montril does not have a sidewalk due to the adjacent geologic rockfall issues. The sidewalk along the southside of Paseo Montril from the project frontage to Rancho Peñasquitos Boulevard appears to be in an unmaintained state with overgrown vegetation.

### ***Existing Bicycle Conditions***

The City of San Diego adopted the Bicycle Master Plan (City of San Diego 2013) in December 2013. Per this plan, bicycle facilities consist of four types of facilities, which are outlined below:

- *Bike or Multi-Use Paths (Class I)* provide a separate right-of-way and are designated for the exclusive use of bicycles and pedestrians (or exclusively bicycles) with vehicle and pedestrian cross-flow minimized. Generally, the recommended pavement width for a two-directional bike or multi-use path is twelve (12) feet with two feet shoulders.
- *Bike Lanes (Class II)* provide a restricted right-of-way and are designated for the use of bicycles with a striped lane on a street or highway. Bicycle lanes are at least five (5) feet wide and should be buffered. Adjacent vehicle parking and vehicle/pedestrian cross-flow are permitted.
- *Bike Route or Signed Shared Roadways (Class III)* provide for a right-of-way designated by signs or shared lane pavement markings, or “sharrows,” for shared use with pedestrians or motor vehicles.
- *Separated Bikeways or Cycle Tracks (Class IV)* provide a restricted right-of-way with physical separation and are designated for the use of bicycles with a raised barrier such as curbs or bollards. Separated bikeways are five (5) feet wide with a three (3) foot minimum horizontal

and vertical separation area. Adjacent vehicle parking is permitted, and vehicle/pedestrian cross-flow is restricted to selected locations (e.g., driveways) indicated by breaks in the barrier and buffer.

The City of San Diego Bicycle Master Plan shows a Class III bike route along Rancho Peñasquitos Boulevard between Calle De Las Rosas and I-15. The Rancho Peñasquitos Community Plan calls for a Class II bike lanes on Rancho Peñasquitos Boulevard between SR-56 and I-15. However, no marked bike lanes have been striped on Rancho Peñasquitos Boulevard between SR-56 and I-15 or on Paseo Montril.

### ***Existing Transit Conditions***

The San Diego Metropolitan Transit System (MTS) provides bus transit within the area of the project site. The closest MTS transit center is located approximately 2.5 miles north of the project site and is the Sabre Springs/Peñasquitos Transit Center. Local MTS bus routes include 235, 290, and 944. The nearest bus route is Route 20 that runs along Rancho Peñasquitos Boulevard approximately 650 feet from the project driveway. Route 20 extends from Downtown to Rancho Bernardo Transit Center, with service every approximately 30 minutes between 5:30 am and 9:30 PM (MTS 2020). Regional transit services include MTS Rapid and Express bus routes accessible from the Sabre Springs/Peñasquitos Transit Station. Bus transit in the area is categorized in following classifications (MTS 2019):

- **MTS Bus** – is the main type of local bus service that is provided by MTS in San Diego area. MTS Bus provides service at different headways (between 10 minutes to an hour or more) depending on the demand and location. The project site is currently served by MTS Bus route 20:
  - **MTS Route 20:** Provides service between downtown San Diego and Rancho Bernardo with stops in the project vicinity at the intersection of Paseo Montril with Rancho Peñasquitos Boulevard. It operates with 30-minute headways on weekdays and hour headways on weekends.
- **MTS Express** – are high frequency bus services that have 15-minute headways during peak and non-peak hours. Bus route 20 is Express Routes providing service to the project area.
- **MTS Rapid** – are high frequency bus services that have 15-minute headways during peak and non-peak hours and provides riders with improved wait time and enhanced comfort and convenience. Route 235 is an MTS Rapid route:
  - **MTS Route 235** provides rapid service between Escondido and downtown San Diego with a stop at the Sabre Springs/Peñasquitos Transit Station. It operates with 15- minute headways on weekdays and 30-minute headways on weekends.
- **MTS Rapid Express/Premium** – operates along the I-15 corridor during weekdays. It provides frequent trips south in the morning (5:00 a.m.–9:00 a.m.) and north in the evening (3:00 p.m.–7:00 p.m.). Express routes have 15-minute headways during peak and non-peak hours and usually take up to 45 minutes to an hour to get from departure to the final destination. Route 290 is an MTS Rapid Express route:
  - **MTS Route 290** provides express service between Rancho Bernardo and downtown San Diego with a stop at the Sabre Springs/Peñasquitos Transit Station. It operates with 15-minute headways on weekdays and no weekend service.

## 5.2.2 Regulatory Framework

### State

#### ***California Department of Transportation***

The California Department of Transportation (Caltrans) is the public agency responsible for designing, building, operating, and maintaining California’s state highway system, which consists of freeways, highways, expressways, toll roads. Caltrans is also responsible for permitting and regulating the use of state roadways. The project site is located adjacent to the Caltrans right-of-way for the I-15. The project area does not encroach into the Caltrans right-of-way and no encroachment permit is required for the project implementation.

#### ***Senate Bill 743***

On September 27, 2013, Governor Jerry Brown signed SB 743 into law changing the way transportation impact analysis is conducted under CEQA. Within the State CEQA Guidelines, these changes include elimination of auto delay, Level of Service (LOS), and similar measurements of vehicular roadway capacity and traffic congestion as the basis for determining significant impacts. In December 2018, new CEQA Guidelines implementing SB 743 (Section 15064.3), along with the Office of Planning and Research (OPR) Technical Advisory on Evaluating Transportation Impacts for CEQA, were finalized and made effective. Guidelines Section 15064.3, and the associated OPR Technical Advisory, provide that use of automobile Vehicle Miles Traveled, or VMT, is the preferred CEQA transportation metric, and correspondingly eliminate auto delay/LOS as the metric for assessing significant impacts under CEQA statewide. Under Section 15064.3, statewide application of the new VMT metric began on July 1, 2020. The City of San Diego prepared its own guidelines for VMT analysis and significance thresholds in compliance with SB 743 – these guidelines are contained in the City’s Transportation Study Manual (TSM) and the City CEQA Significance Determination Thresholds (City of San Diego 2020).

#### ***Office of Planning and Research Technical Advisory on Evaluating Transportation Impacts in CEQA***

The December 2018 technical advisory on evaluating transportation impacts in CEQA is one in a series of advisories provided by the Governor’s Office of Planning and Research (OPR) as a service to professional planners, land use officials, and CEQA practitioners. This advisory contains technical recommendations regarding the assessment of VMT-related impacts, thresholds of significance, and mitigation measures. OPR issues technical assistance on issues that broadly affect the practice of land use planning and the CEQA (California Public Resources Code, Section 21000 et seq.; Government Code Sections 65040[g], [l], [m]). The purpose of the technical advisory document is to provide advice and recommendations, which agencies and other entities may use at their discretion. The document does not alter lead agency discretion in preparing environmental documents subject to CEQA and as stated above, the City has prepared its own technical guidelines in the TSM.

### Local

#### ***General Plan***

The Mobility Element (City of San Diego 2015) of the City of San Diego General Plan defines policies regarding traffic flow and transportation facility design. The purpose of the Mobility Element is “to improve mobility through development of a balanced, multi-modal transportation network.” The main goals of the Mobility Element pertain to walkable communities, transit first, street and freeway systems, intelligent transportation systems, transportation demand management, bicycling, parking management, airports, passenger rail, goods movement/freight, and regional transportation coordination and financing. The Mobility Element contains policies that help make walking more viable for short trips, in addition to addressing various other transportation choices in a manner that strengthens the City of Villages land use visions and helps to achieve a sustainable environment.

#### ***Rancho Peñasquitos Community Plan***

The Community Plan sets forth goals, policies, and proposals to guide future development within Rancho Peñasquitos. The Transportation Element of the Community Plan provides the overall goal to construct and maintain an adequate system for vehicular, bicycle and pedestrian circulation within the community, while providing adequate access to the larger San Diego region, which would be achieved through the implementation of the following policy recommendations related to transportation, as identified in the Transportation Element of the Community Plan (City of San Diego 2011):

- Developers of all future residential, commercial and industrial projects in Rancho Peñasquitos must participate in building or funding needed transportation improvements identified in this Plan and further defined in the Public Facilities Financing Plan.
- Each new development should contribute its fair share to needed transportation improvements based on traffic, transit ridership and population expected to be generated by the development.
- Adequate vehicular and pedestrian access should be available to serve all significant community resources and public facilities with an emphasis on safety, aesthetics and integration of facilities.
- A continuous pedestrian and bicycle system should be provided throughout the community focused on open space areas and minimizing conflicts with motor vehicles.
- Public transit should be expanded to serve the entire Rancho Peñasquitos community and should be increased in frequency.
- Off-road vehicles should be prohibited on designated open space areas and public property.

#### ***City of San Diego Bicycle Master Plan***

The 2013 City of San Diego Bicycle Master Plan, which updates the City’s 2002 plan, presents a bicycle network, projects, policies, and programs for improving bicycling through 2030 and beyond, consistent with the City’s 2008 General Plan mobility, sustainability, health, economic, and social goals. The goals of the Bicycle Master Plan are to create: a city where bicycling is a viable travel choice, particularly for trips of less than five miles; a safe and comprehensive local and regional bikeway network; and

environmental quality, public health, recreation and mobility benefits through increased bicycling. These goals are supported by twelve key policies to help bicycling become a more viable transportation mode for trips of less than five miles, to connect to transit, and for recreation.

The Bicycle Master Plan addresses existing bicycling conditions, the relationship of the Plan to other plans and policies, a bicycle needs analysis, bicycle facility recommendations, bicycle program recommendations, and implementation and funding issues (City of San Diego 2013).

### **City of San Diego Pedestrian Master Plan**

The City of San Diego has developed a Pedestrian Master Plan (City of San Diego 2006) to guide the planning and implementation of pedestrian improvement projects in the City. The Master Plan will help the City enhance neighborhood quality and mobility options by facilitating pedestrian improvement projects, and will identify and prioritize improvement projects based on technical analysis and community input, as well as improve the City's ability to receive grant funding for implementation of pedestrian projects.

During Phase 1, the City developed the Master Plan Citywide Framework Report, which provides a foundation for identifying and prioritizing projects in each community. Phases 2 and 3 inventoried seven communities in the city to understand pedestrian needs, identify problems, and create a prioritized list of pedestrian projects specific to each community. Phase 4 of the Pedestrian Master Plan created pedestrian plans for an additional seven communities, including College, Kensington-Talmadge, Midway-Pacific Highway, Old Town, Ocean Beach, Pacific Beach, and San Ysidro. Phase 4 began in mid-2011 and was completed in December 2013.

## 5.2.3 Impacts Analysis

### 5.2.3.1 Issue 1: Conflict with an Adopted Program, Plan, Ordinance, or Policy Addressing the Transportation System

***Issue 1: Would the project or plan/policy conflict with an adopted program, plan ordinance or policy addressing the transportation system, including transit, roadways, bicycle and pedestrian facilities?***

#### **Threshold**

According to the City's Significance Determination Thresholds (City of San Diego 2020), the City's Transportation Study Manual should be used to determine the significance of a project, plan, or policy's transportation impact.

#### **Impact**

##### ***Transportation (Roadway) Analysis***

As described in Section 5.1, Land Use, the project has demonstrated consistency with the City's General Plan, and Community Plan related transportation goals and policies (refer to Table 5.1-1 and 5.1-2).

The project does not propose to construct or realign existing roadways within the City. The project's internal Drive A would connect with the existing Paseo Montril cul-de-sac. The project includes demolition of a portion of the existing sidewalk in order to construct the 25-foot wide project driveway on the southeastern side of the cul-de-sac, and the replacement of the demolished portion with new non-contiguous sidewalk. Sidewalk improvements are proposed as a part of MM-TRA-1 and to current standards per the Street Design Manual (City of San Diego 2017). Thus, the project would not result in the construction of a roadway that is inconsistent with the General Plan and/or a Community Plan, or propose a roadway would not properly align with other existing or planned roadways.

### ***Pedestrian/Bicycle/Transit Analysis***

The proposed project would construct an internal pedestrian and bicycle path network within the project site that would connect the proposed residential uses to internal amenities as well as the public Paseo Montril sidewalk. Within the project site, a sidewalk would be constructed along the outer edge of the internal Drive A, and along the outer edges of the residential buildings. These sidewalks would provide pedestrian access to Amenity Space No. 1 and No. 2, as well as the community bar-be-que area and dog park. The sidewalk along the internal Drive A would connect to a sidewalk which would be constructed along the Paseo Montril cul-de-sac frontage. The project would provide improvements to the existing sidewalk located along the south side of Paseo Montril VMT (MM-TRA-1). Refer to Issue 2, below, for details regarding VMT analysis and associated consistency information. Thus, the project would not conflict with a program, plan ordinance or policy addressing pedestrian facilities.

As noted in Section 5.2.1 above, the City of San Diego Bicycle Master Plan shows a Class III bike route along Rancho Peñasquitos Boulevard between Calle De Las Rosas and I-15. The Rancho Peñasquitos Community Plan calls for a Class II bike lanes on Rancho Peñasquitos Boulevard between SR-56 and I-15. However, no marked bike lanes have been striped on Rancho Peñasquitos Boulevard between SR-56 and I-15 or on Paseo Montril. The project would not interfere with the City's planned bike lane, as no modifications to that roadway are proposed as a part of the project. While there is no Municipal Code requirement for the project to provide bike parking, the project would provide 10 short term bike parking spaces via bike racks throughout the site (MM-TRA-2). Overall, the project would not conflict with a program, plan ordinance or policy addressing bicycle facilities.

Regarding transit facilities, the project would be served by MTS Bus Route 20, which provides service between downtown San Diego and Rancho Bernardo with stops in the project vicinity at the intersection of Paseo Montril with Rancho Peñasquitos Boulevard (MTS 2019). This bus route provides bus services that have 15-minute headways during peak and non-peak hours. In addition, per MM-TRA-3, transit pass subsidies would be provided for tenants to promote the use of transit. MM-TRA-4 requires implementation of the Commute Trip Reduction Program, which requires each homeowner and tenant to be provided with a one page flyer every year that provides information regarding available transit, designated bicycle routes, local bicycle groups and programs, local walking routes and programs, and rideshare programs. Lastly, per MM-TRA-5, prior to first occupancy, the Permittee shall provide one bicycle (up to a \$400 value) per unit to the first buyer of each unit. Thus, the project would not conflict with a program, plan ordinance or policy addressing transit facilities.

### Significance of Impact

The project would not substantially alter the present roadway, pedestrian, bicycle, or transit circulation movements in the area. Additionally, the project would not conflict with adopted policies, plans or programs addressing the transportation system. Impacts would be **less than significant**.

### Mitigation

No mitigation would be required.

### 5.2.3.2 Issue 2: VMT

**Issue 2: *Would the project or plan/policy result in VMT exceeding thresholds identified in the City of San Diego Transportation Study Manual?***

#### Threshold(s)

The methodology and significance criteria for determining VMT transportation impacts in the City of San Diego is contained in the City's TSM, which was approved by City Council on November 9, 2020. The TSM outlines the following process for performing analysis:

1. Determine if VMT analysis is necessary by comparing project characteristics to the City's screening criteria.
2. If the project does not meet any of the screening criteria, perform VMT analysis to determine the project's VMT.
3. Compare the project VMT to the significance criteria to determine if there is VMT transportation impact.
4. If there is an impact, identify mitigation measures to reduce the project impact.

The City has established the following significance threshold for VMT transportation impacts for residential projects:

- For residential projects: TSM Table 3 indicates that the threshold is 15% below regional mean (also referred to as average) resident VMT/Capita. Per the TSM Table 3 starred notes, *"The regional mean and total regional VMT are determined using the SANDAG Regional Travel Demand Model. The specific model version and model year will be identified by the Development Services Department's (DSD) Transportation Development Section."* Per direction from DSD Transportation Development Section, the model version and model year that should be used is the SANDAG ABM 2+ Series 14 base year (2016) model to determine the regional average resident VMT/Capita. Based on the SANDAG ABM 2+ Series 14 base year 2016 model, the regional average VMT/Capita is 18.9. Therefore, the corresponding VMT transportation significance threshold is 16.2 VMT/Capita (15% below 18.9 or  $18.9 \times (1 - 0.15) = 16.1$ ).

As mentioned above, the City of San Diego has prepared guidelines for performing VMT analysis per SB 743, and the proposed methodology is consistent with the OPR Technical Advisory.

**Impact**

The first step in performing transportation VMT impact analysis is to review the SANDAG VMT/Capita location-based screening map and to compare the project characteristics to the City’s screening criteria to determine if VMT analysis is necessary. As shown in the SANDAG VMT/Capita location-based screening map (VMT Analysis Figure 3), the project is in an area where VMT/Capita is 122.8% of the regional mean. Therefore, the project is not located in a VMT efficient area. The following table, Table 5.2-1 compares the project characteristics to the City’s screening criteria to determine if a VMT analysis is necessary.

**Table 5.2-1  
Paseo Montril VMT Screening Analysis**

<b>Screening Criteria</b>	<b>Analysis</b>	<b>Is the Project Screened?</b>
<b><i>VMT Efficient Location</i></b>	The project is not located in a VMT efficient location (see VMT Analysis Figure 3).	No
<b><i>Small Project</i></b>	The project generates: <ul style="list-style-type: none"> <li>• 440 total daily trips</li> </ul> 440 daily trips are greater than 300 daily trips; therefore, the project is not considered a small project.	No
<b><i>Affordable Housing</i></b>	The project includes six affordable housing units (four on the Del Mar Highlands Estates site and two on the project site). The units: <ul style="list-style-type: none"> <li>• Currently, the area median income (AMI) target for the affordable housing component of the project has not been finalized; therefore, the affordable housing may not meet the requirement that it will be affordable to persons with a household income equal to or less than 50% of the AMI and deed restricted for 55 years.</li> <li>• Project cannot provide parking above the minimum requirement per City Municipal Code.</li> </ul>	No (unless the AMI target is defined as 50%)
<b><i>Redevelopment Project</i></b>	The project site is currently undeveloped and does not generate vehicle trips. Therefore, the project is not a redevelopment project.	No
<b><i>Locally Serving Public Facility</i></b>	The project consists of a residential development, and is not a locally serving public facility. Therefore, the project does not meet the screening criteria.	No

As shown in Table 5.2-1, the project does not meet the City’s VMT screening criteria. Therefore, VMT analysis is necessary for the project to determine if the project results in VMT transportation impacts. Since the project trip generation is below the City’s threshold of 500 daily trips for projects

requiring a CPA or Rezone, a Local Mobility Analysis (LMA) would typically not be required. However, a LMA was completed and it is included herein as Appendix B.1.

The anticipated daily trip generation of the residential component of the project was determined per the City of San Diego’s Trip Generation Manual. The project is anticipated to generate approximately 440 daily trips. The census tracts containing the project site (170.18) has a VMT per capita of 23.3. This value is 122.8% of the regional mean of 18.9 VMT per capita. Thus, the project would result in a significant VMT transportation impact because the project location in census tract 170.18 is above the 85th percentile mean VMT per Capita for the region.

### Significance of Impact

As the project is located in an area above the 85th percentile mean VMT per Capita for the region (122.8% of the regional mean), impacts associated with VMT would be **significant and unavoidable (Impact TRA-1)**.

### Mitigation

The City of San Diego Transportation Study Manual, TSM (September 2020) provides a list of Transportation Demand Management strategies that can be incorporated as mitigation to reduce significant vehicle miles travelled. In accordance with the TSM, the project owner/permittee would implement the following mitigation measures to reduce the project’s significant VMT impact (**Impact TRA-1**) to the extent feasible:

- MM-TRA-1 Pedestrian Improvements.** Prior to the issuance of the first building permit, Permittee shall assure by permit and bond the construction/improvement of standard City sidewalk along the south side Paseo Montril, satisfactory to the City Engineer. The improvements shall be completed and operational prior to first occupancy. This includes providing a continuous concrete sidewalk from the project access to Rancho Peñasquitos Boulevard.
- MM-TRA-2 Bike Parking.** Prior to the issuance of the first occupancy permit, the Permittee shall provide 10 short term bike parking spaces on site.
- MM-TRA-3 Transit Passes.** Prior to first occupancy, the Permittee shall implement a transit subsidy program. The subsidy value will be limited to the equivalent value of 25% of the cost of an MTS “Regional Adult Monthly/30-Day Pass” (currently \$72, which equates to a subsidy value of \$18 per month). Subsidies will be available on a per unit basis to residential tenants for a period of five years (five years after issuance of the first occupancy permit). In no event shall the total subsidy exceed \$59,400. Permittee shall provide an annual report to the City Engineer in each of the first five years demonstrating how the offer was publicized to residents and documenting the results of the program each year, including number of participants and traffic counts at the project entrance.
- MM-TRA-4 Commute Trip Reduction Program.** Prior to first occupancy, the Permittee shall develop and implement a commute trip reduction program that requires each

homeowner and tenant to be provided with a one page flyer every year that provides information regarding available transit, designated bicycle routes, local bicycle groups and programs, local walking routes and programs, and rideshare programs.

**MM-TRA-5 Bicycle Micromobility Fleet.** Prior to first of occupancy, the Permittee shall provide one bicycle (up to a \$400 value) per unit to the first buyer of each unit.

In addition to the above measures, improvements to the local northbound and southbound bus stops at the Paseo Montril and Rancho Peñasquitos Boulevard intersections were considered to encourage future occupants of the project to utilize transit instead of personal vehicles. However, such improvements were determined to be infeasible given that the Peñasquitos East Maintenance Area District and MTS both indicated that they would not be willing to accept the improvement considering the existing and existing plus project ridership does not warrant the addition of bus shelter improvement and the bus stops already include adequate amenities suitable for these stops.

Other City of San Diego Transportation Study Manual (September 2020) Transportation Demand Management strategies were considered but determined to not be applicable or feasible to reduce VMT. This includes providing less parking, expanding transit services, and employer-based measures. Refer to Appendix B.2 for additional information.

As discussed in Section 2.3.4, the City of San Diego has developed the Complete Communities: Mobility Choices program. The purpose of the Mobility Choices Program is to implement SB 743 and for the City to reduce VMT impacts to the extent feasible through the implementation of VMT reduction measures and/or paying the Active Transportation In-Lieu Fee (ATILF) that provides for transit, pedestrian, and cyclist improvements that would decrease vehicle miles traveled within the City as a whole. However, the project was deemed complete prior to the City's adoption of this program and the program specifically does not apply to those projects deemed complete prior to the effective date of the program.

In an effort to consider other feasible mitigation measures to reduce project-generated VMT, the December 2021 California Air Pollution Control Officers Association (CAPCOA) Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity (CAPCOA 2021) (CAPCOA Handbook) was also reviewed. As detailed in Appendix B.2, each VMT reducing measure was considered. It was determined that several of the measures did not apply to the project or are not feasible for the applicant to implement due to the nature of the project as a multi-family residential project on a specific project site, not a employment or community-wide project. The measures identified in the CAPCOA Handbook include location near a high frequency transit station, employer-based methods to reduce trips, transit service improvements, and bikeway improvements. Other feasible improvements identified in the CAPCOA Handbook for reducing VMT are included or are proposed as mitigation, implement subsidized or discounted transit program (T-9), and integrate affordable and below market rate housing (T-4). Based on the Appendix B.2, there are no additional feasible, enforceable measures that can be implemented as mitigation for the project that would achieve a percent reduction in the Project's VMT relative to the regional average. Overall, the project incorporates all mitigation to the extent feasible to reduce the VMT per capita impact of the project.

**Significance of Impact After Mitigation**

The project would have a 122.8 % of the regional mean VMT per capita, as discussed above. To reduce the impact to below a level of significance per the City Transportation Study Manual (City of San Diego 2020), the VMT would need to be reduced to 85<sup>th</sup> percentile regional mean VMT per capita. Using the CAPCOA Handbook (December 2021), the project with the implementation of the mitigation measures identified would result in a VMT per capita reduction of 4.10% resulting in a 118.7% of the regional mean VMT per capita. Despite the incorporation of mitigation to the extent feasible, the project’s mitigated VMT per capita would continue to exceed the 85% regional mean VMT per capita and impacts would remain **significant and unavoidable (Impact TRA-1)** after mitigation.

**Table 5.2-2  
Paseo Montril VMT Reductions**

Measure	Analysis	VMT per Capita Reduction
<i>2021 CAPCOA Handbook</i>		
T-1. Increase Residential Density	A project with increased density results in shorter and fewer trips by single-occupancy vehicles. Project is at 11.2 du/ac. The project density has been maximized to the extent feasible. Due to the site constraints and the intent to be consistent with surrounding development, additional increase in density is not possible.	-0.86%
T-4. Integrate Affordable and Below Market Rate Housing	The project includes 6 affordable housing units (four on the Del Mar Highlands Estate project site and two on the proposed project site).	-3.12%
T-9 Implement Subsidized or Discounted Transit Program	Project is within 0.5 miles of bus stops. A 25% transit pass subsidy to tenants for five years is proposed as part of the project.	-0.13%

**Source:** Appendix B.2

\* Note that percentages are not additive. Refer to Appendix B.2 for the combined VMT Reduction.

Because the proposed VMT reduction measures cannot be assured to reduce the VMT to below 85% of the mean, the project impacts would continue to have a **significant and unavoidable** after mitigation (**Impact TRA-1**).

### 5.2.3.3 Issue 3: Hazards Due to a Design Feature

**Issue 3:** *Would the project or Plan/Policy substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*

#### **Threshold(s)**

According to the City's Significance Determination Thresholds (City of San Diego 2020), the City's Transportation Study Manual should be used to determine the significance of a project, plan, or policy's transportation impact. **Impact**

The project does not include any project elements that could potentially create a traffic hazard for motor vehicles, bicycles, or pedestrians due to a proposed, non-standard design feature. The proposed project's circulation system is designed to interconnect with the existing adjacent public street system and would dead-end within the project site. The project's internal roadway network would consist of internal private drives and alleys. Internal drives would consist of private drives with and without parking. The internal pedestrian pathway and sidewalks would be ADA compliant, and would wrap around the back of the residential units, thereby directing residents and visitors to avoid walking directly in front of garage access points. The access point to the project site would not create a hazard for vehicles or people entering or exiting the site. Additionally, as a residential project that would not change the existing roadway network, the project would not result in a hazardous roadway design or unsafe roadway configuration; place incompatible uses on existing roadways; or create or place curves, slopes, or walls that impede adequate sight distance on a roadway. Therefore, the proposed project would not significantly increase hazards due to design features or incompatible uses.

#### **Significance of Impact**

Impacts associated with an increase in hazards would be **less than significant**.

#### **Mitigation**

No mitigation would be required.

### 5.2.3.4 Issue 4: Emergency Access

**Issue 4:** *Would the project or plan/policy result in inadequate emergency access?*

#### **Threshold(s)**

Based on the City's Significance Determination Thresholds (City of San Diego 2020), the City's Transportation Study Manual should be used to determine the significance of a project, plan, or policy's transportation impact.

### Impact

The proposed project would not result in inadequate emergency access. The private internal Drive A, Drive B and Alleys C, D, and E would be constructed in accordance with San Diego Municipal Code Sections 55.8701 and 55.8703, which outline the requirements for fire apparatus access roads and gates to ensure adequate emergency access within the project site. All roadways have been designed or planned based on City of San Diego standards. Consistency with City standards indicates that adequate emergency access is available on these facilities. Additionally, the project is subject to review by the San Diego Fire-Rescue and the SDPD to ensure compliance with applicable safety standards. A fire access plan has been prepared for the project, which shows that the internal drives and alleyways provide adequate turning radii for fire apparatus (Figure 3-6, Fire Access Plan). Thus, the project would not result in inadequate emergency access.

### Significance of Impact

Impacts associated with an increase in hazards would be **less than significant**.

### Mitigation

No mitigation would be required.

## 5.3 Air Quality and Odor

This section describes the existing air quality conditions of the proposed Paseo Montril Project (project) site, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures, if applicable, related to implementation of the project. The following discussion is based on the air quality technical report, prepared by Dudek (October 2021) and included as Appendix C.

### 5.3.1 Existing Conditions

#### **Physical Conditions**

The project site is undeveloped vacant land. The off-site area consists of the existing Paseo Montril roadway. Refer to Chapter 2, Environmental Setting, for additional details regarding the site conditions and surrounding community features.

#### **Site Planning**

The local air quality plans, which are discussed below, are based on the site land use designations and zoning. The project site is designated Park, Open Space, and Recreation in the General Plan, while the off-site area is designated as Roads/Freeway/Transportation (City of San Diego 2008). The project site is currently designated as Open Space by the Rancho Peñasquitos Community Plan, while the off-site area is designated as Major Utility Facility (City of San Diego 2011). Most of the project site is zoned as Residential-Multiple (RM-2-5), while the western corner of the site is zoned as Residential-Single (RS-1-14). The off-site area is located within the Commercial-Community (CC-1-3) zone but is currently constructed as a roadway (City of San Diego 2005).

#### **Regional Setting**

The project site is located within the San Diego Air Basin (SDAB) and is subject to the San Diego Air Pollution Control District (SDAPCD) guidelines and regulations. The SDAB is one of 15 air basins that geographically divide the State of California. The weather of the San Diego region, as in most of Southern California, is influenced by the Pacific Ocean and its semi-permanent high-pressure systems that result in dry, warm summers and mild, occasionally wet winters. The average temperature ranges (in degrees Fahrenheit (°F)) from the mid-40s to the high 90s. Most of the region's precipitation falls from November to April with infrequent (approximately 10%) precipitation during the summer. The average seasonal precipitation along the coast is approximately 10 inches; the amount increases with elevation as moist air is lifted over the mountains to the east.

The topography in the San Diego region varies greatly, from beaches on the west to mountains and desert on the east. Along with local meteorology, the topography influences the dispersal and movement of pollutants in the SDAB. The mountains to the east prohibit dispersal of pollutants in that direction and help trap them in inversion layers as described in the next section.

The interaction of ocean, land, and the Pacific High Pressure Zone maintains clear skies for much of the year and influences the direction of prevailing winds (westerly to northwesterly). Local terrain is often the dominant factor inland, and winds in inland mountainous areas tend to blow through the valleys during the day and down the hills and valleys at night.

### **Meteorological and Topographical Conditions**

The SDAB lies in the southwest corner of California, makes up the entire San Diego region (covering approximately 4,260 square miles), and is an area of high air pollution potential. The SDAB experiences warm summers, mild winters, infrequent rainfalls, light winds, and moderate humidity. This usually mild climatological pattern is interrupted infrequently by periods of extremely hot weather, winter storms, or Santa Ana winds.

The climate also drives the pollutant levels. The climate of San Diego is classified as Mediterranean, but it is incredibly diverse due to the topography. The climate is dominated by the Pacific High-pressure system that results in warm, dry summers and mild, wet winters. The Pacific High drives the prevailing winds in the SDAB. The winds tend to blow onshore during the daytime and offshore at night. In the fall months, the SDAB is often impacted by Santa Ana winds. These winds are the result of a high-pressure system over the Nevada-Utah region that overcomes the westerly wind pattern and forces hot, dry winds from the east to the Pacific Ocean (SDAPCD 2015a). The winds blow the air basin's pollutants out to sea. However, a weak Santa Ana can transport air pollution from the South Coast Air Basin and greatly increase San Diego ozone (O<sub>3</sub>) concentrations. A strong Santa Ana also primes the vegetation for firestorm conditions.

The SDAB experiences frequent temperature inversions. Subsidence inversions occur during the warmer months as descending air associated with the Pacific High Pressure Zone meets cool marine air. The boundary between the two layers of air creates a temperature inversion that traps pollutants. Another type of inversion, a radiation inversion, develops on winter nights when air near the ground cools by heat radiation and air aloft remains warm. The shallow inversion layer formed between these two air masses can also trap pollutants. As the pollutants become more concentrated in the atmosphere, photochemical reactions occur that produce O<sub>3</sub>, commonly known as smog.

Light daytime winds, predominantly from the west, further aggravate the condition by driving air pollutants inland, toward the mountains. During the fall and winter, air quality problems are created due to emissions of carbon monoxide (CO) and oxides of nitrogen (NO<sub>x</sub>). CO concentrations are generally higher in the morning and late evening. In the morning, CO levels are elevated due to cold temperatures and the large number of motor vehicles traveling. Higher CO levels during the late evenings are a result of stagnant atmospheric conditions trapping CO in the area. Since CO is produced almost entirely from automobiles, the highest CO concentrations in the basin are associated with heavy traffic. Nitrogen dioxide (NO<sub>2</sub>) levels are also generally higher during fall and winter days when O<sub>3</sub> concentrations are lower.

The local climate in the central part of the County of San Diego (County) is characterized as semi-arid with consistently mild, warmer temperatures throughout the year. The average summertime high temperature in the region is approximately 86°F. The average wintertime low temperature is

approximately 39°F. Average precipitation in the local area is approximately 13.2 inches per year, with the bulk of precipitation falling between November and March (WRCC 2017).

### Criteria Pollutants

Criteria air pollutants are defined as pollutants for which the federal and state governments have established ambient air quality standards (criteria) for outdoor concentrations to protect public health. The federal and state standards have been set, with an adequate margin of safety, at levels above which concentrations could be harmful to human health and welfare. These standards are designed to protect the most sensitive persons from illness or discomfort. In general, criteria air pollutants include the following compounds:

- Ozone (O<sub>3</sub>)
- Reactive organic gases (ROGs) or volatile organic compounds (VOCs)
- Carbon Monoxide (CO)
- Nitrogen Dioxide (NO<sub>2</sub>)
- Particulate Matter (PM<sub>10</sub>) and fine particulate matter (PM<sub>2.5</sub>)
- Sulfur dioxide (SO<sub>2</sub>)
- Lead (Pb)
- Sulfates
- Vinyl chloride
- Hydrogen sulfide
- Visibility-reducing particles

These pollutants, as well as toxic air contaminants (TACs), are discussed in the following paragraphs.<sup>1</sup>

**Ozone.** O<sub>3</sub> is a strong-smelling, pale blue, reactive, toxic chemical gas consisting of three oxygen atoms. It is a secondary pollutant formed in the atmosphere by a photochemical process involving the sun's energy and O<sub>3</sub> precursors. These precursors are mainly NO<sub>x</sub> and volatile organic compounds (VOCs). The maximum effects of precursor emissions on O<sub>3</sub> concentrations usually occur several hours after they are emitted and many miles from the source. Meteorology and terrain play major roles in O<sub>3</sub> formation, and ideal conditions occur during summer and early autumn on days with low wind speeds or stagnant air, warm temperatures, and cloudless skies. O<sub>3</sub> exists in the upper atmosphere O<sub>3</sub> layer (stratospheric ozone) and at the Earth's surface in the troposphere (ozone).<sup>2</sup> The O<sub>3</sub> that the U.S. Environmental Protection Agency (EPA) and the California Air Resources Board (CARB) regulate as a criteria air pollutant is produced close to the ground level, where people live, exercise, and breathe. Ground-level O<sub>3</sub> is a harmful air pollutant that causes numerous adverse health effects and is, thus, considered "bad" O<sub>3</sub>. Stratospheric, or "good," O<sub>3</sub> occurs naturally in the upper atmosphere, where it reduces the amount of ultraviolet light (i.e., solar

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<sup>1</sup> The descriptions of each of the criteria air pollutants and associated health effects are based on the EPA's (2016a) Criteria Air Pollutants and the CARB (2016a) Glossary of Air Pollutant Terms.

<sup>2</sup> The troposphere is the layer of the Earth's atmosphere nearest to the surface of the Earth. The troposphere extends outward about five miles at the poles and about 10 miles at the equator.

radiation) entering the Earth's atmosphere. Without the protection of the beneficial stratospheric O<sub>3</sub> layer, plant and animal life would be seriously harmed.

O<sub>3</sub> in the troposphere causes numerous adverse health effects; short-term exposures (lasting for a few hours) to O<sub>3</sub> at levels typically observed in Southern California can result in breathing pattern changes, reduction of breathing capacity, increased susceptibility to infections, inflammation of the lung tissue, and some immunological changes (EPA 2013). These health problems are particularly acute in sensitive receptors such as the sick, the elderly, and young children.

**Nitrogen Dioxide and Oxides of Nitrogen.** NO<sub>2</sub> is a brownish, highly reactive gas that is present in all urban atmospheres. The major mechanism for the formation of NO<sub>2</sub> in the atmosphere is the oxidation of the primary air pollutant nitric oxide, which is a colorless, odorless gas. NO<sub>2</sub> can irritate the lungs, cause bronchitis and pneumonia, and lower resistance to respiratory infections (EPA 2016b).

NO<sub>x</sub> plays a major role, together with VOCs, in the atmospheric reactions that produce O<sub>3</sub>. NO<sub>x</sub> is formed from fuel combustion under high temperature or pressure. In addition, NO<sub>x</sub> is an important precursor to acid rain and may affect both terrestrial and aquatic ecosystems. The two major emissions sources of NO<sub>x</sub> are transportation and stationary fuel combustion sources, such as electric utility and industrial boilers.

**Carbon Monoxide.** CO is a colorless, odorless gas formed by the incomplete combustion of hydrocarbon, or fossil fuels. CO is emitted almost exclusively from motor vehicles, power plants, refineries, industrial boilers, ships, aircraft, and trains. In urban areas, automobile exhaust accounts for the majority of CO emissions. CO is a nonreactive air pollutant that dissipates relatively quickly; therefore, ambient CO concentrations generally follow the spatial and temporal distributions of vehicular traffic. CO concentrations are influenced by local meteorological conditions—primarily wind speed, topography, and atmospheric stability. CO from motor vehicle exhaust can become locally concentrated when surface-based temperature inversions are combined with calm atmospheric conditions, which is a typical situation at dusk in urban areas from November to February. The highest levels of CO typically occur during the colder months of the year, when inversion conditions are more frequent.

In terms of adverse health effects, CO competes with oxygen, often replacing it in the blood, reducing the blood's ability to transport oxygen to vital organs. The results of excess CO exposure can include dizziness, fatigue, and impairment of central nervous system functions.

**Sulfur Dioxide.** SO<sub>2</sub> is a colorless, pungent gas formed primarily from incomplete combustion of sulfur-containing fossil fuels. The main sources of SO<sub>2</sub> are coal and oil used in power plants and industries; as such, the highest levels of SO<sub>2</sub> are generally found near large industrial complexes. In recent years, SO<sub>2</sub> concentrations have been reduced by the increasingly stringent controls placed on stationary source emissions of SO<sub>2</sub> and limits on the sulfur content of fuels.

SO<sub>2</sub> is an irritant gas that attacks the throat and lungs and can cause acute respiratory symptoms and diminished ventilator function in children. When combined with particulate matter, SO<sub>2</sub> can

injure lung tissue and reduce visibility and the level of sunlight. SO<sub>2</sub> can also yellow plant leaves and erode iron and steel.

**Particulate Matter.** Particulate matter pollution consists of very small liquid and solid particles floating in the air, which can include smoke, soot, dust, salts, acids, and metals. Particulate matter can form when gases emitted from industries and motor vehicles undergo chemical reactions in the atmosphere. PM<sub>2.5</sub> and PM<sub>10</sub> represent fractions of particulate matter. Coarse particulate matter (PM<sub>10</sub>) consists of particulate matter that is 10 microns or less in diameter (about 1/7 the thickness of a human hair). Major sources of PM<sub>10</sub> include crushing or grinding operations; dust stirred up by vehicles traveling on roads; wood-burning stoves and fireplaces; dust from construction, landfills, and agriculture; wildfires and brush/waste burning; industrial sources; windblown dust from open lands; and atmospheric chemical and photochemical reactions. Fine particulate matter (PM<sub>2.5</sub>) consists of particulate matter that is 2.5 microns or less in diameter (roughly 1/28 the diameter of a human hair). PM<sub>2.5</sub> results from fuel combustion (e.g., from motor vehicles and power generation and industrial facilities), residential fireplaces, and woodstoves. In addition, PM<sub>2.5</sub> can be formed in the atmosphere from gases such as sulfur oxides (SO<sub>x</sub>), NO<sub>x</sub>, and VOCs.

PM<sub>2.5</sub> and PM<sub>10</sub> pose a greater health risk than larger-size particles. When inhaled, these tiny particles can penetrate the human respiratory system's natural defenses and damage the respiratory tract. PM<sub>2.5</sub> and PM<sub>10</sub> can increase the number and severity of asthma attacks, cause or aggravate bronchitis and other lung diseases, and reduce the body's ability to fight infections. Very small particles of substances such as lead, sulfates, and nitrates can cause lung damage directly or be absorbed into the blood stream, causing damage elsewhere in the body. Additionally, these substances can transport adsorbed gases such as chlorides or ammonium into the lungs, also causing injury. Whereas PM<sub>10</sub> tends to collect in the upper portion of the respiratory system, PM<sub>2.5</sub> is so tiny that it can penetrate deeper into the lungs and damage lung tissue. Suspended particulates also damage and discolor surfaces on which they settle and produce haze and reduce regional visibility.

People with influenza, people with chronic respiratory and cardiovascular diseases, and the elderly may suffer worsening illness and premature death as a result of breathing particulate matter. People with bronchitis can expect aggravated symptoms from breathing in particulate matter. Children may experience a decline in lung function due to breathing in PM<sub>10</sub> and PM<sub>2.5</sub> (EPA 2009).

**Lead.** Lead in the atmosphere occurs as particulate matter. Sources of lead include leaded gasoline; the manufacturing of batteries, paints, ink, ceramics, and ammunition; and secondary lead smelters. Prior to 1978, mobile emissions were the primary source of atmospheric lead. Between 1978 and 1987, the phaseout of leaded gasoline reduced the overall inventory of airborne lead by nearly 95%. With the phaseout of leaded gasoline, secondary lead smelters, battery recycling, and manufacturing facilities are becoming lead-emissions sources of greater concern.

Prolonged exposure to atmospheric lead poses a serious threat to human health. Health effects associated with exposure to lead include gastrointestinal disturbances, anemia, kidney disease, and in severe cases, neuromuscular and neurological dysfunction. Of particular concern are low-level lead exposures during infancy and childhood. Such exposures are associated with decrements in neurobehavioral performance, including intelligence quotient performance, psychomotor performance, reaction time, and growth. Children are highly susceptible to the effects of lead.

**Volatile Organic Compounds.** Hydrocarbons are organic gases that are formed from hydrogen and carbon and sometimes other elements. Hydrocarbons that contribute to formation of O<sub>3</sub> are referred to and regulated as VOCs (also referred to as reactive organic gases). Combustion engine exhaust, oil refineries, and fossil-fueled power plants are the primary sources of hydrocarbons. Other sources of hydrocarbons include evaporation from petroleum fuels, solvents, dry cleaning solutions, and paint.

The primary health effects of VOCs result from the formation of O<sub>3</sub> and its related health effects. High levels of VOCs in the atmosphere can interfere with oxygen intake by reducing the amount of available oxygen through displacement. Carcinogenic forms of hydrocarbons, such as benzene, are considered TACs. There are no separate health standards for VOCs as a group.

**Sulfates.** Sulfates are the fully oxidized form of sulfur, which typically occur in combination with metals or hydrogen ions. Sulfates are produced from reactions of SO<sub>2</sub> in the atmosphere. Sulfates can result in respiratory impairment and reduced visibility.

**Vinyl Chloride.** Vinyl chloride is a colorless gas with a mild, sweet odor that has been detected near landfills, sewage plants, and hazardous waste sites, due to the microbial breakdown of chlorinated solvents. Short-term exposure to high levels of vinyl chloride in the air can cause nervous system effects such as dizziness, drowsiness, and headaches. Long-term exposure through inhalation can cause liver damage, including liver cancer.

**Hydrogen Sulfide.** Hydrogen sulfide is a colorless and flammable gas that has a characteristic odor of rotten eggs. Sources of hydrogen sulfide include geothermal power plants, petroleum refineries, sewers, and sewage treatment plants. Exposure to hydrogen sulfide can result in nuisance odors, as well as headaches and breathing difficulties at higher concentrations.

**Visibility-Reducing Particles.** Visibility-reducing particles are any particles in the air that obstruct the range of visibility. Effects of reduced visibility can include obscuring the viewshed of natural scenery, reducing airport safety, and discouraging tourism. Sources of visibility-reducing particles are the same as for PM<sub>2.5</sub>, described above.

### **Non-Criteria Pollutants**

**Toxic Air Contaminants.** A substance is considered toxic if it has the potential to cause adverse health effects in humans, including increasing the risk of cancer upon exposure, or acute and/or chronic non-cancer health effects. A toxic substance released into the air is considered a TAC. TACs are identified by federal and state agencies based on a review of available scientific evidence. In the State of California, TACs are identified through a two-step process that was established in 1983 under the Toxic Air Contaminant Identification and Control Act. This two-step process of risk identification and risk management and reduction was designed to protect residents from the health effects of toxic substances in the air. In addition, the California Air Toxics “Hot Spots” Information and Assessment Act, Assembly Bill (AB) 2588, was enacted by the legislature in 1987 to address public concern over the release of TACs into the atmosphere. The law requires facilities emitting toxic substances to provide local air pollution control districts with information that will allow an assessment of the air toxics problem, identification of air toxics emissions sources, location

of resulting hotspots, notification of the public exposed to significant risk, and development of effective strategies to reduce potential risks to the public over five years.

Examples include certain aromatic and chlorinated hydrocarbons, certain metals, and asbestos. TACs are generated by a number of sources, including stationary sources, such as dry cleaners, gas stations, combustion sources, and laboratories; mobile sources, such as automobiles; and area sources, such as landfills. Adverse health effects associated with exposure to TACs may include carcinogenic (i.e., cancer-causing) and noncarcinogenic effects. Noncarcinogenic effects typically affect one or more target organ systems and may be experienced on either short-term (acute) or long-term (chronic) exposure to a given TAC.

**Diesel Particulate Matter.** Diesel particulate matter (DPM) is part of a complex mixture that makes up diesel exhaust. Diesel exhaust is composed of two phases, gas and particle, both of which contribute to health risks. More than 90% of DPM is less than one micrometer in diameter (about 1/70th the diameter of a human hair) and, thus, is a subset of PM<sub>2.5</sub> (CARB 2016a). DPM is typically composed of carbon particles (“soot,” also called black carbon) and numerous organic compounds, including over 40 known cancer-causing organic substances. Examples of these chemicals include polycyclic aromatic hydrocarbons, benzene, formaldehyde, acetaldehyde, acrolein, and 1,3-butadiene (CARB 2016a). CARB classified “particulate emissions from diesel-fueled engines” (i.e., DPM) (17 CCR 93000) as a TAC in August 1998. DPM is emitted from a broad range of diesel engines, including on-road diesel engines from trucks, buses, and cars and off-road diesel engines from locomotives, marine vessels, and heavy-duty construction equipment, among others. Approximately 70% of all airborne cancer risk in California is associated with DPM (CARB 2000). To reduce the cancer risk associated with DPM, CARB adopted a diesel risk reduction plan in 2000 (CARB 2000). Because it is part of PM<sub>2.5</sub>, DPM also contributes to the same non-cancer health effects as PM<sub>2.5</sub> exposure. These effects include premature death; hospitalizations and emergency department visits for exacerbated chronic heart and lung disease, including asthma; increased respiratory symptoms; and decreased lung function in children. Several studies suggest that exposure to DPM may also facilitate development of new allergies (CARB 2016b). Those most vulnerable to non-cancer health effects are children whose lungs are still developing and the elderly who often have chronic health problems.

**Odorous Compounds.** Odors are generally regarded as an annoyance rather than a health hazard. Manifestations of a person’s reaction to odors can range from psychological (e.g., irritation, anger, or anxiety) to physiological (e.g., circulatory and respiratory effects, nausea, vomiting, and headache). The ability to detect odors varies considerably among the population and, overall, is quite subjective. People may have different reactions to the same odor. An odor that is offensive to one person may be perfectly acceptable to another (e.g., coffee roaster). An unfamiliar odor is more easily detected and is more likely to cause complaints than a familiar one. In a phenomenon known as odor fatigue, a person can become desensitized to almost any odor, and recognition may only occur with an alteration in the intensity. The occurrence and severity of odor impacts depend on the nature, frequency, and intensity of the source; wind speed and direction; and the sensitivity of receptors.

**Sensitive Receptors.** Some land uses are considered more sensitive to changes in air quality than others, depending on the population groups and the activities involved. People most likely to be affected by air pollution include children, the elderly, athletes, and people with cardiovascular and chronic respiratory diseases. Facilities and structures where these air pollution-sensitive people live

or spend considerable amounts of time are known as sensitive receptors. Land uses where air pollution-sensitive individuals are most likely to spend time include schools and schoolyards, parks and playgrounds, daycare centers, nursing homes, hospitals, and residential communities (sensitive sites or sensitive land uses) (CARB 2005). The SDAPCD identifies sensitive receptors as those who are especially susceptible to adverse health effects from exposure to TACs, such as children, the elderly, and the ill. Sensitive receptors include schools (grades Kindergarten through 12), day care centers, nursing homes, retirement homes, health clinics, and hospitals within two kilometers of the facility (SDAPCD 2019). The closest sensitive receptors to the proposed project are residences near the northwest property boundary.

**San Diego Air Basin Attainment Designation**

Pursuant to the 1990 federal Clean Air Act (CAA) amendments, the U.S. Environmental Protection Agency (EPA) classifies air basins (or portions thereof) as in “attainment” or “nonattainment” for each criteria air pollutant, based on whether the National Ambient Air Quality Standards (NAAQS) have been achieved. Generally, if the recorded concentrations of a pollutant are lower than the standard, the area is classified as “attainment” for that pollutant. If an area exceeds the standard, the area is classified as “nonattainment” for that pollutant. If there is not enough data available to determine whether the standard is exceeded in an area, the area is designated as “unclassified” or “unclassifiable.” The designation of “unclassifiable/attainment” means that the area meets the standard or is expected to meet the standard despite a lack of monitoring data. Areas that achieve the standards after a nonattainment designation are redesignated as maintenance areas and must have approved maintenance plans to ensure continued attainment of the standards. The California Clean Air Act, like its federal counterpart, called for the designation of areas as “attainment” or “nonattainment,” but based on California Ambient Air Quality Standards (CAAQS) rather than the NAAQS. Table 5.3-1 depicts the current attainment status of the SDAB with respect to the NAAQS and CAAQS.

**Table 5.3-1.  
San Diego Air Basin Attainment Classification**

Pollutant	Designation/Classification	
	Federal Standards	State Standards
Ozone (O <sub>3</sub> ) – 1 hour	Attainment	<b>Nonattainment</b>
O <sub>3</sub> – (8 hour)	<b>Nonattainment (moderate)</b>	<b>Nonattainment</b>
Nitrogen Dioxide (NO <sub>2</sub> )	Unclassifiable/attainment	Attainment
Carbon Monoxide (CO)	Attainment (maintenance)	Attainment
Sulfur Dioxide (SO <sub>2</sub> )	Unclassifiable/attainment	Attainment
Coarse Particulate Matter (PM <sub>10</sub> )	Unclassifiable/attainment	<b>Nonattainment</b>
Fine Particulate Matter (PM <sub>2.5</sub> )	Unclassifiable/attainment	<b>Nonattainment</b>
Lead	Unclassifiable/attainment	Attainment
Hydrogen Sulfide	No federal standard	Attainment
Sulfates	No federal standard	Unclassified
Visibility-Reducing Particles	No federal standard	Unclassified

**Table 5.3-1.  
San Diego Air Basin Attainment Classification**

Pollutant	Designation/Classification	
	Federal Standards	State Standards
Vinyl Chloride	No federal standard	No designation

**Sources:** EPA 2016a (federal); CARB 2016a (state).

**Notes:** Attainment = meets the standards; Attainment/maintenance = achieve the standards after a nonattainment designation; Nonattainment = does not meet the standards; Unclassified or Unclassifiable = insufficient data to classify; Unclassifiable/attainment = meets the standard or is expected to be meet the standard despite a lack of monitoring data.

If nonattainment for federal standards, a clarifying classification will be provided indicating the severity of the nonattainment status.

In summary, the SDAB is designated as an attainment area for the 1997 8-hour O<sub>3</sub> NAAQS and as a nonattainment area for the 2008 8-hour O<sub>3</sub> NAAQS. The SDAB is designated as a nonattainment area for O<sub>3</sub>, particulate matter with an aerodynamic diameter less than or equal to 10 microns (PM<sub>10</sub>), and particulate matter with an aerodynamic diameter less than or equal to 2.5 microns (PM<sub>2.5</sub>) CAAQS. The portion of the SDAB where the proposed project would be located is designated as attainment or unclassifiable/unclassified for all other criteria pollutants under the NAAQS and CAAQS.

### Local Ambient Air Quality

The California Air Resources Board (CARB), air districts, and other agencies monitor ambient air quality at approximately 250 air quality monitoring stations across the state. Local ambient air quality is monitored by SDAPCD for compliance with the CAAQS and the NAAQS. The nearest SDAPCD-operated monitoring station to the proposed project is the Kearny Villa Road monitoring station, which is located approximately 7 miles south of the project site. This Kearny Villa Road monitoring station was used to show the background ambient air quality for O<sub>3</sub>, PM<sub>10</sub>, PM<sub>2.5</sub>, and NO<sub>2</sub> for the project site. The monitoring station located on First Street was the closest to the proposed project that monitored CO and SO<sub>2</sub> (12 miles south of the project site). As detailed in Appendix C, O<sub>3</sub> concentrations (both 1-hour and 8-hour) exceeded the state and federal standards at the Kearney Villa Road monitoring station between 2016 and 2018. All other air quality levels at the local monitoring stations were in compliance with the CAAQS and NAAQS.

## 5.3.2 Regulatory Framework

### Federal

#### ***Federal Clean Air Act/National Ambient Air Quality Standards***

The CAA, passed in 1970 and last amended in 1990, forms the basis for the national air pollution control effort. The EPA is responsible for implementing most aspects of the CAA, including setting the NAAQS for major air pollutants, hazardous air pollutant standards, approval of state attainment

plans, motor vehicle emission standards, stationary source emission standards and permits, acid rain control measures, stratospheric O<sub>3</sub> protection, and enforcement provisions.

Under the CAA, NAAQS are established for the following criteria pollutants: O<sub>3</sub>, CO, NO<sub>2</sub>, SO<sub>2</sub>, PM<sub>10</sub>, PM<sub>2.5</sub>, and lead. The NAAQS describe acceptable air quality conditions designed to protect the health and welfare of the citizens of the nation. The CAA requires the EPA to reassess the NAAQS at least every 5 years to determine whether adopted standards are adequate to protect public health based on current scientific evidence. States with areas that exceed the NAAQS must prepare state implementation plans (SIPs) that demonstrate how those areas will attain the standards within mandated time frames.

**National Emission Standards for Hazardous Air Pollutants**

The 1977 federal CAA amendments required the EPA to identify national emission standards for hazardous air pollutants to protect public health and welfare. Hazardous air pollutants include certain volatile organic compounds (VOCs), pesticides, herbicides, and radionuclides that present a tangible hazard, based on scientific studies of exposure to humans and other mammals. Under the 1990 CAA amendments, which expanded the control program for hazardous air pollutants, 189 substances and chemical families were identified as hazardous air pollutants.

**State**

**California Clean Air Act/California Ambient Air Quality Standards**

The federal CAA delegates the regulation of air pollution control and the enforcement of the NAAQS to the states. In California, the task of air quality management and regulation has been legislatively granted to CARB, with subsidiary responsibilities assigned to air quality management districts and air pollution control districts at the regional and county levels. CARB, which became part of the California Environmental Protection Agency in 1991, is responsible for ensuring implementation of the California Clean Air Act of 1988, responding to the CAA and regulating emissions from motor vehicles and consumer products.

CARB has established CAAQS, which are generally more restrictive than the NAAQS. The CAAQS describe adverse conditions; that is, pollution levels must be below these standards before a basin can attain the standard. Air quality is considered in attainment if pollutant levels are continuously below the CAAQS and violate the standards no more than once each year. The CAAQS for O<sub>3</sub>, CO, SO<sub>2</sub> (1-hour and 24-hour), NO<sub>2</sub>, PM<sub>10</sub>, PM<sub>2.5</sub>, and visibility-reducing particles are values that are not to be exceeded. All others are not to be equaled or exceeded. The NAAQS and CAAQS are presented in Table 5.3-2.

**Table 5.3-2. Ambient Air Quality Standards**

Pollutant	Averaging Time	California Standards <sup>a</sup>	National Standards <sup>b</sup>	
		Concentration <sup>c</sup>	Primary <sup>c,d</sup>	Secondary <sup>c,e</sup>
O <sub>3</sub>	1 hour	0.09 ppm (180 µg/m <sup>3</sup> )	—	Same as Primary Standard <sup>f</sup>
	8 hours	0.070 ppm (137 µg/m <sup>3</sup> )	0.070 ppm (137 µg/m <sup>3</sup> ) <sup>f</sup>	

Table 5.3-2. Ambient Air Quality Standards

Pollutant	Averaging Time	California Standards <sup>a</sup>	National Standards <sup>b</sup>	
		Concentration <sup>c</sup>	Primary <sup>c,d</sup>	Secondary <sup>c,e</sup>
NO <sub>2</sub> <sup>g</sup>	1 hour	0.18 ppm (339 µg/m <sup>3</sup> )	0.100 ppm (188 µg/m <sup>3</sup> )	Same as Primary Standard
	Annual Arithmetic Mean	0.030 ppm (57 µg/m <sup>3</sup> )	0.053 ppm (100 µg/m <sup>3</sup> )	
CO	1 hour	20 ppm (23 mg/m <sup>3</sup> )	35 ppm (40 mg/m <sup>3</sup> )	None
	8 hours	9.0 ppm (10 mg/m <sup>3</sup> )	9 ppm (10 mg/m <sup>3</sup> )	
SO <sub>2</sub> <sup>h</sup>	1 hour	0.25 ppm (655 µg/m <sup>3</sup> )	0.075 ppm (196 µg/m <sup>3</sup> )	—
	3 hours	—	—	0.5 ppm (1,300 µg/m <sup>3</sup> )
	24 hours	0.04 ppm (105 µg/m <sup>3</sup> )	0.14 ppm (for certain areas) <sup>g</sup>	—
	Annual	—	0.030 ppm (for certain areas) <sup>g</sup>	—
PM <sub>10</sub> <sup>i</sup>	24 hours	50 µg/m <sup>3</sup>	150 µg/m <sup>3</sup>	Same as Primary Standard
	Annual Arithmetic Mean	20 µg/m <sup>3</sup>	—	
PM <sub>2.5</sub> <sup>i</sup>	24 hours	—	35 µg/m <sup>3</sup>	Same as Primary Standard
	Annual Arithmetic Mean	12 µg/m <sup>3</sup>	12.0 µg/m <sup>3</sup>	15.0 µg/m <sup>3</sup>
Lead <sup>j,k</sup>	30-day Average	1.5 µg/m <sup>3</sup>	—	—
	Calendar Quarter	—	1.5 µg/m <sup>3</sup> (for certain areas) <sup>k</sup>	Same as Primary Standard
	Rolling 3-Month Average	—	0.15 µg/m <sup>3</sup>	
Hydrogen sulfide	1 hour	0.03 ppm (42 µg/m <sup>3</sup> )	—	—
Vinyl chloride <sup>l</sup>	24 hours	0.01 ppm (26 µg/m <sup>3</sup> )	—	—
Sulfates	24 hours	25 µg/m <sup>3</sup>	—	—
Visibility reducing particles	8 hour (10:00 a.m. to 6:00 p.m. PST)	Insufficient amount to produce an extinction coefficient of 0.23 per kilometer due to the number of particles when the relative humidity is less than 70%	—	—

Source: CARB 2016b; EPA 2016b.

**Notes:** O<sub>3</sub> = ozone; ppm = parts per million by volume; µg/m<sup>3</sup> = micrograms per cubic meter; NO<sub>2</sub> = nitrogen dioxide; CO = carbon monoxide; mg/m<sup>3</sup> = milligrams per cubic meter; SO<sub>2</sub> = sulfur dioxide; PM<sub>10</sub> = particulate matter with an aerodynamic diameter less than or equal to 10 microns; PM<sub>2.5</sub> = particulate matter with an aerodynamic diameter less than or equal to 2.5 microns.

- <sup>a</sup> California standards for O<sub>3</sub>, CO, SO<sub>2</sub> (1-hour and 24-hour), NO<sub>2</sub>, suspended particulate matter (PM<sub>10</sub>, PM<sub>2.5</sub>), and visibility-reducing particles are values that are not to be exceeded. All others are not to be equaled or exceeded. California Ambient Air Quality Standards are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations.
- <sup>b</sup> National standards (other than O<sub>3</sub>, NO<sub>2</sub>, SO<sub>2</sub>, particulate matter, and those based on annual averages or annual arithmetic mean) are not to be exceeded more than once per year. The O<sub>3</sub> standard is attained when the fourth highest 8-hour concentration measured at each site in a year, averaged over three years, is equal to or less than the standard. For PM<sub>10</sub>, the 24-hour standard is attained when the expected number of days per calendar year with a 24-hour average concentration above 150 µg/m<sup>3</sup> is equal to or less than one. For PM<sub>2.5</sub>, the 24-hour standard is attained when 98% of the daily concentrations, averaged over 3 years, are equal to or less than the standard.
- <sup>c</sup> Concentration expressed first in units in which it was promulgated. Equivalent units given in parentheses are based on a reference temperature of 25°C and a reference pressure of 760 torr. Most measurements of air quality are to be corrected to a reference temperature of 25°C and a reference pressure of 760 torr; ppm in this table refers to ppm by volume, or micromoles of pollutant per mole of gas.
- <sup>d</sup> National Primary Standards: The levels of air quality necessary, with an adequate margin of safety, to protect the public health.
- <sup>e</sup> National Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.
- <sup>f</sup> On October 1, 2015, the national 8-hour O<sub>3</sub> primary and secondary standards were lowered from 0.075 to 0.070 ppm.
- <sup>g</sup> To attain the national 1-hour standard, the three-year average of the annual 98th percentile of the one-hour daily maximum concentrations at each site must not exceed 100 parts per billion (ppb). Note that the national 1-hour standard is in units of ppb. California standards are in units of ppm. To directly compare the national 1-hour standard to the California standards, the units can be converted from ppb to ppm. In this case, the national standard of 100 ppb is identical to 0.100 ppm.
- <sup>h</sup> On June 2, 2010, a new 1-hour SO<sub>2</sub> standard was established, and the existing 24-hour and annual primary standards were revoked. To attain the national 1-hour standard, the three-year average of the annual 99th percentile of the one-hour daily maximum concentrations at each site must not exceed 75 ppb. The 1971 SO<sub>2</sub> national standards (24-hour and annual) remain in effect until one year after an area is designated for the 2010 standard, except that in areas designated nonattainment of the 1971 standards, the 1971 standards remain in effect until implementation plans to attain or maintain the 2010 standards are approved.
- <sup>i</sup> On December 14, 2012, the national annual PM<sub>2.5</sub> primary standard was lowered from 15 µg/m<sup>3</sup> to 12 µg/m<sup>3</sup>. The existing national 24-hour PM<sub>2.5</sub> standards (primary and secondary) were retained at 35 µg/m<sup>3</sup>, as was the annual secondary standard of 15 µg/m<sup>3</sup>. The existing 24-hour PM<sub>10</sub> standards (primary and secondary) of 150 µg/m<sup>3</sup> were also retained. The form of the annual primary and secondary standards is the annual mean averaged over three years.
- <sup>j</sup> California Air Resources Board has identified lead and vinyl chloride as toxic air contaminants with no threshold level of exposure for adverse health effects determined. These actions allow for the implementation of control measures at levels below the ambient concentrations specified for these pollutants.
- <sup>k</sup> The national standard for lead was revised on October 15, 2008, to a rolling three-month average. The 1978 lead standard (1.5 µg/m<sup>3</sup> as a quarterly average) remains in effect until one year after an area is designated for the 2008 standard, except that in areas designated nonattainment for the 1978 standard, the 1978 standard remains in effect until implementation plans to attain or maintain the 2008 standard are approved.

### ***Toxic Air Contaminants***

A toxic air contaminant (TAC) is defined by California law (Section 39655 of the California Health and Safety Code) as an air pollutant that may cause or contribute to an increase in mortality or an increase in serious illness, or which may pose a present or potential hazard to human health. Federal laws use the hazardous air pollutants to refer to the same types of compounds that are referred to as TACs under state law. California regulates TACs primarily through the Tanner Air Toxics Act (Assembly Bill [AB] 1807) and the Air Toxics Hot Spots Information and Assessment Act of 1987 (AB 2588).

AB 1807 sets forth a formal procedure for CARB to designate substances as TACs. This includes research, public participation, and scientific peer review before CARB can designate a substance as a TAC. Pursuant to AB 2588, existing facilities that emit air pollutants above specified levels were required to (1) prepare a TAC emission inventory plan and report; (2) prepare a risk assessment if TAC emissions were significant; (3) notify the public of significant risk levels; and (4) if health impacts were above specified levels, prepare and implement risk reduction measures.

CARB encourages consideration of the health impacts associated with TAC emissions from freeways and high-traffic roadways on sensitive receptors sited within 500 feet (CARB 2005). Refer to Section 5.8, Health and Safety, for discussion regarding this potential health and safety concern.

The following regulatory measures pertain to the reduction of diesel particulate matter (DPM) and criteria pollutant emissions from off-road equipment and diesel-fueled vehicles.

### ***Idling of Commercial Heavy Duty Trucks (13 CCR 2485)***

In July 2004, CARB adopted an Airborne Toxic Control Measure (ATCM) to control emissions from idling trucks. The ATCM prohibits idling for more than 5 minutes for all commercial trucks with a gross vehicle weight rating over 10,000 pounds. The ATCM contains an exception that allows trucks to idle while queuing or involved in operational activities.

### ***In-Use Off-Road Diesel-Fueled Fleets (13 CCR 2449 et seq.)***

In July 2007, CARB adopted an ATCM for in-use off-road diesel vehicles. This regulation requires that specific fleet average requirements are met for NO<sub>x</sub> emissions and for particulate matter emissions. Where average requirements cannot be met, best available control technology requirements apply. The regulation also includes several recordkeeping and reporting requirements.

In response to AB 8 2X, the regulations were revised in July 2009 (effective December 3, 2009) to allow a partial postponement of the compliance schedule in 2011 and 2012 for existing fleets. On December 17, 2010, CARB adopted additional revisions to further delay the deadlines reflecting reductions in diesel emissions due to the poor economy and overestimates of diesel emissions in California. The revisions delayed the first compliance date until no earlier than January 1, 2014, for large fleets, with final compliance by January 1, 2023. The compliance dates for medium fleets were delayed until an initial date of January 1, 2017, and final compliance date of January 1, 2023. The compliance dates for small fleets were delayed until an initial date of January 1, 2019, and final compliance date of January 1, 2028. Correspondingly, the fleet average targets were made more

stringent in future compliance years. The revisions also accelerated the phaseout of older equipment with newer equipment added to existing large and medium fleets over time, requiring the addition of Tier 2 or higher engines starting on March 1, 2011, with some exceptions: Tier 2 or higher engines on January 1, 2013, without exception; and Tier 3 or higher engines on January 1, 2018 (January 1, 2023, for small fleets).

On October 28, 2011 (effective December 14, 2011), the executive officer of CARB approved amendments to the regulation. The amendments included revisions to the applicability section and additions and revisions to the definition. The initial date for requiring the addition of Tier 2 or higher engines for large and medium fleets, with some exceptions, was revised to January 1, 2012. New provisions also allow for the removal of emission control devices for safety or visibility purposes. The regulation also was amended to combine the particulate matter and NO<sub>x</sub> fleet average targets under one, instead of two, sections. The amended fleet average targets are based on the fleet's NO<sub>x</sub> average, and the previous section regarding particulate matter performance requirements was deleted completely. The best available control technology requirements, if a fleet cannot comply with the fleet average requirements, were restructured and clarified. Other amendments to the regulations included minor administrative changes to the regulatory text.

### ***In-Use On-Road Diesel-Fueled Vehicles (13 CCR 2025)***

On December 12, 2008, CARB adopted an ATCM to reduce NO<sub>x</sub> and particulate matter emissions from most in-use on-road diesel trucks and buses with a gross vehicle weight rating greater than 14,000 pounds. The original ATCM regulation required fleets of on-road trucks to limit their NO<sub>x</sub> and particulate matter emissions through a combination of exhaust retrofit equipment and new vehicles. The regulation limited particulate matter emissions for most fleets by 2011, and limited NO<sub>x</sub> emissions for most fleets by 2013. The regulation did not require any vehicle to be replaced before 2012 and never required all vehicles in a fleet be replaced.

In December 2009, the CARB Governing Board directed staff to evaluate amendments that would provide additional flexibility for fleets adversely affected by the struggling California economy. On December 17, 2010, CARB revised this ATCM to delay its implementation along with limited relaxation of its requirements. Starting on January 1, 2015, lighter trucks with a gross vehicle weight rating of 14,001 to 26,000 pounds with 20-year-old or older engines need to be replaced with newer trucks (2010 model year emissions equivalent as defined in the regulation). Trucks with a gross vehicle weight rating greater than 26,000 pounds with 1995 model year or older engines needed to be replaced as of January 1, 2015. Trucks with 1996 to 2006 model year engines must install a Level 3 (85% control) diesel particulate filter starting on January 1, 2012, to January 1, 2014, depending on the model year, and then must be replaced after 8 years. Trucks with 2007 to 2009 model year engines have no requirements until 2023, at which time they must be replaced with 2010 model year emissions-equivalent engines, as defined in the regulation. Trucks with 2010 model year engines would meet the final compliance requirements. The ATCM provides a phase-in option under which a fleet operator would equip a percentage of trucks in the fleet with diesel particulate filters, starting at 30% as of January 1, 2012, with 100% by January 1, 2016. Under each option, delayed compliance is granted to fleet operators who have or will comply with requirements before the required deadlines.

On September 19, 2011 (effective December 14, 2011), the executive officer of CARB approved amendments to the regulations, including revisions to the compliance schedule for vehicles with a gross vehicle weight rating of 26,000 pounds or less to clarify that *all* vehicles must be equipped with 2010 model year emissions equivalent engines by 2023. The amendments included revised and additional credits for fleets that downsize; implement early particulate matter retrofits; incorporate hybrid vehicles, alternative-fueled vehicles, and vehicles with heavy-duty pilot ignition engines; and implement early addition of newer vehicles. The amendments included provisions for additional flexibility, such as for low-usage construction trucks, and revisions to previous exemptions, delays, and extensions. Other amendments to the regulations included minor administrative changes to the regulatory text, such as recordkeeping and reporting requirements related to other revisions.

### ***California Health and Safety Code Section 41700***

Section 41700 of the California Health and Safety Code states that a person shall not discharge from any source whatsoever quantities of air contaminants or other material that cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endanger the comfort, repose, health, or safety of any of those persons or the public, or that cause, or have a natural tendency to cause, injury or damage to business or property. This section also applies to sources of objectionable odors.

### **Local**

#### ***San Diego Air Pollution Control District***

While CARB is responsible for the regulation of mobile emission sources within the state, local air quality management districts and air pollution control districts are responsible for enforcing standards and regulating stationary sources. The project site is located within the SDAB and is subject to the guidelines and regulations of the SDAPCD.

In the County, O<sub>3</sub> and particulate matter are the pollutants of main concern, since exceedances of state ambient air quality standards for those pollutants have been observed in most years. For this reason, the SDAB has been designated as a nonattainment area for the state PM<sub>10</sub>, PM<sub>2.5</sub>, and O<sub>3</sub> standards. The SDAB is also a federal O<sub>3</sub> attainment (maintenance) area for 1997 8-hour O<sub>3</sub> standard, an O<sub>3</sub> nonattainment area for the 2008 8-hour O<sub>3</sub> standard, and a CO maintenance area (western and central part of the SDAB only, including the project site).

#### ***Federal Attainment Plans***

In December 2016, the SDAPCD adopted an update to the Eight-Hour Ozone Attainment Plan for San Diego County (2008 O<sub>3</sub> NAAQS), which indicated that local controls and state programs would allow the region to reach attainment of the federal 8-hour O<sub>3</sub> standard (1997 O<sub>3</sub> NAAQS) by 2018 (SDAPCD 2016a). In this plan, SDAPCD relies on the Regional Air Quality Strategy (RAQS) to demonstrate how the region will comply with the federal O<sub>3</sub> standard. The RAQS details how the region will manage and reduce O<sub>3</sub> precursors (NO<sub>x</sub> and VOCs) by identifying measures and regulations intended to reduce these pollutants. The control measures identified in the RAQS generally focus on stationary sources; however, the emissions inventories and projections in the RAQS address all potential sources, including those under the authority of CARB and the EPA. Incentive programs for reduction

of emissions from heavy-duty diesel vehicles, off-road equipment, and school buses are also established in the RAQS.

Currently, the County is designated as moderate nonattainment for the 2008 NAAQS and maintenance for the 1997 NAAQS. As documented in the 2016 8-Hour Ozone Attainment Plan for San Diego County, the County has a likely chance of obtaining attainment due to the transition to low-emission cars, stricter new source review rules, and continuing the requirement of general conformity for military growth and the San Diego International Airport. The County will also continue emission control measures, including ongoing implementation of existing regulations in O<sub>3</sub> precursor reduction to stationary and area-wide sources, subsequent inspections of facilities and sources, and the adoption of laws requiring best available retrofit control technology for control of emissions (SDAPCD 2016a).

### ***State Attainment Plans***

The SDAPCD and the San Diego Association of Governments (SANDAG) are responsible for developing and implementing the clean air plan for attainment and maintenance of the ambient air quality standards in the SDAB. The RAQS for the SDAB was initially adopted in 1991 and is updated on a triennial basis, most recently in 2016 (SDAPCD 2016b). The RAQS outlines SDAPCD's plans and control measures designed to attain the state air quality standards for O<sub>3</sub>. The RAQS relies on information from CARB and SANDAG, including mobile and area source emissions, as well as information regarding projected growth in the County and the cities in the County, to forecast future emissions and then determine from that the strategies necessary for the reduction of emissions through regulatory controls. CARB mobile source emission projections and SANDAG growth projections are based on population, vehicle trends, and land use plans developed by the County and the cities in the County as part of the development of their general plans (SANDAG 2017a, 2017b).

In December 2016, the SDAPCD adopted the revised RAQS for the County. Since 2007, the San Diego region has reduced daily VOC emissions and NO<sub>x</sub> emissions by 3.9% and 7.0%, respectively; the SDAPCD expects to continue reductions through 2035 (SDAPCD 2016b). These reductions were achieved through implementation of six VOC control measures and three NO<sub>x</sub> control measures adopted in the SDAPCD's 2009 RAQS (SDAPCD 2009a); in addition, the SDAPCD is considering additional measures, including three VOC measures and four control measures to reduce 0.3 daily tons of VOC and 1.2 daily tons of NO<sub>x</sub>, provided they are found to be feasible region-wide. In addition, SDAPCD has implemented nine incentive-based programs, has worked with SANDAG to implement regional transportation control measures, and has reaffirmed the state emission offset repeal.

In regards to particulate matter emissions-reduction efforts, in December 2005, the SDAPCD prepared a report titled Measures to Reduce Particulate Matter in San Diego County to address implementation of Senate Bill 656 in the County (Senate Bill 656 required additional controls to reduce ambient concentrations of PM<sub>10</sub> and PM<sub>2.5</sub>) (SDAPCD 2005). In the report, SDAPCD evaluated implementation of source-control measures that would reduce particulate matter emissions associated with residential wood combustion; various construction activities including earthmoving, demolition, and grading; bulk material storage and handling; carry-out and track-out removal and cleanup methods; inactive disturbed land; disturbed open areas; unpaved parking lots/staging areas; unpaved roads; and windblown dust (SDAPCD 2005).

### ***SDAPCD Rules and Regulations***

As stated above, the SDAPCD is responsible for planning, implementing, and enforcing federal and state ambient standards in the SDAB. The following rules and regulations apply to the project.

#### SDAPCD Regulation IV: Prohibitions; Rule 50: Visible Emissions

This rule prohibits discharge into the atmosphere from any single source of emissions whatsoever any air contaminant for a period or periods aggregating more than 3 minutes in any period of 60 consecutive minutes, which is darker in shade than that designated as Number 1 on the Ringelmann Chart, as published by the U.S. Bureau of Mines, or of such opacity as to obscure an observer's view to a degree greater than does smoke of a shade designated as Number 1 on the Ringelmann Chart (SDAPCD 1997).

#### SDAPCD Regulation IV: Prohibitions; Rule 51: Nuisance

This rule prohibits the discharge, from any source, of such quantities of air contaminants or other materials that cause or have a tendency to cause injury, detriment, nuisance, annoyance to people and/or the public, or damage to any business or property (SDAPCD 1969).

#### SDAPCD Regulation IV: Prohibitions; Rule 55: Fugitive Dust

This rule regulates fugitive dust emissions from any commercial construction or demolition activity capable of generating fugitive dust emissions, including active operations, open storage piles, and inactive disturbed areas, as well as track-out and carry-out onto paved roads beyond a project area (SDAPCD 2009b).

#### SDAPCD Regulation IV: Prohibitions; Rule 67.0.1: Architectural Coatings

This rule requires manufacturers, distributors, and end users of architectural and industrial maintenance coatings to reduce VOC emissions from the use of these coatings, primarily by placing limits on the VOC content of various coating categories (SDAPCD 2015b). Construction and operation of the proposed project would include application of architectural coatings (e.g., paint and other finishes), which are subject to SDAPCD Rule 67.0.1. Architectural coatings used in the reapplication of coatings during operation of the proposed project would be subject to the VOC content limits identified in SDAPCD Rule 67.0.1, which applies to coatings manufactured, sold, or distributed within the County.

### ***San Diego Association of Governments***

SANDAG is the regional planning agency for the County and serves as a forum for regional issues relating to transportation, the economy, community development, and the environment. SANDAG serves as the federally designated metropolitan planning organization for the County. With respect to air quality planning and other regional issues, SANDAG has prepared San Diego Forward: The Regional Plan (Regional Plan) for the San Diego region (SANDAG 2015). The Regional Plan combines the big-picture vision for how the region will grow over the next 35 years with an implementation program to help make that vision a reality. The Regional Plan, including its Sustainable Communities

Strategy, is built on an integrated set of public policies, strategies, and investments to maintain, manage, and improve the transportation system so that it meets the diverse needs of the San Diego region through 2050.

In regards to air quality, the Regional Plan sets the policy context in which SANDAG participates in and responds to the air district's air quality plans and builds off the air district's air quality plan processes that are designed to meet health-based criteria pollutant standards in several ways (SANDAG 2015). First, it complements air quality plans by providing guidance and incentives for public agencies to consider best practices that support the technology-based control measures in air quality plans. Second, the Regional Plan emphasizes the need for better coordination of land use and transportation planning, which heavily influences the emissions inventory from the transportation sectors of the economy. This also minimizes land use conflicts, such as residential development near freeways, industrial areas, or other sources of air pollution.

On September 23, 2016, SANDAG's Board of Directors adopted the final 2016 Regional Transportation Improvement Program, which is a multibillion-dollar, multiyear program of proposed major transportation projects in the San Diego region. Transportation projects funded with federal, state, and TransNet (the San Diego transportation sales tax program) must be included in an approved Regional Transportation Improvement Program. The programming of locally funded projects also may be programmed at the discretion of the agency. The 2016 Regional Transportation Improvement Program covers 5 fiscal years and incrementally implements the Regional Plan (SANDAG 2016). The most recent regional plan is the 2021 Regional Plan, which builds off the 2019 San Diego Forward Federal Transportation Plan (SANDAG 2021). The 2021 Regional Plan is the long-term blueprint for the San Diego region that seeks to meet regulatory requirements, address traffic congestion, and create equal access to jobs, education, healthcare, and other community resources.

### ***City of San Diego Municipal Code***

The San Diego Municipal Code addresses air quality and odor impacts in Section 142.0710, Air Contaminant Regulations, which states that air contaminants including smoke, charred paper, dust, soot, grime, carbon, noxious acids, toxic fumes, gases, odors, and particulate matter, or any emissions that endanger human health, cause damage to vegetation or property, or cause soiling shall not be permitted to emanate beyond the boundaries of the premises upon which the use emitting the contaminants is located (City of San Diego 2010).

## 5.3.3 Approach and Methodology

### **Construction**

Emissions from the construction phase of the proposed project were estimated using the California Emissions Estimator Model (CalEEMod) Version 2016.3.2 (CAPCOA 2017).

As described in Chapter 3, Project Description, the proposed project would develop 55 multi-family homes. For the purposes of modeling, it was assumed that construction of the proposed project

would commence in January 2022<sup>3</sup> and would last approximately 24 months, ending in December 2023 (see EIR Section 3.3.8, Grading and Construction).

The site preparation and grading phase listed above would occur sequentially in isolation. However, the building construction, utilities, paving and architectural coating phases are assumed to overlap for a period of time. The estimated construction duration was provided by the project applicant. The construction equipment mix used for estimating the construction emissions of the proposed project is based on information provided by the project applicant and is included in Appendix C. Construction of proposed project components would be in compliance with applicable SDAPCD Rules, including Rule 55, Fugitive Dust Control. Refer to Appendix C for additional details regarding the modeling inputs and assumptions.

### **Blasting**

Blasting operations would be required for site preparation. Rock blasting is the controlled use of explosives to excavate, break down, or remove rock. The result of rock blasting is often known as a rock cut. The most commonly used explosives today are ammonium nitrate/fuel oil-based blends, due to their lower cost compared to dynamite. The chemistry of ammonium nitrate/fuel oil detonation is the reaction of ammonium nitrate with a long-chain alkane to form NO<sub>x</sub>, carbon dioxide (CO<sub>2</sub>), and water. When detonation conditions are optimal, these gases are the only products. In practical use, such conditions are impossible to attain, and blasts produce moderate amounts of other gases. The EPA's Compilation of Air Pollutant Emission Factors (AP-42), Section 13.3 – Explosives Detonation (EPA 1980), provided the emissions factors for CO, NO<sub>x</sub>, and SO<sub>x</sub> used in this assessment. According to AP-42, "Unburned hydrocarbons also result from explosions, but in most instances, methane (CH<sub>4</sub>) is the only species that has been reported" (EPA 1980); CH<sub>4</sub> is not a VOC, and a CH<sub>4</sub> emission factor has not been determined for ammonium nitrate/fuel oil.

AP-42 states that CO is the pollutant produced in greatest quantity from explosives detonation (EPA 1980). All explosives produce measurable amounts of CO. Particulates are produced as well, but such large quantities of particulate are generated during shattering of the rock and earth by the explosive that the quantity of particulates from the explosive charge cannot be distinguished. Accordingly, AP-42, Section 11.9 – Western Surface Coal Mining (EPA 1998), provided the basis for the PM<sub>10</sub> and PM<sub>2.5</sub> emissions factors. The emissions factors are based on the horizontal area disturbed during blasting.

It is anticipated that blasting operations would occur during the grading phase of the proposed project. No more than one blast per day would occur during proposed construction activities. Based on information provided by the project applicant, a maximum of 2.9 tons of ammonium nitrate/fuel oil would be applied per blast. The blasting information provided by the project applicant and additional calculation assumptions are provided in Table 5.3-3.

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<sup>3</sup> The analysis assumes a construction start date of January 2022, which represents the earliest date construction would initiate. Assuming the earliest start date for construction represents the worst-case scenario for criteria air pollutant emissions because equipment and vehicle emission factors for later years would be slightly less due to more stringent standards for in-use off-road equipment and heavy-duty trucks, as well as fleet turnover replacing older equipment and vehicles in later years.

**Table 5.3-3  
Blasting Characteristics**

Activity	
<b>Total Rock Requiring Blasting (cubic yards)</b>	<b>28,000</b>
Rock Blasted per Blast (cubic yards per blast)	2,300
Maximum Blasts per Day (blasts per day)	1
Maximum Explosive per Blast (tons ANFO per blast)	2.9
<b>Total Explosives Used (tons ANFO)</b>	<b>57.2</b>

**Source:** Appendix C.

**Note:** ANFO = ammonium nitrate/fuel oil.

### Rock Crushing

In addition to blasting emissions, emissions associated with rock crushing were quantified in a separate calculation, since CalEEMod does not account for rock crushing. Emissions factors were obtained from AP-42, Section 11.9.2 – Crushed Stone Processing and Pulverized Mineral Processing (EPA 2004). For transfers to the feed hopper and stockpiles, the “drop” equation in Section 13.2.4, Aggregate Handling and Storage Piles, of AP-42 (EPA 2006) was used to derive an emissions factor. Based on information provided by the project applicant the project, the project would crush a total maximum of 53,500 cubic yards of rock over the course of five weeks during the grading phase with approximately 2,140 cubic yards being crushed per day. It is assumed that rock crushing activity would occur for 8 hours a day while active. Notably, not all excavated material would be rock and thus require crushing. Therefore, this analysis is overly conservative as the maximum crushed material assumed would be equal to the total excavated amount.

The rock-crushing equipment was assumed to consist of a crusher, screen, and conveyor, and the crushed rock would be stockpiled for future use. Although a single primary crusher and screen may be all that is required, use of a secondary crusher and additional screen would expedite this process. To generate a conservative emissions estimate, it was assumed that a feed hopper, primary and secondary crushers, two screens, and several conveyors for transfers would be used. Particulate emissions from the crushers, screens, and conveyors would be controlled with water sprays.

It is expected that the rock-crushing equipment would be powered by a diesel-engine generator. It was assumed that the engine generator would be rated at 750 kilowatts, or approximately 1,000 horsepower. The engine generator would operate up to 8 hours per day. The VOC, NO<sub>x</sub>, CO, SO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> emissions from the diesel-engine generator were estimated using the off-road-engine load factor and emissions factors from the CalEEMod User’s Guide for a typical generator operating in 2022 (the first year of construction). Blasting and rock-crushing emissions calculations are provided in Appendix C.

### Construction Health Risk Assessment

The greatest potential for TAC emissions during project construction would be DPM emissions from heavy equipment operations and heavy-duty trucks. As a precautionary measure, a health risk

assessment (HRA) was performed to assess the impact of construction on sensitive receptors proximate to the project site (provided as Appendix C). For risk assessment purposes, PM<sub>10</sub> in diesel exhaust is considered a proxy for DPM.

The construction HRA applies the methodologies prescribed in the Office of Environmental Health Hazard Assessment (OEHHA) document, Air Toxics Hot Spots Program Risk Assessment Guidelines – Guidance Manual for Preparation of Health Risk Assessments (OEHHA Guidelines) (OEHHA 2015). Cancer risk parameters, such as age-sensitivity factors, daily breathing rates, exposure period, fraction of time at home, and cancer potency factors were based on the values and data recommended by OEHHA are implemented in Hotspots Analysis and Reporting Program Version 2 (HARP2), which was used to estimate risk from construction activities. To implement the OEHHA Guidelines based on project information, the SDAPCD has developed a three-tiered approach where each successive tier is progressively more refined, with fewer conservative assumptions. The SDAPCD document, Supplemental Guidelines for Submission of Air Toxics “Hot Spots” Program Health Risk Assessments (SDAPCD 2019), provides guidance with which to perform HRAs within the SDAB.

Health effects from carcinogenic air toxics are usually described in terms of cancer risk. The SDAPCD recommends a carcinogenic (cancer) risk threshold of 10 in one million. Additionally, some TACs increase non-cancer health risk due to long-term (chronic) exposures. The Chronic Hazard Index is the sum of the individual substance chronic hazard indices for all TACs affecting the same target organ system. The SDAPCD recommends a Chronic Hazard Index significance threshold of one (project increment).

The exhaust from diesel engines is a complex mixture of gases, vapors, and particles, many of which are known human carcinogens. DPM has established cancer risk factors and relative exposure values for long-term chronic health hazard impacts. No short-term, acute relative exposure level has been established for DPM; therefore, acute impacts of DPM are not addressed in this assessment. The HRA for the project evaluated the risk to existing proximate residents from diesel emissions from exhaust from on-site construction equipment and diesel haul and vendor trucks.

The dispersion modeling of DPM was performed using the American Meteorological Society/EPA Regulatory Model (AERMOD), which is the model SDAPCD requires for atmospheric dispersion of emissions. Data inputs include meteorological data, urban versus rural conditions, terrain and elevation, emissions, and receptors. The project’s potential cancer and noncancer health impacts from construction assume an exposure duration of 2 years, starting at the third trimester of pregnancy. Refer to Appendix C for details regarding the assumptions. The risk results were then compared to SDAPCD thresholds to assess project impact significance.

### **Operation**

Emissions from the operational phase of the proposed project were estimated using CalEEMod. Operational year 2024 was assumed as it would be the first full year following completion of proposed construction.

### **Area Sources**

CalEEMod was used to estimate operational emissions from area sources, including emissions from consumer product use, architectural coatings, and landscape maintenance equipment. Emissions associated with natural gas usage in space heating and water heating are calculated in the building energy use module of CalEEMod, as described below.

Consumer products are chemically formulated products used by household and institutional consumers, including detergents; cleaning compounds; polishes; floor finishes; cosmetics; personal care products; home, lawn, and garden products; disinfectants; sanitizers; aerosol paints; and automotive specialty products. Other paint products, furniture coatings, or architectural coatings are not considered consumer products (CAPCOA 2017). Consumer product VOC emissions for the buildings are estimated in CalEEMod based on the floor area of buildings and on the default factor of pounds of VOC per building square foot per day. Consumer products associated with the parking lot and other asphalt surfaces include degreasers, which were estimated based on the square footage of the parking lot and the default factor of pounds of VOC per square foot per day. The CalEEMod default values for consumer products were assumed.

VOC off-gassing emissions result from evaporation of solvents contained in surface coatings, such as in paints and primers used during building maintenance. CalEEMod calculates the VOC evaporative emissions from the application of surface coatings based on the VOC emission factor, the building square footage, the assumed fraction of surface area, and the reapplication rate. The VOC emissions factor is based on the VOC content of the surface coatings, and SDAPCD's Rule 67.0.1 (Architectural Coatings) governs the VOC content for interior and exterior coatings. This rule requires manufacturers, distributors, and end users of architectural and industrial maintenance coatings to reduce VOC emissions from the use of these coatings, primarily by placing limits on the VOC content of various coating categories (SDAPCD 2015b). The proposed project would use architectural coatings that would not exceed 50 grams per liter for interior applications and 100 grams per liter for exterior applications consistent with SDAPCD Rule 67.0.1. The model default reapplication rate of 10% of area per year is assumed. Consistent with CalEEMod defaults, it is assumed that the surface area for painting equals 2.7 times the floor square footage, with 75% assumed for interior coating and 25% assumed for exterior surface coating (CAPCOA 2017).

While wood-burning fireplaces are not anticipated, because wood-burning fireplaces are not specifically prohibited by the SDAPCD or the project's design guidelines, CalEEMod default values were applied, which assume 13 wood-burning fireplaces and 19 natural-gas burning fireplaces. While not assumed in the analysis herein, the project would be conditioned to prohibit wood-burning fireplaces and would only allow natural gas fireplaces.

Landscape maintenance includes fuel combustion emissions from equipment such as lawn mowers, rototillers, shredders/grinders, blowers, trimmers, chainsaws, and hedge trimmers. The emissions associated with landscape equipment use are estimated based on CalEEMod default values for emission factors (grams per square foot of building space per day) and number of summer days (when landscape maintenance would generally be performed) and winter days.

### ***Energy Sources***

As represented in CalEEMod, energy sources include emissions associated with building electricity and natural gas usage. Electricity use would contribute indirectly to criteria air pollutant emissions; however, the emissions from electricity use are only quantified for greenhouse gases in CalEEMod, since criteria pollutant emissions occur at the site of the power plant, which is typically off site.

### ***Mobile Sources***

Following the completion of construction activities, the proposed project would generate criteria pollutant emissions from mobile sources (vehicular traffic) as a result of the residents of the proposed project. The maximum weekday trip rates were taken from the Local Mobility Study for the project (Appendix B.1). The weekend trip rates were adjusted based on CalEEMod default trip rates. CalEEMod default data, including trip characteristics and emissions factors, were used for the model inputs. Project-related traffic was assumed to include a mixture of vehicles in accordance with the associated use, as modeled within CalEEMod. Emission factors representing the vehicle mix and emissions for 2024 were used to estimate emissions associated with vehicular sources.

### ***Roadway Health Risk Assessment***

An HRA was performed to evaluate potential health risks of the proximate Interstate (I) 15 freeway to future sensitive receptors of the project. The following discussion summarizes the dispersion modeling and HRA methodology; supporting operational HRA documentation, including detailed assumptions, is presented in Appendix C.

Operational year 2024 was evaluated consistent with the anticipated completion date of project construction. Emissions during the operation of the project include vehicles traveling on the I-15 freeway. For risk assessment purposes, PM<sub>10</sub> in diesel exhaust is considered DPM, originating from diesel vehicles traveling on the I-15 freeway. Traffic data for the I-15 freeway was attained from California Department of Transportation Performance Measurement System (PeMS) January 2019 through December 2019 traffic volumes on California state highways (Caltrans 2020). Data from the EPA-approved version of CARB's mobile source emission inventory, EMFAC2017, were used to determine the composition of diesel vehicles within the overall vehicle fleet for San Diego County, as well as freeway speed, emission factors based on vehicle miles travelled, and the 1.86 mile length of the I-15 segment. For this analysis, San Diego County and the operational year of 2024 was assumed for the entire exposure period of 30 years, which represents a conservative analysis as vehicle DPM emission factors would decrease over time due to regulatory requirements and fleet turnover.

Air dispersion modeling methodology was based on generally accepted modeling practices of SDAPCD (SDAPCD 2019). Air dispersion modeling was performed using the EPA's AERMOD Version 19191 modeling system (computer software) with the Lakes Environmental Software implementation/user interface, AERMOD View Version 9.8.3. The line of volume sources was modeled with 1 gram per second evenly partitioned across each volume source. The ground-level concentration plot files were then used to estimate the long-term cancer health risk to an individual and the noncancerous chronic health index.

MERV 13 filters are required for residential construction in accordance with the 2019 Title 24 building code and the reduction in PM<sub>10</sub> and associated DPM emissions were included in the emission estimates for the freeway source. As detailed in Appendix C, it was conservatively assumed that the MERV13 filters provide 80% reduction in DPM and it was assumed that on average people spend approximately 87% of their time in enclosed buildings, approximately 6% in enclosed vehicles, and approximately 7% outdoors (Klepeis et al. 2001). This assessment of risk includes the accounting for time spent indoors as identified in the NHAPS and the time spent away from home as recommended by OEHHA (OEHHA 2015).

Cancer risk is defined as the increase in probability (chance) of an individual developing cancer due to exposure to a carcinogenic compound, typically expressed as the increased chances in one million. Maximum Individual Cancer Risk is the estimated probability of a maximally exposed individual potentially contracting cancer as a result of exposure to TACs over a period of 30 years, operational lifetime, for residential receptor locations. For the roadway HRA, the TAC exposure period was assumed to be from third trimester to 30 years for all receptor locations. The mandatory exposure pathways were selected.

The SDAPCD has also established noncarcinogenic risk parameters for use in HRAs since some TACs increase noncancerous health risk due to long-term (chronic) exposures and some TACs increase noncancerous health risk due to short-term (acute) exposures. Noncarcinogenic risks are quantified by calculating a hazard index, expressed as the ratio between the ambient pollutant concentration and its toxicity or Chronic Reference Exposure Level, which is a concentration at or below which health effects are not likely to occur. The chronic hazard index is the sum of the individual substance chronic hazard indices for all TACs affecting the same target organ system, similarly calculated for acute hazard index. A hazard index less of than 1.0 means that adverse health effects are not expected. No short-term, acute relative exposure level has been established for DPM as such conditions are not anticipated to lead to health risks; therefore, acute impacts of DPM are not addressed herein.

### 5.3.4 Impacts Analysis

#### 5.3.4.1 Issue 1: Air Quality Plans

***Issue 1: Would the proposal conflict with or obstruct implementation of the applicable air quality plan?***

##### **Thresholds**

To determine the significance of the proposed project's emissions on the environment, the City of San Diego (City) CEQA Significance Determination Thresholds (City of San Diego 2020a) were used. Per the City's thresholds, the project would have a significant impact on air quality if the project would conflict with or obstruct implementation of the applicable air quality plan.

### Impact

As mentioned in Section 5.3.2, the SDAPCD and SANDAG are responsible for developing and implementing the clean air plans for attainment and maintenance of the ambient air quality standards in the basin—specifically, the SIP and RAQS.<sup>4</sup> The federal O<sub>3</sub> maintenance plan, which is part of the SIP, was adopted in 2012. The most recent O<sub>3</sub> attainment plan was adopted in 2016. The SIP includes a demonstration that current strategies and tactics will maintain acceptable air quality in the SDAB based on the NAAQS. The RAQS was initially adopted in 1991 and is updated on a triennial basis (most recently in 2016). The RAQS outlines SDAPCD's plans and control measures designed to attain the state air quality standards for O<sub>3</sub>. The SIP and RAQS rely on information from CARB and SANDAG, including mobile and area source emissions, as well as information regarding projected growth in the County as a whole and the cities in the County, to project future emissions and determine the strategies necessary for the reduction of emissions through regulatory controls. CARB mobile source emission projections and SANDAG growth projections are based on population, vehicle trends, and land use plans developed by the County and the cities in the County as part of the development of their general plans.

If a project proposes development that is greater than that anticipated in the local plan and SANDAG's growth projections, the project might be in conflict with the SIP and RAQS and may contribute to a potentially significant cumulative impact on air quality. Implementation of the proposed project would result in an increase in 55 residential units in a location assumed to be open space in SANDAG's 2050 growth projections. The proposed project is expected to add these units to market in 2024. The project would add an estimated 169 people to the area based on the assumption of 3.07 people per household (SANDAG 2013). As shown in Table 5.12-2 in the Population and Housing Section, the expected population change, which did not include the conversion of open space to medium density residential, within the Rancho Peñasquitos community is expected to result in the addition of 1,164 residents by 2050.

The City is currently in urgent need for housing and is experiencing a housing shortage, as discussed in the City of San Diego General Plan Housing Element 2021-2029 that was approved in 2020 by the City Council and in September 2021 by the California Department of Housing and Community Development. The City of San Diego's portion of the County's Regional Housing Needs Assessment (RHNA) target for the 2021-2029 Housing Element period is 108,036 homes (City of San Diego 2020b). While the City is planning for additional housing to meet the need and targeted to permit more than 88,000 new housing units between 2010 – 2020, less than half of those units were constructed (42,275) as of December 2019 (City of San Diego 2020b). Considering this, the proposed construction of 55 units is not anticipated to result in a population increase considering there is a shortage of housing for the existing and planned population. The proposed housing would be growth accommodating and would not be growth inducing beyond planned growth for the City. While the project would include residential in an area previously planned for open space, the City is in need of residential units to meet anticipated growth. Therefore, the proposed project would

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<sup>4</sup> For the purpose of this discussion, the relevant federal air quality plan is the ozone maintenance plan (SDAPCD 2012). The RAQS is the applicable plan for purposes of state air quality planning. Both plans reflect growth projections in the SDAB.

not conflict with SANDAG’s regional growth forecast for the City, which accounts for residential growth in the City.

The SDAPCD and City do not provide guidance regarding the analysis of impacts associated with air quality plan conformance, the County’s Guidelines for Determining Significance and Report and Format and Content Requirements – Air Quality does discuss conformance with the RAQS (County of San Diego 2007). The guidance indicates that if a project, in conjunction with other projects, contributes to growth projections that would not exceed SANDAG’s growth projections for the City, the project would not be in conflict with the RAQS (County of San Diego 2007). As previously discussed, the proposed project would not contribute to growth in the region that is not already accounted for.

### **Significance of Impact**

The proposed project would not conflict with SANDAG’s regional growth forecast for the City, which accounts for residential growth in the City. As such, impacts related to conformance with the applicable air quality plans (SIP and RAQS) would be **less than significant**.

### **Mitigation**

No mitigation would be required.

#### 5.3.4.2 Issues 2 and 3: Cumulatively Considerable Net Increase of Criteria Pollutants and Particulate Matter

**Issue 2:** *Would the proposal 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?*

**Issue 3:** *Would the proposal exceed 100 pounds per day of particulate matter (PM) (dust)?*

### **Thresholds**

To determine the significance of the proposed project’s emissions on the environment, the City of San Diego (City) CEQA Significance Determination Thresholds (City of San Diego 2016) were used. Per the City’s thresholds, the project would have a significant impact on air quality if the project would:

- Violate any air quality standard or contribute substantially to an existing or projected air quality violation
- 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 (including release emissions which exceed quantitative thresholds for ozone precursors)

The thresholds listed in Table 5.3-4 represent screening-level thresholds that can be used to evaluate whether project-related emissions could cause a significant impact on air quality. Emissions below the screening-level thresholds would not cause a significant impact. The SDAPCD Air Quality

Significance Thresholds shown in Table 5.3-5 were used to determine significance of proposed project-generated construction and operational criteria air pollutants; specifically, the proposed project's potential to violate any air quality standard or contribute substantially to an existing or projected air quality violation. For nonattainment pollutants, if emissions exceed the thresholds shown in Table 5.3-4, the proposed project could have the potential to result in a cumulatively considerable net increase in these pollutants and, thus, could have a significant impact on the ambient air quality.

**Table 5.3-4.  
San Diego Air Pollution Control District Air Quality  
Significance Thresholds**

<b>Construction Emissions</b>			
<i>Pollutant</i>	<i>Total Emissions (Pounds per Day)</i>		
Respirable Particulate Matter (PM <sub>10</sub> )	100		
Fine Particulate Matter (PM <sub>2.5</sub> )	55		
Oxides of Nitrogen (NO <sub>x</sub> )	250		
Oxides of Sulfur (SO <sub>x</sub> )	250		
Carbon Monoxide (CO)	550		
Volatile Organic Compounds (VOCs)	137 <sup>a</sup>		
<b>Operational Emissions</b>			
<i>Pollutant</i>	<i>Total Emissions</i>		
	<i>Pounds per Hour</i>	<i>Pounds per Day</i>	<i>Tons per Year</i>
PM <sub>10</sub>	—	100	15
PM <sub>2.5</sub>	—	55	10
NO <sub>x</sub>	25	250	40
SO <sub>x</sub>	25	250	40
CO	100	550	100
Lead and Lead Compounds	—	3.2	0.6
VOCs	—	137 <sup>a</sup>	15

**Sources:** City of San Diego 2016; SDAPCD 2016b.

**Notes:** — = not available.

<sup>a</sup> VOC threshold based on the threshold of significance for VOCs from the South Coast Air Quality Management District and the Monterey Bay APCD as stated in the City of San Diego's Guidelines for Determining Significance.

The SDAPCD document Supplemental Guidelines for Submission of Air Toxics "Hot Spots" Program Health Risk Assessments provides guidance with which to perform health risk assessments (HRAs) within the SDAB. The current SDAPCD thresholds of significance for TAC emissions from the operations of both permitted and non-permitted sources are combined and are less than 10 in 1 million for cancer and less than 1.0 for the chronic hazard index (SDAPCD 2019).

**Impact**

Air pollution is largely a cumulative impact. The nonattainment status of regional pollutants is a result of past and present development, and the SDAPCD develops and implements plans for future attainment of ambient air quality standards. Based on these considerations, project-level thresholds of significance for criteria pollutants are relevant in the determination of whether a project’s individual emissions would have a cumulatively significant impact on air quality. A cumulative analysis regarding air quality is provided in Chapter 6, Cumulative Impacts.

**Construction Emissions**

Construction of the proposed project would result in the temporary addition of pollutants to the local airshed caused by on-site sources (i.e., off-road construction equipment, soil disturbance, and VOC off-gassing) and off-site sources (worker vehicle trips). Construction emissions can vary substantially day to day, depending on the level of activity, the specific type of operation, and, for dust, the prevailing weather conditions.

Criteria air pollutant emissions associated with construction activities were quantified using CalEEMod. Default values provided by the program were used where detailed proposed project information was not available. Refer to Appendix C (specifically Section 2.4.2.1 of Appendix C) for the detailed assumptions related to the construction schedule.

Development of the proposed project would generate air pollutant emissions from entrained dust, off-road equipment, vehicle emissions, asphalt pavement application, and architectural coatings. Entrained dust results from the exposure of earth surfaces to wind from the direct disturbance and movement of soil, resulting in PM<sub>10</sub> and PM<sub>2.5</sub> emissions. As stated above, the proposed project would be subject to SDAPCD Rule 55, Fugitive Dust Control. This rule requires that the proposed project take steps to restrict visible emissions of fugitive dust beyond the property line. Compliance with Rule 55 would limit fugitive dust (PM<sub>10</sub> and PM<sub>2.5</sub>) generated during grading and construction activities. Exhaust from internal combustion engines used by construction equipment and vehicles would result in emissions of VOC, NO<sub>x</sub>, CO, SO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub>. The application of asphalt pavement and architectural coatings would also produce VOC emissions. Table 5.3-5 shows the estimated maximum daily construction emissions associated with construction of the proposed project. As shown in Table 5.3-5, daily construction emissions would not exceed the significance thresholds for any criteria air pollutant. Particulate matter emissions would also not exceed 100 pounds per day.

**Table 5.3-5.  
Estimated Maximum Daily Construction Criteria Air Pollutant Emissions**

Year	VOC	NO <sub>x</sub>	CO	SO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
	<i>Pounds per day</i>					
2022	7.76	154.07	239.46	5.90	25.55	9.15
2023	23.10	17.35	20.14	0.04	1.52	0.93
<b>Maximum</b>	23.10	154.07	239.46	5.90	25.55	9.15

**Table 5.3-5.  
Estimated Maximum Daily Construction Criteria Air Pollutant Emissions**

Year	VOC	NO <sub>x</sub>	CO	SO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
	<i>Pounds per day</i>					
<i>City Threshold</i>	137	250	550	250	100	55
<b>Threshold Exceeded?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

**Source:** Appendix C.

**Notes:** VOC = volatile organic compound; NO<sub>x</sub> = oxides of nitrogen; CO = carbon monoxide; SO<sub>x</sub> = sulfur oxides; PM<sub>10</sub> = coarse particulate matter; PM<sub>2.5</sub> = fine particulate matter; CalEEMod = California Emissions Estimator Model.

See Appendix C for complete results.

The values shown are the maximum summer or winter daily emissions results from CalEEMod. Although not considered mitigation, these emissions reflect the CalEEMod “mitigated” output, which accounts for the required compliance with SDAPCD Rule 55 (Fugitive Dust) and Rule 67.0.1 (Architectural Coatings).

**Operational Emissions**

Operation of the proposed project would generate VOC, NO<sub>x</sub>, CO, SO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> emissions from mobile sources (vehicle trips), area sources (consumer products, landscape maintenance equipment), and energy sources. pollutant emissions associated with long-term operations were quantified using CalEEMod. Project-generated mobile source emissions were estimated in CalEEMod based on project-specific trip rates. CalEEMod default values were used to estimate emissions from the project site and energy sources.

Table 5.3-6 presents the maximum daily area, energy, and mobile source emissions associated with operation (Year 2024) of the proposed project without mitigation. The values shown are the maximum summer or winter daily emissions results from CalEEMod. As shown in Table 5.3-6, the combined daily area, energy, and mobile source emissions would not exceed the City’s operational thresholds for VOC, NO<sub>x</sub>, CO, SO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub>. Particulate matter emissions would also not exceed 100 pounds per day.

**Table 5.3-6.  
Estimated Maximum Daily Operational Criteria Air Pollutant Emissions**

Emission Source	VOC	NO <sub>x</sub>	CO	SO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
	<i>Pounds per day</i>					
Area	50.66	1.01	64.99	0.11	8.50	8.50
Energy	0.02	0.16	0.66	<0.01	0.01	0.01
Mobile	0.69	2.66	8.24	0.03	2.92	0.79
<b>Total</b>	<b>51.37</b>	<b>3.83</b>	<b>73.29</b>	<b>0.14</b>	<b>11.43</b>	<b>9.31</b>
<i>City Threshold</i>	137	250	550	250	100	55
<b>Threshold Exceeded?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

**Source:** Appendix C

**Notes:** VOC = volatile organic compound; NO<sub>x</sub> = oxides of nitrogen; CO = carbon monoxide; SO<sub>x</sub> = sulfur oxides; PM<sub>10</sub> = coarse particulate matter; PM<sub>2.5</sub> = fine particulate matter; CalEEMod = California Emissions Estimator Model. See Appendix C for complete results.

The values shown are the maximum summer or winter daily emissions results from CalEEMod. These emissions reflect the CalEEMod “mitigated” output, which accounts for compliance with SDAPCD Rule 67.0.1 (Architectural Coatings).

### Significance of Impact

The project region is in non-attainment of state and federal standards for O<sub>3</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub>. Maximum daily construction and operation emissions would not exceed the applicable NAAQS and CAAQS emissions threshold or the City's threshold of 100 pounds per day threshold of PM<sub>10</sub>. Thus, the project would contribute a less than significant net increase of O<sub>3</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub>. Impacts related to contributions towards regional non-attainment of air quality standards would be **less than significant**.

### Mitigation

No mitigation would be required.

#### 5.3.4.3 Issue 4: Sensitive Receptors

**Issue 4:** *Would the proposal expose sensitive receptors to substantial pollutant concentrations?*

### Thresholds

To determine the significance of the proposed project's emissions on the environment, the City of San Diego (City) CEQA Significance Determination Thresholds (City of San Diego 2016) were used. Per the City's thresholds, the project would have a significant impact on air quality if the project would:

- Expose sensitive receptors to substantial pollutant concentration including air toxics such as diesel particulates...As adopted by the South Coast Air Quality Management District (SCAQMD) in their CEQA Air Quality Handbook (Chapter 4), a sensitive receptor is a person in the population who is particularly susceptible to health effects due to exposure to an air contaminant than is the population at large. Sensitive receptors (and the facilities that house them) in proximity to localized CO sources, toxic air contaminants or odors are of particular concern. Examples include long-term health care facilities, rehabilitation centers, convalescent centers, retirement homes, residences, schools, playground, childcare centers, and athletic facilities.

### Impact

Air quality varies as a direct function of the amount of pollutants emitted into the atmosphere, the size and topography of the air basin, and the prevailing meteorological conditions. Air quality problems arise when the rate of pollutant emissions exceeds the rate of dispersion. Reduced visibility, eye irritation, and adverse health impacts upon those persons termed sensitive receptors are the most serious hazards of existing air quality conditions in the area. Some land uses are considered more sensitive to changes in air quality than others, depending on the population

groups and the activities involved. People most likely to be affected by air pollution, as identified by the City (City of San Diego 2016), include children, the elderly, athletes, and people with cardiovascular and chronic respiratory diseases. As such, sensitive receptors include residences, schools, playgrounds, childcare centers, athletic facilities, long-term healthcare facilities, rehabilitation centers, convalescent centers, and retirement homes. The closest sensitive receptors to the proposed project are residences adjacent to the property boundaries. The proposed project would also introduce new on-site sensitive receptors (residences) to the area.

**Health Impacts of Toxic Air Contaminants**

Construction Health Risk

Incremental cancer risk is the net increased likelihood that a person continuously exposed to concentrations of TACs resulting from a project over a 9-, 30-, and 70-year exposure period would contract cancer based on the use of standard OEHHA risk-assessment methodology (OEHHA 2015). In addition, some TACs have noncarcinogenic effects. TACs that would potentially be emitted during construction activities would be DPM emitted from heavy-duty construction equipment and heavy-duty trucks. Heavy-duty construction equipment and diesel trucks are subject to CARB ATCMs to reduce DPM emissions. According to the OEHHA, HRAs should be based on a 30-year exposure duration based on typical residency period; however, such assessments should be limited to the period/duration of activities associated with the project (OEHHA 2015). Thus, the duration of proposed construction activities (approximately 24 months) would only constitute a small percentage of the total long-term exposure period and would not result in exposure of proximate sensitive receptors to substantial TACs. After proposed construction is completed, there would be no long-term source of TAC emissions during operation.

An HRA was performed to evaluate the risk from diesel exhaust emissions on existing sensitive receptors and future on-site receptors from construction activities. The HRA methodology is described in Appendix C. Table 5.3-7 summarizes the results of the HRA for proposed project construction. The results of the construction analysis for the project demonstrate that the construction emissions result in a potential Maximum Individual Cancer Risk at nearby residential receptors that would exceed the 10 in a million cancer risk threshold; however, construction emissions would be below the Chronic Hazard Index threshold. The project would result in a potential impact in regard to cancer risk resulting from TAC emissions generated during construction

**Table 5.3-7.  
Construction Activity Health Risk Assessment Results – Unmitigated**

Impact Parameter	Units	Project Impact	CEQA Threshold	Significance of Impact
Cancer Risk	Per Million	22.63	10.0	Potentially Significant
HIC	Not Applicable	0.0132	1.0	Less than Significant

**Source:** Appendix D to Appendix C.

**Notes:** CEQA = California Environmental Quality Act; HIC = Chronic Hazard Index.

Roadway Health Risk

An HRA was performed to estimate the Maximum Individual Cancer Risk and Chronic Hazard Index for residential receptors as a result of emissions from the I-15 freeway on future sensitive receptors of the project (Appendix C). Results of the roadway HRA are presented in Table 5.3-8. As shown in Table 5.3-8, the DPM emissions from the I-15 freeway would result in a Residential Maximum Individual Cancer Risk of 7.23 in 1 million and a Residential Chronic Hazard Index of 0.0017. These impact levels would be less than the SDAPCD significance threshold.

**Table 5.3-8.  
Roadway Health Risk Assessment Results**

Impact Parameter	Units	Impact Level	CEQA Threshold	Significance of Impact
Maximum Individual Cancer Risk – Residential	Per Million	7.23	10	Less than Significant
Chronic Hazard Index – Residential	Index Value	0.0017	1.0	Less than Significant

**Source:** SDAPCD 2019.

**Notes:** CEQA = California Environmental Quality Act.  
See Appendix E to Appendix C.

***Health Impacts of Carbon Monoxide***

Mobile-source impacts occur on two basic scales of motion. Regionally, project-related travel would add to regional trip generation and increase the VMT within the local airshed and the SDAB. Locally, project-related traffic would be added to the City’s roadway system. If such traffic occurs during periods of poor atmospheric ventilation, consists of a large number of vehicles “cold-started” and operating at pollution-inefficient speeds, and operates on roadways already crowded with non-project traffic, there is a potential for the formation of microscale CO “hotspots” in the area immediately around points of congested traffic. Because of continued improvement in mobile emissions at a rate faster than the rate of vehicle growth and/or congestion, the potential for CO hotspots in the SDAB is steadily decreasing.

Projects contributing to existing congested roadways may result in the formation of CO hotspots. To verify that the proposed project would not cause or contribute to a violation of the CO standard, a screening evaluation of the potential for CO hotspots was conducted based on the City’s Significance Determination Thresholds (City of San Diego 2016) CO hotspot screening guidance. The City recommends that a quantitative analysis of CO hotspots be performed if a proposed development causes a six-lane or four-lane roadway to deteriorate to a level of service (LOS) E or worse, causes a six-lane roadway to drop to LOS F, or if a proposed development is within 400 feet of a sensitive receptor and the LOS is D or worse. Based on the LMA analysis (Appendix B.1), one roadway segment within the study area, Rancho Peñasquitos Boulevard from Paseo Montril to the I-15, would operate at unacceptable LOS E in the existing conditions and LOS F in the opening year 2024 and horizon year 2050. This roadway segment is four lanes and is within 400 feet of a sensitive receptor

(residential uses). The project would contribute additional traffic to that segment, consisting of 374 trips during construction and 242 average daily trips during operations.

Based on the CO hotspot screening evaluation the roadway segment Rancho Peñasquitos Boulevard from Paseo Montril and I-15 SB Ramps was modelled, as it were the only roadway segment meeting the City’s recommendation. The potential impact of the proposed project on local CO levels was assessed at this roadway segment with the Caltrans CL4 interface based on the California LINE Source Dispersion Model (CALINE4), which allows microscale CO concentrations to be estimated along each roadway corridor or near intersections (Caltrans 1998a, 1998b). The maximum 1-hour concentration value from the nearest CO monitoring station (El Cajon) was used as the background concentration when evaluating the addition of the vehicle-generated CO emissions. Consistent with the CO Protocol (Caltrans 2010), four receptor locations at each segment were modeled at pedestrian height to determine CO ambient concentrations. For further details regarding modeling assumptions, refer to Appendix C.

The results of the model are shown in Table 5.3-9. As shown in Table 5.3-9, the maximum CO concentration predicted for the 1-hour averaging period at the studied intersections would be 2.3 parts per million (ppm), which is below the 1-hour CO CAAQS of 20 ppm (CARB 2016b). The maximum predicted 8-hour CO concentration of 1.4 ppm at the studied intersections would be below the 8-hour CO CAAQS of 9 ppm (CARB 2016b). Neither the 1-hour nor 8-hour CAAQS would be equaled or exceeded at any of the intersections studied.

**Table 5.3-9.  
CALINE4 Predicted Carbon Monoxide Concentrations**

Intersection	Maximum Modeled Impact for Year 2050 (ppm)	
	1-Hour	8-Hour <sup>a</sup>
Paseo Montril and I-15 Ramp (AM peak hour)	2.3	1.4
Paseo Montril and I-15 Ramp (PM peak hour)	2.3	1.4

**Source:** Caltrans 1998a (CALINE4).

**Notes:** ppm = parts per million.

See Appendix C.

<sup>a</sup> 8-hour concentrations were obtained by multiplying the 1-hour concentration by a persistence factor of 0.6 (Caltrans 2010).

**Health Impacts of Other Criteria Air Pollutants**

Construction and operation of the proposed project would not result in emissions that exceed the SDAPCD’s emission thresholds for any criteria air pollutants. Regarding VOCs, some VOCs are associated with motor vehicles and construction equipment, while others are associated with architectural coatings, the emissions of which would not result in the exceedances of the SDAPCD’s thresholds. Generally, the VOCs in architectural coatings are of relatively low toxicity. Additionally, SDAPCD Rule 67.0.1 restricts the VOC content of coatings for both construction and operational applications.

In addition, VOCs and NO<sub>x</sub> are precursors to O<sub>3</sub>, for which the SDAB is designated as nonattainment with respect to the NAAQS and CAAQS (the SDAB is designated by the EPA as an attainment area for the 1-hour O<sub>3</sub> NAAQS standard and 1997 8-hour NAAQS standard). The health effects associated with O<sub>3</sub>, as under Section 5.3.1, Existing Conditions, are generally associated with reduced lung function. The contribution of VOCs and NO<sub>x</sub> to regional ambient O<sub>3</sub> concentrations is the result of complex photochemistry. The increases in O<sub>3</sub> concentrations in the SDAB due to O<sub>3</sub> precursor emissions tend to be found downwind from the source location to allow time for the photochemical reactions to occur. However, the potential for exacerbating excessive O<sub>3</sub> concentrations would also depend on the time of year that the VOC emissions would occur, because exceedances of the O<sub>3</sub> ambient air quality standards tend to occur between April and October when solar radiation is highest.

The holistic effect of a single project's emissions of O<sub>3</sub> precursors is speculative due to the lack of quantitative methods to assess this impact. Nonetheless, the VOC and NO<sub>x</sub> emissions associated with proposed project construction and operations could minimally contribute to regional O<sub>3</sub> concentrations and the associated health impacts. While it is not possible to quantitatively determine the project impact, it is qualitatively assessed based on the project emission levels during construction and operation, health impacts would be considered less than significant.

Regarding NO<sub>2</sub>, according to the construction emissions analysis, construction of the proposed project would not contribute to exceedances of the NAAQS and CAAQS for NO<sub>2</sub>. As described in Appendix C, health impacts from exposure to NO<sub>2</sub> and NO<sub>x</sub> are associated with respiratory irritation, which may be experienced by nearby receptors during the periods of heaviest use of off-road construction equipment. However, these operations would be relatively short term. Additionally, off-road construction equipment would operate at various portions of the site and would not be concentrated in one portion of the site at any one time. Construction of the proposed project would not require any stationary emission sources that would create substantial, localized NO<sub>x</sub> impacts.

The VOC and NO<sub>x</sub> emissions, as described previously, would minimally contribute to regional O<sub>3</sub> concentrations and its associated health effects. In addition to O<sub>3</sub>, NO<sub>x</sub> emissions would not contribute to potential exceedances of the NAAQS and CAAQS for NO<sub>2</sub>. As shown in Table 5.3-2, the existing NO<sub>2</sub> concentrations in the area are well below the NAAQS and CAAQS standards. Thus, it is not expected that the proposed project's operational NO<sub>x</sub> emissions would result in exceedances of the NO<sub>2</sub> standards or contribute to the associated health effects. CO tends to be a localized impact associated with congested intersections. Thus, the proposed project's CO emissions would not contribute to significant health effects associated with this pollutant. Likewise, PM<sub>10</sub> and PM<sub>2.5</sub> would not contribute to potential exceedances of the NAAQS and CAAQS for particulate matter, would not obstruct the SDAB from coming into attainment for these pollutants, and would not contribute to significant health effects associated with particulates.

### **Significance of Impact**

#### ***Construction Health Risk***

The results of the HRA demonstrate that the TAC exposure from construction diesel exhaust emissions would result in cancer risk of 22.63 in 1 million, which would exceed the 10 in 1 million

threshold. Therefore, TAC emissions from construction of the proposed project would expose sensitive receptors to substantial pollutant concentrations and would result in a **potentially significant impact (Impact AIR-1)**.

### ***Roadway Health Risk***

The DPM emissions from the I-15 freeway would result in a Residential Maximum Individual Cancer Risk of 7.23 in 1 million and a Residential Chronic Hazard Index of 0.0017. These impact levels would be less than the SDAPCD significance threshold. Roadway health risk impacts would be **less than significant**.

### ***Health Impacts of Carbon Monoxide***

A quantitative CO hotspot analysis was conducted for the roadway segments that meet the City's Screening Guidance. It was determined that without mitigation the proposed project would not result for in a CO hotspot. This would be a **less than significant** impact.

### ***Health Impacts of Other Criteria Air Pollutants***

Based on the preceding considerations, health impacts associated with criteria air pollutants would be **less than significant**.

### **Mitigation**

The following mitigation is proposed to reduce **Impact AIR-1** related to construction health risk:

**MM-AQ-1** Prior to the issuance of a grading permit, the grading and construction plan notes shall specify that all 50-horsepower or greater diesel-powered equipment is powered with California Air Resources Board (CARB)-certified Tier 4 Interim engines or better.

An exemption from this requirement may be granted if (1) the applicant documents equipment with Tier 4 Interim engines or better are not reasonably available, and (2) the required corresponding reductions in diesel particulate matter (DPM) emissions can be achieved for the project from other combinations of construction equipment. Before an exemption may be granted, the applicant's construction contractor shall: (1) demonstrate that at least two construction fleet owners/operators in San Diego County were contacted and that those owners/operators confirmed Tier 4 Interim equipment or better could not be located within San Diego County during the desired construction schedule; and (2) the proposed replacement equipment has been evaluated using California Emissions Estimator Model (CalEEMod) or other industry standard emission estimation method and documentation provided to the City of San Diego to confirm that project-generated construction emissions do not exceed applicable San Diego Air Pollution Control District's carcinogenic (cancer) risk threshold.

**Significance of Impact After Mitigation**

**MM-AQ-1** would be implemented to reduce project-generated exhaust PM<sub>10</sub> (DPM) emissions (**Impact AIR-1**). Potential health risk at the maximally exposed individual resident resulting from proposed construction activities with incorporation of **MM-AQ-1** is shown in Table 5.3-10.

**Table 5.3-10.  
Construction Health Risk Assessment Results – Mitigated**

Impact Parameter	Units	Project Impact	CEQA Threshold	Significance of Impact
MICR (residential)	Per Million	2.21	10.0	Less than Significant
HIC	Not Applicable	0.0013	1.0	Less than Significant

**Source:** Appendix C.

**Notes:** CEQA = California Environmental Quality Act; MICR = Maximum Individual Cancer Risk. HIC = Chronic Hazard Index.

As shown in Table 5.3-10, **MM-AQ-1** would reduce construction emissions to below the 10 in a million cancer risk threshold. With mitigation, the project impact AIR-1 regarding TAC emissions generated during construction would be reduced to **less than significant**.

5.3.4.5 Issue 5: Odors

**Issue 5: *Would the proposal create objectionable odors affecting a substantial number of people?***

**Thresholds**

To determine the significance of the proposed project’s emissions on the environment, the City of San Diego (City) CEQA Significance Determination Thresholds (City of San Diego 2016) were used. Per the City’s thresholds, the project would have a significant impact on air quality if the project would: Create objectionable odors affecting a substantial number of people. The City also states that the significance of potential odor impacts should be determined based on what is known about the quantity of the odor compound(s) that would result from the project’s proposed use(s), the types of neighboring uses potentially affected, the distance(s) between the project’s point source(s) and the neighboring uses such as sensitive receptors, and the resultant concentration(s) at the receptors.

**Impact**

Section 41700 of the California Health and Safety Code and SDAPCD Rule 51 (Public Nuisance) prohibit emissions from any source whatsoever in such quantities of air contaminants or other material that cause injury, detriment, nuisance, or annoyance to the public health or damage to property. Projects required to obtain permits from SDAPCD are evaluated by SDAPCD staff for potential odor nuisance, and conditions may be applied (or control equipment required) where necessary to prevent occurrence of public nuisance.

SDAPCD Rule 51 (Public Nuisance) also prohibits emission of any material that causes nuisance to a considerable number of persons or endangers the comfort, health, or safety of any person. A project that proposes a use that would produce objectionable odors would be deemed to have a significant odor impact if it would affect a considerable number of off-site receptors. Odor issues are very subjective by the nature of odors themselves and due to the fact that their measurements are difficult to quantify. As a result, this guideline is qualitative and will focus on the existing and potential surrounding uses and location of sensitive receptors.

The occurrence and severity of potential odor impacts depends on numerous factors: the nature, frequency, and intensity of the source; the wind speeds and direction; and the sensitivity of receiving location each contribute to the intensity of the impact. Although offensive odors seldom cause physical harm, they can be annoying, cause distress among the public, and generate citizen complaints.

### ***Construction***

Odors would be potentially generated from vehicles and equipment exhaust emissions during construction of the proposed project. Potential odors produced during proposed construction would be attributable to concentrations of unburned hydrocarbons from tailpipes of construction equipment, architectural coatings, and asphalt pavement application. Such odors would disperse rapidly from the project site and generally occur at magnitudes that would not affect a substantial number of people.

### ***Operation***

Land uses and industrial operations associated with odor complaints include agricultural uses, wastewater treatment plants, food-processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding (SCAQMD 1993). The proposed project includes residential and commercial uses, which would not generate operational odors that would affect a substantial number of people.

### **Significance of Impact**

Impacts associated with odors during construction and operation would be **less than significant**.

### **Mitigation**

No mitigation would be required.

### 5.3.4.6 Issue 6: Alteration of Air Movement

**Issue 6: Would the proposal result in a substantial alteration of air movement in the area of the project?**

#### **Thresholds**

Impacts would be significant if the project results in a substantial alteration of air movement in the area of the project.

#### **Impact**

This issue is usually associated with placement of high structures in proximity to one-another that can result in tunneling of air movement in an area that was previously unobstructed. In the case of the project, structures would be placed within the site and is primarily characterized by native habitat and disturbed habitat. Surrounding land uses include residential development to the west, commercial to the south, open space to the north and I-15 to the east. Residential structures would be 40 feet in height and would be placed on two terraces cut into the hillside. They also would be at different elevations than the adjacent developments with intervening topography and would not generate air flow patterns that would travel through to off-site developed areas. Although localized effects would vary from the existing condition, substantial alteration of air movement would not occur.

#### **Significance of Impact**

Impacts relating to substantial alternations of air movement would be **less than significant**.

#### **Mitigation**

No mitigation would be required.

## 5.4 Biological Resources

This section describes the existing biological resources conditions of the Paseo Montril Project (project) site; identifies associated regulatory requirements; evaluates potential impacts; and identifies mitigation measures, as applicable, related to implementation of the project. The following discussion is based on the Biological Resources Technical Report prepared by Dudek (February 2022) and included as Appendix D.

### 5.4.1 Existing Conditions

#### Physical Conditions

Currently, the project site is undeveloped, surrounded by existing residential, commercial, and transportation infrastructure. The site is primarily characterized by undeveloped land on a hillside. The site is composed of mostly native vegetation communities, as detailed below. The off-site Paseo Montril Road area consists of urban/developed land. The elevations within the project area range from approximately 431 feet above mean sea level in the southwest of the project area near Interstate (I) 15 to approximately 568 feet above mean sea level near the center of the project area (Appendix D).

#### Vegetation Communities

Three vegetation communities (two native and one non-native) were identified on the project site: Diegan coastal sage scrub, Diegan coastal sage scrub (disturbed), and eucalyptus woodland. In addition, two land cover types were found on the project site: disturbed habitat and urban/developed land (Appendix D). The mapped vegetation communities on the project site are shown in Figure 5.4-1, Biological Resources, and their acreages are detailed in Table 5.4-1. The vegetation communities and land cover types recorded in the project area are described below.

**Table 5.4-1  
Upland Vegetation Communities and Land Cover Types  
in the Project Area**

Vegetation Community/ Land Cover Type	City of San Diego Biology Guidelines Vegetation Community	Subarea Plan Tier	On-Site Acreage	Off-Site Acreage	Total Acreage
<i>Native Vegetation Communities</i>					
Diegan coastal sage scrub	Coastal sage scrub	II	7.78	—	7.78
Disturbed Diegan coastal sage scrub	Coastal sage scrub	II	5.37	—	5.37
<i>Non-Native Vegetation Communities and Land Covers</i>					
Eucalyptus woodland	Eucalyptus woodland	IV	0.03	0.01	0.04

**Table 5.4-1  
Upland Vegetation Communities and Land Cover Types  
in the Project Area**

<b>Vegetation Community/ Land Cover Type</b>	<b>City of San Diego Biology Guidelines Vegetation Community</b>	<b>Subarea Plan Tier</b>	<b>On-Site Acreage</b>	<b>Off-Site Acreage</b>	<b>Total Acreage</b>
Urban/Developed	Disturbed Land	IV	0.12	0.81	0.93
Disturbed Habitat	Disturbed Land	IV	1.90	0.01	1.91
<b>Total</b>			<b>15.20</b>	<b>0.83</b>	<b>16.03</b>

**Source:** Appendix D.

### ***Diegan Coastal Sage Scrub***

Coastal sage scrub is a native vegetation community composed of a variety of soft, low, aromatic shrubs, characteristically dominated by drought-deciduous species—such as California sagebrush (*Artemisia californica*), California buckwheat (*Eriogonum fasciculatum*), and sages (*Salvia* spp.)—with scattered evergreen shrubs, including lemonade sumac (*Rhus integrifolia*) and laurel sumac (*Malosma laurina*) (Appendix D).

Diegan coastal sage scrub occupies 7.78 acres within the on-site portion of the project area. Within the project parcel, coastal sage scrub makes up the majority of the site. The coastal sage scrub within the site is dense and consists mostly of native species, especially on the northern portion of the site. Near the southern portion of the site, the coastal sage scrub becomes more disturbed. Species that dominate the coastal sage scrub include black sage (*Salvia mellifera*), California encelia (*Encelia californica*), California sagebrush, California buckwheat (*Eriogonum fasciculatum* var. *fasciculatum*), spiny redberry (*Rhamnus crocea*), and laurel sumac (Appendix D). Coastal sage scrub (including disturbed forms) is considered a Tier II habitat by the City of San Diego (City) Biology Guidelines (City of San Diego 2018a).

### ***Diegan Coastal Sage Scrub (Disturbed)***

Disturbed Diegan coastal sage scrub is a Tier II land cover type. Disturbed Diegan coastal sage scrub differs from the non-disturbed form as it has a higher percentage of non-native species, areas of bare ground, or higher levels of soil disturbance. Disturbed Diegan coastal sage scrub is still considered a native vegetation community that consists of many of the same coastal sage scrub species (Appendix D).

Disturbed Diegan coastal sage scrub occupies 5.37 acres within the on-site portion of the project area. Within the project parcel, disturbed coastal sage scrub makes up the southern edge of the site. Disturbed coastal sage scrub is dominated by California sagebrush and California encelia (Appendix D). The City's Biology Guidelines (City of San Diego 2018a) do not distinguish between coastal sage scrub (disturbed) and general coastal sage scrub; therefore, it is considered a Tier II habitat.

### **Urban/Developed Land**

Urban/developed land represents areas that have been constructed upon or otherwise physically altered to an extent that native vegetation communities are not supported. This land cover type generally consists of semi-permanent structures, homes, parking lots, pavement or hardscape, and landscaped areas that require maintenance and irrigation (e.g., ornamental greenbelts). Typically, this land cover type is unvegetated or has some ornamental vegetation. Areas mapped as urban/developed occupy 0.93 acres, which includes 0.12 acres in the on-site portion and 0.81 acres in the off-site portion of the project area. Areas on site with developed land are paved roads (Appendix D). Developed land is considered a Tier IV habitat (disturbed land) per the City's Biology Guidelines (City of San Diego 2018a).

### **Disturbed Habitat**

Disturbed habitat is a land cover type characterized by a predominance of non-native species, often introduced and established through human action. Disturbed habitat are areas that have been physically disturbed and are no longer recognizable as native or naturalized vegetation associations but continue to retain a soil substrate. Typically, vegetation, if present, is nearly exclusively composed of non-native plant species such as ornamentals or ruderal exotic species (Appendix D).

The areas mapped as disturbed habitat occupy 1.91 acres, which includes 1.90 acres in the on-site portion and 0.01 acres in the off-site portion of the project area. Disturbed habitat is on the southern and western section of the project area. A small section of disturbed habitat occurs on old roads of the site that consist of little vegetation or non-native plant species. Disturbed habitat consists of non-native vegetation on site. The disturbed habitat is dominated by black mustard (*Brassica nigra*) and artichoke thistle (*Cynara cardunculus*). Less commonly occurring within the disturbed habitat is prickly sow-thistle (*Sonchus asper* ssp. *asper*), Italian thistle (*Carduus pycnocephalus* ssp. *pycnocephalus*), short-pod mustard (*Hirschfeldia incana*), dwarf nettle (*Urtica urens*), dryer's rocket (*Reseda luteola*), tree tobacco (*Nicotiana glauca*), hottentot fig (*Carpobrotus edulis*), and hollow-stem asphodel (*Asphodelus fistulosus*) (Appendix D). Disturbed habitat is considered a Tier IV habitat (disturbed land) per the City's Biology Guidelines (City of San Diego 2018a).

### **Eucalyptus Woodland**

Eucalyptus woodland is a "naturalized" vegetation community that is fairly widespread in Southern California and is considered a woodland habitat. It typically consists of monotypic stands of introduced Australian eucalyptus trees (*Eucalyptus globulus*). Although eucalyptus woodlands are of limited value to most native plants and animals, they frequently provide nesting and perching sites for several raptor species.

The area mapped as eucalyptus woodland occupies 0.03 acres within the on-site portion, and 0.01 acres within the off-site portion of the project area. It is on the far southern portion of the project site. Dominant species include eucalyptus (Appendix D). Eucalyptus woodland is considered a Tier IV habitat per the City's Biology Guidelines (City of San Diego 2018a).

### Jurisdictional Resources/Wetlands

No city, state, or federally defined wetlands occur within the project area. The site currently supports a small drainage swale that is regulated by the California Department of Fish and Wildlife (CDFW) and Regional Water Quality Control Board (RWQCB) (Appendix D). This drainage area does not contain hydric soils, and supports upland vegetation (Diegan coastal sage scrub) (Figure 5.4-1). The drainage does not qualify as a City of San Diego wetland (City of San Diego 2018a).

### Floral Diversity

A total of 107 species of native or naturalized plants, 58 native (54%) and 49 non-native (46%), were recorded during the biological reconnaissance survey for the project. A cumulative list of all plant species observed in the project area is provided in Appendix D. Two special-status plant species, San Diego County viguiera (*Bahiopsis [Viguiera] laciniata*; California Rare Plant Rank [CRPR] 4.3) and coast barrel cactus (*Ferocactus viridescens* var. *viridescens*; CRPR 2B.1 and MSCP Covered Species), were observed during focused rare plant surveys in 2021.

### Special-Status Plants

Plant species are considered special status if they have been listed or proposed for listing by the federal or state government as rare, endangered, or threatened (“listed species”); have a CRPR of 1–4; are listed as an MSCP Covered Species; and/or have been adopted by the City as narrow endemic plant species. Development of the project would impact natural habitat and sensitive vegetation communities where the species could occur. Focused rare plant surveys were conducted in April and May 2021. No sensitive plant species have high or moderate potential to occur within the project area (Appendix D). Two sensitive plant species, San Diego County viguiera and coastal barrel cactus, were observed during rare plant surveys in 2021.

San Diego County viguiera is a CRPR 4.3 species. This shrub is found at elevations ranging from 195 to 2,460 feet above mean sea level in chaparral and coastal scrub (CNPS 2020). San Diego County viguiera occurs in San Diego, Los Angeles, Orange, Riverside, and Ventura Counties. This species typically blooms February through June. San Diego County viguiera was observed planted adjacent to the site along I-15 within the California Department of Transportation (Caltrans) right-of-way on site; this is not a natural occurrence of the species. Thus, the San Diego County viguiera is considered ornamental and is not considered sensitive.

Coast barrel cactus is a CRPR 2B.1, and MSCP Covered Species. This succulent is located at elevations less than 1,500 feet above mean sea level within chaparral, coastal scrub, valley and foothill grasslands, and sometimes vernal pools. This species blooms May through July. Coast barrel cactus was observed in the central portion of the site near the central drainage (Appendix D).

### Wildlife Diversity

The project area supports habitat primarily for upland species within coastal sage scrub and disturbed habitat. These upland habitats also provide foraging and nesting habitat for migratory and resident bird species and other wildlife species. A total of 31 wildlife species—22 birds, two butterflies, three mammals, and four reptiles—were recorded during the biological reconnaissance surveys and rare plant surveys for the project area. Of the total 31 wildlife species observed during

the reconnaissance survey, one special-status and MSCP Covered Species was observed: coastal California gnatcatcher (*Polioptila californica californica*). A list of all common and sensitive wildlife species observed in the project area during the 2020 and 2021 surveys is provided in Appendix D.

### **Special-Status Wildlife**

Sensitive wildlife species are those listed as federal/state endangered or threatened, those proposed for listing, those fully protected by CDFW, those on the California Watch List, California Species of Special Concern (SSC), or MSCP Covered Species. Special-status wildlife species determined to have a high potential to occur within the project area include orange-throated whiptail (*Aspidoscelis hyperythra*) and San Diego desert woodrat (*Neotoma lepida intermedia*). Special-status wildlife species determined to have a moderate potential to occur within the project area are Southern California legless lizard (*Anniella stebbinsi*), San Diegan tiger whiptail (*Aspidoscelis tigris stejnegeri*), red diamondback rattlesnake (*Crotalus ruber*), Blainville's horned lizard (*Phrynosoma blainvillii*), Coronado skink (*Plestiodon skiltonianus interparietalis*), and coast patch-nosed snake (*Salvadora hexalepis virgulata*) (Appendix D). Northwestern San Diego pocket mouse (*Chaetodipus fallax fallax*) has a low to moderate potential to occur because it prefers more open habitats but is wide-ranging throughout San Diego County.

Two special-status and MSCP Covered Species, coastal California gnatcatcher and western bluebird (*Sialia mexicana*), were observed during the biological reconnaissance survey in January 2020. A description of species observed on site, as well as those with high or moderate potential to occur, is provided below. Appendix D provides a description of these species, as well as those with a low or no potential to occur.

### Coastal California Gnatcatcher

Coastal California gnatcatcher is federally listed as threatened, an SSC, and an MSCP Covered Species. Coastal California gnatcatcher breeds in lower elevations (lower than 500 meters [1,640 feet]) south and west of the Transverse and Peninsular Ranges (Atwood and Bolsinger 1992). Higher densities of this species occur in coastal San Diego and Orange Counties, and lower densities are found in Los Angeles, Orange, western Riverside, southwestern San Bernardino, and inland San Diego Counties (Atwood 1993; Preston et al. 1998). Coastal California gnatcatcher primarily occupies open coastal sage scrub habitat that is dominated by California sagebrush. This species is relatively absent from coastal sage scrub habitats dominated by black sage (*Salvia mellifera*), white sage (*Salvia apiana*), or sugar sumac (*Rhus ovata*).

Five coastal California gnatcatcher individuals were observed in the coastal sage scrub habitat, including one individual located in the western portion and two pairs located in the southwestern portion, of the project area (Figure 5.4-1). Suitable habitat within the project area has the potential to support the federally threatened coastal California gnatcatcher. This habitat is the dominant vegetation community within the project area. Good-quality, well-diversified, and well-structured coastal sage scrub habitat mapped on the site was the dominant vegetation community within the project area (Appendix D).

### Western Bluebird

Western bluebird is an MSCP Covered Species. It is a common resident bird in San Diego County, where it prefers montane coniferous and oak woodlands (Unitt 2004). It nests in old-growth red fir, mixed conifer, and lodgepole pine habitats near wet meadows used for foraging. It is a cavity nester. Because this species is not considered special status by state or federal agencies, it is not tracked in the California Natural Diversity Database (CNDDDB) (Appendix D). Western bluebird was observed within disturbed coastal sage scrub along the southern boundary of the project area (Figure 5.4-1). Because suitable nesting conditions are not present within the project area, this species is not expected to nest within the project area.

### Southern California Legless Lizard

Southern California legless lizard is a California SSC. Typical habitat for this species consists of coastal dunes, stabilized dunes, beaches, dry washes, valley-foothill, chaparral, and scrubs, and pine, oak, and riparian woodlands associated with sparse vegetation and moist, sandy, or loose and loamy soils. Some moisture is needed for this species, and a tributary is present on site. Typically, it is difficult to see a Southern California legless lizard on a reconnaissance study because they burrow into the soil and live underground or deeper in leaf litter. There are documented occurrences less than 5 miles from the site, and an abundance of occurrences near Lake Hodges approximately 6.5 miles from the site (Inaturalist 2020). Ground disturbance will move legless lizards to the soil surface. This species has a moderate potential to occur within the project site, as there is suitable scrub habitat and leaf litter, as well as a tributary on site (Appendix D).

### Orange-Throated Whiptail

Orange-throated whiptail is a California Watch List species. This species can be found in low-elevation coastal scrub, chaparral, and valley-foothill hardwood. Coastal brushy habitat with loose soils is the preferred habitat for orange-throated whiptail (Calherps 2020). There is suitable coastal scrub habitat present within the project area to support this species. In addition, a tributary is located within the project site, creating habitat for small invertebrates that orange-throated whiptail will feed on. Documented points of orange-throated whiptail occur in all directions of the site (Inaturalist 2020). CNDDDB occurrences are documented 0.5 miles south of the project site within open space south of Poway Road (CDFW 2020). This species has a high potential to occur within the project area.

### San Diegan Tiger Whiptail

San Diegan tiger whiptail is a California SSC. This species can be found in a variety of vegetation, but is more likely to be found in sparse, open vegetation (Calherps 2020). The project site consists of dense coastal sage scrub in many portions, but does have some openings. Documented locations do occur near the site because of the amount of surrounding open space. On the other side of Rancho Peñasquitos boulevard, San Diegan tiger whiptail is documented a short distance away (Inaturalist 2020). This species has a moderate potential to occur within the project area.

### Red Diamondback Rattlesnake

Red diamondback rattlesnake is not listed as a special-status species under federal, state, or the City's MSCP regulations. This species can be found in coastal scrub, chaparral, oak and pine

woodlands, rocky grasslands, cultivated areas, and desert flats habitats. The project site has numerous woodrat middens providing an abundance of prey. A CNDDDB occurrence is approximately 1.8 miles east of the project site southwest of Pomerado Road (CDFW 2020). A documented occurrence approximately 200 meters from the site was recorded June 26, 2019 (Inaturalist 2020). This species has a moderate potential to occur, as there is suitable coastal scrub habitat present within the project area.

### Blainville's Horned Lizard

Blainville's horned lizard is a California SSC and a Covered Species under the City's MSCP Subarea Plan. This species can be found in open areas of sandy soil in valleys, foothills, and semiarid mountains, including coastal scrub, chaparral, valley-foothill hardwood, conifer, riparian, pine-cypress, juniper, and annual grassland habitats. The closest known CNDDDB occurrence is approximately 1.3 miles east of the project area along the eastern slope of Van Dam Mountain (CDFW 2020). Documented occurrences are found across I-15 in the same habitat (Inaturalist 2020). In addition, small invertebrates are present on site, providing food needed for Blainville's horned lizard. Harvester ants (*Pogonomyrmex* spp.) are its preferred diet (Calherps 2020). Harvester ants were not observed during the initial reconnaissance study but may be present. This species has a moderate potential to occur, as there is suitable coastal scrub and sandy soil present, and the project site does have some openings.

### Coronado Skink

Coronado skink is listed as a California Watch List species. This species can be found in woodlands, grasslands, pine forests, and chaparral, and rocky areas near water. It prefers rocky areas near streams (Calherps 2020). The closest known CNDDDB occurrence is approximately 1.9 miles southwest of the project site within Peñasquitos Canyon Park (CDFW 2020). However, Coronado skink documented sightings occur in all directions around the project site. The closest location is northwest of the site just off State Route 56 (Inaturalist 2020). This species has a moderate potential to occur within the project site, as a tributary occurs within the project site, and Coronado skink is likely to be found closer to the tributary and may congregate in that area.

### Coast Patch-Nosed Snake

Coast patch-nosed snake is listed as a California SSC. This species can be found in brushy or shrubby vegetation and requires small mammal burrows for refuge and overwintering sites. Coast patch-nosed snakes are found in semi-arid brushy habitat (Calherps 2020). There is suitable shrubby vegetation present within the project site, but few mammal burrows were noted in the reconnaissance survey (Appendix D). Documented occurrences have been found close to the site in both the northwestern and northeastern directions (Inaturalist 2020). This species has a moderate potential to occur within the project site.

### Northwestern San Diego Pocket Mouse

Northwestern San Diego pocket mouse is listed as a California SSC. This species can be found in coastal scrub, mixed chaparral, sagebrush, desert wash, desert scrub, desert succulent shrub, pinyon-juniper, and annual grassland. This species has a moderate potential to occur, as there is

suitable coastal scrub habitat present within the project area. However, there are no known occurrences within 5 miles of the project area (CDFW 2020).

### San Diego Desert Woodrat

San Diego desert woodrat is listed as a California SSC. This species can be found in coastal scrub, desert scrub, chaparral, cacti, and rocky areas. San Diego desert woodrat middens were observed during vegetation mapping and general surveys in 2017 throughout the site (Recon 2018). The closest known CNDDDB occurrence is approximately 4.2 miles north of the project site within Rancho Bernardo (CDFW 2020). This species has a high potential to occur within the project area.

### **Wildlife Corridors and Habitat Linkages**

Wildlife corridors are linear features that connect large patches of natural open space and provide avenues for animals to travel between these larger open space areas. Wildlife corridors contribute to population viability by ensuring the continual exchange of genes between populations, which helps maintain genetic diversity; providing access to adjacent habitat areas, representing additional territory for foraging and mating; allowing for a greater carrying capacity; and providing routes for colonization of habitat lands following local population extinctions or habitat recovery from ecological catastrophes.

Habitat linkages are patches of native habitat that function to join two larger patches of habitat. They serve as connections between habitat patches and help reduce the adverse effects of habitat fragmentation. Although individual animals may not move through a habitat linkage, the linkage does represent a potential route for gene flow and long-term dispersal. Habitat linkages may serve as both habitat and avenues of gene flow for small animals, such as reptiles and amphibians. Habitat linkages may be represented by continuous patches of habitat or by nearby habitat “islands” that function as steppingstones for dispersal.

The project area provides limited refuge and cover for wildlife species and their movements. It is unlikely to be a wildlife corridor due to the disturbed condition of the majority of land throughout the project area, and the site is surrounded by residential and commercial uses and I-15. Wildlife could move between the habitat along the northern boundary of the project area and the adjacent land just north of the project area; however, this natural habitat is bounded on all sides by roads and residential development, and therefore, movement would be restricted and fragmented.

The Multi-Habitat Planning Area (MHPA) of the MSCP was designed to include key biological core and linkage areas within the City (City of San Diego 1997). The project site is not within the designated MHPA and has been determined not to be a biological core or linkage area. The MHPA boundary is approximately 0.08 miles (440 feet) southeast of the project area across I-15 and is therefore not adjacent to the project area.

## 5.4.2 Regulatory Framework

### **Federal**

#### ***Federal Endangered Species Act***

Under the federal Endangered Species Act of 1973 (ESA), the Secretary of the Interior and the Secretary of Commerce jointly have the authority to list a species as threatened or endangered (16 USC 1533[c]). Pursuant to the requirements of the federal ESA, an agency reviewing a project within its jurisdiction must determine whether any federally listed threatened or endangered species may be present in the planning area, and determine whether the project would have a potentially significant impact on such species. In addition, the agency is required to determine whether the project is likely to jeopardize the continued existence of any species proposed to be listed under the federal ESA or result in the destruction or adverse modification of critical habitat proposed to be designated for such species (16 USC 1536[3][4]). The U.S. Fish and Wildlife Service (USFWS) and the National Oceanic and Atmospheric Administration National Marine Fisheries Service are responsible for implementation of the federal ESA.

USFWS also publishes a list of candidate species. Species on this list receive special attention from federal agencies during environmental review, although they are not protected otherwise under the federal ESA. The candidate species are those for which USFWS has sufficient biological information to support a proposal to list them as endangered or threatened.

#### ***Migratory Bird Treaty Act***

The Migratory Bird Treaty Act prohibits the take of any migratory bird or any part, nest, or eggs of any such bird. Under the Migratory Bird Treaty Act, “take” is defined as “pursue, hunt, shoot, wound, kill trap, capture, or collect, or any attempt to carry out these activities” (16 USC 703 et seq.). Additionally, Executive Order 13186, Responsibilities of Federal Agencies to Protect Migratory Birds, requires that any project with federal involvement address impacts of federal actions on migratory birds with the purpose of promoting conservation of migratory bird populations (66 FR 3853–3856). Executive Order 13186 requires federal agencies to work with USFWS to develop a memorandum of understanding. USFWS reviews actions that might affect these species. Currently, birds are considered to be nesting under the Migratory Bird Treaty Act only when there are eggs or chicks that are dependent on the nest. The project is required to comply with the Migratory Bird Treaty Act, as applicable.

### **State**

#### ***California Endangered Species Act***

CDFW administers the California Endangered Species Act (CESA) (CFGF Section 2050 et seq.), which prohibits the take of plant and animal species designated by the California Fish and Game Commission as endangered or threatened in California. Under CESA Section 86, “take” is defined as “hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill.” CESA Section 2053 stipulates that state agencies may not approve projects that will “jeopardize the continued existence of any endangered species or threatened species or result in the destruction or adverse

modification of habitat essential to the continued existence of those species, if there are reasonable and prudent alternatives available consistent with conserving the species or its habitat which would prevent jeopardy.”

Sections 3511, 4700, and 5515 of the California Fish and Game Code (CFGF) designate certain birds, mammals, and fish as “fully protected” species. These species may not be taken or possessed without a permit from the California Fish and Game Commission, and such take may only occur pursuant to scientific research or in connection with an authorized Natural Communities Conservation Plan. No incidental take of fully protected species is allowed.

CESA Sections 2080 through 2085 address the taking of threatened, endangered, or candidate species by stating, “No person shall import into this state, export out of this state, or take, possess, purchase, or sell within this state, any species, or any part or product thereof, that the Commission determines to be an endangered species or a threatened species, or attempt any of those acts, except as otherwise provided in this chapter, the Native Plant Protection Act (CFGF Sections 1900–1913), or the California Desert Native Plants Act (Food and Agricultural Code, Section 80001).”

Sections 2081(b) and 2081(c) of the CFGF authorize take of endangered, threatened, or candidate species if take is incidental to otherwise lawful activity and if specific criteria are met. In such cases, CDFW issues the applicant an incidental take permit, which functions much like an incidental take statement in the federal context. Sections 2081(b) and 2081(c) also require CDFW to coordinate consultations with USFWS for actions involving federally listed species that are also state-listed species. In certain circumstances, Section 2080.1 of the CESA allows CDFW to adopt a federal incidental take statement or a 10(a) permit as its own, based on its findings that the federal permit adequately protects the species and is consistent with state law. As mentioned above, CDFW may not issue a Section 2081(b) incidental take permit for take of fully protected species. The CFGF lists the fully protected species in Section 3511 (birds), Section 4700 (mammals), Section 5050 (reptiles and amphibians), and Section 5515 (fish).

### ***California Fish and Game Code***

#### Streambed Alteration Agreement

Pursuant to Section 1602 of the CFGF, CDFW regulates all diversions, obstructions, or changes to the natural flow or bed, channel, or bank of any river, stream, or lake that supports fish or wildlife. A Streambed Alteration Agreement (CFGF Section 1602 et seq.) is required for impacts on jurisdictional resources, including streambeds and associated riparian habitat.

#### Birds and Mammals

According to Sections 3511 and 4700 of the CFGF, which regulate birds and mammals, a fully protected species may not be taken or possessed. CDFW may not authorize the take of such species except for necessary scientific research; for the protection of livestock; and when the take occurs for fully protected species within an approved Natural Communities Conservation Plan, such as the East County MSCP, which, if developed and approved, will cover the proposed project's biological study area.

### Resident and Migratory Birds

The CFGC provides protection for wildlife species. It states that no mammal, bird, reptile, amphibian, or fish species listed as fully protected can be “taken or possessed at any time.” In addition, CDFW affords protection over the destruction of nests or eggs of native bird species (CFGC Section 3503), and it states that no birds in the orders of Falconiformes or Strigiformes (birds of prey) can be taken, possessed, or destroyed (CFGC Section 3503.5). CDFW cannot issue permits or licenses that authorize the take of any fully protected species, except under certain circumstances such as scientific research and live capture and relocation of such species pursuant to a permit for the protection of livestock (CFGC Section 3511). Separate from federal and state designations of species, CDFW designates certain vertebrate species as a California SSC based on declining population levels, limited ranges, and/or continuing threats that have made them vulnerable to extinction.

### California Native Plant Protection Act

The Native Plant Protection Act of 1977 (CFGC Sections 1900–1913) directed CDFW to carry out the legislature’s intent to “preserve, protect and enhance rare and endangered plants in this State.” The Native Plant Protection Act gave the California Fish and Game Commission the power to designate native plants as “endangered” or “rare,” and to protect endangered and rare plants from take. When CESA was passed in 1984, it expanded on the original Native Plant Protection Act, enhanced legal protection for plants, and created the categories of “threatened” and “endangered” species to parallel the federal ESA. CESA categorized all rare animals as threatened species under CESA, but did not do so for rare plants, which resulted in three listing categories for plants in California: rare, threatened, and endangered. The Native Plant Protection Act remains part of the CFGC, and mitigation measures for impacts on rare plants are specified in a formal agreement between CDFW and project proponents.

### ***Porter-Cologne Water Quality Control Act***

The Porter–Cologne Water Quality Control Act (Porter–Cologne Act) protects water quality and the beneficial uses of water. It applies to surface water and groundwater. Under this law, the State Water Resources Control Board develops statewide water quality plans, and the RWQCBs develop regional basin plans that identify beneficial uses, water quality objectives, and implementation plans. The RWQCBs have the primary responsibility to implement the provisions of statewide plans and basin plans. Waters regulated under the Porter–Cologne Act include isolated waters that are not regulated by the U.S. Army Corps of Engineers. Developments with impacts on jurisdictional waters must demonstrate compliance with the goals of the Porter–Cologne Act by developing Stormwater Pollution Prevention Plans, Standard Urban Stormwater Mitigation Plans, and other measures to obtain a Clean Water Act Section 401 certification.

### **Local**

#### ***Multiple Species Conservation Program***

The City is a participant in the San Diego MSCP Plan, a comprehensive, regional, long-term habitat conservation program designed to provide permit issuance authority for take of Covered Species to the local regulatory agencies. The MSCP Plan addresses habitat and species conservation within approximately 900 square miles in the southwestern portion of San Diego County (County of San

Diego 1998). It serves as an approved habitat conservation plan pursuant to an approved Natural Communities Conservation Plan in accordance with the state Natural Communities Conservation Planning Act (County of San Diego 1998).

The MSCP Plan establishes a preserve system designed to conserve large blocks of interconnected habitat having high biological value that are delineated into MHPAs. The City's MHPA is a "hard line" preserve developed by the City in cooperation with the wildlife agencies, property owners, developers, and environmental groups. The MHPA identifies biological core resource areas and corridors targeted for conservation, in which only limited development may occur (City of San Diego 1997).

The MSCP Plan identifies 85 plants and animals to be covered under the plan ("Covered Species"). Many of these Covered Species are subject to one or more protective designations under state and/or federal law, and some are endemic to San Diego. The MSCP Plan seeks to provide adequate habitat in the preserve to maintain ecosystem functions and persistence of extant populations of the 85 Covered Species while also allowing participating landowners take of Covered Species on lands located outside of the preserve. The purpose of the MSCP Plan is to address species conservation on a regional level and thereby avoid project-by-project biological mitigation, which tends to fragment habitat.

### City of San Diego MSCP Subarea Plan

The City's Subarea Plan (City of San Diego 1997) encompasses 206,124 acres within the MSCP Plan area. The project area is located within the Northern Area of the Subarea Plan (City of San Diego 1997). The Subarea Plan is characterized by urban land uses with approximately three-quarters either built out or retained as open space/park system. As mentioned previously, the City MHPA is a hard-line preserve developed by the City in cooperation with the wildlife agencies, property owners, developers, and environmental groups. The MHPA identifies biological core resource areas and corridors targeted for conservation, in which only limited development may occur (City of San Diego 1997). The MHPA is considered an urban preserve that is constrained by existing or approved development and comprises habitat linkages connecting several large core areas of habitat. The criteria used to define core and linkage areas involves maintaining ecosystem function and processes, including large animal movement. Each core area is connected to other core areas or to habitat areas outside of the MSCP area either through common boundaries or through linkages. Core areas have multiple connections to help ensure that the balance in the ecosystem will be maintained (City of San Diego 1997). Critical habitat linkages between core areas are conserved in a functional manner, with a minimum of 75% of the habitat within identified linkages conserved (City of San Diego 1997). The project area is located outside of these habitat linkages and core areas, with the nearest MHPA being approximately 0.08 miles (440 feet) from the project area.

### ***City of San Diego Biology Guidelines***

The City's Development Services Department developed the Biology Guidelines presented in the Land Development Manual "to aid in the implementation and interpretation of the Environmentally Sensitive Lands Regulations, San Diego Land Development Code, Chapter 14, Division 1, Section 143.0101 et seq., and the Open Space Residential (OR-1-2) Zone, Chapter 13, Division 2, Section 131.0201 et seq." (City of San Diego 2018a). The guidelines also provide standards for the determination of impacts and mitigation under CEQA and the California Coastal Act. Sensitive

biological resources, as defined by the ESL regulations, include lands within the MHPA and other lands outside of the MHPA that contain wetlands; vegetation communities classifiable as Tier I, II, IIIA, or IIIB; habitat for rare, endangered, or threatened species; and narrow endemic species. The most sensitive habitats are classified as Tier I with the least sensitive classified as Tier IV, and varying mitigation ratios and requirements that mitigation be in tier or in kind are based on the sensitivity of the habitat being affected.

In addition, the location of impacts inside or outside of the City's MHPA also determines where and how much mitigation is required, with the highest ratios being required for mitigation outside of the MHPA when project impacts occur within the MHPA (City of San Diego 2018a). Habitat mitigation requirements, along with seasonal grading restrictions, provide protections for sensitive species, with additional species-specific mitigation required for significant impacts to narrow endemic species. Limitations on development in the MHPA also protect wildlife movement corridors (e.g., linear areas of the MHPA less than 1,000 feet wide) (City of San Diego 2018a).

### 5.4.3 Impacts Analysis

#### 5.4.3.1 Issues 1 and 2: Sensitive Habitats, and Special Status Plants and Wildlife

**Issue 1:** *Would the project result in a substantial adverse impact, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in the MSCP or other local or regional plans, policies or regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS)?*

**Issue 2:** *Would the project 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, regulations, or by the CDFW or USFWS?*

#### Threshold

According to the City's Significance Determination Thresholds (City of San Diego 2020), potential impacts to biological resources are assessed through review of the project's consistency with the City's ESL regulations, Biology Guidelines, and MSCP Subarea Plan. Before a determination of the significance of an impact can be made, the presence and nature of the biological resources must be established. Thus, significance determination, pursuant to the City's Significance Determination Thresholds, proceeds in two steps: (1) determine if significant biological resources are present, and (2) determine the sensitivity of identified biological resources in terms of direct, indirect, and cumulative impacts that would result from project implementation.

1. Sensitive biological resources are defined by the City of San Diego Municipal Code as follows:
  - Lands that have been included in the MHPA as identified in the City of San Diego MSCP Subarea Plan (City of San Diego 1997).
  - Wetlands (as defined by the Municipal Code, Section 113.0103).

- Lands outside the MHPA that contain Tier I Habitats, Tier II Habitats, Tier IIIA Habitats, or Tier IIIB Habitats as identified in the Biology Guidelines of the Land Development Manual (City of San Diego 2018a).
  - Lands supporting species or subspecies listed as rare, endangered, or threatened.
  - Lands containing habitats with narrow endemic species as listed in the Biology Guidelines of the Land Development Manual.
  - Lands containing habitats of covered species as listed in the Biology Guidelines of the Land Development Manual.
2. Occurrence of any of the following situations associated with identified biological resources may indicate significant direct and indirect biological impacts.

### **A. Direct Impacts**

- Any encroachment in the MHPA is considered a significant impact to the preservation goals of the MSCP. Any encroachment into the MHPA (in excess of the allowable encroachment by a project) would require a boundary adjustment, which would include a habitat equivalency assessment to ensure that what would be added to the MHPA is at least equivalent to what would be removed.
- Lands containing Tier I, II, IIIA, and IIIB habitats and all wetlands are considered sensitive and declining habitats. Impacts to these resources may be considered significant.
- Impacts to individual sensitive species, outside of any impacts to habitat, may also be considered significant based on the rarity and extent of impacts. Impacts to state or federally listed species and all narrow endemics should be considered significant.
- Certain species covered by the MSCP and other species not covered by the MSCP may be considered significant on a case-by-case basis taking into consideration all pertinent information regarding distribution, rarity, and the level of habitat conservation afforded by the MSCP.

### **B. Indirect Impacts**

The Significance Determination Thresholds indicate that depending on the circumstances, indirect effects of a project may be as significant as the direct effects of the project. Indirect effects include, but are not limited to, the following impacts:

- Introduction of urban meso-predators into a biological system
- Introduction of urban runoff into a biological system
- Introduction of invasive exotic plant species into a biological system
- Noise and lighting impacts
- Alteration of a dynamic portion of a system, such as stream flow characteristics or fire cycles
- Loss of a wetland buffer that includes no environmentally sensitive lands.

**Impact**

**Direct Impacts**

Vegetation Communities and Land Covers

Implementation of the project would result in direct permanent impacts to 4.48 acres, including 3.24 acres of Tier II Diegan coastal sage scrub (including disturbed forms), 0.03 acres of Tier IV eucalyptus woodland, 0.93 acres of Tier IV urban/developed, and 0.28 acres of Tier IV disturbed habitat (see Figure 5.4-2, Impacts to Biological Resources, and Table 5.4-2). Direct impacts to Diegan coastal sage scrub would be potentially significant.

**Table 5.4-2. Direct Impacts to Upland Vegetation Communities and Land Cover Types in the Project Area**

Vegetation Community/Land Cover Type	City of San Diego Biology Guidelines Vegetation Community	Subarea Plan Tiera	Existing Acreage	Direct Impacts (acres)	Off-Site Direct Impacts (acres)	Total Direct Impacts (acres)	Remaining On-site
<i>Native Vegetation Communities</i>							
Diegan coastal sage scrub	Coastal sage scrub	II	7.78	2.96	—	2.96	4.82
Diegan coastal sage scrub (disturbed)	Coastal sage scrub	II	5.37	0.28	—	0.28	5.09
<i>Subtotal</i>			<b>13.15</b>	<b>3.24</b>	<b>—</b>	<b>3.24</b>	<b>9.91</b>
<i>Non-Native Vegetation Communities and Land Covers</i>							
Urban/Developed	Disturbed land	IV	0.93	0.12	0.81	0.93	0.02
Eucalyptus woodland	Eucalyptus woodland	IV	0.04	0.02	0.01	0.03	0.81
Disturbed habitat	Disturbed land	IV	1.91	0.27	0.01	0.28	1.64
<b>Total</b>			<b>16.03</b>	<b>3.65</b>	<b>0.83</b>	<b>4.48</b>	<b>12.38</b>

**Source:** Appendix D

<sup>a</sup> City of San Diego 2018a.

Special-Status Plant Species

Two special-status plant species were detected within the project impact footprint during focused rare plant surveys: San Diego County viguiera and coast barrel cactus. San Diego County viguiera was planted within the freeway right-of-way, is not naturally occurring and is therefore not considered sensitive. In addition, the project would not directly impact the area where this species was located. Therefore, no direct impacts to this species would occur.

Coast barrel cactus has a CRPR 2B.1 and is an MSCP Covered Species. Coast barrel cactus is located within the proposed open space area and would not be directly impacted by the project. Therefore, no direct impact to coast barrel cactus would occur as a result of the project.

No other sensitive plant species have a moderate to high potential to occur within the project site. Therefore, no direct impacts to special-status plant species are anticipated.

### Special-Status Wildlife Species

Two species, coastal California gnatcatcher and western bluebird, were observed during reconnaissance surveys (Figure 5.4-2). An additional 11 special-status wildlife species (federal, state, or local status) have a moderate to high potential to occur within the project area. Project impacts to coastal California gnatcatcher, western bluebird, orange-throated whiptail, and Blainville's horned lizard would be anticipated. Because these species are covered under the MSCP, it is anticipated that these species are adequately conserved regionally through the conservation of similar appropriate habitats within the MHPA. The project is not located within or adjacent to the MHPA.

Direct project impacts could also occur to the following non-covered species: Southern California legless lizard, San Diegan tiger whiptail, red diamondback rattlesnake, Coronado skink, coast patch-nosed snake, and Crotch bumble bee. None of these species have been detected on the project site, but all have a moderate to high potential to occur. For purposes of this impact analysis, these species are assumed present on site. Given the mobile nature of these species (i.e., they are likely to move away from the project area to use adjacent areas of equally suitable habitat), it is anticipated that the project would not result in direct impacts to these species.

Direct project impacts could occur to the following non-covered species: San Diego desert woodrat. The surrounding area appears to support a large number of San Diego woodrat based on the number of woodrat middens detected.

Direct project impacts could occur to the following non-covered species: northwestern San Diego pocket mouse. Northwestern San Diego pocket mouse only has a low to moderate potential to occur. The habitat suitability for northwestern San Diego pocket mouse is low to moderate because it prefers more open habitat. Although there is potential for northwestern San Diego pocket mouse to occur, the habitat is marginal, and there is abundant suitable habitat in the vicinity and in San Diego County that would allow them to persist in the region; therefore, this impact would be less than significant.

For impacts to suitable habitat for both covered and non-covered species, the on-site habitat preservation in accordance with the City's Biology Guidelines (City of San Diego 2018a) would mitigate for impacts to suitable Diegan coastal sage scrub habitat.

### ***Indirect Impacts***

#### Vegetation Communities, Land Covers, and Special-Status Plant Species

One sensitive vegetation community, Diegan coastal sage scrub (including disturbed forms), was mapped on site. Indirect impacts to vegetation communities, such as Diegan coastal sage scrub, primarily result from adverse edge effects. During vegetation removal and grading activities, short-

term edge effects could include dust, soil erosion, and runoff from dust control that could disrupt plant vitality in non-impacted areas. Prior to proposed construction mobilization, the project contractor will prepare a Stormwater Pollution Prevention Plan (SWPPP), in accordance with the state's General Construction Stormwater Permit – 99-08-DWQ and implement the plan during construction. All grading activities would be subject to the proposed project's BMPs and typical restrictions and requirements that address dust control, erosion, and runoff consistent with standard City SWPPP requirements of the City Storm Water Standards Manual (City of San Diego 2018b). The project would include standard dust control measures as required by the San Diego Air Pollution Control District Rule 55 that would minimize dust impacts to vegetation. The project would be required to include a qualified biologist present to supervise flagging of sensitive resources prior to construction, provide environmental training and during construction to ensure no unauthorized impacts occur. These standard measures would be implemented via conditions of approval.

The project also would include design measures to prevent operational hydrology and water quality issues per the project's Stormwater Quality Management Plan (Chang Consultants 2021). This includes the collection of run-off from the proposed development area, treatment through modular wetlands on-site, control of runoff rates via detention vaults, and discharge into the City's stormwater system that outlets into Peñasquitos Creek. The proposed modular wetlands would reduce potential pollutants from entering downstream waters. This control of runoff would prevent soil erosion and hydrologic changes downstream. Considering the type of project and the inclusion of either paved or landscaped surfaces, the project is not anticipated to result in operational dust impacts.

The project does not include any California Invasive Plant Council invasive species, and no indirect invasive species impacts to vegetation would occur as a result of the project.

### Special-Status Wildlife Species

Project indirect impacts to coastal California gnatcatcher, western bluebird, orange-throated whiptail, and Blainville's horned lizard are anticipated. As discussed above, these species are adequately covered by conservation in the MHPA. Other special-status wildlife species on site include Southern California legless lizard, San Diegan tiger whiptail, red diamondback rattlesnake, Coronado skink, coast patch-nosed snake, San Diego desert woodrat, and northwestern San Diego pocket mouse. Impacts to Covered Species associated with habitat loss outside the MHPA would be considered potentially significant.

Most of the indirect impacts to vegetation communities and sensitive plants previously described can also affect special-status wildlife. As discussed above in Section 5.2.1, regulations adequately control water quality, hydrology, and dust impacts. In addition, wildlife may also be indirectly affected in the short term and long term by construction-related noise. However, in this case, noise in the area is already elevated due to the adjacency to the I-15 freeway. Thus, anticipated construction noise is not expected to have a substantial adverse effect on the non-covered special-status wildlife species on site. These species are likely to temporarily vacate the edge of construction area during periodic noise from construction activities. Residential uses also would not result in a substantial increase in noise levels within the adjacent open space areas.

### Significance of Impact

#### *Direct Impacts*

##### Vegetation Communities and Land Covers

The proposed project would result in direct impacts to sensitive vegetation communities, consisting of 3.24 acres of Tier II Diegan coastal sage scrub (including disturbed forms). Impacts would be **potentially significant (Impact BIO-1)**.

##### Special-Status Plant Species

The proposed project would not result in **no direct impact** to special-status plant species.

##### Special-Status Wildlife Species

***The project would result in direct impacts to coastal California gnatcatcher, western bluebird, orange-throated whiptail, and Blainville's horned lizard. Impacts to special-status wildlife species would be potentially significant (Impact BIO-2). Indirect Impacts***

##### Vegetation Communities, Land Covers, and Special-Status Plants

The proposed project would result in **less than significant** indirect impacts to sensitive vegetation communities.

##### Special-Status Wildlife Species

The proposed project indirect impacts to special-status wildlife would **be less than significant**.

### Mitigation

To mitigate impacts to sensitive vegetation communities (**Impact BIO-1**) and sensitive species habitat (**Impact BIO-2**), the project would be required to implement the following:

**MM-BIO-1 Habitat Mitigation.** Prior to issuance of a Notice to Proceed or the first grading permit, the owner/permittee shall mitigate upland impacts in accordance with the City of San Diego Biology Guidelines. Mitigation for impacts to 3.24 acres of Diegan coastal sage scrub (including disturbed) shall be accomplished on site at a 1.5:1 mitigation ratio by on-site preservation of 4.86 acres of Tier II habitat also outside of the MHPA.

A total of 9.91 acres of Diegan coastal sage scrub would remain on site following project implementation. This project would utilize 4.86-acres of that remaining area to mitigate for the project's direct impacts to Diegan coastal sage scrub. In accordance with ESL regulations, the owner/permittee shall convey a Covenant of Easement to be recorded against the title in over the remaining ESL area on the site.

### Significance of Impact After Mitigation

Implementation of **MM-BIO-1** would provide compensatory mitigation in accordance with the City's Biological Guidelines (City of San Diego 2018a) and direct impacts would be **less than significant** after mitigation.

#### 5.4.3.2 Issue 3: Jurisdictional Wetlands

**Issue 3:** *Would the project result in a substantial adverse impact on wetlands (including, but not limited to, marsh, vernal pool, riparian, etc.) through direct removal, filling, hydrological interruption, or other means?*

#### Impact Threshold(s)

In accordance with the City's Significance Determination Thresholds (City of San Diego 2020), the project would have a significant impact if it would:

- Result in substantial adverse impacts on wetlands through direct removal, filling, hydrological interruption, or other means.

#### Impact

##### **Direct Impacts**

The site currently supports a small drainage swale that is regulated by CDFW and the RWQCB (Figure 5.4-2). This swale does not contain wetland vegetation and no wetland buffer would be required. The swale occurs outside the impact area and would be avoided. No jurisdictional water resources or City wetlands occur within the impact area. Therefore, no direct impacts would occur to jurisdictional resources or City wetlands.

##### **Indirect Impacts**

No jurisdictional resources occur within the development area. Indirect impacts during construction typically consist of short-term edge effects related to dust, soil erosion, and runoff from dust control. During construction, BMPs consistent with standard City Stormwater Pollution Prevention Plan requirements of the City's Storm Water Standards Manual (City of San Diego 2018b) would be implemented. Recommended design configuration have been incorporated into the proposed project consistent with the Stormwater Quality Management Plan (Chang Consultants 2021) to eliminate potential indirect impacts to any jurisdictional waters adjacent to the development footprint. Therefore, no indirect impacts to jurisdictional resources are expected.

#### Significance of Impact

##### **Direct Impacts**

**No impacts** to jurisdictional resources would result.

### *Indirect Impacts*

Jurisdictional resources would have **no impact**.

### **Mitigation**

No mitigation would be required.

### 5.4.3.3 Issue 4: Wildlife Corridors and Nursery Sites

**Issue 4:** *Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, including linkages identified in the MSCP Plan, or impede the use of native wildlife nursery sites?*

### **Threshold**

In accordance with the City's Significance Determination Thresholds (City of San Diego 2020), the project would have a significant impact if it would:

- Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, including linkages identified in the MSCP Plan, or impede the use of native wildlife nursery sites.

### **Impact**

The proposed project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, including linkages identified in the MSCP Plan, or impede the use of native wildlife nursery sites. As discussed in Section 5.4.1, Existing Conditions, the project site is not within the designated MHPA and is not located within a designated key biological core and linkage area, as noted in the City's MSCP Subarea Plan (City of San Diego 1997). The project area likely provides limited refuge and cover for wildlife species and their movements. It is unlikely to be a wildlife corridor due to the disturbed condition of the majority of land throughout the project area, and the site is surrounded by residential and commercial uses and I-15. Wildlife could move between the habitat along the northern boundary of the project area and the adjacent land just north of the project area; however, this natural habitat is bounded on all sides by roads and residential development, and therefore, movement would be restricted and fragmented.

### **Significance of Impact**

No direct or indirect impacts to wildlife movement, wildlife corridors, or nursery sites are expected with implementation of the project. **No impact** would occur.

### **Mitigation**

No mitigation would be required.

### 5.4.3.4 Issues 5 and 6: MSCP Conflict

**Issue 5:** *Would the project result in a conflict with provisions of adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state conservation plan, either within the MSCP plan area or in the surrounding region?*

**Issue 6:** *Would the project introduce a land use within an area adjacent to the MHPA that would result in adverse edge effects?*

#### Threshold

In accordance with the City's Significance Determination Thresholds (City of San Diego 2020), the project would have a significant impact if it would:

- Result in a conflict with the provisions of an adopted HCP, Natural Communities Conservation Plan, or other approved local, regional, or state habitat conservation plan, either within the MSCP plan area or in the surrounding region;
- Introduce land use within an area adjacent to the MHPA that would result in adverse edge effects.

#### Impact

The project impact footprint does not occur within or adjacent to an MHPA and, therefore, is not required to document compliance with the MSCP Land Use Adjacency Guidelines. The nearest MHPA occurs approximately 0.08 miles (440 feet) from the project area but is separated from the project area by I-15.

The Conditions of Coverage for MSCP Covered Species located on the project site would be applicable and are each discussed below.

Specifically for coastal California gnatcatcher, coverage conditions consist of “measures to reduce edge effects and minimize disturbance during the nesting period, fire protection measures to reduce the potential for habitat degradation due to unplanned fire, and management measures to maintain or improve habitat quality including vegetation structure” and “[n]o cleaning of occupied habitat within the cities’ MHPAs and within the County’s Biological Resource Core Areas may occur between March 1 and August 15” (County of San Diego 1998). The project would not involve clearing of any habitat within the MHPA and the City has authorized take outside of the MHPA. Thus, the project would comply with the conditions of coverage for coastal California gnatcatcher.

The other Covered Species observed on site was western bluebird, which is not state or federally listed. The MSCP evaluation of coverage stated that the “[p]ersistence of this species in San Diego County depends largely on conservation of existing large populations on public lands east of the plan area” (County of San Diego 1998). No additional conditions of coverage were included for this species in the MSCP.

Although not observed, orange-throated whiptail is a Covered Species with a high potential to occur on site. The orange-throated whiptail MSCP management conditions are to include area-specific management directives that address edge effects. The site is located in the Northern Area of the MSCP. The project is separated from the MHPA by I-15, and it is unlikely that the project would result in edge

effects to this species within that preserve area. Thus, the project is considered consistent with the orange-throated whiptail management directives.

Another species with moderate potential to occur on site is Blainville's horned lizard. The MSCP management conditions are to maintain native ant species, discourage Argentine ant, and protect against detrimental edge effects to this species. The project also would include coastal sage scrub habitat mitigation in accordance with the City's Biology Guidelines (City of San Diego 2018a). This species is considered adequately preserved within the MHPA, and the project would not result in edge effects, such as Argentine ant introduction, to the MHPA, considering the separation of the site from the MHPA by I-15. Thus, the project is considered to be consistent with the Blainville's horned lizard management directives.

San Diego barrel cactus is an MSCP Covered Species located on site in the proposed open space area. Per the MSCP, the management conditions are "to protect this species from edge effects, unauthorized collection, and include appropriate fire management/control practices to protect against a too frequent fire cycle" (County of San Diego 1998). This species is adequately protected within the City via its preservation within the MHPA, as preservation of the MHPA would result in the conservation of 81% of major populations (City of San Diego 1997). As noted above, the project site is located outside of the MHPA, and the proposed project would not result in any direct or indirect effects to the MHPA. Due to the distance and intervening freeway, no direct or indirect impacts to the MHPA would occur. The project includes measures to reduce indirect edge effects to the on-site open space. Overall, the project is consistent with the barrel cactus management directives.

### **Significance of Impact**

The project would not conflict with the provisions of the MSCP; **no impact** would occur.

The project would not result in a land use within or adjacent to the MHPA that would result in edge effects; **no impact** would occur.

### **Mitigation**

No mitigation would be required.

### 5.4.3.5 Issue 7: Local Policies and Ordinances

***Issue 7: Would the project conflict with any local policies or ordinances protecting biological resources?***

#### **Threshold**

In accordance with the City's Significance Determination Thresholds (City of San Diego 2020), the project would have a significant impact if it would:

- Result in a conflict with any local policies or ordinances protecting biological resources.

### Impact

The project would comply with the City's ESL Regulations and Biology Guidelines, as discussed for Issues 1 through 6. In addition, the project would be consistent with applicable plans and policies. Refer to Section 5.1, Land Use, for further detail.

#### 5.4.7.x Significance of Impact

Impacts resulting from a conflict with any local policies or ordinances protecting biological resources would not occur because the project would be consistent with the City's ESL Regulations and Biology Guidelines. **No impact** would occur.

### Mitigation

No mitigation would be required.

### 5.4.3.6 Issue 8: Invasive Plant Species

**Issue 8:** *Would the project introduce invasive species of plants into natural open space area?*

#### Threshold

In accordance with the City's Significance Determination Thresholds (City of San Diego 2020), the project would have a significant impact if it would:

- Introduce invasive species of plants into natural open space area.

### Impact

The project site would be adjacent to a natural open space area. However, no direct or indirect impacts associated with invasive species would occur because the project's landscape plan (GMP 2021) would not include any California Invasive Plant Council invasive plants (Cal-IPC 2020).

#### Significance of Impact

The project would not result in impacts related to the introduction of invasive plant species to natural open space area. **No impact** would occur.

### Mitigation

No mitigation would be required.

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SOURCE: SANGIS 2017, 2019; Civil Sense 2020



**FIGURE 5.4-1**  
**Biological Resources**  
 Paseo Montril Development Project

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SOURCE: SANGIS 2017, 2019; Civil Sense 2020



**FIGURE 5.4-2**  
Impacts to Biological Resources  
Paseo Montril Development Project

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## 5.5 Energy

This section describes the existing energy production/consumption conditions of the proposed Paseo Montril Project (project) site, identifies associated regulatory framework, evaluates potential impacts, and identifies mitigation measures, if applicable, related to implementation of the project. The following discussion is consistent with and fulfills the intent of the CEQA Guidelines Appendix F, and is based on information from the Air Quality Report prepared by Dudek (March 2021; Appendix C), technical data (i.e., California Energy Demand 2018-2030 Revised Forecast) (CEC 2018a), and the California Energy Commission (CEC) 2018 Integrated Energy Policy Report Update (CEC 2018b).

### 5.5.1 Existing Conditions

#### Physical Conditions

Currently, the project site is undeveloped vacant land, and is surrounded by existing residential, commercial, and transportation infrastructure. The off-site area consists of urban/developed land (the existing Paseo Montril road). The surrounding community is primarily single-family and multi-family residential, though commercial development is also located along Rancho Peñasquitos Boulevard and there are a few neighborhood parks in the vicinity. The nearby neighborhood parks include the Views West Neighborhood Park, the Sabre Springs Park, and Ridgewood Park. Refer to Chapter 2, Environmental Setting, for additional details regarding the site conditions and surrounding community features.

#### Site Planning

The project site is designated Park, Open Space, and Recreation in the General Plan, while the off-site area is designated as Roads/Freeway/Transportation (City of San Diego 2008). The project site is currently designated as Open Space by the Rancho Peñasquitos Community Plan, while the off-site area is designated as Major Utility Facility (City of San Diego 2011). Most of the project site is zoned as Residential-Multiple (RM-2-5), while the western corner of the site is zoned as Residential-Single (RS-1-14). The off-site area is located within the Commercial-Community (CC-1-3) zone, but is currently constructed as a roadway (City of San Diego 2005). Overall, the site is designated for open space uses while the zoning indicates the site is planned for multi-family residential uses.

#### Environmental Setting

The environmental setting for the proposed project related to electricity, natural gas, and petroleum—including associated service providers, supply sources, and estimated consumption—is discussed below. In summary, in 2018 (the latest calendar year for which data is uniformly available for all three types of energy sources), California’s estimated annual energy use in 2019 included the following:

- Approximately 279,402 gigawatt hours of electricity (CEC 2019a)
- Approximately 13 billion therms of natural gas (CEC 2019b)
- Approximately 16 billion gallons of gasoline (CARB 2019)

## **Electricity**

Electricity usage in California for different land uses varies substantially by the types of uses in a building, type of construction materials used in a building, and the efficiency of all electricity-consuming devices within a building. Due to the state’s energy efficiency building standards and efficiency and conservation programs, California’s electricity use per capita has remained stable for more than 30 years, while the national average has steadily increased (CEC 2016).

San Diego Gas and Electric Company (SDG&E) provides electric services to 3.6 million customers through 1.4 million electric meters located in a 4,100-square-mile service area that includes San Diego County and southern Orange County (SDG&E 2020). According to the California Public Utilities Commission (CPUC), SDG&E customers consumed approximately 19,169 million kilowatt-hours (kWh) of electricity in 2015 (CPUC 2016).

SDG&E receives electric power from a variety of sources. In 2017, 44% of SDG&E’s power came from eligible renewable energy sources, including biomass/waste, geothermal, small hydroelectric, solar, and wind sources (CPUC 2016, 2020).

Based on recent energy supply and demand projections in California, statewide annual peak electricity demand is projected to grow an average of 890 megawatts per year for the next decade, or 1.4% annually, and consumption per capita is expected to remain relatively constant at 7,200 kWh to 7,800 kWh per person (CEC 2016).

In San Diego County, CEC reported an annual electrical consumption of approximately 6 billion kWh in 2018 for residential use (CEC 2019a).

## **Natural Gas**

CPUC regulates natural gas utility service for approximately 10.8 million customers who receive natural gas from Pacific Gas & Electric, Southern California Gas (SoCalGas), SDG&E, Southwest Gas, and several smaller natural gas utilities. The CPUC also regulates independent storage operators Lodi Gas Storage, Wild Goose Storage, Central Valley Storage, and Gill Ranch Storage (CPUC 2020). SDG&E provides natural gas service to San Diego and Orange Counties. SDG&E is a wholesale customer of SoCalGas and currently receives all of its natural gas from the SoCalGas system (CPUC 2020).

CPUC regulates California natural gas rates and natural gas services, including in-state transportation over transmission and distribution pipeline systems, storage, procurement, metering, and billing. Most of the natural gas used in California comes from out-of-state natural gas basins.

In 2012, California customers received 35% of their natural gas supply from basins located in the Southwest, 16% from Canada, 40% from the Rocky Mountains, and 9% from basins located within California (CPUC 2020). Natural gas from out-of-state production basins is delivered into California through the interstate natural gas pipeline system. The major interstate pipelines that deliver out-of-state natural gas to California are the Gas Transmission Northwest Pipeline, Kern River Pipeline, Transwestern Pipeline, El Paso Pipeline, Ruby Pipeline, Southern Trails, and Mojave Pipeline. The North Baja–Baja Norte Pipeline takes gas off the El Paso Pipeline at the California/Arizona border and delivers it through California into Mexico.

Most of the natural gas transported through interstate pipelines, and some California-produced natural gas, is delivered through the Pacific Gas and Electric and SoCalGas intrastate natural gas transmission pipeline systems. Natural gas is delivered into local transmission and distribution pipeline systems or to natural gas storage fields.

Pacific Gas and Electric and SoCalGas own and operate several natural gas storage fields that are located in Northern and Southern California. These storage fields and four independently owned storage utilities help meet peak-season natural gas demand and allow California natural gas customers to secure natural gas supplies more efficiently (CPUC 2020).

As indicated in the preceding discussion, natural gas is available from a variety of in-state and out-of-state sources, and is provided throughout the state in response to market supply and demand.

### **Petroleum**

There are more than 35 million registered vehicles in California, and those vehicles consume an estimated 18 billion gallons of fuel each year (CEC 2017). Gasoline and other vehicle fuels are commercially provided commodities and would be available to the proposed project through commercial outlets. Petroleum currently accounts for approximately 92% of California's transportation energy consumption (CEC 2017).

Largely as a result of and in response to these multiple factors, gasoline consumption within the state has declined in recent years, and availability of other alternative fuels and energy sources has increased. The quantity, availability, and reliability of transportation energy resources have increased in recent years, and this trend may likely continue and accelerate (CEC 2017). Increasingly available and diversified transportation energy resources act to promote continuing reliable and affordable means to support vehicular transportation within the state.

## 5.5.2 Regulatory Framework

### **Federal**

#### ***Federal Energy Policy and Conservation Act***

In 1975, Congress enacted the Federal Energy Policy and Conservation Act, which established the first fuel economy standards for on-road motor vehicles in the United States. Pursuant to the act, the National Highway Traffic Safety Administration is responsible for establishing additional vehicle standards. In 2012, new fuel economy standards for passenger cars and light trucks were approved for model years 2017 through 2021 (77 FR 62624–63200). Fuel economy is determined based on each manufacturer's average fuel economy for the fleet of vehicles available for sale in the United States.

### ***Energy Independence and Security Act of 2007***

On December 19, 2007, the Energy Independence and Security Act of 2007 (EISA) was signed into law. In addition to setting increased Corporate Average Fuel Economy standards for motor vehicles, the EISA includes the following other provisions related to energy efficiency:

- Renewable Fuel Standard (RFS) (Section 202)
- Appliance and Lighting Efficiency Standards (Sections 301–325)
- Building Energy Efficiency (Sections 411–441)

This federal legislation requires ever-increasing levels of renewable fuels (the RFS) to replace petroleum (EPA 2013). The U.S. Environmental Protection Agency is responsible for developing and implementing regulations to ensure that transportation fuel sold in the United States contains a minimum volume of renewable fuel. The RFS program regulations were developed in collaboration with refiners, renewable fuel producers, and many other stakeholders.

The RFS program was created under the Energy Policy Act of 2005 and established the first renewable fuel volume mandate in the United States. As required under the act, the original RFS program (RFS1) required 7.5 billion gallons of renewable fuel to be blended into gasoline by 2012. Under the EISA, the RFS program was expanded in several key ways that lay the foundation for achieving significant reductions in GHG emissions from the use of renewable fuels, reducing imported petroleum, and encouraging the development and expansion of the renewable fuels sector in the United States. The updated program is referred to as “RFS2” and includes the following:

- EISA expanded the RFS program to include diesel, in addition to gasoline.
- EISA increased the volume of renewable fuel required to be blended into transportation fuel from 9 billion gallons in 2008 to 36 billion gallons by 2022.
- EISA established new categories of renewable fuel and set separate volume requirements for each one.
- EISA required the U.S. Environmental Protection Agency to apply lifecycle GHG performance threshold standards to ensure that each category of renewable fuel emits fewer GHGs than the petroleum fuel it replaces.

Additional provisions of the EISA address energy savings in government and public institutions, research for alternative energy, additional research in carbon capture, international energy programs, and the creation of “green” jobs.

### **State**

#### ***Warren-Alquist Act***

The California Legislature passed the Warren-Alquist Act in 1974. The Warren-Alquist Act created the CEC and incorporated the following three key provisions designed to address the demand side of the energy equation:

- It directed the CEC to formulate and adopt the nation’s first energy conservation standards for both buildings constructed and appliances sold in California.

- It removed the responsibility of electricity demand forecasting from the utilities, which had a financial interest in high-demand projections, and transferred it to a more impartial CEC.
- It directed the CEC to embark on an ambitious research and development program, with a particular focus on fostering what were characterized as non-conventional energy sources.

### ***State of California Energy Action Plan***

The CEC and CPUC approved the first State of California Energy Action Plan in 2003. The plan established shared goals and specific actions to ensure that adequate, reliable, and reasonably priced electrical power and natural gas supplies are provided to consumers. The plan also identified policies, strategies, and actions that are cost-effective and environmentally sound for California's consumers and taxpayers. In 2005, CEC and CPUC adopted a second Energy Action Plan to reflect various policy changes and actions of the prior 2 years.

At the beginning of 2008, CEC and CPUC determined that it was not necessary or productive to prepare a new energy action plan. This determination was based, in part, on a finding that the state's energy policies have been significantly influenced by the passage of Assembly Bill (AB) 32, the California Global Warming Solutions Act of 2006 (discussed below). Rather than produce a new energy action plan, CEC and CPUC prepared an update that examines the state's ongoing actions in the context of global climate change.

### ***Senate Bill 1078 (2002)***

Senate Bill (SB) 1078 established the California Renewables Portfolio Standard (RPS) Program, and required that a retail seller of electricity purchase a specified minimum percentage of electricity generated by eligible renewable energy resources as defined in any given year, culminating in a 20% standard by December 31, 2017. These retail sellers include electrical corporations, community choice aggregators, and electric service providers. The bill relatedly required the CEC to certify eligible renewable energy resources, design and implement an accounting system to verify compliance with the RPS by retail sellers, and allocate and award supplemental energy payments to cover above-market costs of renewable energy.

### ***Senate Bills 107 (2006), X1-2 (2011), 350 (2015), and 100 (2018)***

SB 107 (2006) accelerated the RPS established by SB 1078 by requiring that 20% of electricity retail sales be served by renewable energy resources by 2010 (not 2017). Additionally, SB X1-2 (2011) requires all California utilities to generate 33% of their electricity from eligible renewable energy resources by 2020. Specifically, SB X1-2 sets a three-stage compliance period: by December 31, 2013, 20% had to come from renewables; by December 31, 2016, 25% had to come from renewables; and by December 31, 2020, 33% will come from renewables.

SB 350 (2015) requires retail seller and publicly owned utilities to procure 50% of their electricity from eligible renewable energy resources by 2030, with interim goals of 40% by 2024 and 45% by 2027.

SB 100 (2018) increased the standards set forth in SB 350 by establishing targets for the total electricity sold to retail customers in California per year be secured from qualifying renewable energy sources on the following schedule: 44% by December 31, 2024; 52% by December 31, 2027;

and 60% by December 31, 2030. SB 100 states that it is the policy of the state that eligible renewable energy resources and zero-carbon resources supply 100% of the retail sales of electricity to California. This bill requires that the achievement of 100% zero-carbon electricity resources do not increase the carbon emissions elsewhere in the western grid and that the achievement not be achieved through resource shuffling.

Consequently, utility energy generation from nonrenewable resources is expected to be reduced based on implementation of the 60% RPS in 2030. Therefore, any project's reliance on nonrenewable energy sources would also be reduced.

### ***Assembly Bill 1007 (2005)***

AB 1007 (2005) required CEC to prepare a statewide plan to increase the use of alternative fuels in California (State Alternative Fuels Plan). CEC prepared the plan in partnership with the California Air Resources Board (CARB) and in consultation with other state agencies, plus federal and local agencies. The State Alternative Fuels Plan assessed various alternative fuels and developed fuel portfolios to meet California's goals to reduce petroleum consumption, increase alternative fuels use, reduce GHG emissions, and increase in-state production of biofuels without causing a significant degradation of public health and environmental quality.

### ***Assembly Bill 32 (2006) and Senate Bill 32 (2016)***

In 2006, the State Legislature enacted AB 32, the California Global Warming Solutions Act of 2006. AB 32 requires California to reduce its GHG emissions to 1990 levels by 2020. In 2016, the Legislature enacted SB 32, which extended the horizon year of the state's codified GHG-reduction planning targets from 2020 to 2030, requiring California to reduce its GHG emissions to 40% below 1990 levels by 2030. In accordance with AB 32 and SB 32, CARB prepares scoping plans to guide the development of statewide policies and regulations for the reduction of GHG emissions. Many of the policy and regulatory concepts identified in the scoping plans focused on increasing energy efficiencies, using renewable resources, and reducing the consumption of petroleum-based fuels (e.g., gasoline and diesel). As such, the state's GHG emissions-reduction planning framework creates co-benefits for energy-related resources. Additional information on AB 32 and SB 32 is provided in Section 5.7.2 of this EIR.

### ***California Building Standards***

Part 6 of Title 24 of the California Code of Regulations was established in 1978 and serves to enhance and regulate California's building standards. Part 6 establishes energy efficiency standards for residential and nonresidential buildings constructed in California to reduce energy demand and consumption. Part 6 is updated periodically to incorporate and consider new energy efficiency technologies and methodologies.

Title 24 also includes Part 11, the California Green Building Standards (CALGreen). The CALGreen standards took effect in January 2011 and instituted mandatory minimum environmental performance standards for all ground-up, new construction of commercial, low-rise residential, and state-owned buildings, as well as schools and hospitals.

In general, single-family residences built to the 2019 Title 24 standards are anticipated to use approximately 7% less energy due to energy efficiency measures than those built to the 2016 standards; once rooftop solar electricity generation is factored in, single-family residences built under the 2019 standards will use approximately 53% less energy than those under the 2016 standards (CEC 2018c). Nonresidential buildings built to the 2019 standards are anticipated to use an estimated 30% less energy than those built to the 2016 standards (CEC 2018c).

### ***Integrated Energy Policy Report***

CEC is responsible for preparing integrated energy policy reports that identify emerging trends related to energy supply, demand, conservation, public health and safety, and maintenance of a healthy economy. The CEC's 2015 Integrated Energy Policy Report discusses the state's policy goal to require that new residential construction be designed to achieve zero net energy standards by 2020, and that new nonresidential construction be designed to achieve zero net energy standards by 2030 (CEC 2016), which is relevant to this EIR. Refer to Section 5.7, Greenhouse Gas Emissions, of this EIR for additional information on the state's zero net energy objectives and how the state's achievement of its objectives would serve to beneficially reduce the proposed project's GHG emissions profile and energy consumption.

### ***State Vehicle Standards***

In response to the transportation sector accounting for more than half of California's carbon dioxide (CO<sub>2</sub>) emissions, AB 1493 was enacted in 2002. AB 1493 required CARB to set GHG emissions standards for passenger vehicles, light-duty trucks, and other vehicles determined by the state board to be vehicles whose primary use is noncommercial personal transportation in the state. The bill required that CARB set GHG emissions standards for motor vehicles manufactured in 2009 and all subsequent model years. The 2009 through 2012 standards resulted in a reduction in approximately 22% of GHG emissions compared to emissions from the 2002 fleet, and the 2013 through 2016 standards resulted in a reduction of approximately 30%.

In 2012, CARB approved a new emissions-control program for model years 2017 through 2025. The program combines the control of smog, soot, and global-warming gases with requirements for greater numbers of zero-emissions vehicles into a single package of standards called Advanced Clean Cars. By 2025, when the rules would be fully implemented, new automobiles would emit 34% fewer global-warming gases and 75% fewer smog-forming emissions (CARB 2012).

Although the focus of the state's vehicle standards is on the reduction of air pollutants and GHG emissions, one co-benefit of implementation of these standards is a reduced demand for petroleum-based fuels.

### ***Sustainable Communities Strategy***

The Sustainable Communities and Climate Protection Act of 2008, or SB 375, coordinates land use planning, regional transportation plans, and funding priorities to help California meet its GHG emissions-reduction mandates. As codified in California Government Code Section 65080, SB 375 requires metropolitan planning organizations (e.g., San Diego Association of Governments) to include a sustainable communities strategy in their regional transportation plan. The main focus

of the sustainable communities strategy is to plan for growth in a fashion that will ultimately reduce GHG emissions, but the strategy is also part of a bigger effort to address other development issues, including transit and vehicle miles traveled, which influence the consumption of petroleum-based fuels.

### **Local**

#### ***SDG&E Individual Integrated Resource Plan***

SDG&E's Conforming Portfolio identifies a need for approximately 700 gigawatt-hours of incremental renewable power in addition to the assumed increases in energy efficiency and behind-the-meter solar, to meet the 2030 planning target (approximately 4% of the total energy in the portfolio) (SDG&E 2020). SDG&E's Conforming Portfolio demonstrates that the utility has reduced its GHG emissions in the early years of the planning period, reflecting its current position in relation to its RPS targets—in 2018, approximately 45% of its energy mix came from delivering renewable resources (compared to an RPS requirement of 29%), it has aggressively adopted energy storage, and does not utilize coal resources. SDG&E is fully compliant with RPS and long-term contracting requirements. SDG&E continues its efforts to meet resource-specific renewable procurement mandates, as required, but does not expect to procure additional resources for RPS compliance purposes until after 2030. SDG&E is forecasted to reach 49% renewable energy in 2021, 98% of which will be from long-term contracts (SDG&E 2020).

#### ***City of San Diego General Plan***

The following policies contained in the Conservation Element of the 2008 City General Plan (City of San Diego 2008) are applicable to the project's energy use (refer to Section 5.1, Land Use, for a consistency analysis related to goals and policies applicable to the project):

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

#### ***Climate Action Plan***

The City adopted a Climate Action Plan (CAP) in December 2015 (City of San Diego 2015). The CAP quantifies GHG emissions, establishes Citywide reduction targets for 2020 and 2035, identifies strategies and measures to reduce GHG levels, and provides guidance for monitoring progress on an annual basis. The City CAP identifies a comprehensive set of goals and actions, including ordinances, policies, resolutions, programs, and incentives, that the City can use to reduce GHG emissions. Many of these goals and actions would have the effect of reducing energy use. The City of San Diego evaluates GHG significance based on a project's consistency with the City's CAP using the CAP Consistency Checklist.

## 5.5.3 Impacts Analysis

### 5.5.3.1 Issue 1: Consumption of Energy Resources

**Issue 1:** *Would the proposal result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?*

#### Thresholds

Consistent with State CEQA Guidelines Appendix F, a project would result in a significant impact to energy conservation if it would:

- Cause the use of large amounts of electricity and natural gas in a manner that is wasteful or otherwise inconsistent with adopted plans or policies

#### Impact Analysis

##### **Electricity**

###### Construction Use

Temporary electric power for as-necessary lighting and electronic equipment, such as computers, may be needed inside temporary construction trailers. However, the electricity used for such activities would be temporary and would have a negligible contribution to the proposed project's overall energy consumption.

###### Operational Use

The operational phase would require electricity for multiple purposes including, but not limited to, building heating and cooling, lighting, appliances, electronics, and other uses associated with the proposed project's residential land uses.

California Emissions Estimator Model (CalEEMod) (version 2016.3.2) was used to estimate project emissions from energy uses. Default electricity generation rates in CalEEMod were used based on compliance with 2019 Title 24. Based on the results of the CalEEMod estimates, the proposed project would consume approximately 280,350 kWh per year. This equates to approximately 0.28 gigawatt-hours per year. In 2018, the total electricity demand for San Diego County was 19,749 gigawatt-hours (CEC 2019a).

As described above, the electricity demand calculation for the proposed project assumes compliance with Title 24 standards for 2019. The proposed project would be required to meet the California Building Energy Efficiency Standards (24 CCR 6), which improve the energy efficiency of residential and nonresidential buildings. In addition, the project would be subject to statewide mandatory energy requirements as outlined in Title 24, Part 6, of the California Code of Regulations. Title 24, Part 11, contains voluntary energy measures that are applicable to the proposed project

under the CALGreen Code. Prior to project approval, the City would ensure that the project meets Title 24 requirements applicable at that time, as required by state regulations through their plan review process.

Moreover, the project would implement all applicable Step 2 measures as required under the City's CAP Consistency Checklist, as discussed in Section 5.7. These measures help to minimize a projects energy use. These measures would include the installation of roofing materials with a minimum 3-year aged solar reflection and thermal emittance or solar reflection index equal to or greater than that provided in Table 1 of Attachment A of the CAP Checklist. The measures also include low-flow water fixtures and appliances that would indirectly reduce electricity consumption.

### **Natural Gas**

#### Construction Use

Natural gas is not anticipated to be required during project construction. Fuels used for construction would primarily consist of diesel and gasoline, which are discussed below under the “petroleum” subsection. Any minor amounts of natural gas that may be consumed as a result of project construction would be substantially less than that required for project operation and would have a negligible contribution to the proposed project’s overall energy consumption.

#### Operational Use

Natural gas consumption during operation would be required for various purposes, including, but not limited to, cooking and building heating and cooling.

Default natural gas generation rates in CalEEMod for the proposed land use and climate zone were used and adjusted based on compliance with 2019 Title 24. According to these estimations, the proposed project would consume approximately 6,174 therms per year. In comparison, the total natural gas demand for San Diego County in 2018 was 482,524,487 therms (CEC 2019b).

Although natural gas consumption would increase due to the implementation of the proposed project, it would be designed to maximize energy performance. The proposed project is subject to statewide mandatory energy requirements as outlined in Title 24, Part 6, of the California Code of Regulations. Title 24, Part 11, contains voluntary energy measures that are applicable to the proposed project under the CALGreen Code. Prior to project approval, the City would ensure that the proposed project meets Title 24 requirements applicable at that time, as required by state regulations through their plan review process. Additionally, the project would implement all applicable Step 2 measures as required under the City's CAP Consistency Checklist, as discussed in Section 5.7 and above, which would minimize the use of natural gas on site.

### **Petroleum**

#### Construction Use

Petroleum would be consumed throughout construction of the proposed project. Fuel consumed by construction equipment would be the primary energy resource expended over the course of

construction, and vehicle miles traveled associated with the transportation of construction materials and construction worker commutes would also result in petroleum consumption. Heavy-duty construction equipment associated with construction activities and haul trucks involved in relocating dirt around the project site would rely on diesel fuel. Construction workers would travel to and from the project site throughout the duration of construction. It is assumed that construction workers would travel to and from the project site in gasoline-powered vehicles.

Heavy-duty construction equipment of various types would be used during construction. CalEEMod was used to estimate construction equipment usage (refer to Appendix C of this EIR). Based on that analysis, diesel-fueled construction equipment would operate for an estimated 20,628 hours, as summarized in Table 5.5-1.

**Table 5.5-1.  
Hours of Operation for Construction Equipment**

Phase	Hours of Equipment Use
Site Preparation	336
Grading	3,920
Trenching for Utilities	2,616
Paving	2,616
Building Construction	11,020
Architectural Coating	120
<b>Total</b>	<b>20,628</b>

Source: Appendix C.

Fuel consumption from construction equipment was estimated by converting the total emissions from each construction phase to gallons using conversion factors for carbon dioxide (CO<sub>2</sub>) to gallons of gasoline or diesel. The conversion factor for gasoline is 8.78 kilograms per metric ton of CO<sub>2</sub> per gallon, and the conversion factor for diesel is 10.21 kilograms per metric ton of CO<sub>2</sub> per gallon (The Climate Registry 2020). The estimated diesel fuel use from construction equipment is shown in Table 5.5-2.

**Table 5.5-2.  
Construction Equipment Diesel Demand**

Phase	Pieces of Equipment	Equipment CO <sub>2</sub> (MT) <sup>a</sup>	kg CO <sub>2</sub> /Gallon <sup>b</sup>	Gallons
Site Preparation	7	35.11	10.21	3,438.92
Grading	8	267.22	10.21	26,172.30
Trenching for Utilities	5	109.18	10.21	10,692.99
Paving	6	109.15	10.21	10,690.52

**Table 5.5-2.  
Construction Equipment Diesel Demand**

Phase	Pieces of Equipment	Equipment CO <sub>2</sub> (MT) <sup>a</sup>	kg CO <sub>2</sub> /Gallon <sup>b</sup>	Gallons
Building Construction	9	336.10	10.21	32,919.08
Architectural Coating				250.08
<b>Total</b>				<b>84,163.89</b>

**Notes:** CO<sub>2</sub> = carbon dioxide; MT = metric ton; kg = kilogram.

<sup>a</sup> Appendix C.

<sup>b</sup> The Climate Registry 2020.

Fuel consumption from worker and vendor trips was estimated by converting the total CO<sub>2</sub> emissions from the construction phase to gallons using the conversion factors for CO<sub>2</sub> to gallons of gasoline or diesel. Worker vehicles are assumed to be gasoline fueled, and vendor/hauling vehicles are assumed to be diesel fueled. Calculations for total worker, vendor, and hauler fuel consumption are provided in Table 5.5-3, Table 5.5-4, and Table 5.5-5.

**Table 5.5-3.  
Construction Worker Vehicle Gasoline Demand**

Phase	Trips	Vehicle CO <sub>2</sub> (MT) <sup>a</sup>	kg CO <sub>2</sub> /Gallon <sup>b</sup>	Gallons
Site Preparation	378	1.2755	8.78	145.27
Grading	1,960	6.6135	8.78	753.25
Trenching for Utilities	1,526	5.1491	8.78	586.46
Paving	1,744	5.8846	8.78	670.23
Building Construction	17,980	58.6067	8.78	6,675.02
Architectural Coating	240	0.7789	8.78	88.71
<b>Total</b>				<b>8,918.94</b>

**Notes:** CO<sub>2</sub> = carbon dioxide; MT = metric ton; kg = kilogram.

<sup>a</sup> Appendix C.

<sup>b</sup> The Climate Registry 2020.

**Table 5.5-4.  
Construction Vendor Diesel Demand**

Phase	Trips	Vehicle CO <sub>2</sub> (MT) <sup>a</sup>	kg CO <sub>2</sub> /Gallon <sup>b</sup>	Gallons
Site Preparation	0	0.00	10.21	0.00
Grading	0	0.00	10.21	0.00
Trenching for Utilities	0	0.00	10.21	0.00
Paving	0	0.00	10.21	0.00
Building Construction	5,800	73.42	10.21	7,190.76
Architectural Coating	0	0.00	10.21	0.00
<b>Total</b>				<b>7,190.76</b>

**Notes:** CO<sub>2</sub> = carbon dioxide; MT = metric ton; kg = kilogram.

<sup>a</sup> Appendix C.

<sup>b</sup> The Climate Registry 2020.

**Table 5.5-5.  
Construction Haul Truck Diesel Demand**

Phase	Trips	Vehicle CO <sub>2</sub> (MT) <sup>a</sup>	kg CO <sub>2</sub> /Gallon <sup>b</sup>	Gallons
Site Preparation	0	0.00	10.21	0.00
Grading	5,638	211.88	10.21	20,752.65
Trenching for Utilities	0	0.00	10.21	0.00
Paving	0	0.00	10.21	0.00
Building Construction	0	0.00	10.21	0.00
Architectural Coating	0	0.00	10.21	0.00
<b>Total</b>				<b>20,752.65</b>

**Notes:** CO<sub>2</sub> = carbon dioxide; MT = metric ton; kg = kilogram.

<sup>a</sup> Appendix C.

<sup>b</sup> The Climate Registry 2020.

All other construction phases not identified in Table 5.5-5 would not generate construction haul trips, and are therefore not included in this table.

As shown in Tables 5.5-2 through 5.5-5, the proposed project is estimated to consume approximately 121,026 gallons of petroleum during the construction phase. In 2018, the total petroleum consumption within the County of San Diego was 1.6 billion gallons (CARB 2019). The

proposed project would also be required to comply with CARB’s Airborne Toxics Control Measures, which restrict heavy-duty diesel vehicle idling time to 5 minutes.

Operational Use

The majority of fuel consumption resulting from the project’s operational phase would be attributable to employees, visitors, and residents traveling to and from the project site. Calculations for annual fuel consumption are provided in Table 5.5-6. Mobile sources from the proposed project would result in approximately 48,421 gallons of gasoline per year and 3,376 gallons of diesel per year, for a total of 51,897 gallons of petroleum consumed per year beginning in 2024 after project buildout. It is forecasted that in 2024, approximately 1.4 billion gallons of petroleum in San Diego County will be consumed (CARB 2019).

**Table 5.5-6.  
Petroleum Consumption – Operation**

<b>Fuel</b>	<b>Vehicle CO<sub>2</sub> (MT)<sup>a</sup></b>	<b>kg CO<sub>2</sub>/Gallon<sup>b</sup></b>	<b>Gallons</b>
Gasoline	426.01	8.78	48,521.05
Diesel	34.47	10.21	3,375.76
<b>Total</b>			<b>51,896.81</b>

**Notes:** MT = metric ton; CO<sub>2</sub> = carbon dioxide; kg = kilogram.

<sup>a</sup> Appendix C.

<sup>b</sup> The Climate Registry 2020.

Over the lifetime of the project, the fuel efficiency of the vehicles being used by the residents is expected to increase. As such, the amount of petroleum consumed as a result of vehicular trips to and from the project site during operation would decrease over time. There are numerous regulations in place that require and encourage increased fuel efficiency. For example, CARB has adopted an approach to passenger vehicles by combining the control of smog-causing pollutants and GHG emissions into a single, coordinated package of standards. The approach also includes efforts to support and accelerate the number of plug-in hybrids and zero-emissions vehicles in California (CARB 2013). Additionally, in response to SB 375, CARB adopted the goal of reducing per-capita GHG emissions from 2005 levels by 8% by 2020, and 18% by 2035 for light-duty passenger vehicles in the planning area for the San Diego Association of Governments. As such, operation of the proposed project is expected to use decreasing amounts of petroleum over time due to advances in fuel economy.

Additionally, the project would implement all applicable Step 2 measures as required under the City’s CAP Consistency Checklist, as discussed in Section 5.7, to minimize petroleum use during operation.

**Significance of Impact**

***Electricity***

The electricity used for construction activities would be temporary and would have a negligible contribution to the proposed project’s overall energy consumption. In addition, the electricity

consumption of the proposed project during operation would not be inefficient or wasteful, as the project would be designed to meet the California Building Energy Efficiency Standards (24 CCR 6), to meet applicable Title 24 requirements, and would implement all applicable Step 2 measures as required under the City's CAP Consistency Checklist, all of which would help to minimize the projects energy use. Impacts would be **less than significant**.

### **Natural Gas**

The amounts of natural gas that may be consumed as a result of project construction would be substantially less than that required for project operation and would have a negligible contribution to the proposed project's overall energy consumption. In addition, the City would ensure that the proposed project meets Title 24 requirements and the project would implement all applicable Step 2 measures as required under the City's CAP Consistency Checklist which would minimize the use of natural gas on site, For the reasons described above, the natural gas consumption of the proposed project would not be inefficient or wasteful. Impacts would be **less than significant**.

### **Petroleum**

Although the proposed project would increase petroleum use during operation as a result of employees, visitors, and residences traveling to and from the project site, the use would be a small fraction of the countywide use and, due to efficiency increases, would diminish over time. In addition, the amount of petroleum consumed as a result of vehicular trips to and from the project site during operation would decrease over time as the fuel efficiency of the vehicles being used by the residents is expected to increase. Additionally, the project would implement all applicable Step 2 measures as required under the City's CAP Consistency Checklist, thereby minimizing petroleum use during operation. Given the considerations described above, petroleum consumption associated with construction and operation of the proposed project would not be inefficient or wasteful. Impacts would be **less than significant**.

### **Mitigation**

No mitigation would be required.

## 5.5.3.2 Issue 2: State or Local Plan for Renewable Energy or Energy Efficiency

**Issue 2: *Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?***

### **Thresholds**

Consistent with State CEQA Guidelines Appendix F, a project would result in a significant impact to energy conservation if it would:

- Substantially increase the consumption of electricity, natural gas, gasoline, diesel, or other non-renewable energy types such that the construction of new facilities and sources of energy or major improvements to local infrastructure would be required.

### Impact

Title 24 of the California Code of Regulations contains energy efficiency standards for residential and nonresidential buildings based on a state mandate to reduce California’s energy demand.

Specifically, Title 24 addresses a number of energy efficiency measures that impact energy used for lighting, water heating, heating, and air conditioning, including the energy impact of the building envelope such as windows, doors, skylights, wall/floor/ceiling assemblies, attics, and roofs.

Part 6 of Title 24 specifically establishes energy efficiency standards for residential and nonresidential buildings constructed in the State of California in order to reduce energy demand and consumption. The proposed project would comply with Title 24, Part 6, per state regulations. In addition, Title 24, Part 11, contains voluntary and mandatory energy measures that are applicable to the proposed project under the CALGreen Code. As discussed under the previous threshold, the proposed project would result in an increased demand for electricity, natural gas, and petroleum. In accordance with Title 24, Part 11, mandatory compliance, the applicant would: (a) divert 50% of its construction and demolition waste from landfills, (b) include roofing materials with a minimum 3-year aged solar reflection and thermal emittance or solar reflection index equal to or greater than the values specified in the voluntary measures under California Green Building Standards Code (this may include green roofs), (c) use low pollutant-emitting exterior and interior finish materials, and (d) include low-flow fixtures and appliances consistent with the requirements of the CAP Checklist. Compliance with all of these mandatory measures would decrease the consumption of electricity, natural gas, and petroleum.

In accordance with the City’s General Plan Conservation Element, the project would reduce its “environmental footprint” through a variety of sustainable features (refer to Chapter 3, Project Description, for a list of project design features) and compliance with the Uniform Building Code and Title 24 requirements for building materials and insulation in order to reduce unnecessary loss of energy.

### Significance of Impact

Because the proposed project would comply with Title 24, Part 6 and Part 11, would be consistent with the City’s General Plan Conservation Element policies pertaining to energy use, and would implement the required components identified within Step 2 of the City’s CAP Checklist, no conflict with existing energy standards and regulations would occur. Therefore, impacts would be **less than significant**.

### Mitigation

No mitigation would be required.

## 5.6 Geologic Conditions

This section describes the existing geological conditions on the proposed Paseo Montril Project (project) site, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures, if applicable, related to implementation of the project. The following discussion is based on the geotechnical investigation, prepared by Geocon Inc. (January 2018) and included as Appendix E.1. In addition, three updates to the geotechnical investigation have been prepared by Geocon Inc., which are included as Appendices E.2 (March 2020), E.3 (September 2020), and E.4 (February 2021).

### 5.6.1 Existing Conditions

#### **Physical Conditions**

Currently, the project site is undeveloped, surrounded by existing residential, commercial, and transportation infrastructure. The site is primarily characterized by undeveloped land on a hillside with both native vegetation communities and disturbed areas. The off-site area consists of urban/developed land, the existing Paseo Montril roadway.

#### **Soils and Geologic Conditions**

Topographically, the project site consists of sloped terrain. Site elevations across the project site range from approximately 580 feet above mean sea level (MSL) at the northwest corner to approximately 440 feet MSL at the southwest corner. According to the geotechnical investigation, the project site is underlain by undocumented fill, topsoil, weathered metamorphic rock, and fresh metamorphic rock (Appendix E.1).

#### Undocumented Fill (Qudf)

Undocumented fill was encountered during subsurface investigations conducted for the geotechnical investigation and mapped along the western edge of the project site. The undocumented fill is approximately 4 feet deep and could be up to 10 feet thick in the southwest corner of the project site (Appendix E.1).

#### Topsoil (Unmapped)

Topsoil is found within a majority of the project site, in a depth of approximately one to three feet. The topsoil is characterized as stiff, dry to moist, sandy clay, and exhibit a high expansion potential (Appendix E.1).

#### ***Weathered Metamorphic Rock (Unmapped)***

Deeply weathered metamorphic rock was encountered during the geotechnical investigation within the southwestern portion of the project site. The weathered soils were found to depths of eight feet and greater than 17 feet below the ground surface. The soils were found to be predominately lean to fat clay and the weathered soils are highly expansive (Appendix E.1).

### ***Undifferentiated Metamorphic Rock (Mzu)***

Mesozoic-age Undifferentiated Metamorphic Rock is the underlying bedrock unit and is exposed at grade on the northern hillside and underlies the undocumented fill, topsoil, and the weathered metamorphic rock. This unit varies greatly in degree of weathering from highly weathered rippable materials to fresh, hard, non-rippable rock Appendix E.1).

### **Geologic Hazards**

#### ***Faulting and Seismicity***

Based on the City of San Diego 2008 Seismic Safety Study, the site is located in Hazard Category 53, which is Level or sloping terrain, unfavorable geologic structure, low to moderate risk (City of San Diego 2008). No evidence of faulting was observed within the project site during the field investigation completed as part of the geotechnical investigation. The USGS Fold and Fault database (USGS 2016) shows that there are no mapped Quaternary faults crossing or trending toward the property. The project site is not located within a currently established Alquist-Priolo Earthquake Fault Zone.

Seven known active faults are located within a search radius of 50 miles from the property. The Newport-Inglewood/Rose Canyon and Rose Canyon Fault Zones, located approximately 11 miles west of the site, are the nearest known active faults and are the dominant source of potential ground motion. Earthquakes that might occur on the Newport-Inglewood/Rose Canyon and Rose Canyon Fault Zones or other faults within the Southern California and northern Baja California area are potential generators of significant ground motion at the project site. The estimated maximum earthquake magnitude (Mw) and peak ground acceleration (g) for the Newport-Inglewood/Rose Canyon Fault are 7.5 and 0.24g, respectively. Other faults within the 50-mile search radius include the Rose Canyon fault, Coronado Bank fault, Palos Verdes/Coronado Bank fault, Elsinore fault, Earthquake Valley fault, and San Jacinto fault. In the event of a major earthquake on the referenced faults or other significant faults in the Southern California and northern Baja California area, the site could be subjected to moderate to severe ground shaking (Appendix E.1).

#### ***Liquefaction***

Due to the dense underlying bedrock soils and the lack of near surface groundwater, the risk associated with liquefaction is low. (Appendix E.1).

#### ***Landslides***

Based on the analysis completed within the geotechnical investigation, landslides are not present at the property or at a location that could impact the site. The risk associated with landslides hazard is low (Appendix E.1).

#### ***Expansive Soils***

Expansive soils are clay soils that expand in volume with an increase in moisture content. Existing soils at the project site are considered to be expansive, as defined by the 2019 California Building

Code (CBC). Soil samples collected and tested for expansion index in the geotechnical investigation indicate an expansion potential of greater than 90 and are considered to have a high expansion potential (Appendix E.1).

### ***Tsunamis, Seiches, and Flooding***

Tsunamis consist of a series of long-period ocean waves generated by sources such as underwater earthquakes, volcanic eruptions, or slope failures. Associated potential impacts include coastal inundation and water- or debris-related structural damage. Because the site is approximately 9 miles from the Pacific Ocean at an approximate site elevation between 440 to 580 feet above MSL, the risk associated with inundation hazard due to tsunamis is very low.

Seiches are defined as wave-like sloshing movements in enclosed or semi-enclosed bodies of water such as lakes or reservoirs and are most typically associated with seismic activity. Seiches can result in flooding damage and related effects (e.g., erosion) in surrounding areas from spilling or sloshing water, as well as increased pressure on containment structures. Because the site is not located downstream of any large bodies of water or reservoirs, the risk associated with inundation hazard due to seiche is very low.

### **Groundwater**

Groundwater was not encountered during the field investigation that occurred in preparation of the geotechnical investigation. However, the Metamorphic rock has permeability characteristics and fracture systems that are conducive to water migration (natural or artificially induced by irrigation) that may result in seepage where none previously occurred.

## 5.6.2 Regulatory Framework

### **Federal**

#### ***International Building Code***

The International Building Code (IBC) is a model building code developed by the International Code Council. It has been adopted for use as a base code standard by most jurisdictions in the United States. The code provisions are intended to protect public health and safety while avoiding both unnecessary costs and preferential treatment of specific materials or methods of construction.

#### ***U.S. Geological Survey National Landslide Hazards Program***

In fulfillment of the requirements of Public Law 106-113, the U.S. Geological Survey created the National Landslide Hazards Program in the mid-1970s. According to the U.S. Geological Survey, the primary objective of the National Landslide Hazards Program is to reduce long-term losses from landslide hazards by improving understanding of the causes of ground failure and suggesting mitigation strategies. The federal government takes the lead role in funding and conducting this research, whereas the reduction of losses due to geologic hazards is primarily a state and local responsibility.

### State

#### ***Alquist–Priolo Earthquake Fault Zoning Act***

The Alquist–Priolo Earthquake Fault Zoning Act (Alquist–Priolo Act) was passed in 1972 to mitigate the hazard of surface faulting to structures for human occupancy. In accordance with this act, the state geologist established regulatory zones, called “earthquake fault zones,” around the surface traces of active faults, and published maps showing these zones. Earthquake fault zones are designated by CGS and are delineated along traces of faults where mapping demonstrates that surface fault rupture has occurred within the past 11,700 years. Construction within these zones cannot be permitted until a geologic exploration has been conducted to prove that a building planned for human occupancy would not be constructed across an active fault. These types of site evaluations address the precise location and recency of rupture along traces of the faults and are typically based on observations made in trenches excavated across fault traces.

#### ***Seismic Hazards Mapping Act***

The Seismic Hazards Mapping Act of 1990 (California Public Resources Code, Section 2690 et seq.) directs CGS to protect the public from earthquake-induced liquefaction and landslide hazards (these hazards are distinct from fault surface rupture hazard, which is regulated by the Alquist–Priolo Act). This act requires the state geologist to delineate various seismic hazard zones and requires cities, counties, and other local permitting agencies to regulate certain development projects within these zones (i.e., zones of required investigation). Before a development permit may be granted for a site within a seismic hazard zone, a geotechnical exploration of the site must be conducted and appropriate mitigation measures incorporated into the design of proposed projects. Evaluation and mitigation of potential risks from seismic hazards within zones of required investigation must be conducted in accordance with the Guidelines for Evaluating and Mitigating Seismic Hazards in California, adopted by the State Mining and Geology Board on March 13, 1997, and updated in 2008 (CGS 2008).

As of 2012, Seismic Hazard Zone Maps had been prepared for portions of populated areas of Southern California and the San Francisco Bay Area; however, the project site is not located on these Seismic Hazard Zone Maps (CGS 2020). As a result, the provisions of the Seismic Hazards Mapping Act would not apply to the proposed project.

#### ***California Building Code***

The CBC (24 CCR Part 2) is administered by the California Building Standards Commission, which is responsible for coordinating all building standards. Under state law, all building standards must be centralized in Title 24 or they are not enforceable. The purpose of the CBC is to establish minimum standards to safeguard the public health, safety, and general welfare through structural strength, means of egress, and general stability by regulating and controlling the design, construction, quality of materials, use and occupancy, location, and maintenance of all building and structures within its jurisdiction. The CBC is based on the International Building Code, published by the International Code Conference. The CBC contains California amendments based on the American Society of Civil Engineers Minimum Design Standards 7-05, which provides requirements for general structural design and includes means for determining earthquake loads and other loads (such as wind loads) for inclusion into building codes. The provisions of the CBC apply to the construction, alteration,

movement, replacement, and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures throughout California.

### Local

#### ***City of San Diego Municipal Code (Seismic Safety Maps)***

San Diego Municipal Code Chapter 14, Article 5, Division 18, Section 145.1803 and Appendix D of the City Land Development Manual outline specific requirements related to the nature and level of required geotechnical investigations for new development. Requirements include incorporation of appropriate recommendations for mitigation of geologic hazards, when identified, and incorporation of these recommendations into the design of the project before issuance of a building permit. In addition to the regulatory standards listed above, City requirements related to geologic and geotechnical issues include obtaining a grading permit (San Diego Municipal Code Chapter 12, Article 9, Division 6, Section 129.0601, et seq.), and conformance with applicable elements of the City Storm Water Standards Manual and related documents (San Diego Municipal Code Chapter 4, Article 3, Division 3, Section 43.0301, et seq.), with stormwater standards discussed in more detail in Section 5.9 , Hydrology, and Section 5.17, Water Quality, of this EIR.

#### ***City of San Diego General Plan***

The Public Facilities, Services and Safety Element of the City General Plan (City of San Diego 2018) identifies a number of applicable policies related to seismic, geologic, and structural considerations. Specifically, Policies PF-Q.1 and PF-Q.2 include measures regarding conformance with state laws related to seismic and geologic hazards, conducting/reviewing geotechnical investigations, and maintaining structural integrity with respect to geologic hazards.

- PF-Q.1.** Protect public health and safety through the application of effective seismic, geologic and structural considerations.
- a. Ensure that current and future community planning and other specific land use planning studies continue to include consideration of seismic and other geologic hazards. This information should be disclosed, when applicable, in the California Environmental Quality Act (CEQA) document accompanying a discretionary action.
  - b. Maintain updated citywide maps showing faults, geologic hazards, and land use capabilities, and related studies used to determine suitable land uses.
  - c. Require the submission of geologic and seismic reports, as well as soils engineering reports, in relation to applications for land development permits whenever seismic or geologic problems are suspected.
  - d. Utilize the findings of a beach and cliff erosion survey to determine the appropriate rate and amount of coastline modification permissible in the City.
  - e. Coordinate with other jurisdictions to establish and maintain a geologic “data bank” for the San Diego area.
  - f. Regularly review local lifeline utility systems to ascertain their vulnerability to disruption caused by seismic or geologic hazards and implement measures to reduce any vulnerability.
  - g. Adhere to state laws pertaining to seismic and geologic hazards.

- PF-Q.2.** Maintain or improve integrity of structures to protect residents and preserve communities.
- a. Abate structures that present seismic or structural hazards with consideration of the desirability of preserving historical and unique structures and their architectural appendages, special geologic and soils hazards, and the socio-economic consequences of the attendant relocation and housing programs.
  - b. Continue to consult with qualified geologists and seismologists to review geologic and seismic studies submitted to the City as project requirements.
  - c. Support legislation that would empower local governing bodies to require structural inspections for all existing pre-Riley Act (1933) buildings, and any necessary remedial work to be completed within a reasonable time.

### 5.6.3 Impacts Analysis

#### 5.6.3.1 Issue 1: Geologic Hazards such as Earthquakes, Landslides, Mudslides, Ground Failure

**Issue 1:** *Would the proposal expose people or structures to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards?*

##### **Threshold**

Based on the City's Significance Determination Thresholds (City of San Diego 2020), impacts related to geology and soils would be significant if a project would:

- Expose people or structures to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards.

##### **Impact**

##### ***Potential for Hazards from Earthquakes***

##### Surface/Fault Rupture

As previously described in Section 5.6.1, Existing Conditions, the project site is not located on any known active, potentially active, or inactive fault traces, as defined by CGS. CGS considers a fault seismically active when evidence suggests seismic activity within roughly the last 11,700 years. According to the results of the geotechnical investigation (Appendix E.1), seven known active faults are located within 50 miles of the project site. The nearest known active faults are the Newport–Inglewood and Rose Canyon Fault Zones, which are both located approximately 11 miles west of the site and are the dominant sources of potential ground motion. Table 5.6-1 lists the estimated maximum earthquake magnitudes and peak ground accelerations for the most dominant faults for the site location calculated for Site Class D, as defined by Table 1613.3.2 of the 2019 CBC.

**Table 5.6-1.  
Estimated Earthquake Effects per Fault**

Fault Name	Distance from Project Site (miles)	Maximum Earthquake Magnitude (Mw)	Peak Ground Acceleration		
			Source 1	Source 2	Source 3
Newport–Inglewood	11	7.5	0.23	0.19	0.24
Rose Canyon	11	6.9	0.19	0.17	0.18
Coronado Bank	25	7.4	0.13	0.10	0.11
Palos Verdes/ Coronado Bank	25	7.7	0.15	0.11	0.13
Elsinore	27	7.85	0.15	0.11	0.14
Earthquake Valley	34	6.8	0.08	0.06	0.05
San Jacinto	48	7.88	0.09	0.07	0.08

**Source:** Appendix E.1.

**Notes:** Source 1 = Boore and Atkinson 2008; Source 2 = Campbell and Bozorgnia 2008; Source 3 = Chiou and Youngs 2008.

A site-specific probabilistic seismic hazard analysis was completed as part of the geotechnical investigation (Appendix E.1). The site-specific probabilistic seismic hazard analysis calculated the expected accelerations from considered earthquake sources using a program that calculates the total average annual expected number of occurrences of site acceleration greater than a specified value. Given the distance of the nearest fault and magnitude of past seismic activity, the proposed project would not expose people or structures to potential substantial adverse effects associated with the rupture of a known earthquake fault. Furthermore, all proposed residences and structures on site would be designed and constructed in accordance with the CBC guidelines. As such, potential impacts related to surface faults and ruptures would be less than significant.

#### Ground Shaking

As stated above, the Newport–Inglewood and Rose Canyon Fault Zones, located approximately 11 miles west of the project site, are the closest known active faults. The results of the site-specific probabilistic seismic hazard analysis are summarized in Table 5.6-2.

**Table 5.6-2.  
Seismic Hazard Probability**

Probability of Exceedance	Peak Ground Acceleration		
	Source 1	Source 2	Source 3
2% in a 50-year period	0.36	0.35	0.39
5% in a 50-year period	0.27	0.26	0.27
10% in a 50-year period	0.21	0.20	0.20

**Source:** Appendix E.1.

**Notes:** Source 1 = Boore and Atkinson 2008; Source 2 = Campbell and Bozorgnia 2008; Source 3 = Chiou and Youngs 2008.

While listing peak accelerations is useful for comparison of potential effects of fault activity in a region, other considerations are important in seismic design, including the frequency and duration of motion and the soil conditions underlying the site. The project site is likely to be subjected to strong ground motion from seismic activity similar to that of the rest of the City and Southern California, due to the seismic activity of the region as a whole. However, compliance with the CBC and the seismic design criteria recommendations of the geotechnical investigation would reduce exposure of people or structures to potential substantial adverse effects from seismic ground shaking. As such, potential impacts related to ground shaking would be less than significant.

### Landslides

As discussed in Section 5.6.1, no evidence of landslide deposits was encountered at the site during the geotechnical investigation (Appendix E.1). Additionally, the proposed project would be designed in accordance with the latest CBC, which would minimize potential risks associated with landslides. Potential impacts related to landslides would be less than significant.

### Liquefaction and Seismically Induced Settlement

As discussed in Section 5.6.1, liquefaction typically occurs when a site is located in a zone with seismic activity, on-site soils are cohesionless, groundwater is encountered within 50 feet of the surface, and soil densities are less than about 70% of the maximum dry densities. Per the geotechnical investigation, the potential for liquefaction at the site is considered to be low due to the dense underlying bedrock soils and the lack of near surface groundwater (Appendix E.1). Potential impacts related to liquefaction and settlement would be less than significant.

### Tsunamis and Seiches

As previously described, the project site is located approximately 9 miles inland and is not located near or downstream of surface water bodies susceptible to seiche effects. As a result, no impacts related to tsunami and seiche hazards are expected to occur.

### **Significance of Impact**

Per the geotechnical investigation, no soils or geologic conditions were encountered that would preclude the development of the project site as proposed, with incorporation of the recommendations outlined in the geotechnical investigation. Further, the proposed project would be required to comply with requirements of the CBC, which would further reduce impacts related to geologic hazards. With implementation of the recommendations and appropriate building design measures consistent with the CBC, the risk of potential effects from geologic hazards would be reduced to an acceptable level of risk. Therefore, impacts would be **less than significant**.

### **Mitigation**

No mitigation would be required.

### 5.6.3.2 Issue 2: Wind or Water Erosion of Soils

**Issue 2: Would the proposal result in a substantial increase in wind or water erosion of soils, either on or off the site?**

#### **Threshold**

Based on the City's Significance Determination Thresholds (City of San Diego 2020), impacts related to geology and soils would be significant if a project would result in a substantial increase in wind or water erosion of soils.

#### **Impact**

Potential erosion and sedimentation impacts would be temporarily increased during proposed construction, through activities such as excavation, grading, and removal of surface stabilizing features (e.g., vegetation and pavement). Extensive or prolonged erosion can result in effects such as damaging or destabilizing slopes, soil loss, and deposition of eroded material in roadways or drainage structures. In addition, the off-site transport of sediment can potentially result in effects to downstream receiving water quality, such as increased turbidity and the provision of a transport mechanism for other contaminants that tend to adhere to sediment particles (e.g., hydrocarbons). Additional discussion of potential water quality effects related to erosion and sedimentation is provided in Section 5.17.

Developed areas would be most susceptible to erosion between the beginning of grading/construction and the installation of pavement or establishment of permanent cover in landscaped areas. However, developed areas introduced within the project site under the proposed project would be stabilized through installation of structures/hardscape and drought-tolerant, naturalized landscaping.

Short-term erosion and sedimentation impacts would be addressed through conformance with applicable elements of the City stormwater program and related National Pollutant Discharge Elimination System (NPDES) standards. Specifically, this would entail conformance with applicable City regulatory codes as outlined in Section 5.6.2, as well as the NPDES Construction General Permit. Pursuant to the discussion of construction-related water quality concerns in Section 5.17, this would entail implementing an approved stormwater pollution prevention plan (SWPPP) and related plans and best management practices (BMPs), including appropriate measures to address erosion and sedimentation.

#### **Significance of Impact**

Based on implementation of appropriate erosion and sediment control BMPs as part of, and in conformance with, an approved SWPPP and related City and NPDES requirements, associated potential erosion and sedimentation impacts from implementation of the project would be **less than significant**.

#### **Mitigation**

No mitigation would be required.

### 5.6.3.3 Issue 3: Unstable Geologic Units or Soil

**Issue 3:** *Would the proposal be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?*

#### **Threshold**

Based on the City Significance Determination Thresholds (City of San Diego 2020), impacts related to geology and soils would be significant if a project would be located on a geological unit or soil that is unstable or that would become unstable as a result of the project and potentially result in on-site or off-site landslides, lateral spreading, subsidence, liquefaction, or collapse.

#### **Impact**

As outlined in Section 5.6.1 and the geotechnical investigation (Appendix E.1), the project site is underlain by surficial deposits consisting of undocumented fill, topsoil, weathered Metamorphic rock, and weathered Mesozoic age metamorphic rock (undifferentiated Metamorphic rock). The potential for liquefaction or landslides to occur on site is considered low. However, as stated in the geotechnical investigation, surficial soils would require remedial grading in the form of removal and recompaction. The surficial soils are also highly expansive and would require placement in deeper fill areas, away from slope faces, and outside of retaining wall backfill zones. The proposed project would be required to implement the recommendations included in the geotechnical investigation, which include specific requirements for cut slopes within these areas, which would reduce potential impacts resulting from unstable soils and minimize potential for on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse. Additionally, the proposed project would not be approved or built without adequately demonstrating compliance with the CBC and applicable geologic hazards regulations. As the project would be built in accordance with the geotechnical investigation recommendations and CBC requirements, impacts related to unstable soils would be less than significant.

#### **Significance of Impact**

Through implementation of associated design/construction recommendations set forth in the project geotechnical investigation, and mandatory conformance with applicable regulatory/industry standard and codes, including the IBC/CBC and pertinent City criteria would reduce the risk of potential effects from geologic hazards to acceptable levels. Therefore, impacts would be **less than significant**.

#### **Mitigation**

No mitigation would be required.

## 5.7 Greenhouse Gas Emissions

This section describes the existing greenhouse gas (GHG) emissions for the proposed Paseo Montril Project (project) site, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures, if applicable related to implementation of the project. The following discussion is based on the Climate Action Plan (CAP) Consistency Checklist and included as Appendix C.

### 5.7.1 Existing Conditions

#### **Physical Conditions**

Currently, the project site is undeveloped vacant land, and is surrounded by existing residential, commercial, and transportation infrastructure. The off-site area consists of the Paseo Montril roadway. The surrounding community is primarily single-family and multi-family residential, though commercial development is also located along Rancho Peñasquitos Boulevard and there are a few neighborhood parks in the vicinity. The commercial areas include drive-thru/dine-in fast food restaurants, gas stations, an auto repair shop, a hotel, and various other small-scale commercial shops. The nearby neighborhood parks include the Views West Neighborhood Park, the Sabre Springs Park, and Ridgewood Park. Refer to Chapter 2, Environmental Setting, for additional details regarding the site conditions and surrounding community features.

#### **Site Planning**

The City's Climate Action Plan that was prepared to address to greenhouse gas emissions, as discussed below, is based on the site land use designations and zoning. The project site is designated Park, Open Space, and Recreation in the General Plan, while the off-site area is designated as Roads/Freeway/Transportation (City of San Diego 2008). The project site is currently designated as Open Space by the Rancho Peñasquitos Community Plan, while the off-site area is designated as Major Utility Facility (City of San Diego 2011). Most of the project site is zoned as Residential-Multiple (RM-2-5), while the western corner of the site is zoned as Residential-Single (RS-1-14). The off-site area is located within the Commercial-Community (CC-1-3) zone but is currently constructed as a roadway (City of San Diego 2005). Overall, the site is designated for open space uses while the zoning indicates the site is planned for multi-family residential uses.

#### **Climate Change Overview**

Climate change refers to any significant change in measures of climate, such as temperature, precipitation, or wind patterns, that lasts for an extended period of time (typically decades or longer). Many factors, both natural and human, can cause changes in Earth's energy balance, including variations in the Sun's energy reaching Earth, changes in the reflectivity of Earth's atmosphere and surface, and changes in the greenhouse effect, which affects the amount of heat retained by Earth's atmosphere (EPA 2017).

The greenhouse effect is the trapping and buildup of heat in the atmosphere near the Earth's surface (troposphere). The greenhouse effect traps heat in the troposphere and is a natural process that

contributes to regulating the Earth's temperature. Human activities that emit additional GHGs to the atmosphere increase the amount of infrared radiation that gets absorbed before escaping into space, thus enhancing the greenhouse effect and causing the Earth's surface temperature to rise.

The scientific record of the Earth's climate shows that the climate system varies naturally over a wide range of time scales. Recent climate changes however, cannot be explained by natural causes alone, as human influence on the climate system is evident from the increasing GHG concentrations in the atmosphere, positive radiative forcing, observed warming, and improved understanding of the climate system (IPCC 2013). The atmospheric concentrations of GHGs have increased over the last 400 to 500 years, primarily from fossil fuel emissions and secondarily from emissions associated with land use changes (IPCC 2013).

### **Greenhouse Gases**

A GHG is any gas that absorbs infrared radiation in the atmosphere. GHGs include, but are not limited to, carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), ozone (O<sub>3</sub>), water vapor, black carbon, aerosols, hydrofluorocarbons (HFCs), hydrochlorofluorocarbons (HCFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF<sub>6</sub>). Some GHGs, such as CO<sub>2</sub>, CH<sub>4</sub>, and N<sub>2</sub>O, occur naturally and are emitted to the atmosphere through natural processes and human activities. Of these gases, CO<sub>2</sub> and CH<sub>4</sub> are emitted in the greatest quantities from human activities. Manufactured GHGs, which have a much greater heat-absorption potential than CO<sub>2</sub>, include fluorinated gases (e.g., HFCs, HCFCs, PFCs, and SF<sub>6</sub>), which are associated with certain industrial products and processes.

### **Global Warming Potential**

Gases in the atmosphere can contribute to climate change both directly and indirectly. Direct effects occur when the gas itself absorbs radiation. Indirect radiative forcing occurs when chemical transformations of the substance produce other GHGs, when a gas influences the atmospheric lifetimes of other gases, and/or when a gas affects atmospheric processes that alter the radiative balance of the Earth (EPA 2017). The Intergovernmental Panel on Climate Change (IPCC) developed the global warming potential (GWP) concept to compare the ability of each GHG to trap heat in the atmosphere relative to another gas. The GWP of a GHG is defined as the ratio of the time-integrated radiative forcing from the instantaneous release of 1 kilogram of a trace substance relative to that of 1 kilogram of a reference gas (IPCC 2014). The reference gas used is CO<sub>2</sub>; therefore, GWP-weighted emissions are measured in metric tons (MT) of carbon dioxide equivalent (CO<sub>2</sub>e). The current version of California Emissions Estimator Model (CalEEMod) (Version 2016.3.2) assumes that the GWP for CH<sub>4</sub> is 25 (so emissions of 1 MT of CH<sub>4</sub> are equivalent to emissions of 25 MT of CO<sub>2</sub>), and the GWP for N<sub>2</sub>O is 298, based on the IPCC Fourth Assessment Report (IPCC 2007). The GWP values identified in CalEEMod were applied to the proposed project.

### **Existing Sources of GHG Emissions within the Project Site**

The project site does not provide an existing source of greenhouse gas emissions. Currently, the project site is undeveloped vacant land. Therefore, there are no existing sources of development or human activity that generate GHG emissions within the site. The off-site area, which contains a roadway, would not be considered a land use or development that would generate GHG emissions; however, vehicles that may drive along the Paseo Montril cul-de-sac would release a limited amount

of GHG emissions when travelling along this roadway. Overall, the project site is assumed to generate zero GHG emissions.

### 5.7.2 Regulatory Framework

#### Federal

##### ***Massachusetts v. U.S. Environmental Protection Agency***

In *Massachusetts v. EPA* (April 2007), the U.S. Supreme Court directed the U.S. Environmental Protection Agency (EPA) administrator to determine whether GHG emissions from new motor vehicles cause or contribute to air pollution that may reasonably be anticipated to endanger public health or welfare, or whether the science is too uncertain to make a reasoned decision. In December 2009, the administrator signed a final rule with the following two distinct findings regarding GHGs under Section 202(a) of the Clean Air Act:

- The administrator found that elevated concentrations of GHGs—CO<sub>2</sub>, CH<sub>4</sub>, N<sub>2</sub>O, HFCs, PFCs, and SF<sub>6</sub>—in the atmosphere threaten the public health and welfare of current and future generations. This is the “endangerment finding.”
- The administrator further found the combined emissions of GHGs—CO<sub>2</sub>, CH<sub>4</sub>, N<sub>2</sub>O, and HFCs—from new motor vehicles and new motor vehicle engines contribute to the GHG air pollution that endangers public health and welfare. This is the “cause or contribute finding.”

These two findings were necessary to establish the foundation for regulation of GHGs from new motor vehicles as air pollutants under the Clean Air Act.

##### ***Energy Independence and Security Act***

The Energy Independence and Security Act of 2007, among other key measures, would do the following, which would aid in the reduction of national GHG emissions (EPA 2007):

- Increase the supply of alternative fuel sources by setting a mandatory Renewable Fuel Standard requiring fuel producers to use at least 36 billion gallons of biofuel in 2022.
- Set a target of 35 miles per gallon for the combined fleet of cars and light trucks by model year 2020 and direct the National Highway Traffic Safety Administration (NHTSA) to establish a fuel economy program for medium- and heavy-duty trucks and create a separate fuel economy standard for work trucks.
- Prescribe or revise standards affecting regional efficiency for heating and cooling products and procedures for new or amended standards, energy conservation, energy efficiency labeling for consumer electronic products, residential boiler efficiency, electric motor efficiency, and home appliances.

##### ***Federal Vehicle Standards***

In response to the *Massachusetts v. EPA* ruling, the George W. Bush Administration issued Executive Order (EO) 13432 in 2007 directing EPA, the Department of Transportation, and the Department of

Energy to establish regulations that reduce GHG emissions from motor vehicles, non-road vehicles, and non-road engines by 2008. In 2009, NHTSA issued a final rule regulating fuel efficiency and GHG emissions from cars and light-duty trucks for model year 2011. In 2010, EPA and NHTSA issued a final rule regulating cars and light-duty trucks for model years 2012 through 2016 (75 FR 25324–25728).

In 2010, President Obama issued a memorandum directing the Department of Transportation, Department of Energy, EPA, and NHTSA to establish additional standards regarding fuel efficiency and GHG emissions reduction, clean fuels, and advanced vehicle infrastructure. In response to this directive, EPA and NHTSA proposed stringent, coordinated federal GHG emissions and fuel economy standards for model years 2017 through 2025 light-duty vehicles. The proposed standards projected to achieve 163 grams/mile of CO<sub>2</sub> in model year 2025, on an average industry-fleet-wide basis, which is equivalent to 54.5 miles per gallon if this level were achieved solely through fuel efficiency. The final rule was adopted in 2012 for model years 2017 through 2021 (77 FR 62624–63200), and NHTSA intends to set standards for model years 2022 through 2025 in a future rulemaking.

In addition to the regulations applicable to cars and light-duty trucks described above, in 2011, EPA and NHTSA announced fuel economy and GHG standards for medium- and heavy-duty trucks for model years 2014 through 2018. The standards for CO<sub>2</sub> emissions and fuel consumption are tailored to three main vehicle categories: combination tractors, heavy-duty pickup trucks and vans, and vocational vehicles. According to EPA, this regulatory program will reduce GHG emissions and fuel consumption for the affected vehicles by 6% to 23% over the 2010 baselines (76 FR 57106–57513).

In August 2016, EPA and NHTSA announced the adoption of the phase two program related to the fuel economy and GHG standards for medium- and heavy-duty trucks. The phase two program will apply to vehicles with model year 2018 through 2027 for certain trailers and model years 2021 through 2027 for semi-trucks, large pickup trucks, vans, and all types of sizes of buses and work trucks. The final standards are expected to lower CO<sub>2</sub> emissions by approximately 1.1 billion MT and reduce oil consumption by up to 2 billion barrels over the lifetime of the vehicles sold under the program (EPA and NHTSA 2016).

On September 19, 2019, NHTSA and EPA issued a final action entitled the “One National Program Rule” to enable the federal government to provide nationwide uniform fuel economy and GHG emission standards for automobiles and light-duty trucks. This action finalizes critical parts of the Safer, Affordable, Fuel-Efficient (SAFE) Vehicles Rule that was first proposed in August 2018. This action makes clear that federal law preempts state and local tailpipe GHG emissions standards as well as zero emission vehicle (ZEV) mandates. California and other states have challenged federal actions that would delay or eliminate GHG emissions reduction measures and have committed to cooperating with other countries to implement global climate change initiatives. The timing and consequences of these types of federal decisions and subsequent challenges are speculative at this time.

### **State**

#### ***Executive Order S-3-05***

EO S-3-05 (June 2005) established the following statewide goals: GHG emissions should be reduced to 2000 levels by 2010, to 1990 levels by 2020, and to 80% below 1990 levels by 2050.

### ***Assembly Bill 32 and the Climate Change Scoping Plan***

In furtherance of the goals established in EO S-3-05, the California State Legislature enacted Assembly Bill 32 (AB 32), the California Global Warming Solutions Act of 2006. Assembly Bill 32 requires California to reduce its GHG emissions to 1990 levels by 2020.

Under AB 32, the California Air Resources Board (CARB) is responsible for and is recognized as having the expertise to carry out and develop the programs and requirements necessary to achieve the GHG emissions reduction mandate of AB 32. Under AB 32, CARB must adopt regulations requiring the reporting and verification of statewide GHG emissions from specified sources. This program is used to monitor and enforce compliance with established standards. CARB also is required to adopt rules and regulations to achieve the maximum technologically feasible and cost-effective GHG emissions reductions. AB 32 also authorizes CARB to adopt market-based compliance mechanisms to meet the specified requirements. Finally, CARB is ultimately responsible for monitoring compliance and enforcing any rule, regulation, order, emission limitation, emission reduction measure, or market-based compliance mechanism adopted.

In 2007, CARB approved a limit on the statewide GHG emissions level for year 2020 consistent with the determined 1990 baseline (427 million metric tons [MMT] CO<sub>2</sub>e). CARB's adoption of this limit is in accordance with the California Health and Safety Code, Section 38550.

Further, in 2008, CARB adopted the Climate Change Scoping Plan: A Framework for Change (Scoping Plan) in accordance with the California Health and Safety Code, Section 38561. The Scoping Plan establishes an overall framework for the measures that would be adopted to reduce California's GHG emissions for various emission sources/sectors to 1990 levels by 2020 (CARB 2008). The Scoping Plan evaluates opportunities for sector-specific reductions, integrates all CARB and Climate Action Team early actions and additional GHG reduction features by both entities, identifies additional measures to be pursued as regulations, and outlines the role of a cap-and-trade program. The key elements of the Scoping Plan include the following (CARB 2008):

1. Expanding and strengthening existing energy efficiency programs as well as building and appliance standards.
2. Achieving a statewide renewable energy mix of 33%.
3. Developing a California cap-and-trade program that links with other Western Climate Initiative partner programs to create a regional market system and caps sources contributing 85% of California's GHG emissions.
4. Establishing targets for transportation-related GHG emissions for regions throughout California and pursuing policies and incentives to achieve those targets.
5. Adopting and implementing measures pursuant to existing state laws and policies, including California's clean car standards, goods movement measures, and the Low Carbon Fuel Standard.
6. Creating targeted fees, including a public goods charge on water use, fees on high GWP gases, and a fee to fund the administrative costs of the State of California's long-term commitment to AB 32 implementation.

In the Scoping Plan, CARB determined that achieving the 1990 emissions level in 2020 would require a reduction in GHG emissions of approximately 29% from the otherwise projected 2020 emissions level (i.e., those emissions that would occur in 2020, absent GHG-reducing laws and regulations [referred to as “business-as-usual”]). For purposes of calculating this percent reduction, CARB assumed that all new electricity generation would be supplied by natural gas plants, no further regulatory action would impact vehicle fuel efficiency, and building energy efficiency codes would be held at 2005 standards.

In the 2011 Final Supplement to the Scoping Plan’s Functional Equivalent Document (Final Supplement), CARB revised its estimates of the projected 2020 emissions level in light of the economic recession and the availability of updated information about GHG-reduction regulations (CARB 2011a). Based on the new economic data, CARB determined that achieving the 1990 emissions level by 2020 would require a reduction in GHG emissions of 22% (down from 29%) from the business-as-usual conditions. When the 2020 emissions level projection was updated to account for newly implemented regulatory measures, including Pavley I (model years 2009 through 2016) and the Renewables Portfolio Standard (RPS) (12% to 20%), CARB determined that achieving the 1990 emissions level in 2020 would require a reduction in GHG emissions of 16% (down from 29%) from the business-as-usual conditions.

In 2014, CARB adopted the First Update to the Climate Change Scoping Plan: Building on the Framework (First Update). The stated purpose of the First Update is to “highlight California’s success to date in reducing its GHG emissions and lay the foundation for establishing a broad framework for continued emission reductions beyond 2020, on the path to 80% below 1990 levels by 2050” (CARB 2014). The First Update found that California is on track to meet the 2020 emissions reduction mandate established by AB 32, and noted that California could reduce emissions further by 2030 to levels squarely in line with those needed to stay on track to reduce emissions to 80% below 1990 levels by 2050 if the state realizes the expected benefits of existing policy goals.

In conjunction with the First Update, CARB identified “six key focus areas comprising major components of the state’s economy to evaluate and describe the larger transformative actions that will be needed to meet the state’s more expansive emission reduction needs by 2050.” Those six areas are energy, transportation (e.g., vehicles/equipment, sustainable communities, housing, fuels, infrastructure), agriculture, water, waste management, and natural and working lands. The First Update identifies key recommended actions for each sector that will facilitate achievement of EO S-3-05’s 2050 reduction goal (CARB 2014).

Based on CARB’s research efforts presented in the First Update, it has a “strong sense of the mix of technologies needed to reduce emissions through 2050.” Those technologies include energy demand reduction through efficiency and activity changes; large-scale electrification of on-road vehicles, buildings, and industrial machinery; decarbonizing electricity and fuel supplies; and the rapid market penetration of efficient and clean energy technologies (CARB 2014).

As part of the First Update, CARB recalculated the state’s 1990 emissions level using more recent GWPs identified by IPCC. Using the recalculated 1990 emissions level (431 MMT CO<sub>2</sub>e) and the revised 2020 emissions level projection identified in the 2011 Final Supplement, CARB determined

that achieving the 1990 emissions level by 2020 would require a reduction in GHG emissions of approximately 15% (instead of 29% or 16%) from the business-as-usual conditions (CARB 2014).

On January 20, 2017, CARB released the 2017 Climate Change Scoping Plan Update (Second Update) for public review and comment (CARB 2017a). This update proposed CARB's strategy for achieving the state's 2030 GHG target as established in SB 32 (discussed below), including continuing the cap-and-trade program through 2030. The Second Update incorporated approaches to cutting short-lived climate pollutants (SLCPs) under the Short-Lived Climate Pollutant Reduction Strategy (a planning document adopted by CARB in March 2017; SLCP Reduction Strategy), and acknowledged the need for reducing emissions in agriculture and highlighted the work underway to ensure that California's natural and working lands increasingly sequester carbon (CARB 2017b). During development of the Second Update, CARB held a number of public workshops in the Natural and Working Lands, Agriculture, Energy, and Transportation sectors to inform development of the 2017 Scoping Plan Update (CARB 2017a). When discussing project-level GHG emissions reduction actions and thresholds, the Second Update stated, "Achieving net zero increases in GHG emissions, resulting in no contribution to GHG impacts, may not be feasible or appropriate for every project, however, and the inability of a project to mitigate its GHG emissions to net zero does not imply the project results in a substantial contribution to the cumulatively significant environmental impact of climate change under [the California Environmental Quality Act (CEQA)]" (CARB 2017a). The Second Update was approved by CARB's Governing Board on December 14, 2017.

### ***Executive Order B-30-15***

EO B-30-15 (April 2015) identified an interim GHG reduction target in support of targets previously identified under EO S-3-05 and AB 32. EO B-30-15 set an interim target goal of reducing statewide GHG emissions to 40% below 1990 levels by 2030 to keep California on its trajectory toward meeting or exceeding the long-term goal of reducing statewide GHG emissions to 80% below 1990 levels by 2050, as set forth in EO S-3-05. To facilitate achievement of this goal, EO B-30-15 called for an update to CARB's Scoping Plan to express the 2030 target in terms of MMT CO<sub>2</sub>e. The EO also called for state agencies to continue to develop and implement GHG emission reduction programs in support of the reduction targets. EO B-30-15 does not require local agencies to take any action to meet the new interim GHG reduction target.

### ***Senate Bill 32 and Assembly Bill 197***

Senate Bill (SB) 32 and AB 197 (enacted in 2016) are companion bills that set a new statewide GHG reduction targets, made changes to CARB's membership and increased legislative oversight of CARB's climate change-based activities, and expanded dissemination of GHG and other air-quality-related emissions data to enhance transparency and accountability. More specifically, SB 32 codified the 2030 emissions reduction goal of EO B-30-15 by requiring CARB to ensure that statewide GHG emissions are reduced to 40% below 1990 levels by 2030. AB 197 established the Joint Legislative Committee on Climate Change Policies, consisting of at least three members of the California State Senate and three members of the California State Assembly, in order to provide ongoing oversight over implementation of the state's climate policies. AB 197 also added two members of the California State Legislature to CARB as nonvoting members; required CARB to make available and update (at least annually through its website) emissions data for GHGs, criteria air pollutants, and

toxic air contaminants from reporting facilities; and required CARB to identify specific information for GHG emissions reduction measures when updating the Scoping Plan.

### ***Senate Bill 605 and Senate Bill 1383***

SB 605 (2014) required CARB to complete a comprehensive strategy to reduce emissions of SLCPs in the state, and SB 1383 (2016) required CARB to approve and implement the SLCP Reduction Strategy. SB 1383 also established specific targets for the reduction of SLCPs (40% below 2013 levels by 2030 for CH<sub>4</sub> and HFCs, and 50% below 2013 levels by 2030 for human-caused black carbon), and provided direction for reductions from dairy and livestock operations and landfills. Accordingly, and as mentioned above, in March 2017 CARB adopted its SLCP Reduction Strategy, which established a framework for the statewide reduction of emissions of black carbon, CH<sub>4</sub>, and fluorinated gases.

### ***Executive Order B-55-18***

EO B-55-18 (September 2018) established a new statewide goal “to achieve carbon neutrality as soon as possible, and no later than 2045, and achieve and maintain net negative emissions thereafter.” This executive order directed CARB to “work with relevant state agencies to ensure future Scoping Plans identify and recommend measures to achieve the carbon neutrality goal.”

### ***Title 24, Part 6 of the California Code of Regulations***

Title 24 of the California Code of Regulations was established in 1978, and serves to enhance and regulate California’s building standards. While not initially promulgated to reduce GHG emissions, Part 6 of Title 24 specifically establishes Building Energy Efficiency Standards that are designed to ensure that new and existing buildings in California achieve energy efficiency and preserve outdoor and indoor environmental quality. These energy efficiency standards are reviewed every few years by the Building Standards Commission and the California Energy Commission (CEC) (and revised if necessary) (California Public Resources Code, Section 25402[b][1]). The regulations receive input from members of industry, as well as the public, with the goal of “reducing of wasteful, uneconomic, inefficient, or unnecessary consumption of energy” (California Public Resources Code, Section 25402). These regulations are carefully scrutinized and analyzed for technological and economic feasibility (California Public Resources Code, Section 25402[d]), and cost effectiveness (California Public Resources Code, Sections 25402[b][2] and 25402[b][3]). These standards are updated to consider and incorporate new energy-efficient technologies and construction methods. As a result, these standards save energy, increase electricity supply reliability, increase indoor comfort, avoid the need to construct new power plants, and help preserve the environment. The 2019 standards continue to improve upon the 2016 standards for new construction of, and additions and alterations to, residential and nonresidential buildings. The 2019 standards went into effect on January 1, 2020.

### ***Title 24, Part 11 of the California Code of Regulations***

In addition to the CEC’s efforts, in 2008, the California Building Standards Commission adopted the nation’s first green building standards. The California Green Building Standards Code (24 CCR 11) is commonly referred to as CALGreen, and establishes minimum mandatory standards as well as voluntary standards pertaining to the planning and design of sustainable site development, energy efficiency (in excess of the California Energy Code requirements), water conservation, material

conservation, and interior air quality. The CALGreen standards took effect in January 2011 and instituted mandatory minimum environmental performance standards for all ground-up, new construction of commercial, low-rise residential, and state-owned buildings, schools, and hospitals. The CALGreen 2019 standards went into effect on January 1, 2020, and continue to improve on the 2016 CALGreen standards for new construction of, and additions and alterations to, residential and nonresidential buildings.

### ***Title 20 of the California Code of Regulations***

Title 20 of the California Code of Regulations requires manufacturers of appliances to meet state and federal standards for energy and water efficiency. Performance of appliances must be certified through CEC to demonstrate compliance with standards. New appliances regulated under Title 20 include refrigerators, refrigerator-freezers, and freezers; room air conditioners and room air-conditioning heat pumps; central air conditioners; spot air conditioners; vented gas space heaters; gas pool heaters; plumbing fittings and plumbing fixtures; fluorescent lamp ballasts; lamps; emergency lighting; traffic signal modules; dishwashers; clothes washers and dryers; cooking products; electric motors; low-voltage dry-type distribution transformers; power supplies; televisions and consumer audio and video equipment; and battery charger systems. Title 20 presents protocols for testing for each type of appliance covered under the regulations, and appliances must meet the standards for energy performance, energy design, water performance, and water design. Title 20 contains three types of standards for appliances: federal and state standards for federally regulated appliances, state standards for federally regulated appliances, and state standards for non-federally regulated appliances.

### ***Assembly Bill 1109***

Enacted in 2007, AB 1109 required the CEC to adopt minimum energy efficiency standards for general-purpose lighting to reduce electricity consumption 50% for indoor residential lighting and 25% for indoor commercial lighting.

### ***Senate Bill 1078***

SB 1078 (2002) established the RPS program, which requires an annual increase in renewable generation by the utilities equivalent to at least 1% of sales, with an aggregate goal of 20% by 2017. This goal was subsequently accelerated, requiring utilities to obtain 20% of their power from renewable sources by 2010.

### ***Senate Bill 1368***

SB 1368 (2006) required CEC to develop and adopt regulations for GHG emission performance standards for the long-term procurement of electricity by local publicly owned utilities. This effort helps protect energy customers from financial risks associated with investments in carbon-intensive generation by allowing new capital investments in power plants whose GHG emissions are as low as or lower than new combined-cycle natural gas plants by requiring imported electricity to meet GHG performance standards in California and by requiring that the standards be developed and adopted in a public process.

### ***Senate Bill X1 2***

SB X1 2 (2011) expanded the RPS by establishing that 20% of the total electricity sold to retail customers in California per year be secured from qualified renewable energy sources by December 31, 2013, and 33% by December 31, 2020, and in subsequent years. Under SB X1 2, a renewable electrical generation facility is one that uses biomass, solar thermal, photovoltaic, wind, geothermal, fuel cells using renewable fuels, small hydroelectric generation of 30 megawatts or less, digester gas, municipal solid waste conversion, landfill gas, ocean wave, ocean thermal, or tidal current, and that meets other specified requirements with respect to its location. In addition to the retail sellers previously covered by the RPS, SB X1 2 added local, publicly owned electric utilities to the RPS.

### ***Senate Bill 350***

SB 350 (2015) further expanded the RPS by establishing that 50% of the total electricity sold to retail customers in California per year by December 31, 2030, be secured from qualified renewable energy sources. In addition, SB 350 included the goal of doubling the energy efficiency savings in electricity and natural gas final end uses (such as heating, cooling, lighting, or classes of energy uses on which an energy efficiency program is focused) of retail customers through energy conservation and efficiency. The bill also required the California Public Utilities Commission, in consultation with the CEC, to establish efficiency targets for electrical and gas corporations consistent with this goal.

### ***Senate Bill 100***

SB 100 (2018) increased the standards set forth in SB 350, which established that 44% of the total electricity sold to retail customers in California per year be secured from qualified renewable energy sources by December 31, 2024; 52% by December 31, 2027; and 60% by December 31, 2030. Under SB 100, it is the policy of the state that eligible renewable energy resources and zero-carbon resources supply 100% of the retail sales of electricity to California. This bill requires that achievement of 100% zero-carbon electricity resources not increase the carbon emissions elsewhere in the western grid and that achievement of this goal not occur through resource shuffling.

### ***Executive Order S-1-07***

Issued on January 18, 2007, EO S-1-07 set a declining Low Carbon Fuel Standard for GHG emissions measured in CO<sub>2</sub>e grams per unit of fuel energy sold in California. The target of the Low Carbon Fuel Standard is to reduce the carbon intensity of California passenger vehicle fuels by at least 10% by 2020. The carbon intensity measures the amount of GHG emissions in the lifecycle of a fuel, including extraction/feedstock production, processing, transportation, and final consumption, per unit of energy delivered. CARB adopted the implementing regulation in April 2009. The regulation is expected to increase the production of biofuels, including those from alternative sources such as algae, wood, and agricultural waste.

### ***Senate Bill 375***

SB 375 (2008) addresses GHG emissions associated with the transportation sector through regional transportation and sustainability plans. SB 375 required CARB to adopt regional GHG reduction targets for the automobile and light-truck sector for 2020 and 2035. Regional metropolitan planning

organizations were then responsible for preparing a sustainable communities strategy (SCS) within their regional transportation plan (RTP). The goal of the SCS is to establish a forecasted development pattern for the region that, after considering transportation measures and policies, would achieve, if feasible, the GHG reduction targets. If a SCS is unable to achieve the GHG reduction target, a metropolitan planning organization must prepare an alternative planning strategy demonstrating how the GHG reduction target would be achieved through alternative development patterns, infrastructure, or additional transportation measures or policies.

Pursuant to Government Code, Section 65080(b)(2)(K), an SCS does not (1) regulate the use of land; (2) supersede the land use authority of cities and counties; or (3) require that a city's or county's land use policies and regulations, including those in a general plan, be consistent with it. Nonetheless, SB 375 makes regional and local planning agencies responsible for developing those strategies as part of the federally required metropolitan transportation planning process and the state-mandated housing element process.

In 2010, CARB adopted the SB 375 targets for the regional metropolitan planning organizations. The targets for San Diego Association of Governments (SANDAG) are a 7% reduction in emissions per capita by 2020 and a 13% reduction by 2035.

SANDAG completed and adopted its 2050 RTP/SCS in October 2011 (SANDAG 2011). In November 2011, CARB, by resolution, accepted SANDAG's GHG emissions quantification analysis and determination that, if implemented, the 2050 RTP/SCS would achieve CARB's 2020 and 2035 GHG emissions reduction targets for the region.

In October 2015, SANDAG adopted San Diego Forward: The Regional Plan (Regional Plan) (SANDAG 2015). Like the 2050 RTP/SCS, the Regional Plan meets CARB's 2020 and 2035 reduction targets for the region (SANDAG 2015). In December 2015, CARB, by resolution, accepted SANDAG's GHG emissions quantification analysis and determination that, if implemented, the Regional Plan would achieve CARB's 2020 and 2035 GHG emissions reduction targets for the region. The most recent regional plan is the 2021 Regional Plan, which builds off the 2019 San Diego Forward Federal Transportation Plan (SANDAG 2021). The 2021 Regional Plan is the long-term blueprint for the San Diego region that seeks to meet regulatory requirements, address traffic congestion, and create equal access to jobs, education, healthcare, and other community resources. The SANDAG Board of Directors adopted the 2021 Regional Plan on December 10, 2021.

### ***Advanced Clean Cars Program***

In January 2012, CARB approved the Advanced Clean Cars program, a new emissions control program for model years 2015 through 2025. The program combines the control of smog- and soot-causing pollutants and GHG emissions into a single coordinated package. The package includes elements to reduce smog-forming pollution, reduce GHG emissions, promote clean cars, and provide the fuels for clean cars (CARB 2011b). To improve air quality, CARB has implemented new emission standards to reduce smog-forming emissions beginning with 2015 model year vehicles. It is estimated that in 2025, cars will emit 75% less smog-forming pollution than the average new car sold before 2012. To reduce GHG emissions, CARB, in conjunction with EPA and NHTSA, has adopted new GHG standards for model year 2017 to 2025 vehicles that are estimated to reduce GHG

emissions by 34% in 2025. The ZEV program will act as the focused technology of the Advanced Clean Cars program by requiring manufacturers to produce increasing numbers of ZEVs and plug-in hybrid electric vehicles (EVs) in the 2018 to 2025 model years.

### ***Executive Order B-16-12***

EO B-16-12 (2012) directs state entities under the Governor’s direction and control to support and facilitate development and distribution of ZEVs. This EO also sets a long-term target of reaching 1.5 million ZEVs on California’s roadways by 2025. On a statewide basis, EO B-16-12 also establishes a GHG emissions reduction target from the transportation sector equaling 80% less than 1990 levels by 2050. In furtherance of this EO, the Governor convened an interagency working group on ZEVs that has published multiple reports regarding the progress made on the penetration of ZEVs in the statewide vehicle fleet.

### ***Assembly Bill 1236***

AB 1236 (2015) requires local land use jurisdictions to approve applications for the installation of EV charging stations, as defined, through the issuance of specified permits unless there is substantial evidence in the record that the proposed installation would have a specific adverse impact on public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact. The bill provides for appeal of that decision to the planning commission, as specified. AB 1236 requires local land use jurisdictions with a population of 200,000 or more residents to adopt an ordinance, by September 30, 2016, that creates an expedited and streamlined permitting process for EV charging stations, as specified. The City of San Diego (City) added Section 86.0151, Electric Vehicle Parking Regulations, to the San Diego Municipal Code in August 2015 in response to the AB 1236 requirements.

### ***Senate Bill 350***

In 2015, SB 350—the Clean Energy and Pollution Reduction Act—was enacted into law. As one of its elements, SB 350 established a statewide policy for widespread electrification of the transportation sector, recognizing that such electrification is required for achievement of the state’s 2030 and 2050 reduction targets (see California Public Utilities Code, Section 740.12).

### ***Executive Order B-48-18***

EO B-48-18 (2018) launched an 8-year initiative to accelerate the sale of EVs through a mix of rebate programs and infrastructure improvements. The order also set a new EV target of 5 million EVs in California by 2030. EO B-48-18 included funding for multiple state agencies, including CEC, to increase EV charging infrastructure and for CARB to provide rebates for the purchase of new EVs and purchase incentives for low-income customers.

### ***Assembly Bill 939 and Assembly Bill 341***

In 1989, AB 939, known as the Integrated Waste Management Act (California Public Resources Code, Sections 40000 et seq.), was passed because of the increase in waste stream and the decrease in landfill capacity. The statute established the California Integrated Waste Management Board, which oversees a disposal reporting system. AB 939 mandated a reduction of waste being disposed of, in

which jurisdictions were required to meet diversion goals of all solid waste through source reduction, recycling, and composting activities of 25% by 1995 and 50% by the year 2000.

AB 341 (2011) amended the California Integrated Waste Management Act of 1989 to include a provision declaring that it is the policy goal of the state that not less than 75% of solid waste generated be source-reduced, recycled, or composted by the year 2020, and annually thereafter. In addition, AB 341 required the California Department of Resources Recycling and Recovery to develop strategies to achieve the state's policy goal. The California Department of Resources Recycling and Recovery has conducted multiple workshops and published documents that identify priority strategies that it believes would assist the state in reaching the 75% goal by 2020 (CalRecycle 2015). GHG emissions are generated by landfills, therefore these Assembly Bills enacted to reduce waste would also reduce GHG emissions.

### ***Executive Order B-29-15***

In response to the ongoing drought in California, EO B-29-15 (April 2015) set a goal of achieving a statewide reduction in potable urban water usage of 25% relative to water use in 2013. The term of the executive order extended through February 28, 2016, although many of the directives have since become permanent water-efficiency standards and requirements. EO B-29-15 includes specific directives that set strict limits on water usage in the state. In response to EO B-29-15, the California Department of Water Resources has modified and adopted a revised version of the Model Water Efficient Landscape Ordinance, that, among other changes, significantly increases the requirements for landscape water use efficiency and broadens its applicability to include new development projects with smaller landscape areas. Water usage results in GHG emissions, as energy is required to transport and process water. Thus, the reduction in water usage per this Executive Order correlates to a reduction in GHG emissions.

### ***Senate Bill 97***

SB 97 (August 2007) directed the Governor's Office of Planning and Research to develop guidelines under CEQA for the mitigation of GHG emissions. In 2008, the Office of Planning and Research issued a technical advisory as interim guidance regarding the analysis of GHG emissions in CEQA documents. The advisory indicated that the lead agency should identify and estimate a project's GHG emissions, including those associated with vehicular traffic, energy consumption, water usage, and construction activities (OPR 2008). The advisory further recommended that the lead agency determine significance of the impacts and impose all mitigation measures necessary to reduce GHG emissions to a level that is less than significant. The California Natural Resources Agency (CNRA) adopted the CEQA Guidelines amendments related to GHG in December 2009, which became effective in March 2010.

Under the amended CEQA Guidelines, a lead agency has the discretion to determine whether to use a quantitative or qualitative analysis or apply performance standards to determine the significance of GHG emissions resulting from a particular project (14 CCR 15064.4[a]). The CEQA Guidelines require a lead agency to consider the extent to which a project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions (14 CCR 15064.4[b]). The CEQA Guidelines also allow a lead agency to consider feasible means of mitigating the

significant effects of GHG emissions, including reductions in emissions through the implementation of project features or off-site measures. The adopted amendments do not establish a GHG emission threshold, instead allowing a lead agency to develop, adopt, and apply its own thresholds of significance or those developed by other agencies or experts. CNRA also acknowledges that a lead agency may consider compliance with regulations or requirements implementing AB 32 in determining the significance of a project's GHG emissions (CNRA 2009a).

With respect to GHG emissions, the CEQA Guidelines, Section 15064.4(a), state that lead agencies should “make a good faith effort, to the extent possible on scientific and factual data, to describe, calculate or estimate” GHG emissions. The CEQA Guidelines note that an agency may identify emissions by either selecting a “model or methodology” to quantify the emissions or by relying on “qualitative analysis or other performance based standards” (14 CCR 15064.4[a]). Section 15064.4(b) states that the lead agency should consider the following when assessing the significance of impacts from GHG emissions on the environment: (1) the extent to which a project may increase or reduce GHG emissions as compared to the existing environmental setting; (2) whether project emissions exceed a threshold of significance that the lead agency determines applies to the project; and (3) the extent to which a project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions (14 CCR 15064.4[b]).

### ***Executive Order S-13-08***

EO S-13-08 (November 2008) is intended to hasten California's response to the impacts of global climate change, particularly sea-level rise. Therefore, EO S-13-08 directs state agencies to take specified actions to assess and plan for such impacts. The final 2009 California Climate Adaptation Strategy report was issued in December 2009 (CNRA 2009b), and an update, *Safeguarding California: Reducing Climate Risk*, followed in July 2014 (CNRA 2014). To assess the state's vulnerability, the report summarizes key climate change impacts to the state for the following areas: agriculture, biodiversity and habitat, emergency management, energy, forestry, ocean and coastal ecosystems and resources, public health, transportation, and water. Issuance of the *Safeguarding California: Implementation Action Plans* followed in March 2016 (CNRA 2016). In January 2018, the CNRA released the *Safeguarding California Plan: 2018 Update*, which communicates current and needed actions that state government should take to build climate change resiliency (CNRA 2018).

### ***Biological Diversity v. California Department of Fish and Wildlife***

In its decision in *Center for Biological Diversity v. California Department of Fish and Wildlife (Newhall)* 62 Cal.4th 204 (2015), the California Supreme Court set forth several options that lead agencies may consider for evaluating the cumulative significance of a proposed project's GHG emissions:

- A calculation of emissions reductions compared to a “business-as-usual” scenario based on the emissions reductions in CARB's Scoping Plan, including examination of the data to determine what level of reduction from business-as-usual a new land use development at the proposed location must contribute in order to comply with statewide goals
- Assessment of consistency with AB 32's goals by looking at compliance with regulatory programs designed to reduce GHG emissions from particular activities

- Use of geographically specific GHG emissions reduction plans to provide a basis for tiering and streamlining of project-level CEQA analysis
- Reliance on existing numerical thresholds of significance for GHG emissions, though use of such thresholds is not required

The Newhall decision specifically found that use of a numerical threshold is not required.

### Local

#### ***City of San Diego General Plan***

The State of California requires cities and counties to prepare and adopt a general plan to set out a long-range vision and comprehensive policy framework for its future. The state also mandates that the plan be updated periodically to ensure relevance and utility. The City's General Plan 2008 (General Plan) was unanimously adopted by the City Council on March 10, 2008. The General Plan builds on many of the goals and strategies of the former 1979 General Plan, in addition to offering new policy direction in the areas of urban form, neighborhood character, historic preservation, public facilities, recreation, conservation, mobility, housing affordability, economic prosperity, and equitable development. It recognizes and explains the critical role of the community planning project as the vehicle to tailor the City of Villages strategy for each neighborhood. It also outlines the plan amendment process, and other implementation strategies, and considers the continued growth of the City beyond the year 2020.

***Conservation Element.*** The Conservation Element contains policies to guide the conservation of resources that are fundamental components of San Diego's environment, that help define the City's identity, and that are relied on for continued economic prosperity. The purpose of this element is to help the City become an international model of sustainable development and conservation and to provide for the long-term conservation and sustainable management of the rich natural resources that help define the City's identity, contribute to its economy, and improve its quality of life.

The City has adopted the following General Plan policies (City of San Diego 2008) related to climate change (refer to Section 5.1, Land Use, for a consistency analysis for policies applicable to the project):

- CE-A.2.** Reduce the City's carbon footprint. Develop and adopt new or amended regulations, projects, and incentives as appropriate to implement the goals and policies set forth in the General Plan to:
- Reduce fuel emission levels by encouraging alternative modes of transportation and increasing fuel efficiency;
  - Reduce the Urban Heat Island effect through sustainable design and building practices, as well as planting trees (consistent with habitat and water conservation policies) for their many environmental benefits, including natural carbon sequestration;
  - Reduce waste by improving management and recycling projects;
- CE-A.8.** Reduce construction and demolition waste in accordance with Public Facilities Element, Policy PF-1.2, or by renovating or adding on to existing buildings, rather than constructing new buildings.

- CE-A.9.** Reuse building materials, use materials that have recycled content, or use materials that are derived from sustainable or rapidly renewable sources to the extent possible, through factors including:
- Scheduling time for deconstruction and recycling activities to take place during project demolition and construction phases;
  - Using life cycle costing in decision-making for materials and construction techniques. Life cycle costing analyzes the costs and benefits over the life of a particular product, technology, or system.
- CE-I.4.** Maintain and promote water conservation and waste diversion projects to conserve energy.
- CE-I.5.** Support the installation of photovoltaic panels, and other forms of renewable energy production.
- CE-I.10.** Use renewable energy sources to generate energy to the extent feasible.

### ***City of San Diego Climate Action Plan***

On January 29, 2002, the San Diego City Council unanimously approved the San Diego Sustainable Community Program. Actions identified in the program include the following:

1. Participation in the Cities for Climate Protection program coordinated through the International Council of Local Environmental Initiatives;
2. Establishment of a 15% GHG reduction goal set for 2010, using 1990 as a baseline; and
3. Direction to use the recommendations of a scientific Ad Hoc Advisory Committee as a means to improve the GHG Emission Reduction Action Plan within the City organization and to identify additional community actions.

In 2005, the City released a Climate Protection Action Plan. This report includes many of the recommendations provided by the Ad Hoc Advisory Committee and City staff. By implementing these recommendations, the City could directly address the challenges relating to mitigation for state and federal ozone standards nonattainment (with associated health benefits) and enhanced economic prosperity, specifically related to the tourism and agricultural sectors.

The Climate Protection Action Plan evaluated City-wide GHG emissions, particularly three elements: (1) the GHG projection in 2010 resulting from no action taken to curb emissions, (2) the GHG emission reductions due to City of San Diego actions implemented between 1990 and 2003, and (3) the GHG reductions needed by 2010 to achieve 15% reduction. The Climate Protection Action Plan does not recommend or require specific strategies or measures for projects within the City to reduce emissions.

In December 2015, the City adopted its final Climate Action Plan (CAP) (City of San Diego 2015). With implementation of the CAP, the City aims to reduce emissions 15% below the baseline to approximately 11.1 MMT CO<sub>2</sub>e by 2020, 40% below the baseline to approximately 7.8 MMT CO<sub>2</sub>e by 2030, and 50% below the baseline of 2010 to approximately 6.5 MMT CO<sub>2</sub>e by 2035. It is anticipated that the City would exceed its reduction target by 1.3 MMT CO<sub>2</sub>e in 2020, 176,528 MT CO<sub>2</sub>e in 2030, and 127,135 MT CO<sub>2</sub>e in 2035 with implementation of the CAP. The CAP relies on significant City and regional actions, continued implementation of federal and state mandates, and five local strategies

with associated action steps for target attainment. The City has identified the following five strategies to reduce GHG emissions to achieve the 2020 and 2035 targets:

1. Energy- and water-efficient buildings
2. Clean and renewable energy
3. Bicycling, walking, transit, and land use
4. Zero waste (gas and waste management)
5. Climate resiliency

### **CAP Consistency Checklist**

To provide a mechanism for CEQA Tiering, the City amended the CAP to include a CAP Consistency Checklist intended to provide a streamlined review process for the GHG emissions analysis of proposed new development projects that are subject to discretionary review and trigger environmental review pursuant to CEQA. The CAP Consistency Checklist is part of the CAP and contains measures that are required to be implemented on a project-by-project basis to ensure that the specified emissions targets identified in the CAP are achieved. Implementation of these measures would ensure that new development is consistent with the CAP's assumptions for relevant CAP strategies toward achieving the identified GHG emissions reduction targets. Projects that are consistent with the CAP as determined through the use of the CAP Consistency Checklist may rely on the CAP for the cumulative impacts analysis of GHG emissions. Projects that are not consistent with the CAP must prepare a project-specific analysis of GHG emissions that quantifies existing and projected GHG emissions and incorporation of the Step 2 measures as mitigation to the extent feasible. Cumulative GHG impacts would be significant for any project that is not consistent with the CAP.

### 5.7.3 Approach and Methodology

#### **Construction**

CalEEMod Version 2016.3.2 was used to estimate potential project-generated GHG emissions during construction. Construction of the proposed project would result in GHG emissions primarily associated with use of off-road construction equipment, blasting and rock crushing, on-road hauling and vendor (material delivery) trucks, and worker vehicles. All details for construction criteria air pollutants discussed in Section 5.3, Air Quality and Odor, are also applicable for the estimation of construction-related GHG emissions. As such, see Section 5.3.3 for a discussion of construction emissions calculation methodology and assumptions.

#### **Operation**

CalEEMod Version 2016.3.2 was used to estimate potential project-generated operational GHG emissions from area sources (landscape maintenance), energy sources (natural gas and electricity), mobile sources, solid waste, and water supply and wastewater treatment. Emissions from each category are discussed in the following text with respect to the proposed project Operational year 2024 was assumed as the first operational year after construction is complete.

### ***Energy Sources***

As represented in CalEEMod, energy sources include GHG emissions associated with building electricity and natural gas usage. Electricity use would contribute indirectly to GHGs, since GHG emissions occur at the site of the power plant, which is typically off site. Emissions were calculated by multiplying the energy use by the utility's carbon intensity (pounds of GHGs per megawatt-hour for electricity or 1,000 British thermal units for natural gas) for CO<sub>2</sub> and other GHGs. Annual natural gas and electricity emissions were estimated in CalEEMod using the emissions factors for San Diego Gas and Electric (SDG&E), which would be the energy source provider for the project. For operational year 2024, the emission factors for SDG&E were adjusted to reflect SDG&E's compliance with the RPS standards (CEC 2018).

CalEEMod default values for energy consumption for each residential land use were applied for analysis of the proposed project. Energy use in buildings (both natural gas and electricity) is divided by the program into end use categories subject to Title 24 requirements (end uses associated with the building envelope, such as the heating, ventilation, and air conditioning system; water heating system; and integrated lighting) and those not subject to Title 24 requirements (such as appliances, electronics, and miscellaneous "plug-in" uses).

### ***Solid Waste***

The proposed project would generate solid waste and would, therefore, result in CO<sub>2</sub> and CH<sub>4</sub> emissions associated with landfill off-gassing. Solid waste generation was derived from the CalEEMod default rates for each residential land use type. Emission estimates associated with solid waste were estimated using CalEEMod. A solid waste diversion rate of 50% was assumed in accordance with AB 341.

### ***Water Supply and Wastewater***

Water supplied to the proposed project would require the use of electricity. Accordingly, the supply, conveyance, treatment, and distribution of water would indirectly result in GHG emissions through use of electricity. Annual water use for the proposed project and GHG emissions associated with the electricity used for water supply were calculated based upon default water use estimates for each residential land use type, as estimated by CalEEMod and SDG&E factors. The analysis assumes the project would include low-flow fixtures in all buildings and would be connected to municipal sewer.

### 5.7.4 Impacts Analysis

#### 5.7.4.1 Issues 1 and 2: Greenhouse Gas Emissions and Climate Action Plan Consistency

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

**Issue 2:** *Would the project conflict with the City's Climate Action Plan or another applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?*

#### Threshold(s)

Pursuant to CEQA Guidelines Sections 15183.5(b), 15064(h)(3), and 15130(d), the City may determine that a project's incremental contribution to a cumulative GHG effect is not cumulatively considerable if the project complies with the requirements of a previously adopted GHG emissions reduction plan.

Under the City's CEQA Significance Determination Thresholds, the method for determining significance for project-level environmental documents is through the CAP Consistency Checklist. The CAP Consistency Checklist is used by the City to verify project-by-project consistency with the underlying assumptions in the CAP and ensure that the City would achieve its emissions reduction targets. The CAP Consistency Checklist includes a three-step process to determine project consistency.

**Step 1** consists of an assessment to determine a project's consistency with the growth projections of the CAP.

**Step 2** includes a list of measures a project is required to implement. Regardless of whether the project answers "yes" or "no" to Step 1, implementation of the measures listed in Step 2 are required for all projects, as applicable.

**Step 3** focuses on assessing if a project would implement the General Plan's City of Villages strategy, the General Plan's Mobility Element, pedestrian improvements, the Bicycle Master Plan, and support transit-oriented development within a Transit Priority Area (TPA). Step 3 applies to projects proposing a land use and/or zoning designation amendment and increase density within a TPA.

#### Impact

##### **Step 1**

The project proposes a General Plan Amendment, Community Plan Amendment, and a Rezone, which would increase the intensity of use and allow for the proposed residential development. The General Plan would be amended to change Lot 1 from Park, Open Space and Recreation to Residential. Lot 2 would remain as Park, Open Space and Recreation. The Rancho Peñasquitos Community Plan would be amended to re-designate Lot 1 from Open Space to Medium Density Residential. Lot 2 would remain as an Open Space designation.

The proposed project would include the following changes to the existing zoning:

- Lot One from RS-1-14 and RM-2-5 (agricultural-residential) to RM-1-1 (residential-multiple unit)
- Lot Two from RM-2-5 (agricultural-residential) to OC-1-1 (residential-multiple unit)

The project would not be consistent with the existing land use plan and zoning designations. Pursuant to Section C of Step 1 of the CAP Consistency Checklist, a GHG emissions analysis was prepared to evaluate if the project would include in a land use and zoning designation amendment that would result in an equivalent or less GHG-intensive project when compared to the existing conditions.

Construction Emissions

Construction of the proposed project would result in GHG emissions, which are primarily associated with the use of off-road construction equipment, on-road hauling and vendor trucks, and worker vehicles. A detailed depiction of the construction schedule is included in Appendix C.

Table 5.7-1 shows the estimated annual GHG construction emissions associated with the proposed project, as well as the amortized construction emissions over a 30-year project life. As shown in Table 5.7-1, the estimated GHG emissions during construction of would be approximately 808 MT CO<sub>2</sub>e in 2022 and 421 MT CO<sub>2</sub>e in 2023, for a total of 2,226 MT CO<sub>2</sub>e over the construction period. Estimated project-generated construction emissions amortized over 30 years would be approximately 74 MT CO<sub>2</sub>e per year. Because there is no separate GHG threshold for construction, the evaluation of construction GHG emissions is discussed in the operational emissions analysis in the following text.

**Table 5.7-1.  
Estimated Annual Construction GHG Emissions**

Year	CO <sub>2</sub>	CH <sub>4</sub>	N <sub>2</sub> O	CO <sub>2</sub> e
	<i>Metric Tons per Year</i>			
2022	803.52	0.20	0.00	808.46
2023	419.40	0.08	0.00	421.33
<b>Total</b>				<b>2,225.79</b>
<b>Amortized Emissions</b>				<b>74.19</b>

**Source:** Appendix C.

**Notes:** CO<sub>2</sub> = carbon dioxide; CH<sub>4</sub> = methane; N<sub>2</sub>O = nitrous oxide; CO<sub>2</sub>e = carbon dioxide equivalent.

Operational Emissions

Operation of the proposed project would generate GHG emissions through motor vehicle trips to and from the project site; landscape maintenance equipment operation; hearth usage (wood-burning and natural gas fireplaces); energy use (natural gas and generation of electricity consumed by the proposed project); solid waste disposal; and generation of electricity associated with water supply, treatment, and distribution, as well as wastewater treatment.

Table 5.7-2 shows the estimated operational (year 2024) project-generated GHG emissions from area sources, energy usage, motor vehicles, solid waste generation, and water usage and wastewater generation. As shown in Table 5.7-2, estimated annual project-generated GHG emissions in 2024 would be approximately 611 MT CO<sub>2</sub>e per year as a result of proposed project operations. Estimated annual project-generated emissions in 2024 from area, energy, mobile, solid waste, and water/wastewater sources and amortized project-generated construction emissions would be approximately 685 MT CO<sub>2</sub>e per year. Therefore, the proposed project is required to respond “no” to Step 1 of the CAP Consistency Checklist under Option C, and the project must nonetheless incorporate each of the measures identified in Step 2 to mitigate cumulative GHG emissions impacts.

**Table 5.7-2.  
Estimated Annual Operational GHG Emissions**

Emission Source	CO <sub>2</sub>	CH <sub>4</sub>	N <sub>2</sub> O	CO <sub>2</sub> e
	<i>Metric Tons per Year</i>			
Area	47.58	0.03	<0.01	49.14
Energy	81.46	<0.01	<0.01	81.93
Mobile	460.48	0.02	0.00	461.05
Solid waste	2.99	0.18	0.00	7.40
Water supply and wastewater	9.15	0.07	<0.01	11.38
<b>Total</b>				<b>610.90</b>
<i>Amortized Construction Emissions</i>				<i>74.19</i>
<b>Operation + Amortized Construction Total</b>				<b>685.09</b>

Source: Appendix C.

Notes: CO<sub>2</sub> = carbon dioxide; CH<sub>4</sub> = methane; N<sub>2</sub>O = nitrous oxide; CO<sub>2</sub>e = carbon dioxide equivalent.

**Step 2**

The second step of the CAP Consistency Checklist review is to evaluate a project’s consistency with the applicable strategies and actions of the CAP. Table 5.7-3 shows the proposed project’s consistency with each item within the CAP Consistency Checklist.

**Table 5.7-3.  
Climate Action Plan Consistency Checklist**

CAP Consistency Checklist Item	Compliance
<p><b>1. Cool/Green Roofs:</b></p> <ul style="list-style-type: none"> <li>Would the project include roofing materials with a minimum 3-year aged solar reflection and thermal emittance or solar reflection index equal to or greater than the values specified in the voluntary measures under California Green Building Standards Code (Attachment A)?; OR</li> </ul>	<p><b>Consistent.</b></p> <p>The proposed project would include roofing materials with a minimum 3-year aged solar reflection and thermal emittance or solar reflection index</p>

**Table 5.7-3.  
Climate Action Plan Consistency Checklist**

CAP Consistency Checklist Item	Compliance
<ul style="list-style-type: none"> <li>• Would the project roof construction have a thermal mass over the roof membrane, including areas of vegetated (green) roofs, weighing at least 25 pounds per square foot as specified in the voluntary measures under California Green Building Standards Code?; OR</li> <li>• Would the project include a combination of the above two options?</li> </ul> <p>Check "N/A" only if the project does not include a roof component.</p>	<p>equal to or greater than that provided in Table 1 of Attachment A of the CAP Consistency Checklist.</p>
<p><b>2. Plumbing Fixtures and Fittings:</b></p> <p>With respect to plumbing fixtures or fittings provided as part of the project, would those low-flow fixtures/appliances be consistent with each of the following:</p> <p>Residential buildings:</p> <ul style="list-style-type: none"> <li>• Kitchen faucets: maximum flow rate not to exceed 1.5 gallons per minute at 60 psi;</li> <li>• Standard dishwashers: 4.25 gallons per cycle;</li> <li>• Compact dishwashers: 3.5 gallons per cycle; and</li> <li>• Clothes washers: water factor of 6 gallons per cubic feet of drum capacity?</li> </ul> <p>Nonresidential buildings:</p> <ul style="list-style-type: none"> <li>• Plumbing fixtures and fittings that do not exceed the maximum flow rate specified in Table A5.303.2.3.1 (voluntary measures) of the California Green Building Standards Code (See Attachment A); and</li> <li>• Appliances and fixtures for commercial applications that meet the provisions of Section A5.303.3 (voluntary measures) of the California Green Building Standards Code (See Attachment A)?</li> </ul> <p>Check "N/A" only if the project does not include any plumbing fixtures or fittings.</p>	<p><b>Consistent.</b></p> <p>The proposed project would include low-flow fixtures and appliances consistent with the requirements of this Checklist item.</p>
<p><b>3. Electric Vehicle Charging:</b></p> <ul style="list-style-type: none"> <li>• Multiple-family projects of 17 dwelling units or less: Would 3% of the total parking spaces required, or a minimum of one space, whichever is greater, be provided with a listed cabinet, box or enclosure connected to a conduit linking the parking spaces with the electrical service, in a manner approved by the building and safety official, to allow for the future installation of electric vehicle supply equipment to provide electric vehicle charging stations at such time as it is needed for use by residents?</li> <li>• Multiple-family projects of more than 17 dwelling units: Of the total required listed cabinets, boxes or enclosures, would 50% have the</li> </ul>	<p><b>Consistent.</b></p> <p>Consistent with requirements, the project would include 50% of the EV capable spaces as EV charging stations. As 16 spaces would be required to be EV capable per Title 24, this would entail 8 EV charging stations be provided pursuant to</p>

**Table 5.7-3.  
Climate Action Plan Consistency Checklist**

CAP Consistency Checklist Item	Compliance
<p>necessary electric vehicle supply equipment installed to provide active electric vehicle charging stations ready for use by residents?</p> <ul style="list-style-type: none"> <li>• Non-residential projects: Of the total required listed cabinets, boxes or enclosures, would 50% have the necessary electric vehicle supply equipment installed to provide active electric vehicle charging stations ready for use?</li> </ul> <p>Check "N/A" only if the project is a single-family project or would not require the provision of listed cabinets, boxes, or enclosures connected to a conduit linking the parking spaces with electrical service, e.g., projects requiring fewer than 10 parking spaces.</p>	<p>the CAP Checklist requirements.</p> <p>The project would provide an additional 8 EV capable spaces and 4 EV charging stations.</p>
<p><b>4. Bicycle Parking Spaces:</b></p> <p>Would the project provide more short- and long-term bicycle parking spaces than required in the City's Municipal Code (Chapter 14, Article 2, Division 5)?</p> <p>Check "N/A" only if the project is a residential project.</p>	<p><b>Not Applicable.</b></p> <p>The proposed project is residential and the Municipal Code does not require the project provide bicycle parking. However, the project would provide 10 bicycle parking spaces in common areas and provide bike storage in the garage of each unit.</p>
<p><b>5. Shower Facilities:</b></p> <p>If the project includes nonresidential development that would accommodate over 10 tenant occupants (employees), would the project include changing/shower facilities in accordance with the voluntary measures under the California Green Building Standards Code as shown in the table below?</p> <p>Check "N/A" only if the project is a residential project, or if it does not include nonresidential development that would accommodate over 10 tenant occupants (employees).</p>	<p><b>Not Applicable.</b></p> <p>The proposed project is residential.</p>
<p><b>6. Designated Parking Spaces:</b></p> <p>If the project includes a nonresidential use in a TPA, would the project provide designated parking for a combination of low-emitting, fuel-efficient, and carpool/vanpool vehicles in accordance with the following table?</p> <p>This measure does not cover electric vehicles. See Question 4 for electric vehicle parking requirements.</p> <p>Note: Vehicles bearing Clean Air Vehicle stickers from expired HOV lane programs may be considered eligible for designated parking spaces. The</p>	<p><b>Not Applicable.</b></p> <p>The proposed project is residential.</p>

**Table 5.7-3.  
Climate Action Plan Consistency Checklist**

CAP Consistency Checklist Item	Compliance
<p>required designated parking spaces are to be provided within the overall minimum parking requirement, not in addition to it.</p> <p>Check “N/A” only if the project is a residential project, or if it does not include nonresidential use in a TPA.</p>	
<p><b>7. Transportation Demand Management Program:</b></p> <p>If the project would accommodate over 50 tenant-occupants (employees), would it include a transportation demand management program that would be applicable to existing tenants and future tenants that includes:</p> <p>At least one of the following components:</p> <ul style="list-style-type: none"> <li>• Parking cash out program</li> <li>• Parking management plan that includes charging employees market-rate for single-occupancy vehicle parking and providing reserved, discounted, or free spaces for registered carpools or vanpools</li> <li>• Unbundled parking whereby parking spaces would be leased or sold separately from the rental or purchase fees for the development for the life of the development</li> </ul> <p>And at least three of the following components:</p> <ul style="list-style-type: none"> <li>• Commitment to maintaining an employer network in the SANDAG iCommute program and promoting its RideMatcher service to tenants/employees</li> <li>• On-site carsharing vehicle(s) or bikesharing</li> <li>• Flexible or alternative work hours</li> <li>• Telework program</li> <li>• Transit, carpool, and vanpool subsidies</li> <li>• Pre-tax deduction for transit or vanpool fares and bicycle commute costs</li> <li>• Access to services that reduce the need to drive, such as cafes, commercial stores, banks, post offices, restaurants, gyms, or childcare, either on site or within 1,320 feet (1/4 mile) of the structure/use?</li> </ul> <p>Check “N/A” only if the project is a residential project or if it would not accommodate over 50 tenant-occupants (employees).</p>	<p><b>Not Applicable.</b></p> <p>The proposed project is residential.</p>

**Source:** Appendix C.

**Notes:** N/A = not applicable; psi = pounds per square inch; EV = electric vehicle; TPA = Transit Priority Area; HOV = high-occupancy vehicle; SANDAG = San Diego Association of Governments.

As shown in Table 5.7-3, the project would be consistent with all applicable GHG reduction strategies found within Step 2 of the CAP Consistency Checklist.

### Significance of Impact

The project would not be consistent with City's CAP because of the changes in land use and zoning designation, and does not include a land use plan and/or zoning designation amendment that would result in an equivalent or less GHG-intensive project when compared to the existing designation. Therefore, the project would conflict with the City's CAP or any applicable plan, policy, or regulation for the purpose of reducing GHG emissions. Impacts would be **potentially significant (Impact GHG-1)**.

### Mitigation

The project would include all the reduction measures outlined in the City's CAP that are applicable including cool/green roofs, low-flow plumbing fixtures, and electrical vehicular charging as discussed below.

**MM-GHG-1 CAP Strategy 1- Cool Roofs.** Prior to the issuance of residential building permits, the project applicant or its designee shall submit building plans illustrating that residential structures shall meet the U.S. Green Building Council standards for cool roofs. This is defined as achieving a three-year solar reflectance index (SRI) of 64 for a low-sloped roof and an SRI of 32 for a high-sloped roof.

**MM-GHG-2 CAP Strategy 1 - Low Flow Plumbing Fixtures.** Prior to the issuance of residential building permits, the project applicant or its designee shall submit building plans illustrating that residential structures shall have low flow fixtures including: kitchen faucets with a maximum flow rate not to exceed 1.5 gallons per minute at 60psi; standard dishwashers at 4.25 gallons per cycle; compact dishwashers at 3.5 gallons per cycle and clothes washers with a water factor of 6 gallons per cubic feet of drum capacity.

**MM-GHG-3 CAP Strategy 2 - Electrical Vehicle Charging Stations.** Prior to the issuance of building permits, the proposed project applicant or its designee shall submit building plans illustrating that the project provides electrical vehicle charging stations at 5% of the on-site parking (6 spaces).

**MM-GHG-4 Beyond CAP Strategy 2 - Electrical Vehicle Charging Stations.** Prior to the issuance of building permits, the proposed project applicant or its designee shall submit building plans illustrating that the project provides an additional 5% of on-site parking as EV capable spaces above Title 24 code and half of those additional spaces as EV charging stations.

In addition, the project would also implement MM-TRA-1 to MM-TRA-5 that would reduce GHG emissions, as detailed in the transportation analysis in Section 5.2.3.

### Significance of Impact After Mitigation

**MM-GHG-1** and **MM-GHG-2** would reduce energy usage and associated GHG emissions. **MM-GHG-1** would reduce the energy usage required by HVAC equipment at the project site, which would reduce resulting GHG emissions from building energy demand. **MM-GHG-2** would reduce water

consumption at the project site, which would reduce resulting energy demand required to transport water to and from the project, further reducing GHG emissions associated with the project.

**MM-GHG-3** and **MM-GHG-4** would allow for additional on-site charging of electric vehicles. Based on the current plans (117 on-site parking spaces), the project is already required to provide 12 EV capable spaces (i.e., 10% of on-site parking spaces as EV capable) per Title 24 and 6 of those spaces as EV charging stations (i.e., 50% of the EV capable spaces installed with EV charging stations) per the CAP Consistency Checklist. An additional 5% would entail an additional 6 EV capable spaces, and 3 of those spaces as EV charging stations. Overall, with mitigation, the project would provide 9 spaces that are only prewired for EV charging stations and 9 spaces that include full EV charging stations. While on-site charging would increase energy demand at the project site, it would reduce overall energy demand and would encourage electric vehicle use by expanding vehicle charging locations. GHG emissions generated by gasoline-powered vehicles would also decrease.

**MM-TRA-1** would provide an improved pedestrian connection to transit and would encourage transit usage to reduce overall vehicular GHG emissions associated with the project. **MM-TRA-3** would further encourage transit use by subsidizing transit passes for residents for 5 years. These measures are intended to reduce personal vehicle usage to reduce GHG emissions associated with the project. **MM-TRA-5** would require the provision of a one-page flyer to residents yearly with information regarding available transit, designated bicycle routes, local bicycle groups and programs, local walking routes and programs, and rideshare programs. This program is intended to encourage residents to utilize other methods of transportation and to carpool to reduce VMT and associated vehicular GHG emissions.

**MM-TRA-2, and MM-TRA-5** would provide for additional bike parking and provide a bike for each unit, which would encourage residents to utilize bicycles instead of vehicles for transportation. The project's vehicular GHG emissions would be reduced by this measure. In addition to the above measures, improvements to the local northbound and southbound bus stops at the Paseo Montrail and Rancho Peñasquitos Boulevard intersections were considered to encourage future occupants of the project to utilize transit instead of personal vehicles. The use of transit instead of personal vehicles would reduce GHG emissions generated by the project. However, such improvements were determined to be infeasible given that the Peñasquitos East Maintenance Area District and MTS both indicated that they would not be willing to accept the improvement considering the existing and existing plus project ridership does not warrant the improvement and the bus stops already include adequate amenities suitable for these stops.

While these measures are expected to reduce GHG emissions, the GHG emission reductions are not quantified because the GHG reductions from these mitigation measures can't be substantiated within an acceptable level of accuracy (CAPCOA 2009). Per the City's CAP Consistency Checklist, a project that was not accounted for in the CAP would have a significant impact with regards to GHGs. As the site is designated as open space, the CAP assumed the site would generate no emissions. To meet the assumptions in the CAP, the project would have to obtain net zero or negative GHG emissions. In conclusion, the proposed project's GHG emission impact (**Impact GHG-1**) would be **significant and unavoidable** after mitigation.

## 5.8 Health and Safety

This section describes the existing health and safety conditions of the proposed Paseo Montril Project (project) site, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures, if applicable, related to implementation of the project. The following discussion is based on the Hazardous Materials Assessment (HMA) for the Paseo Montril project prepared by Dudek (September 2020) and included as Appendix F.

### 5.8.1 Existing Conditions

#### **Physical Conditions**

Currently, the project site is undeveloped, surrounded by existing residential, commercial, and transportation infrastructure. The site is primarily characterized by undeveloped land on a hillside (comprised of native vegetation communities) and contains areas of non-native vegetation communities and urban/developed land and disturbed habitat. The off-site area consists of urban/developed land (the existing Paseo Montril road).

The surrounding development consists of residential (single-family) to the north, and commercial development along Rancho Peñasquitos Boulevard. Multi-family homes exist to the west of the project site, along the southbound lane of Rancho Peñasquitos Boulevard, including the Rancho Villas, eaves Ranch Peñasquitos, and Peñasquitos Point complexes. Additional multi-family homes exist along the portion of Paseo Montril to the west of Rancho Peñasquitos Boulevard.

The Peñasquitos Creek, which flows east-west, is located approximately 0.4 miles south of the project site. The depth to groundwater as reported in cleanup documents for sites just west of the project site ranges between approximately 4 to 31 feet below ground surface (bgs) and groundwater flow direction is towards the south and southwest (Appendix F).

Morning Creek Elementary School, located at 10925 Morning Creek Drive South, is the closes school to the site, approximately 0.50 miles west of the project site.

#### **Site History**

Based on a review of publicly available aerial photographs performed as part of the HMA, the project site has been vacant and undeveloped since 1953, consisting of natural vegetation. An unimproved road or trail appeared to traverse the project site in 1972. Residential development to the north and west the project site began to occur between 1967 and 1972. The area to the south of the project site and areas adjacent to the present-day Interstate I-15 appear to be undeveloped as of 1964. Between 1966 and 1967, Interstate I-15 (I-15) appears to be developed as two-way primary highway, and a new ramp for the I-15 was present to the south of the project site. Rancho Peñasquitos Boulevard was developed as a paved road as of 1972. As of 1989, an area in the southwestern portion of the project site has been graded and is the termination of the Paseo Montril roadway.

### **Hazardous Materials**

Government Code Section 65962.5 requires the California Department of Toxic Substances Control (DTSC), the State Department of Health Services, the State Water Resources Control Board (SWRCB), and the California Department of Resources Recycling and Recovery to compile and annually update lists of hazardous waste sites and lands designated as hazardous waste sites throughout the state. The provisions in Government Code Section 65962.5 are commonly referred to as the “Cortese List.” The Cortese List was reviewed for hazardous waste sites along the project alignment. Resources included on the Cortese List include the following:

- List of hazardous waste and substances sites from the DTSC EnviroStor database
- List of open, active leaking underground storage tank (LUST) sites from the SWRCB GeoTracker database
- List of solid waste disposal sites identified by SWRCB with waste constituents above hazardous waste levels outside the waste management unit
- List of active cease-and-desist orders and cleanup and abatement orders from SWRCB
- List of hazardous waste facilities subject to corrective action identified by DTSC

The above-listed databases and lists for information regarding hazardous materials or hazardous wastes were reviewed to determine what if any potential contamination exists within the boundaries of the project site. The project site was not identified in any of the Cortese List databases.

### ***Additional Environmental Databases***

Local and regional sources were also used in the HMA to obtain information pertaining to the project site and/or indications of RECs in connection with the project site. These additional environmental databases and sources include California Environmental Protection Agency (CalEPA), DTSC EnviroStor database, the Regional Water Quality Control Board (RWQCB) GeoTracker database, and the National Pipeline Mapping System.

Eighteen cases were identified on the CalEPA website within 0.5-miles of the project site. None of the cases were on the project site; however, there were no indications of unauthorized or uncontrolled releases of substances to the environment that could potentially impact the project site. No sites were identified within 0.5 miles of the project site in the EnviroStor database. Three LUST sites were identified within 0.5 miles of the project site in the GeoTracker database. These sites are approximately 500-600 feet west and southwest of the project site. These sites involve a release of hazardous substances or petroleum products to the environment. Based on the information provided, the regulatory status (closed), groundwater gradient and flow direction, and distance from the project site, it is unlikely that the LUST cases at these sites have impacted the project site. One active natural gas transmission line is located approximately 0.3 miles to the west of the project site; it is oriented approximately northeast-southwest. The transmission line is operated by the San Diego Gas and Electrical Company. No accidents or incidents were identified within 1-mile of the project site.

### **Emergency Response/Evacuation**

The City is a participating jurisdiction in the San Diego County Multi-Jurisdictional Hazard Mitigation Plan (MHMP), a County-wide plan to identify risks and minimize damage from natural and man-made disasters (County of San Diego 2017). The primary goals of the MHMP include efforts to promote and provide compliance with applicable regulatory requirements (including through the promulgation/enhancement of local requirements), increase public awareness and understanding of hazard-related issues, and foster inter-jurisdictional coordination.

The San Diego Office of Homeland Security oversees the City's homeland security, disaster preparedness, emergency management, and recovery/mitigation programs. The primary focus of this effort is to ensure comprehensive emergency preparedness, training, response, recovery, and mitigation services for disaster-related effects. The Office of Homeland Security also maintains the City's Emergency Operations Center (EOC) and an alternate EOC in a ready-to-activate status, ensures that assigned staff are fully trained and capable of carrying out their responsibilities during activations, and manages the EOC during responses to multidepartment and City-wide emergencies to support incident response activities and maintain City-wide response capabilities (County of San Diego 2017).

Additionally, the City is a participating agency in the County's Unified San Diego County Emergency Services Organization and County of San Diego Operational Area Emergency Operations Plan (EOP) (County of San Diego 2018a), which addresses emergency issues including evacuation. Annex Q (Evacuation) of the EOP notes that "Primary evacuation routes consist of major interstates, highways and prime arterials within San Diego County" (County of San Diego 2018b). The closest primary evacuation route within the vicinity of the project site is Interstate (I) 15, located immediately to the east of the site. State Route (SR) 56 is located approximately 0.75 mile to the north of the project site (County of San Diego 2018b).

### **Airport Hazards**

The ALUCP for MCAS Miramar maps the project site within AIA Review Area 2. Within Review Area 2, only land use actions for which the height of objects is an issue are subject to ALUC review (SDCRAA 2008). The project site is not within FAA Part 77 Notification Area and is therefore not required to undergo review by the FAA for obstruction evaluation.

## 5.8.2 Regulatory Framework

### **Federal**

#### ***Comprehensive Environmental Response, Compensation, and Liability Act and Superfund Amendments and Reauthorization Act***

Congress enacted the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as Superfund, on December 11, 1980. CERCLA established prohibitions and requirements concerning closed and abandoned hazardous waste sites; provided for liability of persons responsible for releases of hazardous waste at these sites; and established

a trust fund to provide for cleanup when no responsible party could be identified. The Superfund Amendments and Reauthorization Act (SARA) amended CERCLA on October 17, 1986. SARA stressed the importance of permanent remedies and innovative treatment technologies in cleaning up hazardous waste sites; required Superfund actions to consider the standards and requirements found in other state and federal environmental laws and regulations; provided new enforcement authorities and settlement tools; increased state involvement in every phase of the Superfund program; increased the focus on human health problems posed by hazardous waste sites; encouraged greater citizen participation in making decisions on how sites should be cleaned up; and increased the size of the trust fund to \$8.5 billion.

### ***Emergency Planning Community Right-to-Know Act***

The Emergency Planning Community Right-to-Know Act, also known as SARA Title III, was enacted in October 1986. This law requires any infrastructure at the state and local levels to plan for chemical emergencies. Reported information is then made publicly available so that interested parties may become informed about potentially dangerous chemicals in their community. SARA Title III Sections 301 through 312 are administered by EPA's Office of Emergency Management. In California, SARA Title III is implemented through the California Accidental Release Prevention (CalARP) program.

### ***Federal Response Plan***

The Federal Response Plan of 1999 is a signed agreement among 27 federal departments and agencies, including the American Red Cross, that (1) provides the mechanism for coordinating delivery of federal assistance and resources to augment efforts of state and local governments overwhelmed by a major disaster or emergency; (2) supports implementation of the Robert T. Stafford Disaster Relief and Emergency Act (Stafford Act), as well as individual agency statutory authorities; and (3) supplements other federal emergency operations plans developed to address specific hazards. The Federal Response Plan is implemented in anticipation of a significant event likely to result in a need for federal assistance or in response to an actual event requiring federal assistance under a presidential declaration of a major disaster or emergency.

### ***Hazardous Materials Transportation Act***

The U.S. Department of Transportation regulates hazardous materials transportation under Title 49 of the Code of Federal Regulations. The California Highway Patrol and the California Department of Transportation are the state agencies with primary responsibility for enforcing federal and state regulations and responding to hazardous materials transportation emergencies. These agencies also govern permitting for hazardous materials transportation. Title 49 of the Code of Federal Regulations reflects laws passed by Congress as of January 2, 2006.

### ***International Fire Code***

The International Fire Code (IFC), created by the International Code Council, is the primary means for authorizing and enforcing procedures and mechanisms to ensure the safe handling and storage of any substance that may pose a threat to public health and safety. The IFC regulates the use, handling, and storage requirements for hazardous materials at fixed facilities. The IFC and the International Building Code use a hazard classification system to determine what measures are required to protect fire and

life safety. These measures may include construction standards, separation from project site lines, and specialized equipment. To ensure that these safety measures are met, the IFC employs a permit system based on hazard classification. The IFC is updated every 3 years.

### ***National Emissions Standards for Hazardous Air Pollutants Program***

Under federal law, 188 substances are listed as hazardous air pollutants. Major sources of specific hazardous air pollutants are subject to the requirements of the EPA's National Emissions Standards for Hazardous Air Pollutants program. The EPA establishes regulatory schemes for specific source categories, and requires implementation of maximum achievable control technologies for major sources of hazardous air pollutants in each source category. State law has established the framework for California's Toxic Air Contaminant Identification and Control Program, which is generally more stringent than the federal program, and is aimed at hazardous air pollutants that are a problem in California. The state has formally identified more than 200 substances as toxic air contaminants, and is adopting appropriate control measures for each. Once adopted at the state level, each local air district will be required to adopt a measure that is equally or more stringent.

### ***Occupational Safety and Health Act***

Congress passed the Occupational Safety and Health Act to ensure worker and workplace safety. Its goal was to make sure employers provide their workers a place of employment free from recognized hazards to safety and health, such as exposure to toxic chemicals, excessive noise levels, mechanical dangers, heat or cold stress, or unsanitary conditions. In order to establish standards for workplace health and safety, the Occupational Safety and Health Act also created the National Institute for Occupational Safety and Health as the research institution for the Occupational Safety and Health Administration (OSHA). OSHA is a division of the U.S. Department of Labor that oversees the administration of the Occupational Safety and Health Act and enforces standards in all 50 states. Because California has an approved state plan, only California Occupational Safety and Health Administration (Cal/OSHA) standards apply to the project site.

### ***Renovating, Repair, and Painting Rule***

In 2008, EPA issued the Renovation, Repair, and Painting Rule. This rule requires that firms performing renovation, repair, and painting projects that disturb lead-based paint in pre-1978 homes, childcare facilities, and schools be certified by EPA, and that they use certified renovators who are trained by EPA-approved training providers to follow lead-safe work practices. Individuals can become certified renovators by taking an 8-hour training course from an EPA-approved training provider. Contractors must use lead-safe work practices and follow these three procedures: (1) contain the work area, (2) minimize dust, and (3) clean up thoroughly.

### ***Resource Conservation and Recovery Act***

Federal hazardous waste laws are generally promulgated under the Resource Conservation and Recovery Act (RCRA), as amended by the Hazardous and Solid Waste Amendments of 1984. These laws provide for the "cradle to grave" regulation of hazardous wastes. Any business, institution, or other entity that generates hazardous waste is required to identify and track its hazardous waste from the point of generation until it is recycled, reused, or disposed of. The DTSC is responsible for

implementing the RCRA program as well as California's own hazardous waste laws, which are collectively known as the Hazardous Waste Control Law. Under the Certified Unified Program Agency program, the California Environmental Protection Agency (CalEPA) has in turn delegated enforcement authority to DEH for regulating hazardous waste producers or generators.

### ***Robert T. Stafford Disaster Relief and Emergency Assistance Act***

Code of Federal Regulations Sections 206.31–206.48 provide the statutory framework for a presidential declaration of an emergency or a declaration of a major disaster. Such declarations open the way for a wide range of federal resources to be made available to assist in dealing with an emergency or major disaster. The Stafford Act structure for the declaration process reflects the fact that federal resources under this act supplement state and local resources for disaster relief and recovery. Except in the case of an emergency involving a subject area that is exclusively or preeminently in the federal purview, the governor of an affected state, or acting governor if the governor is not available, must request such a declaration by the president.

### ***Risk Assessment and Regional Screening Levels***

EPA and DTSC use risk assessments to characterize the nature and magnitude of health risks to humans and ecological receptors from chemical contaminants and other stressors that may be present in the environment. In general terms, risk depends on the following three factors: how much of a chemical is present in an environmental medium (air, soil, or water); how much contact (exposure) a person or ecological receptor has with the contaminated environmental medium; and the inherent toxicity of the chemical. EPA developed regional screening levels (RSLs) that provide a unified set of screening level/preliminary remediation goals for all EPA regions for screening chemical contaminants at Superfund sites. The RSLs replaced the preliminary remediation goals (PRGs) in 2008. The RSLs are calculated using the latest toxicity values, default exposure assumptions, and physical and chemical properties. The EPA considers RSLs to be protective for humans (including sensitive groups) over a lifetime. Under most circumstances, the presence of a chemical in soil, soil gas, or indoor air at concentrations below the corresponding RSLs can be assumed to not pose a significant health risk to people who may live (residential RSLs) or work (commercial/industrial RSLs) at the site. The EPA RSL tables were most recently updated in November 2018.

The DTSC Human and Ecological Risk Office (HERO) incorporated the EPA RSLs into the HERO human health risk assessment. The HERO review of the EPA RSLs determined that the revised RSLs included some levels that were substantially higher, and therefore less protective, than the previous PRGs. HERO therefore created Human Health Risk Assessment Note 3, which incorporates HERO recommendations and DTSC-modified screening levels based on review of the EPA RSLs. The DTSC-modified screening levels should be used in conjunction with the EPA RSLs to evaluate chemical concentrations in environmental media at California sites and facilities. The HERO Human Health Risk Assessment Note 3 was most recently updated in April 2019.

### State

#### ***California Emergency Services Act***

The California Emergency Services Act was adopted to establish the state's role and responsibilities during human-caused or natural emergencies that result in conditions of disaster and/or extreme peril to life, property, or the resources of the state. The California Emergency Services Act is intended to protect health and safety by preserving the lives and property of the people of the state. The Office of Emergency Services coordinates the responses of other agencies, including EPA, California Highway Patrol, the RWQCBs, air quality management districts, and county disaster response offices.

#### ***Emergency Response to Hazardous Materials Incidents***

California has developed an emergency response plan to coordinate emergency services provided by federal, state, and local government, and private agencies. The emergency response plan is administered by the California Emergency Management Agency and includes response to hazardous materials incidents. The California Emergency Management Agency coordinates the response of other agencies, including CalEPA, California Highway Patrol, California Department of Fish and Wildlife, the RWQCBs, San Diego Air Pollution Control District, SDFRD, and the DEH Hazardous Incident Response Team.

#### ***Hazardous Waste and Substances Sites List***

The Hazardous Waste and Substances Sites List (Cortese List) is a planning document used by the state, local agencies, and developers to comply with CEQA requirements by providing information about the location of hazardous materials release sites. Government Code Section 65962.5(a) requires CalEPA to develop an updated Cortese List annually, at minimum. DTSC is responsible for a portion of the information contained in the Cortese List. Other state and local government agencies are required to provide additional hazardous materials release information for the Cortese List.

#### ***Hazardous Materials Release Response Plans and Inventory***

Two programs found in California Health and Safety Code Chapter 6.95 are directly applicable to the CEQA issue of risk due to hazardous substances release: the Hazardous Materials Business Plan program and the CalARP Program. In the San Diego region, DEH is responsible for implementing the Hazardous Materials Business Plan program and the CalARP Program, which provide threshold quantities for regulated hazardous substances. When the indicated quantities are exceeded, a hazardous materials business plan or risk management plan is required pursuant to the regulation. Congress requires EPA Region 9 to make risk management plan information available to the public through the EPA's Envirofacts data warehouse. Envirofacts is considered the single point of access to select EPA environmental data.

#### ***Senate Bill 1889 – Accidental Release Prevention Law/CalARP Program***

Senate Bill 1889 required California to implement a new federally mandated program governing the accidental airborne release of chemicals promulgated under Section 112 of the Clean Air Act.

Effective January 1, 1997, the Accidental Release Prevention Law/CalARP Program replaced the previous California Risk Management and Prevention Program and incorporated the mandatory federal requirements. The CalARP Program addresses facilities that contain specified hazardous materials (known as regulated substances) that, if involved in an accidental release, could result in adverse off-site consequences. The CalARP Program defines regulated substances as chemicals that pose a threat to public health and safety or the environment because they are highly toxic, flammable, or explosive.

### ***Title 14, Division 1.5 of the California Code of Regulations***

Title 14, Division 1.5 of the California Code of Regulations establishes the regulations for CAL FIRE and is applicable in all State Responsibility Areas where CAL FIRE is responsible for wildfire protection. Development within State Responsibility Areas must comply with these regulations. Among other things, Title 14 establishes minimum standards for emergency access, fuel modification, project site line setbacks, signage, and water supply.

### ***Title 22 of the California Code of Regulations and Hazardous Waste Control Law, Chapter 6.5***

DTSC regulates the generation, transportation, treatment, storage and disposal of hazardous waste under RCRA and the California Hazardous Waste Control Law. Both laws impose “cradle to grave” regulatory systems for handling hazardous waste in a manner that protects human health and the environment. CalEPA has delegated some of its authority under the Hazardous Waste Control Law to county health departments and other Certified Unified Program Agencies, including DEH.

### ***Underground Storage Tank Act***

The Underground Storage Tank Act monitoring and response program is required under Chapter 6.7 of the California Health and Safety Code and Title 23 of the California Code of Regulations. The program was developed to ensure that facilities meet regulatory requirements for design, monitoring, maintenance, and emergency response in operating or owning USTs. DEH is the administering agency for this program in the project area.

### ***California Air Resources Board Air Quality and Land Use Handbook***

CARB’s primary goal in developing this document is to provide information that will help keep California’s children and other vulnerable populations out of harm’s way with respect to nearby sources of air pollution. CARB encourages consideration of the health impacts associated with TAC emissions from freeways and high-traffic roadways on sensitive receptors sited within 500 feet.

### ***California Occupational Safety and Health Administration***

Cal/OSHA is the primary agency responsible for worker safety in the handling and use of chemicals in the workplace. Cal/OSHA standards are required to be “as effective as” federal regulations. The employer is required to monitor worker exposure to listed hazardous substances and notify workers of exposure (8 CCR 330 et seq.). The regulations specify requirements for employee training, availability of safety equipment, accident prevention programs, and hazardous substance exposure warnings. The employer is also required, among other things, to have an illness and injury prevention program.

### ***Cal/OSHA Asbestos and Carcinogen Unit***

The Cal/OSHA Asbestos and Carcinogen Unit enforces asbestos standards in construction, shipyards, and general industry. This includes identification and removal requirements of asbestos in buildings, as well as health and safety requirements of employees performing work under the Asbestos-In-Construction regulations (8 CCR 1529). Only a Cal/OSHA-certified asbestos consultant can provide asbestos consulting (as defined in Business and Professions Code Sections 7180–7189.7, and triggered by the same size and concentration triggers as for registered contractors). These services include building inspection, abatement project design, contract administration, supervision of site surveillance technicians, sample collection, preparation of asbestos management plans, and clearance air monitoring.

### ***California Department of Public Health***

The California Department of Public Health enforces lead laws and regulations related to the prevention of lead poisoning in children, prevention of lead poisoning in occupational workers, accreditation and training for construction-related activities, lead exposure screening and reporting, disclosures, and limitations on the amount of lead found in products. Accredited lead specialists are required to find and abate lead hazards in a construction project and to perform lead-related construction work in an effective and safe manner.

### **Local**

#### ***County of San Diego Department of Environmental Health***

DEH protects public health and safeguards environmental quality, educates the public to increase environmental awareness, and implements and enforces local, state, and federal environmental laws. DEH regulates the following: retail food safety, public housing, public swimming pools, small drinking-water systems, mobile-home parks, on-site wastewater systems, recreational water, oversight and cleanup of ASTs and USTs, and medical and hazardous materials and waste.

#### ***San Diego Air Pollution Control District***

Under Regulation XI, Subpart M – National Emission Standards for Asbestos, Rule 361.145 – Standard for Demolition and Renovation, the San Diego Air Pollution Control District requires that the proponent of a proposed demolition or renovation project submit an asbestos demolition or renovation operational plan notice of intention at least 10 days prior to the onset of any asbestos stripping or removal work. It should be noted that the notice of intention is required for all demolition projects, regardless of the presence of asbestos.

#### ***County of San Diego Office of Emergency Services***

The Unified San Diego County Emergency Services Organization has primary responsibility for preparedness and response activities, and addresses disasters and emergency situations within the unincorporated area of the County. The County of San Diego Office of Emergency Services serves as staff to the Unified Disaster Council, the governing body of the Unified San Diego County Emergency

Services Organization. Emergency response and preparedness plans include the County Emergency Operations Plan and the County Multi-Jurisdictional Hazard Mitigation Plan (MHMP).

### ***Multi-Jurisdictional Hazard Mitigation Plan***

The City is a participating jurisdiction in the County MHMP, a County-wide plan that identifies risks and minimizes damage from natural and human-caused disasters. The MHMP includes an overview of the risk assessment process, vulnerability assessments, and identifies hazards present in each jurisdiction of the County. Hazards profiled in the plan include wildfire, structure fire, flood, coastal storms, erosion, tsunami, earthquakes, liquefaction, rain-induced landslide, dam failure, hazardous materials incidents, nuclear materials release, and terrorism. The MHMP sets forth a variety of objectives and actions based on a set of broad goals, including the following: (1) promoting disaster-resistant future development; (2) increasing public understanding and support for effective hazard mitigation; (3) building support of local capacity and commitment to become less vulnerable to hazards; (4) enhancing hazard mitigation coordination and communication with federal, state, local and tribal governments; and (5) reducing the possibility of damage and losses to existing assets, particularly people, critical facilities or infrastructure, and County-owned facilities, due to dam failure, earthquake, coastal storm, erosion, tsunami, landslides, floods, structural fire/wildfire, and human-caused hazards.

### ***San Diego County Site Assessment and Mitigation Program***

DEH maintains the SAM Program list of contaminated sites that have previously or are currently undergoing environmental investigations and/or remedial actions. The County SAM Program has a primary purpose to protect human health, water resources, and the environment within the County by providing oversight of assessments and cleanups in accordance with the California Health and Safety Code and the California Code of Regulations. The SAM Program's voluntary assistance program also provides staff consultation, project oversight, and technical or environmental report evaluation and concurrence (when appropriate) on projects pertaining to properties contaminated with hazardous substances.

### ***San Diego County Emergency Operations Plan***

The San Diego County EOP's operational area consists of 19 jurisdictions that range in population from several thousand to more than 1 million, with a total estimated population of more than 3.3 million. To foster a regional approach, the cities and the County joined together in 1961 to form an operational area and entered into a joint powers authority. The joint powers authority establishes procedures and protocols for participants to assist one another in the event of a disaster or major emergency exceeding the capabilities of any single jurisdiction.

### ***City of San Diego General Plan***

The City's General Plan Public Facilities, Services, and Safety Element presents goals and policies relating to hazardous materials and disaster preparedness. Further, the City's General Plan Land Use Element includes goals and policies related to airport hazards, including Policy LU-G.6, which requires all development projects to notify the Federal Aviation Administration (FAA) in areas where

the proposed development meets the notification criteria as defined by Code of Federal Regulations Title 14, Part 77.

### ***City of San Diego Municipal Code***

#### Hazardous Materials

The Hazardous Waste Establishment division of the San Diego Municipal Code (Chapter 4, Article 2, Division 8) enables the City's health officer to establish a program to monitor establishments where hazardous wastes are produced, stored, handled, disposed of, treated, or recycled, and to provide health care information and other appropriate technical assistance on a 24-hour basis to emergency responders in the event of a hazardous waste incident involving community exposure. The Disclosure of Hazardous Materials division (San Diego Municipal Code Chapter 4, Article 2, Division 9) establishes a system for the provision of information on potential hazards or hazardous materials in the community, including appropriate education and training for use of information. Elements of the system include the health officer's ability to seek advice from the Hazardous Materials Advisory Committee, the filing of a hazardous substance disclosure form, the content of the disclosure form, emergency response information, and penalties for violations.

#### High Fire Severity Zones

The San Diego Municipal Code contains the fire hazard severity zone maps and identifies the fire protection Very High FHSZs and local agency Very High FHSZs for the City area of responsibility. The adopted Fire Hazard Severity Zone Maps from CAL FIRE are maintained and codified in San Diego Municipal Code Sections 55.9401 and 145.0703(a)(2).

The Very High FHSZs are located throughout the City. Inclusion within these zones is based on five factors: density of vegetation, slope severity, 5-minute fire department response time, road class/proximity and proximity to fire hydrants, and CAL FIRE's vegetation cover and fire behavior/fuel spread model. Based on these factors, the Very High FHSZs encompass a large portion of the City, including most land use designations, major freeways and roads, various structures, and major utilities and essential public facilities.

The City's Wildland Management and Enforcement program provides information and guidelines on brush management and weed abatement in FHSZs. The City's Fire Safety and Brush Management Guide summarizes guidelines for brush management in canyon areas and landscape standards. San Diego Municipal Code Section 142.0412 regulates brush management and requires 100 feet of defensible space between structures and native wildlands. The City's Landscape Standards acknowledge fire safety is achieved by reducing flammable fuel adjacent to structures. Requirements of the landscape standards are included for pruning and thinning native and naturalized vegetation, and revegetation with low-fuel-volume plantings.

#### Airport Land Use Compatibility Zone

The San Diego Municipal Code addresses issues related to safety compatibility in the airport land use compatibility overlay zone. Chapter 13 Article 2, Division 15 establishes the Airport Land Use Compatibility Overlay Zone, which ensures that new development located within an airport

influence area for MCAS Miramar, Montgomery-Gibbs Executive Airport, Brown Field, and Gillespie Airport is compatible with respect to airport-related noise, public safety, airspace protection, and aircraft overflight areas. Regulations include safety compatibility and aircraft overflight notification.

### 5.8.3 Impacts Analysis

#### 5.8.3.1 Issues 1, 2, and 3: Hazardous Materials

**Issue 1:** *Would the proposal be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result create a significant hazard to the public or environment?*

**Issue 2:** *Would the proposal expose people to toxic substances, such as pesticides and herbicides, some of which have long-lasting ability, applied to the soil during past agricultural uses?*

**Issue 3:** *Would the proposal result in hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within a quarter-mile of an existing or proposed school?*

#### Thresholds

Per the City's Significance Determination Thresholds (City of San Diego 2020), impacts related to health and safety could be significant if the project would:

- Be located on a site on or near known contamination sources. Project sites that meet one or more of the following criteria may result in a significant impact:
  - Located within 1,000 feet of a known contamination site;
  - Located within 2,000 feet of a known border zone property (also known as a Superfund site) or a hazardous waste property subject to corrective action pursuant to the Health and Safety Code;
  - If a DEH site file is closed. These cases are especially important where excavation is involved. DEH often closes a listing when there is no longer danger to the existing use on the property. Where a change in use is proposed DEH should be consulted. Excavation, which would disturb contaminated soils, potentially resulting in the migration of hazardous substances would require consultation by the applicant and analyst with DEH. The applicant may be required to obtain a concurrence letter from DEH subsequent to participation in the Voluntary Assistance Program (VAP);
  - Properties historically developed with industrial or commercial uses which involved dewatering (the removal of groundwater during excavation), in conjunction with major excavation in an area with high groundwater.

Where dewatering is involved, prior to issuance of any permit that would allow excavation which requires dewatering, a plan for disposal of the dewatering effluent and a permit, if needed, from the Regional Water Quality Control Board or the Industrial Waste Division of MWW, shall be provided to LDR by the applicant. A Dewatering

Discharge Permit (NPDES No. CA 1018804) shall be obtained for the removal and disposal of groundwater (if necessary) encountered during construction. Discharge under this permit will require compliance with a number of physical, chemical, and thermal parameters (as applicable), along with pertinent site-specific conditions, pursuant to direction from the RWQCB. Wells, including test well, and soil percolation tests are not considered dewatering activities;

- Located on a site presently or previously used for agricultural purposes (pesticides can be routinely used and do not degrade easily).

### **Impact**

#### ***Construction***

Construction of the proposed project would involve the transport of commonly used hazardous substances, such as gasoline, diesel fuel, lubricating oil, grease, and solvents. These materials would be used and stored in designated construction staging areas within the boundaries of the project site, and once the proposed project has been constructed, any remaining materials would be transported off site. These materials would be transported, handled, and disposed of in accordance with all applicable federal, state, and local laws and regulations pertaining to the management and use of hazardous materials. Consequently, use of these materials for their intended purpose would not pose a significant risk to the public or the environment.

As there are no other hazardous materials identified on the project site; therefore, construction of the proposed project is not anticipated to disturb or require the removal of hazardous materials. However, should they be encountered during project construction, they would be handled, stored, transported, and disposed of in accordance with federal, state, and local regulations prior to construction activities. Consequently, the presence of these hazardous materials would not pose a significant risk to the public or the environment.

#### ***Hazardous Structures***

As stated in Section 5.8.1, Existing Conditions, the project site has been vacant and undeveloped since at least 1953. Interstate-15, adjacent to the project site to the east, was developed as a primary highway with ramps in the late 1960s. The adjacent and surrounding areas of the project site were developed with residential and commercial properties in the early 1970s. Thus, there are no existing structures within the project site that would require demolition that could contain hazardous materials. Consequently, the presence of hazardous structures that could contain hazardous materials would not pose a significant risk to the public or the environment as a result of project construction.

#### ***Soil Contamination***

As discussed in Section 5.8.1, the HMA did not identify any potential hazardous materials and/or waste on the project site. The HMA concluded that the project site is not listed on the Cortese List databases. Review of other regulatory databases revealed release and cleanup cases within 0.5 miles of the project site. However, based on a review of the available information, it is unlikely that these cases have impacted the project site. Therefore, no recognized environmental conditions were identified within the project site. Consequently, the presence of soil contamination that could

contain hazardous materials would not pose a significant risk to the public or the environment as a result of project construction.

### **Operation**

The project involves residential dwellings and a mix of open space and private recreational uses. Hazardous materials associated with the residential dwellings, landscape, and recreational uses would be limited to private use of commercially available cleaning products, landscaping chemicals and fertilizers, and various other commercially available substances. Although the project would introduce dwelling units to the site resulting in an increased use of commercially available potentially hazardous materials, the use of these substances would be subject to all applicable safety laws and regulations that are intended to minimize health risk to the public associated with hazardous materials.

TACs that would potentially be emitted during construction activities would be DPM emitted from heavy-duty construction equipment and heavy-duty trucks. While the duration of construction would result in a limited short-term exposure, a construction Health Risk Assessment (HRA) was performed in Appendix C to assess potential health effects of construction on the surrounding sensitive residential receptors. As detailed in Section 5.3, Air Quality and Odor, the HRA determined the project would result in a 22.63 per million risk of resulting in cancer. As this would exceed the 10 in a million risk threshold, this potential health impact was identified as potentially significant. As shown in Table 5.3-10, **MM-AQ-1** would reduce construction emissions to below the 10 in a million cancer risk threshold. Refer to Section 5.3 for additional details regarding the air quality health impacts.

While not an impact of the project on the environment, CARB encourages consideration of the health impacts associated with Toxic Air Contaminant (TAC) emissions from freeways and high-traffic roadways on sensitive receptors sited within 500 feet (CARB 2005). As detailed in Section 5.3 an HRA was performed (Appendix C) to evaluate potential health risks at future sensitive receptors of the project from diesel particulate matter (DPM) emissions from the proximate I-15 freeway. The DPM emissions from the I-15 freeway would result in a Residential Maximum Individual Cancer Risk of 7.23 in 1 million and a Residential Chronic Hazard Index of 0.0017. These impact levels would be less than the SDAPCD significance threshold of 10 per million, and would therefore not represent a substantial health risk. Refer to Section 5.3 or Appendix C for additional details regarding the air quality impact of the freeway on the project future residents.

Project conformance with standard local, state, and federal regulations pertaining to the routine transport, use, storage, or disposal of hazardous materials or hazardous wastes would ensure that potential adverse effects are minimized and that such substances are handled appropriately in the event of accidental release and would not result in hazardous emissions or handling hazardous or acutely hazardous materials, substances, or waste within 0.25 miles of an existing or proposed school.

### **Significance of Impact**

The proposed project is not located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and a significant hazard to the public or environment would not result. No existing structures or soil contamination containing hazardous materials would be disturbed by construction of the proposed project. Any hazardous materials

utilized during construction of the project, or during operation, would be transported, stored, handled, and disposed of in accordance with all applicable federal, state, and local laws and regulations pertaining to the management and use of hazardous materials. Lastly, the project would not result in hazardous emissions or handle hazardous or acutely hazardous materials, substance, or waste within 0.25 mile of an existing or proposed school. Impacts would be **less than significant**.

### Mitigation

As detailed in Section 5.3, the project construction activities have potential to generate air emissions that would result in significant health impacts.

To reduce potential health impacts during construction, the project would implement **MM-AQ-1** identified in Section 5.3.

### Significance of Impact After Mitigation

As shown in Table 5.3-10, **MM-AQ-1** would reduce construction emissions to below the 10 in a million-cancer risk threshold. Thus, with the implementation of mitigation, the project construction air quality emission impact would be below a level of significance.

### 5.8.3.2 Issues 4 and 5: Airport Hazards

**Issue 4:** *Would the project result in a safety hazard for people residing or working in a designated airport influence area?*

**Issue 5:** *Would the project result in a safety hazard for people residing or working in a designated airport influence area or within two miles of a private airstrip or heliport facility that is not covered by an adopted ALUCP?*

### Thresholds

Per the City's Significance Determination Thresholds, health and safety impacts may be significant if the project would:

- Be located in a designated airport influence area and where the FAA has reached a determination of "hazard" through FAA Form 7460-1, "Notice of Proposed Construction or Alteration" as required by FAA regulations in CFR Title 14 Section 77.13;
- Be inconsistent with an ALCUP; or
- Result in a safety hazard for people residing or working within 2.0 miles of a private airstrip or heliport facility that is not covered by an adopted ALCUP.

### Impact

The project is located within Marine Corps Air Station (MCAS) Miramar Airport Influence Area – Review Area 2 (Review Area 2). Review Area 2 consists of locations beyond Review Area 1 but within the airspace protection and/or overflight areas. Limits on the heights of structures, particularly in areas of high terrain, are the only restrictions on land uses within Review Area 2. The additional function of Review Area 2 is to define where various mechanisms to alert prospective property owners about the

nearby airport are appropriate. The project site is not located within the boundary of the noise contours for MCAS Miramar, and is not within a Safety Zone for MCAS Miramar (SDCRAA 2008).

The proposed project would introduce structures at the project site that would not exceed 40 feet in height (inclusive of all building appurtenances such as mechanical equipment). Once, graded, the project site would range in elevation from 580 feet above mean sea level (MSL) at the northwest corner to approximately 440 feet above MSL at the southwest corner. The maximum elevation of buildings within the site would fall below the maximum grade level, at approximately 550 feet above MSL. The closest buildings to MCAS Miramar would be located approximately 5.5 miles from the nearest edge of the MCAS Miramar runway and the ultimate elevation of the buildings would be below the maximum grade height of slopes within the project site. Ultimately, the project would be conditioned to complete a Determination of No Hazard with the FAA prior to construction (Section 3.3.9, Discretionary Actions). Compliance with the FAA regulations and the ALUCP Review Area 2 requirements would ensure the project would result in a less than significant airport safety hazard impact.

### Significance of Impact

The project site is not located within the MCAS Miramar Safety Zone (SDCRAA 2008); therefore, no conflicts within the MCAS Miramar Safety Zone would occur. As such, the project would not result in airport safety hazards for people residing or working in the project area. The project would be consistent with the applicable ALUCP and the project would not result in a safety hazard for people residing or working within an airport influence area. Also, the project is not located within 2.0 miles of a private airstrip or helipad facility (TollFreeAirline.com 2020). The project would comply with the ALUCP Review Area 2 and FAA Determination of No Hazards requirements. Consequently, impacts would be **less than significant**.

### Mitigation

No mitigation would be required.

### 5.8.3.3 Issue 6: Wildland Fires

**Issue 6:** *Would the project expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including when wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?*

### Threshold

Per the City's Significance Determination Thresholds, health and safety impacts may be significant if the project would expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including when wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.

### Impact

As discussed in Section 5.18, Wildfire, and shown in the associated Figure 5.18-1, the project site is within an urbanized area but is also located in and near lands classified as Very High Fire Hazard Severity Zones. Accordingly, the project would implement the City's Brush Management Regulations

found in Section 142.0412 of the Land Development Code that requires design measures to ensure adequate fire safety is provided for development. This includes brush management Zones 1 and 2, as shown on Figure 3-1, Site Plan.

Brush management Zone One is the area adjacent to the structure and shall be the least flammable. It shall consist of pavement and permanently irrigated ornamental planting and trees canopies no closer than 10' from the habitable structure. Brush management Zone One shall not be allowed on the project's slopes with a gradient greater than 4:1. Brush management Zone Two is the area between Zone One and any area of native or naturalized vegetation and would consist of thinned, native, or naturalized non-irrigated vegetation. As shown on the landscape development plan, the development cannot provide the full defensible space required, and therefore, is subject to alternative compliance measures. Alternative compliance measures for Buildings 1, 2, and 3 are required due to the reduced brush management Zone Two. Alternative compliance measures proposed for these buildings would include a combo masonry block/1-hr fire rated wall or a 6' high masonry block wall. Any additional specific measures would be determined during the ministerial review and would be under the purview of Fire-review staff. Maintenance of brush management zones shall include the removal of invasive species. Management and maintenance of brush management zones will be the responsibility of the Paseo Montril HOA. In addition, all habitable structures would be equipped with automatic alarm and sprinkler systems and would have fire resistance construction per Chapter 7A of the CBC. Refer to Section 5.18 for additional details.

The proposed project evacuation would not occur through wildlands. The evacuation route for future project residents would be along Paseo Montril towards the urbanized area with easy access from Rancho Peñasquitos Boulevard to the SR-56 and I-15 freeways, as discussed in more detail under Issue 7 below. The project would also provide adequate emergency access in the event of a fire, as discussed in Section 5.2.3. In summary, the project would result in a less than significant loss risk related to wildfires considering the project would provide brush management per Section 142.0412 of the Land Development Code, building design features per Chapter 7A of the CBC, and emergency access in accordance with San Diego Municipal Code Sections 55.8701 and 55.8703. Refer to Section 5.18.3 for additional analysis of wildfire risk impacts.

### **Significance of Impact**

Impacts related to exposure to wildfire risk would be **less than significant**.

### **Mitigation**

No mitigation would be required.

### 5.8.3.4 Issue 7: Emergency Response Plan or Emergency Evacuation Plan

**Issue 7: Would the project impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

#### **Threshold**

Per the City's Significance Determination Thresholds, health and safety impacts may be significant if the project would impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan.

#### **Impact**

As discussed in Section 5.8.2, Regulatory Framework, the City is a participating entity in the MHMP (County of San Diego 2017), which is generally intended to provide compliance with regulatory requirements associated with emergency response efforts. The EOP (County of San Diego 2018a) identifies a broad range of potential hazards and a response plan for public protection. The EOP identifies major interstates and highways within San Diego County that could be used as primary routes for evacuation. For emergency evacuation, the EOP identifies I-15 and SR-56 as emergency evacuation routes in the vicinity of the project site. The project site is adjacent to I-15 to the east, with vehicular access to I-15 provided at the on-ramps approximately 0.25 miles south of the Paseo Montril intersection with Rancho Peñasquitos Boulevard. Vehicle access to SR-56 is located approximately 0.6 miles to the north of the Paseo Montril intersection with Rancho Peñasquitos Boulevard. Per the LMA Analysis (Appendix B.1), the proposed project is anticipated to add 440 average daily trips to and from the project site. No intersection or roadway improvements are proposed as part of the project and the project would not result in a significant addition of traffic (Appendix B.1); thus, the project would not interfere with access to these evacuation routes.

In addition, the private access roads would be constructed in accordance with San Diego Municipal Code Sections 55.8701 and 55.8703, which outline the requirements for fire apparatus access to ensure adequate emergency access within the project site. The project would not impair implementation of, or physically interfere with, the San Diego Emergency Plan. Additionally, the project was reviewed by the San Diego Fire-Rescue and the SDPD to ensure compliance with applicable safety standards.

#### **Significance of Impact**

The project would not impair or physically interfere with an adopted emergency response or evacuation plan and impacts would be **less than significant**.

#### **Mitigation**

No mitigation would be required.

## 5.9 Hydrology

This section describes the existing hydrology conditions of the proposed Paseo Montril Project (project) site, identifies associated regulatory requirements and evaluates potential impacts related to implementation of the project. The following discussion is based on the Geotechnical Investigation and associated updates, prepared by Geocon Inc. (January 5, 2018, March 2, 2020, September 2020 and February 22, 2021); the Drainage Report, prepared by Chang Consultants (April 2021); and the Preliminary Priority Development Project (PDP) Storm Water Quality Management Plan (SWQMP), prepared by Chang Consultants (April 2021). These reports are included as Appendices E.1 through E.4, G, and I, respectively.

### 5.9.1 Existing Conditions

#### Existing Drainage Patterns

Currently, the project site is undeveloped, surrounded by existing residential, commercial, and transportation infrastructure. The site is primarily characterized by undeveloped land on a hillside with both native vegetation communities and disturbed areas. The off-site area consists of developed land (the existing Paseo Montril roadway). Due to the topography and site conditions, runoff enters the site from the north and sheet flows in a southerly to southeasterly direction over the moderate to steeply sloping natural hillside. There are two ridges within the project site, which create three drainage basins, identified as Drainage Basin 1, 2 and 3 as shown on Figure 5.9-1, Existing Hydrologic Setting. The sheet flows within Lot 1 ultimately discharge at three locations, as follows:

- Paseo Montril: Runoff within Drainage Basin 1 flows onto Paseo Montril (off-site area) and is then conveyed easterly away from the project site along the roadway.
- Caltrans Storm Drain South Inlet: Runoff within Drainage Basin 2 flows to a Caltrans storm drain system near the bottom of the hillside on the western side of Interstate 15 (I-15).
- Caltrans Storm Drain North Inlet: Runoff within Drainage Basin 3 flows to a Caltrans storm drain system near the bottom of the hillside on the western side of Interstate 15 (I-15).

As the runoff enters the Caltrans storm drain system at either the north or south inlet, the runoff is conveyed southerly away from the project site along I-15 within the storm drain system. All runoff from the site ultimately enters Los Peñasquitos Creek, located approximately 0.5-miles south of the project site (Appendix G). The existing runoff conditions within the three drainage basins are provided in Table 5.9-1.

**Table 5.9-1.  
Existing Runoff Conditions**

Discharge Locations	Existing Conditions		
	Drainage Basin	Acres	100-year flow (cfs)
Paseo Montril	1	0.65	1.0
Caltrans Storm Drain South Inlet	2	1.07	1.5
Caltrans Storm Drain North Inlet	3	1.48	2.2

**Source:** Appendix G.

**Notes:** cfs = cubic feet per second.

### **Groundwater**

No groundwater was encountered during field investigations of the project site (Appendix E.1). However, the Metamorphic rock found on the project site has permeability characteristics and fracture systems that are conducive to water migration (natural or artificially induced by irrigation) that may result in seepage where none previously occurred (Appendix E.1).

### **Floodplains**

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) No. 06073C1353G, the project site is not located with any flood hazard areas (100-year Flood Plain) (FEMA 2012).

## 5.9.2 Regulatory Framework

### **Federal**

#### ***National Pollutant Discharge Elimination System Permit Program Phase I***

In November 1990, under Phase I of the urban runoff management strategy, the U.S. Environmental Protection Agency published National Pollutant Discharge Elimination System (NPDES) permit application requirements for municipal, industrial, and construction discharges. The application requirements for municipalities were directed at those municipalities that own and operate separate storm drain systems service populations of 100,000 or more, or that contribute significant pollutants to waters of the United States, and require such agencies to obtain coverage under municipal stormwater NPDES permits.

Municipalities were required to develop and implement urban runoff management programs to reduce pollutants in urban runoff and stormwater discharges that were contributing a substantial pollutant load to their systems. Rather than establishing numeric effluent limits, the U.S. Environmental Protection Agency established narrative effluent limits for urban runoff, including the requirement to implement appropriate best management practices (BMPs).

#### ***National Pollutant Discharge Elimination System Permit Program Phase II***

The Phase II Final Rule, published in the Federal Register on December 8, 1999, required NPDES permit coverage for stormwater discharges from the following:

- Certain regulated small municipal separate storm sewer systems (MS4s)
- Construction activity disturbing between 1 and 6 acres of land (i.e., small construction activities)

In addition to expanding the NPDES program, the Phase II Final Rule included minor revisions for certain industrial facilities. As with Phase I, the Phase II program requires the development and implementation of stormwater management plans to reduce pollutant discharges.

### State

#### ***National Pollutant Discharge Elimination System Permits***

In California, the State Water Resources Control Board and its Regional Water Quality Control Boards administer the NPDES permit program. The NPDES permits cover all construction and subsequent drainage improvements that disturb 1 acre or more, industrial activities, and municipal separate storm drain systems. Construction and industrial activities are typically regulated under statewide general permits that are issued by the State Water Resources Control Board, which also issued a statewide general small MS4 stormwater NPDES permit for public agencies that fall under the Phase II NPDES regulations.

The NPDES permit system was established in the Clean Water Act to regulate both point-source discharges (i.e., a municipal or industrial discharge at a specific location or pipe) and nonpoint-source discharges (i.e., diffused runoff of water from adjacent land uses) to surface waters of the United States. For point-source discharges, each NPDES permit contains limits on allowable concentrations and mass emission of pollutants contained in the discharge. For nonpoint-source discharges, the NPDES program establishes a comprehensive water quality program to manage urban stormwater and minimize pollution of the environment to the maximum extent practicable. The NPDES program consists of characterizing receiving water quality, identifying harmful constituents, targeting potential sources of pollutants, and implementing a comprehensive stormwater management program.

The reduction of pollutants in urban stormwater discharge to the maximum extent practicable through the use of structural and nonstructural BMPs is one of the primary objectives of the water quality regulations for MS4s. BMPs typically used to manage runoff water quality include controlling roadway and parking lot contaminants by installing filters with oil and grease absorbents at storm drain inlets, cleaning parking lots on a regular basis, incorporating peak-flow reduction and infiltration features (such as grass swales, infiltration trenches, and grass filter strips) into landscaping, and implementing educational programs.

### Local

#### ***Municipal Stormwater Permit***

The City of San Diego (City) currently operates under the NPDES Municipal Stormwater Permit issued on January 24, 2007 (Permit Order No. R9-2007-0001), which requires that stormwater BMPs be incorporated into the permanent design of public and private development projects. On May 8, 2013, the San Diego Regional Water Quality Control Board approved a regional MS4 permit for San Diego, southern Orange, and southwestern Riverside Counties, which became effective on June 27, 2013. The region-wide NPDES permit (commonly referred to as the Regional MS4 Permit) sets the framework for responsible agencies to implement a collaborative watershed-based approach to restore and maintain the health of surface waters. The Regional MS4 Permit required development of Water Quality Improvement Plans that will allow watershed stakeholders to prioritize and address pollutants through an appropriate suite of BMPs in each watershed.

### ***City Stormwater Runoff and Drainage Regulations***

Drainage regulations are enforced under San Diego Municipal Code Sections 142.0201 through 142.0230 (Article 2: General Development Regulations, Division 2: Storm Water Runoff and Drainage Regulations) and Sections 143.0145 and 143.0146 (Article 3: Supplemental Development Regulations, Division 1: Environmentally Sensitive Lands Regulations). The primary purposes of drainage regulations are to regulate the development of, and impacts to, drainage facilities; to limit water quality impacts from development; to minimize hazards due to flooding while minimizing the need for construction of flood control facilities; to minimize impacts to environmentally sensitive lands; to implement the provisions of federal and state regulations; and to protect the public health, safety, and welfare. The drainage regulations apply to all development in the City, regardless of whether a permit or other approval is required.

### ***City of San Diego Drainage Design Manual***

The primary purpose of the City's Drainage Design Manual, dated January 2017, is to provide policies and procedures to secure standardization of drainage design throughout the City. The manual establishes design standards and design procedures for stormwater conveyance and hydrology analysis for flood management and water quality facilities in the City (City of San Diego 2017).

### ***City of San Diego Grading Ordinance***

The City of San Diego Municipal Code, Chapter 14, Article 2, Division 1 (Section 142.0101), addresses the City's Grading Regulations. The purpose of the regulations is to address slope stability, protection of property, erosion control, water quality, landform preservation, and paleontological resources preservation, and to protect the public health, safety, and welfare of persons, property, and the environment. The Grading Regulations require permittees provide adequate erosion control or drainage devices, debris basins, or other safety devices, and take all safety precautions reasonably necessary to protect persons and property.

### ***City of San Diego General Plan***

The City General Plan provides a number of goals and policies related to hydrology and water quality concerns in the Public Facilities, Services, and Safety Element (City of San Diego 2018); and the Conservation Element (City of San Diego 2008a), as summarized below.

- Public Facilities, Services, and Safety Element. This element includes a number of goals and policies related to the provision of adequate public facilities and services for existing and proposed development. For stormwater, these involve efforts to provide appropriately designed and sized infrastructure and ensure adequate conveyance capacity, protect water quality, and provide conformance with applicable regulatory standards (such as the NPDES) (City of San Diego 2018).
- Conservation Element. The Conservation Element provides a number of goals and policies related to preserving and protecting watersheds and natural drainage features, minimizing runoff and related pollutant generation during and after construction activities, and protecting drinking water resources (City of San Diego 2008a).

## 5.9.3 Impacts Analysis

### 5.9.3.1 Issues 1 and 2: Drainage

**Issue 1:** *Would the project result in impervious surfaces and associated increased runoff?*

**Issue 2:** *Would the project result in a substantial alteration to on- and off-site drainage patterns due to changes in runoff flow rates or volumes?*

#### Thresholds

The City's Significance Determination Thresholds (City of San Diego 2020) identify potentially significant impacts related to runoff if a project would:

- Result in decreased aquifer recharge or result in extraction from an aquifer resulting in a net deficit in the aquifer volume or reduction in the local groundwater table;
- Grade, clear, or grub more than 1.0 acre of land, especially into slopes over a 25 percent grade and drain into a sensitive water body or stream, causing uncontrolled runoff that results in erosion and subsequent sedimentation of downstream water bodies; or
- Modify existing drainage patterns such that environmental resources, including biological communities or archaeological sites, would be adversely affected.

#### Impact

##### ***Aquifer and Groundwater Recharge***

As discussed in Section 5.9.1, Existing Conditions, no groundwater was encountered during field investigations of the project site. Implementation of the project would result in 1.87-acres, or 81,586 square feet, of impervious area, while the remainder of the 15.2-acre project site would be impervious. Thus, a majority of the project site would retain its ability to intake stormwater to allow for groundwater recharge. As the ultimate destination of stormwater runoff from the project site would not change under the proposed conditions, the project would not result in decreased aquifer recharge or result in extraction from an aquifer resulting in a net deficit in the aquifer volume or reduction in the local groundwater table. Impacts would be less than significant.

##### ***Runoff***

As discussed in Section 5.9.1, the project site is a vacant lot. Implementation of the project would result in more impervious surfaces at the project site, as the current project site consists of mainly pervious surfaces. According to the Preliminary SWQMP prepared for the project (Appendix I), implementation of the project would result in 1.87-acres, or 81,586 square feet, of impervious area. The remainder area of the site would continue to flow as in the existing conditions. Once constructed, the project development area would contain seven drainage basins, as shown in Figure 5.9-2, Proposed Drainage Patterns. The proposed runoff conditions within the three drainage basin discharge locations are provided in Table 5.9-2.

**Table 5.9-2.  
Proposed Runoff Conditions**

Discharge Locations	Existing Conditions			Proposed Conditions		
	Drainage Basin	Acres	100-year flow (cfs)	Drainage Basin	Acres	100-year flow (cfs)
Paseo Montril	1	0.65	1.0	1	3.20	6.1
Caltrans Storm Drain South Inlet	2	1.07	1.5	2	0	0
Caltrans Storm Drain North Inlet	3	1.48	2.2	3	0	0

**Source:** Appendix G.

**Notes:** cfs = cubic feet per second.

As shown in this table, implementation of the project would redirect all flows from the development area into the Paseo Montril drainage system, and would not direct runoff to the Caltrans north or south inlets. The storm drain system was designed to avoid out letting into the Caltrans freeway right-of-way to avoid the need for an encroachment permit and additional biological disturbances associated with the additional grading that would be required. A preliminary detention analysis was performed to estimate the storage volume needed to attenuate the 100-year flow towards Paseo Montril from 6.1 to 1.0 cubic feet per second (cfs). The proposed condition peak flow analysis provided in the Hydrology Report shows that at least 0.36 acre-feet (15,682 cubic feet) of storage is needed. As required, the project would provide the storage needed to ensure flow rates are controlled to existing levels.

While the project would change the existing drainage patterns within the project site and would increase runoff volumes to Paseo Montril, increased runoff volumes to Paseo Montril would be adequately retained to below the existing runoff rate conditions at Paseo Montril through the proposed detention basins. As such, the existing off-site pipelines would not require changes in capacity and the project would result in any other physical impacts related to runoff changes. The changes in runoff would not result in changes to the downstream environmental conditions considering it would be directed into the City's storm drain system. It is also noted that the habitats within the adjacent Caltrans area are not wetlands dependent on the water flow from the proposed development area, and a reduction in runoff would not significantly affect the downhill biological communities. Impacts related to changes in runoff would be less than significant.

### ***Erosion and Sedimentation***

As discussed in the Drainage Report (Appendix G) and Section 3.3.6, Utilities, of this EIR, the project would include a private on-site drainage system (storm drain pipes, inlets, ditches, and drive aisles) to capture and convey stormwater runoff. The runoff would be directed to a Modular Wetlands Nutrient Separating Baffle Box for pollutant control and a vault for flow control, located under the parking spaces along the eastern boundary of the project site. Storm runoff from the BMPs would then be conveyed south in a proposed storm drain within Paseo Montril that would connect to the existing inlet on Paseo Montril near the Rancho Peñasquitos Boulevard intersection. Detention and water quality treatment facilities would be provided within all areas of proposed development in accordance with the requirements of the SDMC and San Diego Regional Water Quality Control Board

MS4 permit. Thus, through compliance with the SDMC and MS4 permit requirements, and the inclusion of Modular Wetlands Nutrient Separating Baffle Box for pollutant control and vault for flow control, the project would not result in substantial alteration to on- and off-site drainage patterns due to changes in runoff flow rates or volumes causing uncontrolled runoff that results in erosion and subsequent sedimentation of downstream water bodies. Impacts would be less than significant.

### **Significance of Impact**

The project would not result in increased runoff or have an adverse effect on drainage patterns. Impacts would be **less than significant**.

### **Mitigation**

No mitigation would be required.

### 5.9.3.2 Issue 3: Flood Hazards

**Issue 3:** *Would the project develop wholly or partially within the 100-year floodplain as identified in the FEMA maps or impose flood hazards on other properties?*

### **Thresholds**

The City's Significance Determination Thresholds (City of San Diego 2016) identify potentially significant impacts related to flood hazards if a project would:

- Impose flood hazards on other properties or development, or result in substantial changes to stream flow velocities or quantities; or
- Impose flood hazards on other properties or development, or be proposed to develop wholly or partially within the 100-year floodplain identified on the FEMA maps.

### **Impact**

The project site and immediate surrounding areas are outside of the 100-year floodplain (100-year Flood Plain) (City of San Diego 2008b). As detailed above, the project would result in runoff flow rates at or below the existing conditions, and runoff from the proposed development would be conveyed into the City's storm drain system. The City's storm drain system would discharge to the same location downstream as the Caltrans system does under the existing conditions, and thus the project would result in no changes in floodplain downstream. Overall, the project would not result in changes in flood flows or develop within a flood area, and project impacts related to flooding would be less than significant.

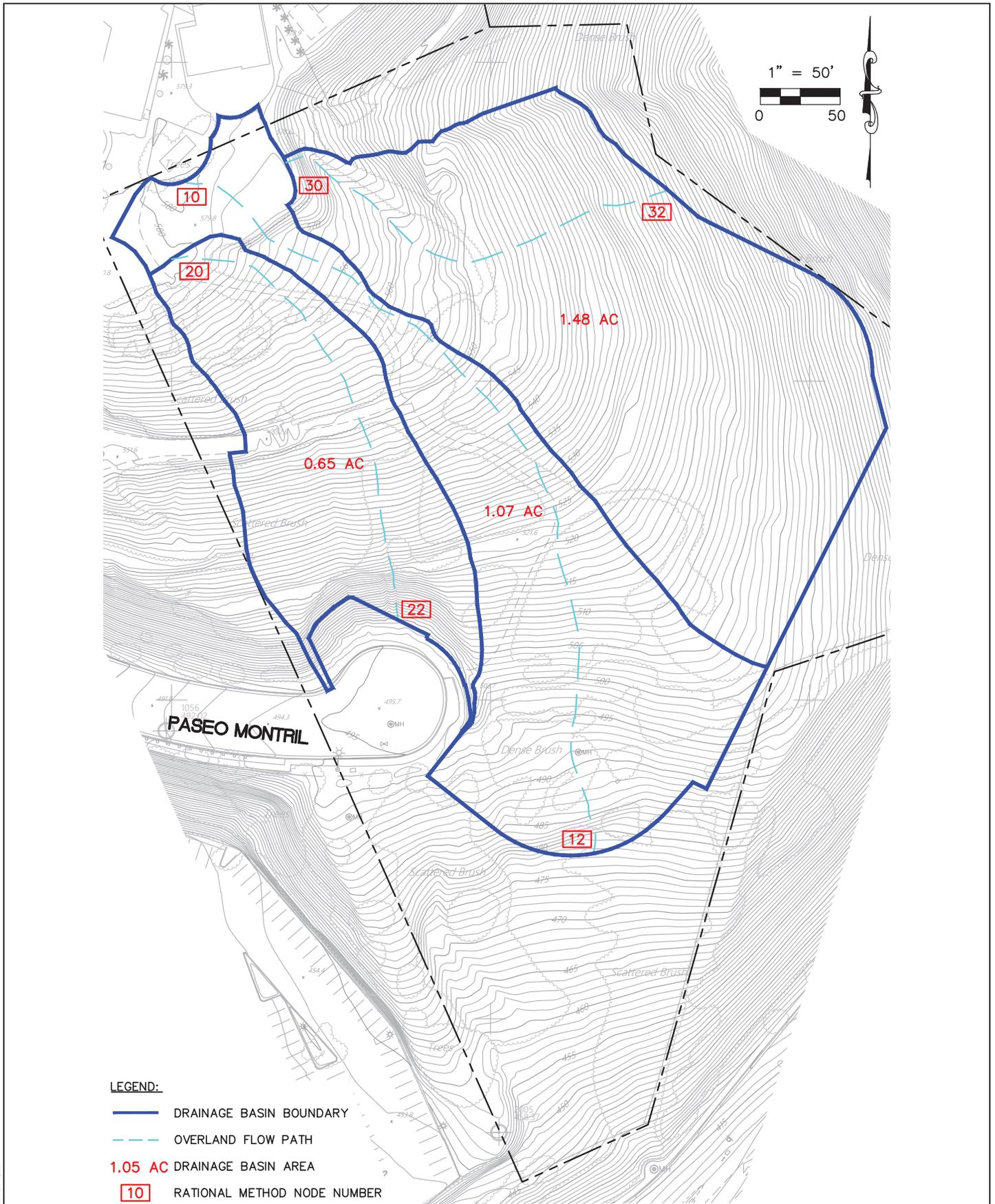
### **Significance of Impact**

The project would not impose flood hazards to other properties or development. Impacts would be **less than significant**.

### **Mitigation**

No mitigation would be required.

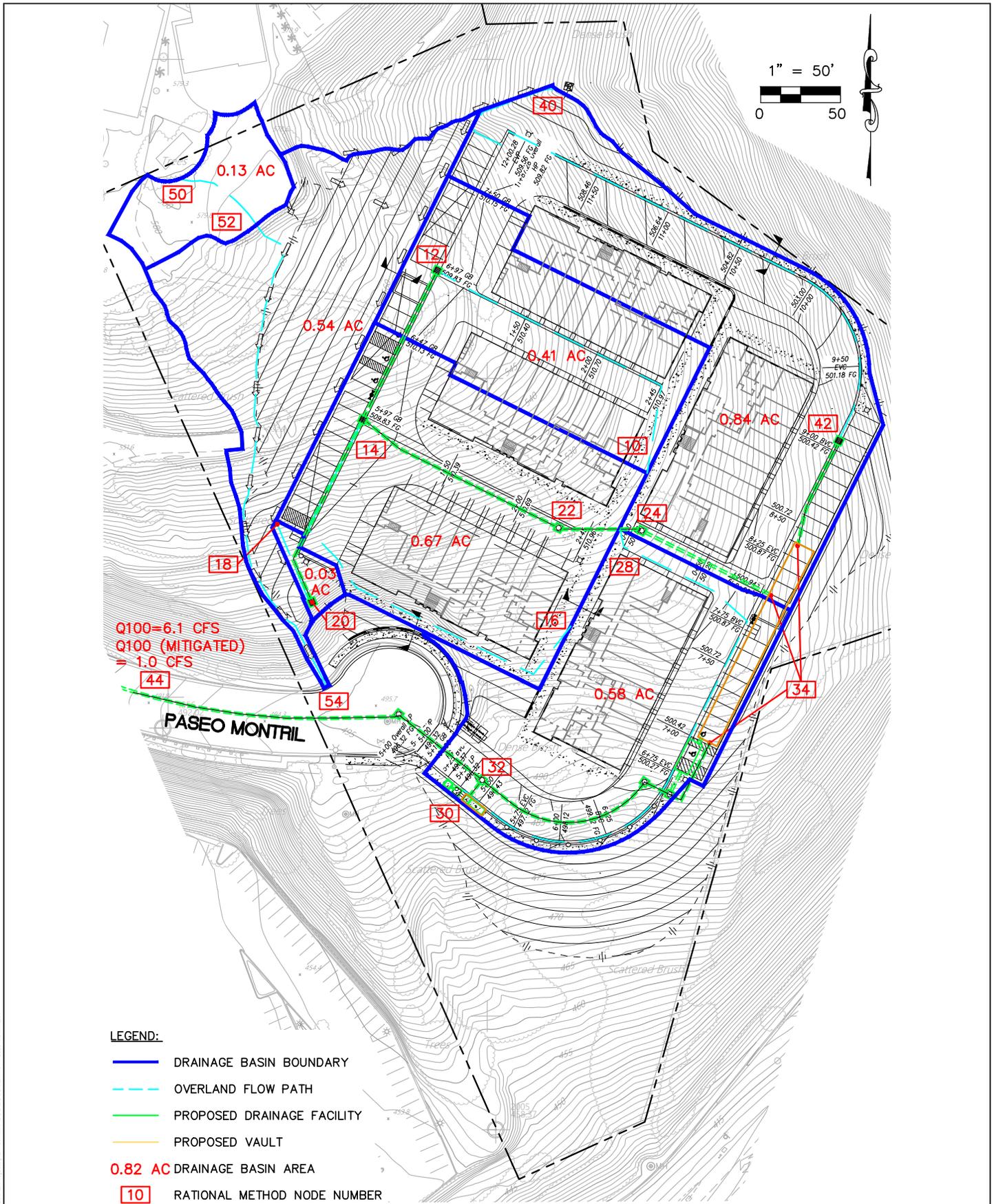
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SOURCE: Chang Consultants 2021

**FIGURE 5.9-1**  
**Existing Hydrologic Setting**  
 Paseo Montril Development Project

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SOURCE: Chang Consultants 2021

**FIGURE 5.9-2**  
Proposed Drainage Patterns  
Paseo Montril Development Project

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## 5.10 Noise

This section describes the existing noise conditions of the proposed Paseo Montril Project (project) site, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures, if applicable, related to implementation of the project. The following discussion is based upon the noise analysis technical report prepared by Dudek (January 2021) and included as Appendix H. For analysis related to land use-based noise impacts, refer to Section 5.1, Land Use.

### 5.10.1 Existing Conditions

#### Physical Conditions

The site is primarily characterized by undeveloped land on a hillside between Interstate 15 and the existing Rancho Peñasquitos residential community. The project site is surrounded by existing residential, commercial, and transportation infrastructure. The adjacent development consists of single-family residential to the north of the site, and commercial development to the south along Rancho Peñasquitos Boulevard. Vacant land exists to the north and Interstate 15 (I-15) is directly east of the site. Multi-family homes, including the Rancho Villas, Eaves Ranch Peñasquitos, and Peñasquitos Point complexes, are located further to the west of the project site along Rancho Peñasquitos Boulevard. Additional multi-family homes exist along the portion of Paseo Montril to the west of Rancho Peñasquitos Boulevard as well. The senior retirement facility, Atria Rancho Peñasquitos, is located the northwest of the project site, along the western side of Rancho Peñasquitos Boulevard and south of Via Del Sud.

#### Ambient Noise Conditions

The existing ambient noise environment in the project vicinity was surveyed on March 2, 2020 between 11:15 a.m. and 12:40 p.m. The sound level measurements were performed with a Rion-branded Model NL 52 sound level meter, equipped with a 0.5-inch pre-polarized condenser microphone and pre-amplifier. The sound level meter utilized to take noise measurements meets the current American National Standards Institute standard for Type 1 sound level meters. Refer to Appendix H for additional details regarding the noise measurement process. The locations of the sound level measurements are depicted in Figure 5.10-1, Noise Measurement Locations, while the location of the receptor locations within the project site are shown in Figure 5.10-2, Noise Modeled Receptor Locations.

The measured average noise levels ranged from approximately 67.5 A-weighted decibels (dBA) equivalent sound level ( $L_{eq}$ ) at site ST1 to 58.5 dBA  $L_{eq}$  at site ST4 (Table 5.10-1). The primary noise sources in the project site vicinity consisted of traffic along adjacent roadways, the sounds of leaves rustling, and birdsong. Monitoring locations within the project area (ST1 and ST2) were documented to experience average sound levels ranging from approximately 67.2 to 67.5 dBA  $L_{eq}$ , with maximum sound levels reaching 70.7 dBA maximum sound level ( $L_{max}$ ). Monitoring locations representing noise-sensitive land uses (NSLUs) that are near the proposed project's development area (ST3 and ST4) were documented to have average noise levels ranging from approximately 58.5 to 60.3 dBA, with maximum noise levels reaching approximately 73.0 dBA  $L_{max}$ .

**Table 5.10-1.  
Existing Ambient Noise Monitoring Results**

Site	Location/Description	Time (Duration)	dBA Leq	dBA Lmax
ST1	East of cul-da-sac on Paseo Montril	11:15 a.m. (10 min.)	67.5	70.7
ST2	On bluff, approximately 200 feet north of Paseo Montril	11:45 a.m. (10 min.)	67.2	70.1
ST3	South of Atria Rancho Peñasquitos Assisted Living	11:50 a.m. (10 min.)	60.3	73.0
ST4	Western driveway of eaves Rancho Peñasquitos	12:15 p.m. (25 min.)	58.5	72.8

**Source:** Appendix H.

**Notes:** dBA = A-weighted decibels;  $L_{eq}$  = equivalent continuous sound level (time-averaged sound level);  $L_{max}$  = maximum sound level during the measurement interval; ST = short-term noise measurement locations.

### Traffic Noise Conditions

Existing traffic noise levels were modeled for roadway segments in the project vicinity based on the Federal Highway Administration Highway Traffic Noise Model (FHWA 2004) and traffic data developed as part of the traffic impact study prepared for the proposed project (Appendix B.1). To determine existing day-evening-night traffic noise levels in the project vicinity, the average daily traffic volumes for roadways in the immediate vicinity of the project site were used as inputs to the traffic noise model. Noise levels were modeled at representative noise-sensitive receivers ST1 through ST4. As shown in Table 5.10-2, roadway noise levels range from 59.4 to 66.9 dBA CNEL in the existing conditions and are expected to increase to a range of 59.9 to 70.7 dBA CNEL with buildout of the area.

**Table 5.10-2.  
Existing Roadway Traffic Noise**

Site	Location/Description	Existing (2019) Noise Level (dBA CNEL)	Buildout (2050) Noise Level (dBA CNEL)
ST1	East of cul-da-sac on Paseo Montril	66.3	70.7
ST2	On bluff, approximately 200 feet north of Paseo Montril	66.9	69.4
ST3	South of Atria Rancho Peñasquitos Assisted Living	63.7	64.8
ST4	Western driveway of eaves Rancho Peñasquitos	59.4	59.9

**Source:** Appendix H.

### Noise Sensitive Land Uses

Noise sensitive land uses (NSLUs) generally include uses where exposure to noise would result in adverse effects, as well as uses where a quiet environment is an essential element of the intended purpose of the use. Residential uses are considered an NSLU of primary concern because of the potential for increased and prolonged exposure of individuals to both interior and exterior noise

levels. There are several NSLUs located in the vicinity of the project, including single-family residential land uses directly to the north of the project site; the La Quinta Inn to the south; various multi-family residential uses in the vicinity (Eaves Rancho Peñasquitos, Rancho Villas, and Peñasquitos Point); and senior housing (Atria Rancho Peñasquitos) to the northwest.

### **Vibration**

Vibration from roadways is considered to be the primary source of groundborne vibration within the project area. Heavy truck traffic can generate groundborne vibration, which varies considerably depending on vehicle type, weight, and pavement conditions. However, groundborne vibration levels generated from vehicular traffic are not typically perceptible outside of the roadway right-of-way. There are no other significant sources of groundborne vibration within the project vicinity.

## 5.10.2 Regulatory Framework

### **Federal**

#### ***Federal Noise Control Act of 1972***

The U.S. Environmental Protection Agency (EPA) Office of Noise Abatement and Control was originally established to coordinate federal noise control activities. After its inception, the EPA's Office of Noise Abatement and Control issued the Federal Noise Control Act of 1972, establishing programs and guidelines to identify and address the effects of noise on public health, welfare, and the environment. In 1981, EPA administrators determined that subjective issues such as noise would be better addressed at more local levels of government. Consequently, responsibilities for regulating noise control policies were transferred to state and local governments in 1982. However, noise control guidelines and regulations contained in the EPA rulings in prior years are still adhered to by designated federal agencies where relevant. There are no federal noise regulations that are directly applicable to the construction or operation of the project.

### **State**

#### ***California Department of Transportation - Vibration***

There are no state standards for vibration. However, California Department of Transportation (Caltrans) provides a review and synthesis of published research results in the Transportation and Construction Vibration Guidance Manual. Based on the synthesis of research, Caltrans provides guidance thresholds for the protection of a number of structures and conditions. Caltrans recommends a threshold of 0.5 inches per second (in/sec) peak particle velocity (PPV) for "new residential structures," 0.3 in/sec PPV for "older residential structures" and 0.25 in/sec PPV for historic buildings and some old structures (Caltrans 2013a).

The Caltrans Transportation Construction Vibration Guidance Manual does not contain specific definitions for the categories used within their guidance threshold criteria. However, based on the terminology and definitions contained within the research papers that they summarize, the term new residential structures is likely referring to modern construction techniques (e.g., timber frame, reinforce choice, gypsum wallboard, wood or stucco siding), while older residential structures is

interpreted to refer structures constructed with obsolete building methods and materials (e.g., plaster and lath, its best dose). Historic and some old buildings is interpreted to refer to historically significant buildings or older buildings in significant disrepair. The Carmel Mountain Ranch development was constructed in the late 1980s and early 1990s, using modern construction techniques. While this would likely place the surrounding structures within the new residential structure category, this analysis will rely on the more conservative older residential structure category threshold criteria of 0.3 in/sec PPV.

## Local

### *City of San Diego Municipal Code*

The San Diego Municipal Code serves to further protect the welfare and the peace and quiet of the community through the establishment of both objective and subjective methods for determining non-compliance with the City noise regulations. The City has enumerated these standards and methods of enforcement in Chapter 5, Article 9.5 of the San Diego Municipal Code. Relevant standards and thresholds are presented below (City of San Diego 2010).

- (a) It shall be unlawful for any person to cause noise by any means to the extent that the one-hour average sound level exceeds the applicable limit given in the following Table 5.10-3, at any location in the City of San Diego on or beyond the boundaries of the property on which the noise is produced. The noise subject to these limits is that part of the total noise at the specified location that is due solely to the action of said person.

**Table 5.10-3.  
Applicable Noise Limits**

Land Use	Time of Day	One-Hour Average Sound Level (dB)
Single-family residential	7:00 a.m. to 7:00 p.m.	50
	7:00 p.m. to 10:00 p.m.	45
	10:00 p.m. to 7:00 a.m.	40
Multifamily residential (up to a maximum density of 1/2,000)	7:00 a.m. to 7:00 p.m.	55
	7:00 p.m. to 10:00 p.m.	50
	10:00 p.m. to 7:00 a.m.	45
All other residential	7:00 a.m. to 7:00 p.m.	60
	7:00 p.m. to 10:00 p.m.	55
	10:00 p.m. to 7:00 a.m.	50
Commercial	7:00 a.m. to 7:00 p.m.	65
	7:00 p.m. to 10:00 p.m.	60
	10:00 p.m. to 7:00 a.m.	60
Industrial or agricultural	Any time	75

**Note:** dB = decibels.

**Source:** SDMC 2019.

- (a) The sound level limit at a location on a boundary between two zoning districts is the arithmetic mean of the respective limits for the two districts. Permissible construction noise level limits shall be governed by Sections 59.5.0404 of this article.
- (b) Fixed-location public utility distribution or transmission facilities located on or adjacent to a property line shall be subject to the noise level limits of Part A. of this section, measured at or beyond six feet from the boundary of the easement upon which the equipment is located.

**Section 59.5.0404 Construction Noise**

- (a) It shall be unlawful for any person, between the hours of 7:00 p.m. of any day and 7:00 a.m. of the following day, or on legal holidays as specified in Section 21.04 of the San Diego Municipal Code, with exception of Columbus Day and Washington’s Birthday, or on Sundays, to erect, construct, demolish, excavate for, alter or repair any building or structure in such a manner as to create disturbing, excessive or offensive noise unless a permit has been applied for and granted beforehand by the Noise Abatement and Control Administrator. In granting such permit, the Administrator shall consider whether the construction noise in the vicinity of the proposed work site would be less objectionable at night than during the daytime because of different population densities or different neighboring activities; whether obstruction and interference with traffic particularly on streets of major importance, would be less objectionable at night than during the daytime; whether the type of work to be performed emits noises at such a low level as to not cause significant disturbances in the vicinity of the work site; the character and nature of the neighborhood of the proposed work site; whether great economic hardship would occur if the work were spread over a longer time; whether proposed night work is in the general public interest; and he shall prescribe such conditions, working times, types of construction equipment to be used, and permissible noise levels as he deems to be required in the public interest.
- (b) Except as provided in subsection C. hereof, it shall be unlawful for any person, including the City of San Diego, to conduct any construction activity so as to cause, at or beyond the property lines of any property zoned residential, an average sound level greater than 75 decibels during the 12-hour period from 7:00 a.m. to 7:00 p.m.
- (c) The provisions of subsection B. of this section shall not apply to construction equipment used in connection with emergency work, provided the Administrator is notified within 48 hours after commencement of work.

## 5.10.3 Impact Analysis

### 5.10.3.1 Issue 1: Ambient Noise Levels

**Issue 1:** *Would the project result in or create a significant increase in the existing ambient noise levels?*

#### Thresholds

The City's California Environmental Quality Act (CEQA) Significance Determination Thresholds references the San Diego Municipal Code to establish definitions for acoustical terminology and provide additional significance thresholds for impact determination based on the source type. Based on the Scoping Letter provided for the proposed project, the following environmental threshold and threshold discussion related to noise impacts is applicable. Based on the City's CEQA Significance Determination Thresholds (City of San Diego 2020), noise impacts may be significant if the project would:

- Construction Noise: Exposure of people to construction noise levels that exceed the City's adopted Noise Ordinance, San Diego Municipal Code, Section 5.9.5.0404 (i.e., 75 dBA  $L_{eq}$  [12-hour] from 7:00 a.m. to 7:00 p.m.);
- Stationary Noise Sources: Exposure of people to noise levels that exceed the City's adopted Noise Ordinance, San Diego Municipal Code, Section 5.9.5.0401, (i.e., 55 dBA  $L_{eq}$  from 7:00 a.m. to 7:00 p.m., 50 dBA  $L_{eq}$  from 7:00 p.m. to 10:00 p.m., and 50 dBA  $L_{eq}$  from 10:00 p.m. to 7:00 a.m.); or
- Traffic Generated Noise: Exposure of people to transportation noise levels that exceed the sound level limits as presented in the City's Significance Determination Thresholds and as reiterated below in Table 5.10-4.

**Table 5.10-4.  
City of San Diego Traffic Noise Significance Thresholds (dBA CNEL)**

Structure of Proposed Use That Would Be Impacted by Traffic Noise	Interior Space	Exterior Useable Space <sup>1</sup>	General Indication of Potential Significance
Single-family detached	45 dB	65 dB	Structure or outdoor useable area is <50 feet from the center of the closest (outside) lane on a street with existing or future ADTs >7,500
Multi-family, school, library, hospital, day care center, hotel, motel, park, convalescent home	45 Db <sup>2</sup>	65 dB	
Office, church, business, professional uses	n/a	70 dB	Structure or outdoor useable area is <50 feet from the center of the closest lane on a street with existing or future ADTs >20,000

**Table 5.10-4.  
City of San Diego Traffic Noise Significance Thresholds (dBA CNEL)**

<b>Structure of Proposed Use That Would Be Impacted by Traffic Noise</b>	<b>Interior Space</b>	<b>Exterior Useable Space<sup>1</sup></b>	<b>General Indication of Potential Significance</b>
Commercial, retail, industrial, outdoor sports uses	n/a	75 dB	Structure or outdoor useable area is <50 feet from the center of the closest lane on a street with existing or future ADTs >40,000

**Source:** City of San Diego 2020.

**Notes:** dBA = A-weighted decibel; CNEL = community noise equivalent level; ADT = average daily traffic; n/a = not applicable.

- <sup>1</sup> If a project is currently at or exceeds the significance thresholds for traffic noise described above, and noise levels would result in less than a 3-dB increase, then the impact is not considered significant.
- <sup>2</sup> The City Development Services Department ensures 45 dB pursuant to Title 24.

## Impact

### **Short-Term Construction**

Development of the proposed project would generate noise levels associated with the operation of heavy construction equipment and construction related activities in the project area. Construction noise and vibration levels vary from hour to hour and day to day, depending on the equipment in use, the operations performed, and the distance between the source and receptor. The proposed project would be constructed in one continuous phase. Equipment that would be in use during construction would include, in part, graders, backhoes, rubber-tired dozers, loaders, cranes, forklifts, pavers, rollers, and air compressors.

The typical maximum noise levels at a distance of 50 feet from various pieces of construction equipment and activities anticipated for use on the proposed project site are presented in Table 5.10-5. Note that the equipment noise levels presented in Table 5.10-5 are maximum noise levels. Usually, construction equipment operates in alternating cycles of full power and low power, producing average noise levels over time that are less than the maximum noise level. The average sound level of construction activity also depends on the amount of time that the equipment operates and the intensity of construction activities during that time.

**Table 5.10-5.  
Typical Construction Equipment Maximum Noise Levels**

<b>Equipment Description</b>	<b>L<sub>max</sub> at 50 feet (dBA)</b>
Backhoe	78
Blasting	94
Compressor (air)	78
Concrete Mixer Truck	79

**Table 5.10-5.  
Typical Construction Equipment Maximum Noise Levels**

Equipment Description	L <sub>max</sub> at 50 feet (dBA)
Crane	81
Dozer	82
Excavator	81
Generator	72
Grader	85
Man Lift	75
Paver	77
Rock Drill	81
Roller	80
Welder/Torch	73

**Source:** Appendix H.

**Notes:** L<sub>max</sub> = maximum noise level; dBA = A-weighted decibels.

Aggregate noise emission from proposed project construction activities, broken down by sequential phase, was predicted at two distances to the nearest existing noise-sensitive receptor: 1) from the nearest position of the construction site boundary and 2) from the geographic center of the construction site or area of expected activity. Table 5.10-6 summarizes these two distances to the apparent closest noise-sensitive receptor for each of the five sequential construction phases.

**Table 5.10-6.  
Estimated Distances between Construction Activities and  
Nearest Noise-Sensitive Receptor**

Construction Phase (and Equipment Types Involved)	Distance from Nearest Noise-Sensitive Receptor to Construction Site Boundary (feet)	Distance from Nearest Noise-Sensitive Receptor to Acoustical Centroid of Site (feet)
Site Preparation (dozer, backhoe)	100	340
Grading (excavator, grader, dozer, backhoe)	60	340
Building Construction (crane, man lift, generator, backhoe, welder/torch)	200	340
Architectural Finishes (air compressor)	200	340
Paving (paver, roller, other equipment)	200	340

**Source:** Appendix H.

A noise prediction model emulating and using reference data from the Federal Highway Administration Roadway Construction Noise Model (RCNM) (FHWA 2008) was used to estimate construction noise levels at the nearest occupied noise-sensitive land use. The RCNM has default duty-cycle values for the various pieces of equipment, which were derived from an extensive study of typical construction activity patterns. It is anticipated that development of the project would incorporate the use of typical construction fleet mixes. Based on the reference noise levels, usage rates, and operational characteristics discussed above, overall hourly average noise levels attributable to project construction activities were calculated for the proposed project. The estimated construction noise levels and the distance from construction activity to the San Diego Municipal Code 75 dBA  $L_{eq}$  12-hour noise level threshold are presented by phase in Table 5.10-7.

**Table 5.10-7.  
Construction Noise Model Results Summary**

<b>Construction Phase (and Equipment Types Involved)</b>	<b>12-Hour <math>L_{eq}</math> at Nearest Noise-Sensitive Receptor to Construction Site Boundary (dBA)</b>	<b>12-Hour <math>L_{eq}</math> at Nearest Noise-Sensitive Receptor to Acoustical Centroid of Site (dBA)</b>
Site Preparation (dozer, backhoe)	74	64.9
Grading (excavator, grader, dozer, backhoe)	79	65.8
Building Construction (crane, man lift, generator, backhoe, welder/torch)	65	60.7
Architectural Finishes (air compressor)	60	55.6
Paving (paver, roller, other equipment)	67	62.6

**Source:** Appendix H.

**Notes:** dBA = A-weighted decibels;  $L_{eq}$  = equivalent sound level

On an average construction workday, heavy equipment is expected to operate sporadically throughout the project site and more frequently away from the northern edge of the site. As presented in Table 5.10-7, at distances closer to the center of the project site (approximately 340 feet from the nearest existing residence), construction noise levels are estimated to range from approximately 56 dBA  $L_{eq}$  to 66 dBA  $L_{eq}$  at the nearest existing residence, which would comply with the San Diego Municipal Code construction noise threshold. However, the estimated construction noise levels are predicted to be as high as 79 dBA  $L_{eq}$  over a 12-hour period at the nearest existing residences (as close as 60 feet away) when grading activities take place near the northern project boundaries. In summary, construction noise during allowable daytime hours has the potential for noise to exceed the 75 dBA  $L_{eq}$  12-hour City threshold at the nearest residential receiver on occasion, and therefore construction noise impacts would be potentially significant (Impact NOI-1).

Blasting Operations

Based on the known geotechnical conditions of the project site (discussed in Section 5.6, Geologic Conditions), it is reasonable to assume blasting would be required to excavate the underlying rock. It is anticipated that blasting operations would occur during site preparation and grading phase. Blasting typically involves drilling a series of boreholes, placing explosives (the “charge”) in each hole, then topping the charge with fill material to help confine the blast. Table 5.10-8 presents predicted values for blasting scenarios of 1,000 to 1,500 cubic yard per blast, as well as the predicted A-weighted  $L_{max}$  for each detonated charge. The predicted 12-hour  $L_{eq}$  value presented in Table 5.10-8 accounts for all detonations occurring within a single blast, and just one blast event per 12-hour period.

**Table 5.10-8. Preliminary Blasting Charge Weights and Predicted  $L_{max}$  Values**

Nearest Receiving Residential Structure	Cubic Yards per Blast	Per-Detonation Charge Weight (lbs)	Single Charge Detonation Airborne Sound Pressure Level (SPL, dBA $L_{max}$ ) at the Receiving Structure	Single Charge Detonation Peak Particle Velocity (PPV, inches per second)	12-hour $L_{eq}$ for the Blast Event (SPL, dBA)
1. North (120 feet distance to expected closest detonation)	1,000	3.96	103.9	0.997	80.8
	1,500	3.96	103.9	0.997	82.6

**Source:** Appendix H.

With a blast event expected to loosen up to 1,500 cubic yards of material, and assuming a powder factor of 0.5, the total quantity of successive detonations would vary with the per-detonation charge weight but result in the estimated 12-hour  $L_{eq}$  values also presented in Table 5.10-8. Thus, noise level from the blast for each of these scenarios could exceed the standard set by the San Diego Municipal Code and would result in a potentially significant noise impact (Impact NOI-1).

Portable Rock-Crushing/Processing Facility

A portable rock-crushing/processing facility would be used on site during construction activities. The rock-crushing operation would begin with a front-end loader picking up material and dumping the material into a primary crusher. The material would then be crushed, screened, and stacked in product piles. The material would be stockpiled adjacent to the rock-crushing equipment. Electric power would most likely be provided by a diesel engine generator. The primary crusher would generate impulsive noise events. Maximum noise levels associated with the primary crusher would be expected to reach approximately 87 dBA at 45 feet (Appendix H). Rock crushing would

be located in the southern area of the development footprint near the Paseo Montril cul-de-sac. This would put the closest existing off-site residence more than approximately 400 feet from the proposed rock crushing areas. In addition, there would be intervening topography that would shield adjacent homes from the rock crushing facilities. At this distance the noise level (both 12-hour average and impulsive noise) associated with the rock crushing activities would be less than the standard set by the San Diego Municipal Code of 75 dBA and would be less than significant.

### Groundborne Vibration

Construction activities occurring within the project site may result in varying degrees of temporary groundborne vibration or noise, depending on the specific construction equipment used and the operations involved. Caltrans has collected groundborne vibration information related to construction activities (Caltrans 2013a). Information from Caltrans indicates that continuous vibrations with a PPV of approximately 0.2 inches per second (ips) is considered annoying. For context, heavier pieces of construction equipment, such as a bulldozer that may be expected on the project site, have peak particle velocities of approximately 0.089 ips or less at a reference distance of 25 feet (DOT 2006).

Groundborne vibration attenuates rapidly, even over short distances. Using standard Federal Transit Administration vibration attenuation formulas and Caltrans guidance, for a bulldozer operating on site and as close as the western project boundary (i.e., 100 feet from the nearest receiving sensitive land use) the estimated vibration velocity level would be 0.01 ips. Therefore, the impact of vibration-induced annoyance to occupants of nearby existing homes would be less than the annoyance level of 0.2 ips.

Construction vibration, at sufficiently high levels, can also present a building damage risk. However, the predicted 0.01 ips PPV at the nearest residential receiver 100 feet away from on-site operation of the bulldozer during grading would not surpass the guidance limit of 0.3 to 0.5 ips PPV for preventing damage to residential structures (Caltrans 2013a). Overall, groundborne vibration impacts would be less than significant.

### Blasting Event Vibration

Although conventional construction equipment using mechanical means for earth-moving are not expected to yield vibration velocity levels that exceed applicable standards, potential blasting activities represent a separate category of vibration assessment. The project may require blasting to facilitate excavation in areas where competent bedrock occurs at depths that make mechanical excavation difficult. Table 5.10-8 presents the estimated per-detonation PPV that would be received at each of the indicated residential receptors for each of the two studied scenarios that vary with detonation-to-receptor distance and per-detonation charge weight. Under such parameters, the blast vibration magnitudes would be compatible with Caltrans guidance limits for single-event or “transient” events. However, there is the potential for the blasting associated with project excavation to cause undue temporary annoyance and minimize damage risk to the receiving structures. Thus, blasting event vibration impacts would be potentially significant (Impact NOI-3).

**Long-Term Operational**Off-Site Roadway Traffic Noise

The proposed project would result in the creation of additional vehicle trips on local arterial roadways (i.e., Paseo Montril and Rancho Peñasquitos Boulevard), which could result in increased traffic noise levels at adjacent noise sensitive land uses. The proposed projects trip generation was obtained from the Vehicle Miles Traveled Analysis prepared for the proposed project (Appendix B.2). Traffic volume data (average daily traffic) for Paseo Montril and surrounding arterial roadways, and the distribution of those volumes are included in Appendix H.

Potential off-site noise impacts resulting from the increase in vehicular traffic on the local roadway network associated with long-term operations of the proposed project were evaluated under existing (2019) and buildout (2050) conditions with and without implementation of the proposed project.

The City's Noise Element establishes 70 dBA CNEL for the exterior areas and 45 dBA CNEL for interior areas as conditionally acceptable noise levels. However, existing levels from traffic already exceed this threshold. Thus, impacts are considered significant when a project causes an increase of 3 dB from existing noise levels. An increase or decrease in noise level of at least 3 dB is required before any noticeable change in community response would be expected (Caltrans 2013b). Noise levels were modeled at representative noise-sensitive receivers ST1 through ST4, as shown in Figure 5.10-1. The noise model results are summarized in Table 5.10-9.

**Table 5.10-9.  
Roadway Traffic Noise Modeling Results**

<b>Modeled Receiver Tag (Location Description)</b>	<b>Existing (2019) Noise Level (dBA CNEL)</b>	<b>Existing (2019) Plus Project Noise Level (dBA CNEL)</b>	<b>Buildout (2050) Noise Level (dBA CNEL)</b>	<b>Buildout (2050) Plus Project Noise Level (dBA CNEL)</b>	<b>Maximum Project-Related Noise Level Increase (dB)</b>
ST1	69.1	66.3	70.7	68.0	0.0
ST2	67.9	66.9	69.4	69.6	0.2
ST3	63.7	64.4	64.4	64.8	0.4
ST4	59.9	60.7	60.7	59.9	0.0

**Source:** Appendix H.

**Notes:** dBA = A-weighted decibels; CNEL = community noise equivalent level; dB = decibel.

Existing traffic noise levels presented in Table 5.10-9 indicate that traffic noise levels in the project area currently range from approximately 59.9 to 69.1 dBA CNEL. Existing plus project traffic noise levels are predicted to remain within the same range. Development of the proposed project is calculated to result in a net change in traffic noise levels of less than 1 dB, and would therefore not result in an increase in traffic noise levels of 3 dB CNEL or more at noise-sensitive receptors in the project area or contribute significantly to further degradation of the ambient noise environment.

Buildout (2050) traffic noise levels presented in Table 5.10-9 indicate that traffic noise levels in the project area without the proposed project would range from approximately 60.7 to 70.7 dBA CNEL. The buildout (2050) plus project traffic noise levels are predicted to remain within the same range. Development of the proposed project is calculated to result in a net change in traffic noise levels of less than 1 dB. Therefore, the proposed project would not result in an increase in traffic noise levels of 3 dB CNEL or more at noise-sensitive receptors within the project area or contribute significantly to further degradation of the ambient noise environment.

As presented in Table 5.10-9, the additional vehicular traffic associated with the proposed project would result in a CNEL increase of less than 1 dB, which is below the 3 dB discernible level of change for the average healthy human ear, and below the City's threshold for significant change in the ambient noise environment..

### Non-Transportation Noise Sources

The incorporation of new multi-family homes and a mix of open space and recreational uses attributed to development of the proposed project would add a variety of noise-producing mechanical equipment, as discussed below. Most of these noise-producing equipment or sound sources would be considered stationary or limited in mobility to a defined area. Additionally, the open space and recreational uses would attract residents and their guests to enjoy proposed project facilities and thus create potential community noise relating to added aggregate speech as appropriate or expected for the venue.

### Residential Mechanical Equipment

Mechanical equipment associated with residential land uses generally includes heating, ventilation, and air-conditioning (HVAC) equipment that can be a significant noise source. The project's residential units would feature a split-system type air-conditioning unit, with a refrigeration condenser unit mounted on the ground floor of the building exterior. The condenser units have a sound emission source level of 74 dBA at 3 feet (Johnson Controls 2010), which includes an additional 3 dBA to account for building reflection. These condenser units would be installed near the building perimeter. Therefore, the closest existing noise-sensitive residential receptor to the north of the proposed project's northern residential buildings would be as close as approximately 230 horizontal feet, positioned near the northwest facades of the western-most three buildings and the northeast façade of the northern-most building of the proposed project. However, due to the higher relative elevation of the receivers to the north of the proposed project near the cul-de-sac of Calle Abuelito and their horizontal distances away from the noise-producing condenser units as modeled, the predicted sound emission level from the combination of these condenser units would be no more than 44 dBA  $L_{eq}$ , and would thus be compliant with the City's nighttime threshold stated in Section 59.5.0404 of the City of San Diego Municipal Code of 45 dBA hourly  $L_{eq}$ ). Although other condenser units are on site, noise from their operation would be blocked from direct view by proposed project buildings (and be more distant) and thus be reduced in noise to a level that would not substantially contribute to excessive noise levels. Under such conditions, the operation of residential mechanical equipment would not exceed City thresholds.

### Groundborne Vibration

The proposed residential project does not include elements that would generate groundborne vibration during operation. No project impact related to groundborne vibration during operations would occur.

### **Level of Significance**

#### ***Construction***

##### Short-Term Construction

Construction noise during allowable daytime hours has the potential for noise to exceed the 75 dBA  $L_{eq}$  12-hour City threshold at the nearest residential receiver on occasion. Thus, temporary construction-related noise impacts would be **potentially significant (Impact NOI-1)**.

##### Blasting Operations

Predicted airborne noise levels from blasting could exceed the City's standard of 75 dBA  $L_{eq}$  12-hour for a blast event. Thus, blasting operation noise impacts would be considered **potentially significant (Impact NOI-2)**.

##### Portable Rock-Crushing/Processing Facility

Regarding noise impacts due to the use of a portable rock-crushing/processing facility within the project site (located near or adjacent to the Paseo Montril cul-de-sac), the noise level (both 12-hour average and impulsive noise) associated with the rock crushing activities would be less than City's standard of 75 dBA. Thus, impacts regarding noise generated by a portable rock-crushing/processing facility as a result of project implementation would be **less than significant**.

##### Groundborne Vibration

Regarding groundborne vibration impacts, the estimated vibration velocity level would be a PPV of 0.01 ips, which falls below the Caltrans guidance of a PPV of approximately 0.2 ips, which is considered annoying. Thus, impacts related to groundborne vibration related to conventional construction activity vibration as a result of project implementation would be **less than significant**.

##### Blasting Event Vibration

There is the potential for the blasting associated with project excavation to cause undue temporary annoyance and damage risk to receiving structures. Thus, vibration impacts due to blasting events would be considered **potentially significant (Impact NOI-3)**.

#### ***Operational***

##### Off-Site Roadway Traffic Noise

As presented in Table 5.10-9, the additional vehicular traffic associated with the proposed project would result in a CNEL increase of less than 0.4 dB, which is below the 3 dB discernible level of

change for the average healthy human ear, and below the City's threshold for significant change in the ambient noise environment. Therefore, impacts related to Off-Site Roadway Traffic Noise would be **less than significant**.

### Traffic Noise Exposure to Future Project Occupants

Based on the design of the residential buildings, when windows and doors are closed, all facades are anticipated to exhibit a predicted STC rating of at least 34, and thus would provide sufficient exterior-to-interior sound insulation from outdoor traffic noise to yield interior background sound levels that are less than 45 dBA CNEL and thus compliant with the City and state standards. Therefore, impacts related to traffic noise exposure to future project occupants would be **less than significant**.

### Residential Mechanical Noise

The predicted sound emission level from the combination of the air conditioning condenser units would be no more than 44 dBA  $L_{eq}$ , and would thus be compliant with the City's nighttime threshold of 45 dBA hourly  $L_{eq}$ . Therefore, impacts related to residential mechanical noise would be **less than significant**.

### Groundborne Vibration

The proposed project does not include elements that would generate groundborne vibration during operation. Impacts would be **less than significant**.

## **Mitigation**

The following mitigation measures would reduce potentially significant noise impacts:

- MM-NOI-1**     **Temporary Construction Noise.** Prior to issuance of demolition, grading, or building permits, Mitigation Monitoring Coordination shall verify that project applicant or its contractor shall implement one or more of the following options for on-site noise control and sound abatement means that, in aggregate, would yield a minimum of approximately 12 dBA of construction noise reduction during the grading phase of the Project:
- A. *Administrative controls* (e.g., reduce operating time of equipment and/or prohibit usage of equipment type[s] within certain distances to a nearest receiving occupied off-site property).
  - B. *Engineering controls* (change equipment operating parameters [speed, capacity, etc.], or install features or elements that otherwise reduce equipment noise emission [e.g., upgrade engine exhaust mufflers]).
  - C. Install noise abatement on the site boundary fencing (or within, as practical and appropriate) in the form of sound blankets or comparable temporary solid barriers to occlude construction noise emission between the site (or specific equipment operation as the situation may define) and the noise-sensitive receptor(s) of concern.

**MM-NOI-2 Blasting Vibration and Noise Plan.** Prior to issuance of building permit, Mitigation Monitoring Coordination shall verify that project applicant or its contractor have prepared, and shall require the implementation of, a blasting plan that will reduce impacts associated with construction-related noise, drilling operations and vibrations related to blasting. The blasting plan shall be site specific, based on general and exact locations of required blasting and the results of a project-specific geotechnical investigation. The blasting plan shall include a description of the planned blasting methods, an inventory of receptors potentially affected by the planned blasting, and calculations to determine the area affected by the planned blasting. Noise calculations in the blasting plan shall account for blasting activities and all supplemental construction equipment. The final blasting plan and pre-blast survey shall meet the requirements provided below:

- Prior to blasting, a qualified geotechnical professional shall inspect and document the existing conditions of facades and other visible structural features or elements of the nearest neighboring off-site residential buildings. Should this inspector determine that some structural features or elements appear fragile or otherwise potentially sensitive to vibration damage caused by the anticipated blasting activity, the maximum per-delay charge weights and other related blast parameters shall be re-evaluated to establish appropriate quantified limits on expected blast-attributed PPV. The geotechnical professional shall consider geologic and environmental factors that may be reasonably expected to improve attenuation of groundborne vibration between the blast detonations and the receiving structure(s) of concern.
- All blasting shall be designed and performed by a blast contractor and blasting personnel licensed to operate per appropriate regulatory agencies.
- Each blast shall be monitored and recorded with an air-blast overpressure monitor and groundborne vibration accelerometer that is located outside the closest residence to the blast. This data shall be recorded, and a post-blast summary report shall be prepared and be available for public review or distribution as necessary.
- Blasting shall not exceed 1 ips PPV (transient or single-event), or a lower PPV determined by the aforesaid inspector upon completion of the pre-blast inspection, at the façade of the nearest occupied residence.
- To ensure that potentially impacted residents are informed, the applicant will provide notice by mail to all property owners within 500 feet of the project at least 1 week prior to a scheduled blasting event.
- Where a blast event may be expected to cause an airborne noise level that exceeds the City's 12-hour  $L_{eq}$  standard, the proposed project applicant or its contractor(s) shall coordinate with the potentially affected neighboring property owner-occupant for permission to install at or near the proposed project property line (to the extent feasible, given the terrain of the proposed project vicinity) a field-erected temporary noise wall (e.g., sound blankets suspended from framing members, such as those provided by Behrens & Associates, Pacific

Sound Control, or other vendors of comparable equipment). The installing contractor shall be responsible for determining the height and extent of the temporary noise barrier, so that its proper on-site implementation can be expected to provide up to 15 dBA of noise reduction and thus enable the 12-hour  $L_{eq}$  representing the blast event noise level to comply with the City's standard of 75 dBA.

- Where a blast event may be expected to cause an airborne noise level that contributes to exceedance of the City's 12-hour  $L_{eq}$  standard, the proposed project applicant or its contractor(s) shall utilize blasting noise abatement techniques (at the discretion of the blast contractor) such as steel or rubber blasting mats over sand/dirt, so that its proper on-site implementation can be expected to provide approximately 15 dBA of noise reduction and thus enable the 12-hour  $L_{eq}$  representing the blast event noise level to comply with the City's standard of 75 dBA.

### Significance of Impact After Mitigation

Short-term construction noise impacts (**Impact NOI-1**) would be less than significant with implementation of one or more options identified in MM-NOI-1. One of the options would be halving the operation time of an active on site piece of construction equipment to obtain a 3 dB reduction in its noise emission over the 12-hour  $L_{eq}$  period. Another option is to move equipment farther away from the nearby residences as possible, considering a doubling of the distance between an active piece of equipment and an off-site receiving residential property would yield a 6 dB reduction. Hence, the combination of such potential measures would net a 9 dB noise level reduction. Alternately, proper application of temporary noise barriers on site (or at the boundary) or comparable sound abatement due to implementation of **MM-NOI-1** also has the ability to reduce noise levels by 9 dB, which would correspondingly reduce the predicted 79 dBA 12-hour  $L_{eq}$  for the grading phase to less than 70 dBA  $L_{eq}$ , which would make the level compliant with the 75 dBA threshold. Impacts would be **less than significant** after mitigation.

Blasting operation noise impacts (**Impact NOI-2**) would be less than significant with implementation of **MM-NOI-2**. The use of sand/dirt with steel mats over explosive items or installation of a temporary noise barrier (e.g., sound blankets of sufficient height, horizontal extent, and arrangement that occludes direct sound pathways between the blast event and the receptor[s] of concern) that is capable of exhibiting 12 dBA of noise reduction would decrease the predicted 82.6 dBA 12-hour  $L_{eq}$  for the 1,500 cubic-yard scenario in Table 5.10-8 to less than 71 dBA and thus comply with the City's standard of 75 dBA. Impacts would be **less than significant** after mitigation.

Blasting event vibration impacts (**Impact NOI-3**) would be less than significant with implementation of **MM-NOI-2**. Implementation of the Blasting Plan introduced as MM-NOI-2 would help render vibration-related environmental impacts temporary and ensure that vibration from the blasting associated with project excavation would not cause undue temporary annoyance and minimize damage risk to the receiving structures. Impacts would be **less than significant** after mitigation.

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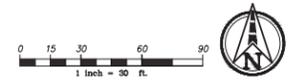
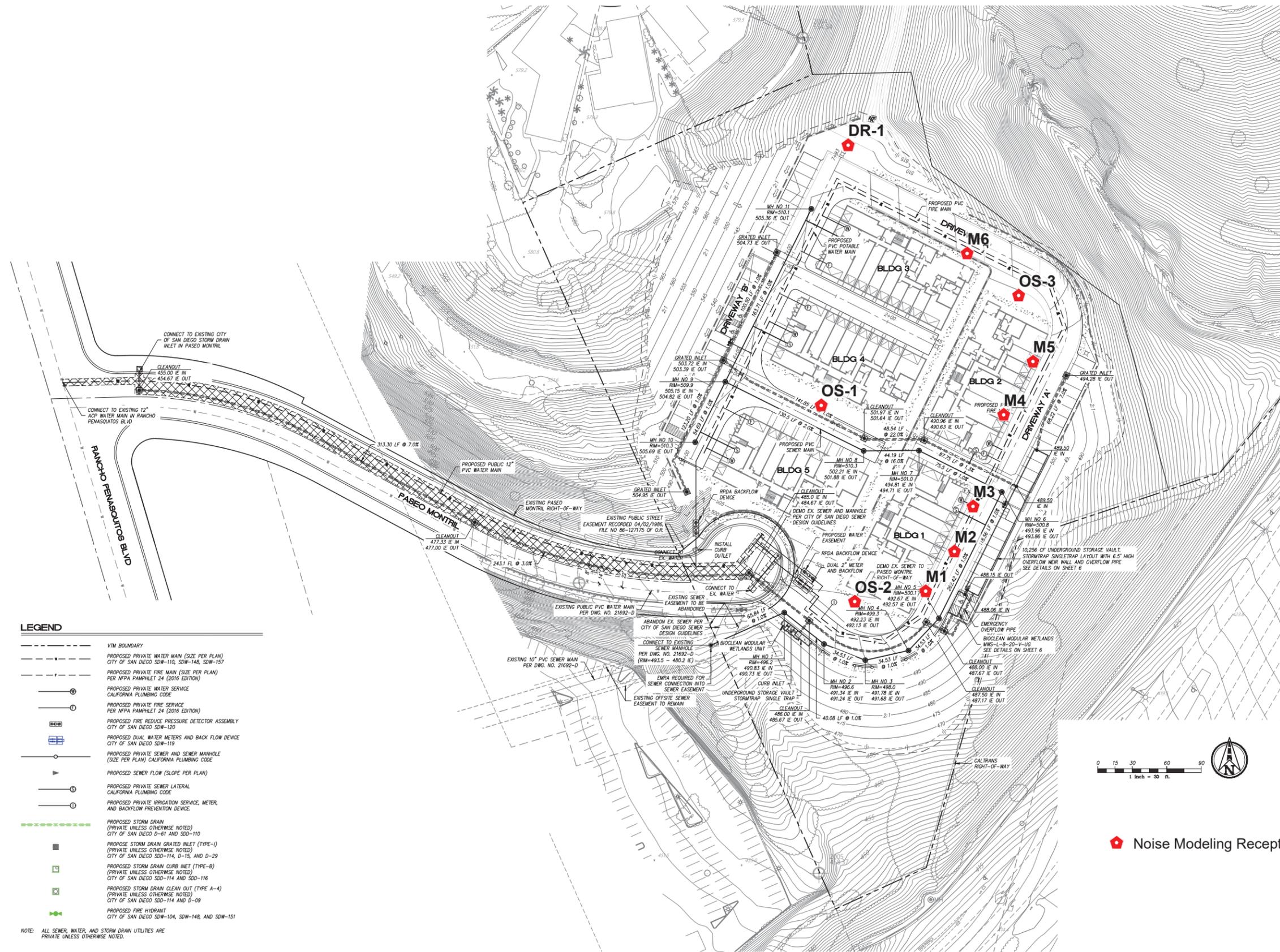
SOURCE: SanGIS 2019; Open Street Map 2019



**FIGURE 5.10-1**  
**Noise Measurement Locations**  
 Paseo Montril Development Project

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- LEGEND**
- VTM BOUNDARY
  - PROPOSED PRIVATE WATER MAIN (SIZE PER PLAN)  
CITY OF SAN DIEGO SDW-110, SDW-148, SDW-157
  - PROPOSED PRIVATE FIRE MAIN (SIZE PER PLAN)  
PER NFPA PAMPHLET 24 (2016 EDITION)
  - PROPOSED PRIVATE WATER SERVICE  
CALIFORNIA PLUMBING CODE
  - PROPOSED PRIVATE FIRE SERVICE  
PER NFPA PAMPHLET 24 (2016 EDITION)
  - PROPOSED FIRE REDUCE PRESSURE DETECTOR ASSEMBLY  
CITY OF SAN DIEGO SDW-120
  - PROPOSED DUAL WATER METERS AND BACK FLOW DEVICE  
CITY OF SAN DIEGO SDW-119
  - PROPOSED PRIVATE SEWER AND SEWER MANHOLE  
(SIZE PER PLAN) CALIFORNIA PLUMBING CODE
  - PROPOSED SEWER FLOW (SLOPE PER PLAN)
  - PROPOSED PRIVATE SEWER LATERAL  
CALIFORNIA PLUMBING CODE
  - PROPOSED PRIVATE IRRIGATION SERVICE, METER,  
AND BACKFLOW PREVENTION DEVICE.
  - PROPOSED STORM DRAIN  
(PRIVATE UNLESS OTHERWISE NOTED)  
CITY OF SAN DIEGO D-61 AND SD0-110
  - PROPOSED STORM DRAIN GRATED INLET (TYPE-I)  
(PRIVATE UNLESS OTHERWISE NOTED)  
CITY OF SAN DIEGO SD0-114, D-15, AND D-29
  - PROPOSED STORM DRAIN CURB NET (TYPE-B)  
(PRIVATE UNLESS OTHERWISE NOTED)  
CITY OF SAN DIEGO SD0-114 AND SD0-116
  - PROPOSED STORM DRAIN CLEAN OUT (TYPE A-4)  
(PRIVATE UNLESS OTHERWISE NOTED)  
CITY OF SAN DIEGO SD0-114 AND D-09
  - PROPOSED FIRE HYDRANT  
CITY OF SAN DIEGO SDW-104, SDW-148, AND SDW-151
- NOTE: ALL SEWER, WATER, AND STORM DRAIN UTILITIES ARE PRIVATE UNLESS OTHERWISE NOTED.



◆ Noise Modeling Receptor Location

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## 5.11 Paleontological Resources

This section describes the existing paleontological resources conditions of the proposed Paseo Montril Project (project) site, identifies associated regulatory requirements, and evaluates potential impacts related to implementation of the project. The following discussion is based upon on the geotechnical investigation, prepared by Geocon Inc. (January 2018) and included as Appendix E.1. In addition, three updates to the geotechnical investigation have been prepared, which are included as Appendix E.2 (March 2020), E.3 (September 2020), and E.4 (February 2021).

### 5.11.1 Existing Conditions

#### **Physical Conditions**

Currently, the project site is undeveloped land on a hillside surrounded by development on three sides. The off-site project area consists of urban/developed land (the existing Paseo Montril road). Surrounding land uses include residential and commercial development to the north, west, and south, and Interstate 15 (I-15) to the east. The area to the northeast remains as vacant land.

#### **Geologic Units Underlying the Project Area**

The project site is underlain by surficial deposits consisting of undocumented fill, topsoil, weathered Metamorphic rock, and weathered Mesozoic age metamorphic rock (undifferentiated Metamorphic rock) (Appendix E.1). The listed geologic units and their paleontological sensitivity are summarized below. A review of published geological maps and the geotechnical investigation (Appendix E.1) covering the project site and surrounding area was conducted to determine the specific geologic units underlying the project site.

#### ***Undocumented Fill (Qudf)***

Undocumented fill was encountered during subsurface investigations conducted for the geotechnical investigation, and mapped along the western edge of the project site. The undocumented fill is approximately 4 feet deep, and could be up to 10 feet thick in the southwest corner of the project site (Appendix E.1). Undocumented fill has not been given a paleontological sensitivity rating by the City of San Diego; thus, it is assumed that this geologic unit has a zero to low sensitivity rating (City of San Diego 2016).

#### ***Topsoil (Unmapped)***

Topsoil is found within a majority of the project site, in a depth of approximately 1 to 3 feet. The topsoil is characterized as stiff, dry to moist, sandy clay, and it exhibits a high expansion potential (Appendix E.1). Topsoil has not been given a paleontological sensitivity rating by the City of San Diego but is typically not found to contain significant paleontological resources; thus, it is assumed that this geologic unit has a zero to low sensitivity rating (City of San Diego 2016).

### ***Weathered Metamorphic Rock (Unmapped) and Undifferentiated Metamorphic Rock (Mzu)***

Deeply weathered metamorphic rock was encountered during the geotechnical investigation within the southwestern portion of the project site. The weathered soils were found to depths of 8 feet and greater than 17 feet below the ground surface. The soils were found to be predominantly lean to fat clay and the weathered soils are highly expansive (Appendix E.1). Weathered metamorphic rock has not been given a paleontological sensitivity rating by the City of San Diego; thus, it is assumed that this geologic unit has a zero to low sensitivity rating (City of San Diego 2016).

Mesozoic-age Undifferentiated Metamorphic Rock is the underlying bedrock unit and is exposed at grade on the northern hillside and underlies the undocumented fill, topsoil, and the weathered metamorphic rock. This unit varies greatly in degree of weathering from highly weathered rippable materials to fresh, hard, non-rippable rock (Appendix E.1). It has not been given a paleontological sensitivity rating by the City of San Diego; thus, it is assumed that this geologic unit has a zero to low sensitivity rating (City of San Diego 2016).

## 5.11.2 Regulatory Framework

### **Federal**

The Paleontological Resources Preservation Act requires the secretaries of the Interior and Agriculture to manage and protect paleontological resources on federal land using scientific principles and expertise. The Omnibus Public Lands Act–Paleontological Resources Preservation (OPLA–PRP) includes specific provisions addressing management of these resources by the Bureau of Land Management, the National Park Service, the Bureau of Reclamation, the U.S. Fish and Wildlife Service, all of the Department of the Interior, and the Forest Service of the Department of Agriculture.

The OPLA–PRP affirms the authority for many of the policies that the federal land-managing agencies already have in place for the management of paleontological resources, such as issuing permits for collecting paleontological resources, curation of paleontological resources, and confidentiality of locality data. The OPLA–PRP only applies to federal lands and does not affect private lands. It provides authority for the protection of paleontological resources on federal lands, including criminal and civil penalties for fossil theft and vandalism. As directed by the OPLA–PRP, the federal agencies are in the process of developing regulations, establishing public awareness and education programs, and inventorying and monitoring federal lands.

### **State**

The California Environmental Quality Act (CEQA) Guidelines require that all private and public activities not specifically exempted be evaluated against the potential for environmental damage, including effects to paleontological resources. Paleontological resources are recognized as part of the environment under the CEQA Guidelines.

### Local

#### ***City of San Diego Municipal Code – Paleontological Resources Requirements for Grading Activities***

Chapter 14, Article 2, Division 1 of the City of San (City) Diego Municipal Code was updated in March 2018 to include the following for paleontological resources:

#### Section 142.0151: Paleontological Resources Requirements for Grading Activities

- a) Paleontological resources monitoring shall be required in accordance with the General Grading Guidelines for Paleontological Resources in the Land Development Manual for any of the following:
  - (1) Grading that involves 1,000 cubic yards or greater, and 10 feet or greater in depth, in a High Resource Potential Geologic Deposit/Formation/Rock Unit; or
  - (2) Grading that involves 2,000 cubic yards or greater, and 10 feet or greater in depth, in Moderate Resource Potential Geologic Deposit/Formation/Rock Unit; or
  - (3) Grading on a fossil recovery site or within 100 feet of the mapped location of a fossil recovery site.
- b) If paleontological resources, as defined in the General Grading Guidelines for Paleontological Resources, are discovered during grading, notwithstanding [San Diego Municipal Code] Section 142.0151(a), all grading in the area of discovery shall cease until a qualified paleontological monitor has observed the discovery, and the discovery has been recovered in accordance with the General Grading Guidelines for Paleontological Resources.

#### ***City of San Diego Paleontology Guidelines***

Since it is the underlying formation and geologic rock units that contain the fossil remains, resource sensitivity/potential levels are rated for individual geologic formations. The resource sensitivity levels and potential ratings are adapted from the resource sensitivity levels and potential ratings described by the City (City of San Diego 2016).

### 5.11.3 Impacts Analysis

#### 5.11.3.1 Issue 1 and 2: Excavation in High/Moderate Resource Potential Geologic Deposit/Formation/Rock Unit

**Issue 1:** *Would the proposal require over 1,000 cubic yards of excavation in a high resource potential geologic deposit/formation/rock unit?*

**Issue 2:** *Would the proposal require over 2,000 cubic yards of excavation in a moderate resource potential geologic deposit/formation/rock unit?*

#### Thresholds

According to the City of San Diego’s Significance Determination Thresholds (City of San Diego 2020), the assessment of paleontological resource sensitivity for surficial and geologic units is based on the following designations:

- **High Sensitivity:** these formations are known to consist of geological deposits, formations, and rock units such as Delmar Formation (Td), Friars Formation (Tf), Lindavista Formation (QIn, QLB) occurring in Mira Mesa/Tierrasanta, Lusardi Formation (KI) occurring within Black Mountain Ranch/Lusardi Canyon Poway/Rancho Santa Fe, Mission Valley Formation (TMV), Mt. Soledad Formation (Tm, Tmss, Tmssc) occurring in Rose Canyon, Otay Formation (To), Point Loma Formation (Kp), Pomerado Conglomerate (Tp) within Scripps Ranch/Tierrasanta, San Diego Formation (Qsd), Scripps Formation (Tsd), Stadium Conglomerate (Tst), Sweetwater Formation, and Torrey Sandstone (Tf) located within Black Mountain Ranch/Carmel Valley. Monitoring is required for grading that is greater than 1,000 cubic yards and depths that are 10 feet or greater.
- **Moderate Sensitivity:** Moderate sensitivity is assigned to geological deposits, formations, and rock units consisting of Cabrillo Formation (KCS), Lindavista Formation (QIn, QLB), Lusardi Formation (KI), Mt. Soledad Formation (Tm, Tmss, Tmssc), Pomerado Conglomerate (Tp), River/Stream Terrace Deposits (Qt) occurring in South Eastern/Chollas Valley/Fairbanks Ranch/Skyline/Paradise Hills/Otay Mesa, Nestor/San Ysidro, and Santiago Peak Volcanics (Jsp) occurring in Black Mountain Ranch/La Jolla Valley, Fairbanks Ranch/Mira Mesa/Peñasquitos. Monitoring is required for grading that is over 2,000 cubic yards and depths that are 10 feet or greater.
- **Low Sensitivity:** Low sensitivity is assigned to geologic or surficial formation/materials that consist of Alluvium (Qsw, Qal, or Qls), River/Stream Terrace Deposits (Qt), and Torrey Sandstone (Tf). No monitoring is required in areas with low sensitivity.
- **Zero Sensitivity:** These formations consist of volcanic or plutonic igneous rocks with a molten origin (such as Granite/Plutonic [Kg] and Santiago Peak Volcanics [Jsp]). No monitoring is required in areas with low sensitivity.

The City assess potential impacts to moderate and high sensitivity geologic formations as follows:

- Require over 1,000 cubic yards of excavation in a high resource potential geologic deposit/formation/rock unit.

- Require over 2,000 cubic yards of excavation in a moderate resource potential geologic deposit/formation/rock unit.

### **Impact**

The project site is not underlain by any formation with a moderate or high-resource potential for the occurrence of sensitive paleontological resources. Although the proposed project would require the excavation of approximately 59,500 cubic yards of soil to a depth of 49 feet, because the underlying geologic units do not possess a moderate or high paleontological sensitivity rating, no adverse impacts to paleontological resources are anticipated.

### **Significance of Impact**

Because the project's grading would not disturb geologic formations with a moderate or high paleontological sensitive rating, the project is not subject to the grading ordinance (San Diego Municipal Code Section 142.0151) and the requirement for paleontological monitoring. No impact would occur.

### **Mitigation**

No mitigation would be required.

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## 5.12 Population and Housing

This section describes the existing population and housing conditions of the proposed Paseo Montril Project (project) site, identifies associated regulatory requirements, and evaluates potential impacts related to implementation of the project.

### 5.12.1 Existing Conditions

#### **Physical Conditions**

Currently, the project site is characterized as undeveloped land on a hillside and contains areas of non-native vegetation communities and urban/developed land and disturbed habitat. The off-site area consists of urban/developed land (the existing Paseo Montril road).

The surrounding area consists primarily of a residential neighborhood with a small commercial area closest to the freeway. The adjacent development consists of residential (single-family) to the north, and commercial development along Rancho Peñasquitos Boulevard. Multi-family homes exist to the west of the project site, along the southbound lane of Rancho Peñasquitos Boulevard, including the Rancho Villas, Eaves Ranch Peñasquitos, and Peñasquitos Point complexes. Additional multi-family homes exist along the portion of Paseo Montril to the west of Rancho Peñasquitos Boulevard. To the west, adjacent to the project site and along Rancho Peñasquitos Boulevard are a variety of commercial and employment uses. The commercial areas include drive-thru/dine-in fast food restaurants, gas stations, an auto repair shop, a hotel, and various other small-scale commercial shops. To the west of the commercial areas, located along Paseo Montril, are additional single-family neighborhoods. The closest public parks include the Views West Neighborhood Park to the northwest, the Sabre Springs Park to the east, and Ridgewood Park to the southwest. The Peñasquitos Creek and Los Peñasquitos Canyon preserve are located to the south of the project site, separated from the project site by I-15 and the freeway interchange with Rancho Peñasquitos Boulevard and Poway Road.

#### **Site Planning**

The project site is designated Park, Open Space, and Recreation in the General Plan, while the off-site area is designated as Roads/Freeway/Transportation (City of San Diego 2008). The project site is currently designated as Open Space, while the off-site area is designated as Major Utility Facility, as identified within the Community Plan Land Use Map (City of San Diego 2011). Most of the project site is zoned as Residential-Multiple (RM-2-5), while the western corner of the site is zoned as Residential-Single (RS-1-14). The RM-2-5 zone allows for residential development of up to one dwelling unit for each 1,500 square feet of lot area. The RS-1-14 zone allows for residential development of up to one dwelling unit per a minimum lot size of 5,000 square feet. The off-site area is located within the Commercial-Community (CC-1-3) zone, and is currently constructed as a roadway. Permitted uses within the RM zones include multiple-dwelling-unit development at varying densities (City of San Diego 2005).

## 5.12.2 Regulatory Framework

### State

#### ***California Planning and Zoning Law***

The legal framework within which California counties and cities exercise local planning and land use functions is provided in the California Planning and Zoning Law (Sections 65000 through 66499.58 of the California Government Code). Under that law, each county and city must adopt a comprehensive, long-term general plan. The law gives counties and cities wide latitude in how a jurisdiction may create a general plan, but there are fundamental requirements that must be met. The requirements include seven mandatory elements described in the California Government Code. Each element must contain text and descriptions setting forth objectives, principles, standards, policies, and plan proposals; diagrams and maps that incorporate data and analysis; and implementation measures.

Once the general plan of a county or city is adopted, it should be construed as a dynamic document, for which adaptability is a key component. Each jurisdiction frequently reviews its general plan for consistency and to ensure it addresses growth-related issues in a comprehensive manner. State law allows up to four general plan amendments per general plan element per year.

#### ***Senate Bill 375***

Senate Bill 375 (codified in the California Government Code and California Public Resources Code) took effect in 2008 and provides a new planning process to coordinate land use planning, regional transportation plans, and funding priorities in order to help California meet the greenhouse gas reduction goals established in Assembly Bill 32. Senate Bill 375 requires metropolitan planning organizations to incorporate sustainable communities strategies (SCSs) in their regional transportation plans (RTPs) to achieve greenhouse gas emissions reduction targets by reducing vehicle miles traveled from light-duty vehicles through the development of more compact, complete, and efficient communities.

#### ***Regional Housing Needs Assessment***

A regional housing needs assessment (RHNA) is mandated by state housing law as part of the periodic process of updating local housing elements of the General Plan. The RHNA is updated by the California Department of Housing and Community Development in coordination with the region's Council of Governments (COG). The RHNA quantifies the need for housing within each jurisdiction during specified planning periods.

Communities use the RHNA in land use planning, in prioritizing local resource allocation, and in deciding how to address identified existing and future housing needs resulting from population, employment, and household growth. The RHNA does not necessarily encourage or promote growth, but rather allows communities to anticipate growth, so that collectively the region and subregion can grow in ways that enhance quality of life, improve access to jobs, promote transportation mobility, and address social equity and fair share housing needs.

### Local

#### ***San Diego Association of Governments***

SANDAG is a public agency composed of 18 cities and the County of San Diego that builds strategic plans guiding the San Diego region in land use, growth, economics, and the environment. SANDAG also provides population and housing estimates for the region, which are based, in part, on local jurisdictional planning data, and inform regional planning.

The SANDAG Regional Comprehensive Plan, adopted in 2004, provides a long-term planning framework for the San Diego region. The Regional Comprehensive Plan identified smart growth and sustainable development as important strategies to direct the region's future growth toward compact, mixed-use development in urbanized communities that already have existing and planned infrastructure, and then toward connecting those communities with a variety of transportation choices.

In 2011, SANDAG approved the 2050 RTP/SCS. This approval marked the first time SANDAG's RTP included an SCS, consistent with the Sustainable Communities and Climate Protection Act of 2008, also known as Senate Bill 375. This RTP/SCS provided a blueprint to improve mobility, preserve open space, and create communities, all with transportation choices to reduce greenhouse gas emissions and meet specific targets set by the California Air Resources Board as required by the 2008 Sustainable Communities Act.

SANDAG is required by law to update its regional transportation plan every 4 years. In December 2021, SANDAG adopted the latest update to its RTP/SCS. SANDAG's 2021 RTP/SCS, known as San Diego Forward: The Regional Plan (Regional Plan), integrates the elements of the prior Regional Comprehensive Plan and combines those elements with the Regional Plan.

The Regional Plan updates growth forecasts and is based on the most recent planning assumptions considering currently adopted land use plans, including the City's General Plan and other factors from the cities in the region and the County. SANDAG's Regional Plan will change in response to the ongoing land use planning of the City and other jurisdictions. For example, the City's General Plan, and other local general plans, may change based on general plan amendments initiated by the jurisdiction or landowner applicants. The general plan amendments may result in increases in development densities by amending the regional category designations or zoning classifications. Accordingly, the latest forecasts from the SANDAG RTP/SCS of future development in the San Diego region, including location, must be coordinated closely with each jurisdiction's ongoing land use planning because that planning is not static, as recognized by the need for updates to SANDAG's RTP/SCS every 4 years.

#### Regional Growth Forecast

SANDAG estimates future population, housing, land use, and economic growth throughout San Diego County and its cities, including the City. On October 13, 2013, SANDAG accepted the Series 13: 2050 Regional Growth Forecast, the most recent growth forecast for the region. This forecast serves as the foundation for the Regional Plan and other planning documents across the region. SANDAG growth projections for the region, the City, and the Rancho Peñasquitos Community Plan Area are outlined in Table 5.12-1. It should also be noted that the 2050 Regional Growth Forecast is not

intended to be an exact formula utilized to determine growth in the region and comprising jurisdictions; rather it should be utilized as a starting point for regional planning.

**Table 5.12-1.  
Forecasted Growth for the San Diego Region, City of San Diego, and Carmel Mountain Community Planning Area**

Jurisdiction/Area	Year				Change 2012–2050	
	2012	2020	2035	2050	Numeric	Percent
<i>Population</i>						
San Diego (Region)	3,143,429	3,435,713	3,853,698	4,086,759	925,330	29
City of San Diego	1,321,315	1,453,267	1,665,609	1,777,936	456,621	35
Rancho Peñasquitos Community Planning Area	44,920	45,787	46,347	46,039	1,164	3
<i>Housing</i>						
San Diego (Region)	1,165,818	1,249,684	1,394,783	1,491,935	326,117	28
City of San Diego	518,137	559,143	640,668	695,703	177,566	34
Rancho Peñasquitos Community Planning Area	15,220	15,260	15,322	15,368	148	1
<i>Employment (Jobs)</i>						
San Diego (Region)	1,450,913	1,624,124	1,769,938	1,911,405	460,492	32
City of San Diego	780,252	867,641	933,938	1,008,793	228,541	29
Rancho Peñasquitos Community Planning Area	4,359	4,548	4,577	4,577	218	5

**Sources:** SANDAG 2013a, 2013b, 2013c.

As shown in Table 5.12-1, while both the San Diego region and the City are forecasted to grow in population and housing stock between 2012 and 2050, the Rancho Peñasquitos community is forecasted to experience minimal (< 3%) growth in these same areas (SANDAG 2013a, 2013b, 2013c). In addition, the Rancho Peñasquitos community is forecasted to experience minimal growth in employment (jobs) between 2012 and 2050 (SANDAG 2013c).

Regional Housing Needs Assessment

On November 22, 2019, the SANDAG Board of Directors formally adopted the final regional housing assessment methodology for the sixth Housing Element cycle (2021–2029) for the San Diego region and released the RHNA allocation for this cycle (SANDAG 2019).

Based on a methodology that weighs a number of factors (i.e., projected population growth, employment, commute patterns, and available sites), SANDAG determined quantifiable needs for

housing units in the region according to various income categories. The RHNA allocates housing needs in four income categories (very low, low, moderate, and above moderate) for each jurisdiction that will be used in local housing elements; the City further splits the lowest category into extremely low and very low. The RHNA allocation for the 2021–2029 Housing Element cycle for the City is 107,901 housing units, as outlined in Table 5.12-2 (SANDAG 2019).

**Table 5.12-2.  
City of San Diego Regional Housing Needs Assessment Allocation by Income Level (2021–2029 Housing Element Cycle)**

<b>Extremely Low</b>	<b>Very Low</b>	<b>Low</b>	<b>Moderate</b>	<b>Above Moderate</b>	<b>Total</b>
12,380	15,130	17,311	19,297	43,783	107,901

**Source:** SANDAG 2019; City of San Diego 2020.

***City of San Diego General Plan Housing Element***

Housing Element 2021–2029

As described above, SANDAG adopted the RHNA allocation for the next housing cycle (2021–2029) in November 2019. The City’s RHNA allocation for 2021–2029 is 107,901 housing units, as outlined in Table 5.12-3. This is the sixth update to the Housing Element and is referred to as the sixth cycle. For the sixth Housing Element cycle, the City must identify enough potentially developable land zoned for residential use to meet the City’s new RHNA capacity/production target and must develop policies and programs that create opportunities to increase housing production.

On June 16th, 2020, the San Diego City Council adopted the 2021-2029 Housing Element (Housing Element). The inventory for the Housing Element demonstrates that the City has enough sites zoned to meet the City’s RHNA target of 108,036 new units (City of San Diego 2020). There are sufficient properties Citywide that are presumed (according to state requirements) to be suitable for lower-income housing to meet the City’s RHNA target of 44,880 housing units for extremely low, very low, and low-income households. The City identified capacity to construct 174,678 housing units through the adequate sites inventory for the Housing Element cycle (City of San Diego 2020). The sites inventory for the Housing Element identifies a total capacity of approximately 893 housing units for the Rancho Peñasquitos community, with 308 of those identified as lower-income capacity (City of San Diego 2020).

***Rancho Peñasquitos Community Plan***

The Rancho Peñasquitos Community Plan (Community Plan) identifies the project site for open space, while the off-site area is designated as Major Utility Facility (City of San Diego 2011). The Community Plan does not identify any of the project site as residential land use within its Housing Element.

## 5.12.3 Impacts Analysis

### 5.12.3.1 Issue 1: Unplanned Population Growth

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

#### **Threshold**

Consistent with CEQA Guidelines Appendix G, a project would result in a significant impact to housing and population if the project would induce substantial unplanned population growth in an area, either directly or indirectly.

#### **Impact**

##### ***Indirect Growth Potential***

The project site occupies vacant land which is currently located within an existing primarily residential community that is served by utilities and infrastructure. Any proposed new infrastructure needed to serve the project would be provided by the project, and connected to existing water, sewer, drainage, and dry utilities (such as gas, electricity, and telecommunications systems) infrastructure. The proposed project would not indirectly induce a growth in population as no extension of infrastructure is proposed beyond what is required to adequately serve the project. Additionally, the majority of the surrounding area is developed and the build out of this site would not encourage additional indirect growth in the area. The undeveloped area to the northeast could be developed independently of the project, and the development of the project would not induce its development. The project would not otherwise result in the extension of infrastructure to an area that is currently undeveloped or underdeveloped, thereby removing barriers to growth. As such, the project would not induce substantial unplanned indirect growth.

##### ***Direct Growth Potential***

As described previously, the project site is currently vacant. Therefore, development of the proposed project would result in direct growth at the project site. The project site is designated Park, Open Space, and Recreation, while the off-site area is designated as Roads/Freeway/Transportation in the General Plan. The project site is designated in the Community Plan as Open Space, while the off-site areas is designated as Major Utility Facility. Most of the project site is zoned as RM-2-5, while the western corner of the site is zoned as RS-1-14. As detailed in Section 3.3.9, Discretionary Actions, the project proposes General Plan and Community Plan amendments to redesignate Lot 1 from open space uses to Residential and Low-Medium Density Residential, respectively. The project proposes to rezone Lot 1 to RM-1-1 that allows for 1 dwelling units for each 3,000 square feet of lot area. Lot 2 would be rezoned to Open Space. With the proposed land use designation and zone, up to 71 units could be developed with the 4.9-acre (213,000 square feet) Lot 1 and no units could be developed in open space Lot 2. While the RM-1-1 zoning would allow up to 71 units on Lot 1, there are other Municipal Code regulations that limit development of this site. The City's ESL regulations require a

COE on remaining sensitive biological habitats and steep slopes, and therefore the project must include a COE on 1.30 acres within Lot 1 that would prohibit development in that area. In addition, the zoning and ESL regulations include limits on encroachment into ESL, retaining wall and building height limits, setback minimums, and minimum parking requirements that result in limitations of development at this site. The project is seeking deviations to Municipal Code requirements due to site-specific constraints, including reduced setbacks, increased retaining wall heights, encroachment into additional ESL, and a building height increase from 30 to 40 feet in order to achieve the proposed 55 units (see Section 3.3.9). As such, it is expected that additional deviations would be required to achieve an increase above the proposed 55 units. Overall, the maximum buildout of this site allowed by the proposed discretionary actions included in this project would be 55 units.

Based on the population rate coefficient of 3.07 persons per household<sup>1</sup> for the Rancho Peñasquitos community, the project would directly introduce an estimated 169 people to the area (SANDAG 2013c).

The SANDAG population growth forecasts rely, in part, on individual jurisdiction's planning documents, such as the City's General Plan and Community Plans. Both the General Plan and the Rancho Peñasquitos Community Plan assume the site is open space. Based on coordination with SANDAG (Cortes, pers comm. 2020), SANDAG Series 12 growth projects assumed that the site would be open space and would include no residential units. Considering this, the estimated population of 169 people would not have been accounted for in SANDAG's projections. As shown in Table 5.12-2, the expected population change, which did not include the conversion of open space to low-medium density residential, within the Rancho Peñasquitos community is expected to result in the addition of 1,164 residents by 2050.

The City of San Diego's portion of the County's RHNA target for the 2021-2029 Housing Element period is 108,036 homes (City of San Diego 2020). While the City is planning for additional housing to meet the need and targeted to permit more than 88,000 new housing units between 2010 – 2020, less than half of those units were constructed (42,275) as of December 2019 (City of San Diego 2020). Considering this, the proposed construction of 55 units is anticipated to help accommodate the existing and planned population and population growth anticipated in the City and help with the existing housing shortage. Although the project proposes a General Plan Amendment and Community Plan Amendment that would allow for the site to be converted from open space to low-medium density residential, proposed housing would be growth accommodating. Thus, although the project would result in population growth, because the project would provide housing to assist with the City's housing shortage, this growth would not be considered substantial. Therefore, the project would not directly induce substantial unplanned population growth to the area.

### **Significance of Impact**

While the project proposes housing on a site planned for open space, the proposed project would not induce substantial growth considering the housing shortage in the City and the need for additional

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<sup>1</sup> There are multiple sources for estimations of a "person per household" rate. The analysis contained herein conservatively uses the SANDAG 2050 regional growth forecast rate for the Rancho Peñasquitos community for year 2035, which is the highest out of each forecasted year. By comparison, the City as a whole also has a forecasted rate of 2.65 persons per household in 2035 per SANDAG's regional growth forecast.

housing to accommodate planned growth. The project would not indirectly or directly induce substantial unplanned population growth to the area. Thus, impacts would be **less than significant**.

### **Mitigation**

No mitigation would be required.

### 5.12.3.2 Issue 2: Displacement

**Issue 2:** *Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?*

### **Threshold**

Consistent with State CEQA Guidelines Appendix G, a project would result in a significant impact to housing and population if the project would displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

### **Impact**

The project site does not contain any existing housing or people. Therefore, the project would not result in the displacement of any number of existing housing or people.

### **Significance of Impact**

The project would not result in the displacement of any number of existing housing or people. **No impact** would occur.

### **Mitigation**

No mitigation would be required.

## 5.13 Public Services and Facilities

This section describes the existing public services and facilities conditions of the proposed Paseo Montril Project (project), identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures related to implementation of the project. Analysis of this section is based on public will-serve letters from fire services, police services, and schools near the project site, herein incorporated as Appendix J of this EIR.

### 5.13.1 Existing Conditions

#### **Fire Rescue Services**

The City of San Diego Fire-Rescue Department (SDFD) provides fire protection services throughout the City of San Diego (City) and project site. The SDFD's service area spans 343 square miles and serves a population of 1,419,845 (SDFD n.d.a). The SDFD has 52 fire stations total, employs 892 uniformed fire personnel, 98 permanent uniformed lifeguard personnel, and 246 civilian personnel (SDFD n.d.a).

A 3-mile distance between fire stations would be sufficient to achieve response time objectives. Additionally, fire response should arrive within 7.5 minutes to treat medical patients and control small fires, and within 10.5 minutes for serious emergencies (City of San Diego 2018). The closest fire station to the project site is Station 40, located at 13393 Salmon River Road (SDFD n.d.b). Apparatus at this station includes Engine 40, Truck 40, Brush 40, Water Tender 40, Light and Air 40, and Paramedic 40 (SDFD n.d.b). Fire Station 40 is located approximately 1.4-miles, or 4 minutes, northwest from the project site.

According to the City of San Diego's General Plan – Public Facilities, Services and Safety Element, the Fire-Rescue Department has Automatic Aid agreements with jurisdictions adjoining the City (City of San Diego 2018). These agreements assure that the closest engine company responds to a given incident regardless of which jurisdiction it represents. Mutual Aid agreements with county, state, and federal agencies further allow the City, and any other participating agency, to request additional resources depending on the complexity and needs of a given incident, such as wildfires.

#### **Police Services**

The San Diego Police Department (SDPD) provides police services to the City, including patrol, traffic, investigative, records, laboratory, and support services. The project site is located within the SDPD Northeastern Division, which serves a population of 234,394 people and encompasses 104 square miles within the neighborhoods of Carmel Mountain, Miramar, Miramar Ranch North, Mira Mesa, Rancho Bernardo, Rancho Encantada, Rancho Peñasquitos, Sabre Springs, and Scripps Ranch (City of San Diego n.d.a). The Northeastern Division Substation is located approximately 1.5-miles northwest from the project site, at 13396 Salmon River Road in Rancho Peñasquitos.

The SDPD currently utilizes a five-level priority calls dispatch system, which includes priorities E (emergency), one, two, three, and four (City of San Diego 2018). The priority system serves as a guide, allowing the phone dispatcher and the radio dispatcher discretion to raise or lower the call

priority as necessary based on the information received. Priority E and priority one calls involve serious crimes in progress or a potential for injury. Priority two calls include vandalism, disturbances, and property crimes. Priority three calls include calls after a crime has been committed such as cold burglaries and loud music. Priority four calls include parking complaints or lost and found reports. Table 5.13-1 lists the department’s response-time guidelines and the actual average response times.

**Table 5.13-1.  
San Diego Police Department Call Priority Response Times**

<b>Call Priority</b>	<b>General Plan Response Time Goals<sup>1</sup></b>	<b>Police Department Response Time Goals (2020)<sup>2</sup></b>	<b>Actual Average Response Times (2020)</b>
Priority E – Imminent threat to life	Within 7 minutes	Within 6.7 minutes	7 minutes
Priority 1 – Serious crimes in progress	Within 12 minutes	Within 14 minutes	23.7 minutes
Priority 2 – Less serious crimes with no threat to life	Within 30 minutes	Within 27 minutes	68.7 minutes
Priority 3 – Minor crimes/requests that are not urgent	Within 90 minutes	Within 80 minutes	108.8 minutes
Priority 4 – Minor requests for police service	Within 90 minutes	Within 90 minutes	92.5 minutes

**Notes:**

<sup>1</sup> City of San Diego 2018.

<sup>2</sup> SDPD 2021.

As indicated in Table 5.13-1, the response times for each priority call category did not meet SDPD response time goals or the General Plan response time goals.

**Public Parks and Recreation Facilities**

The City’s General Plan and the Parks Master Plan guide development of park and recreation facilities in the project site. The General Plan provides goals and policies for population-based parks and facilities, resource-based parks, and open space lands. The City’s park and recreation goals include achieving a sustainable park and recreation system that meets the needs of residents and visitors and an equitable citywide distribution of parks and recreation facilities (City of San Diego 2021).

The Parks Master Plan park standard requires a 100 recreational value points per 1,000 residents for parks, a 17,000 square foot recreation center per 25,000 residents, and an Aquatic Complex per 50,000 residents (City of San Diego 2021). The Recreational Value-Based Park standard establishes a point value to represent recreational opportunities within population-based parks. Recreational value emphasizes the activities and experiences that residents can enjoy in park and the park’s ability to support active recreation and exercise; encourage socializing; link people to transit, bike facilities, trails and active public areas and invite activity throughout the day.

Nearby parks to the project site include Sun Ridge Vista Mini Park, located approximately 0.7 miles northeast of the project site at 13221 Avenida Grande, and Views West Neighborhood Park, located approximately 1 mile northwest from the project site at 12958 La Tortola. Ridgewood Park is also located less than 1 mile away to the southwest. Sabre Springs Park is located only 1.5 miles away, but it is located across the I-15. The Peñasquitos Canyon Preserve Park and Canyonside Community Park are both located along Black Mountain Road approximately 2.5 miles to the southwest.

**Schools**

The project site is located within the Poway Unified School District (PUSD) boundary (City of San Diego 2018). Thus, the project would be served by PUSD for the provision of school services. PUSD serves approximately 36,000 students and is the third largest school districts in San Diego County. The PUSD operates 25 elementary schools (K-5), six middle schools (6-8), one continuation high school, five comprehensive high schools (9-12), and one adult/alternative school (PUSD 2020a). Twenty-four schools are located within the City of San Diego, three schools are located in the County of San Diego, and 12 schools are located in the City of Poway (PUSD 2020a).

Using a residential address adjacent to the project site, the PUSD School Location System determined that the project site would be served by Los Peñasquitos Elementary School, Black Mountain Middle School, and Mt. Carmel High School (PUSD n.d.).

Table 5.13-2 shows the current capacity and enrollment numbers available for the public schools that would serve students within the jurisdiction of PUSD. As shown in this table, available capacity exists at the elementary school (based on district loading rates), middle schools, and high school levels (PUSD 2020a).

**Table 5.13-2.  
Poway Unified School District School Enrollment and Capacity**

School Level (Grades)	Existing Facilities Capacity (State Loading/District Loading)	Student Enrollment (2019)	Available or (Deficit) Capacity
Elementary school (K-5)	16,250/17,225	16,363	(113)/862
Middle school (6-8)	9,045/9,280	8,493	552/787
High school (9-12)	13,298/14,529	11,532	1,766/2,997
<b>Total</b>	<b>38,593/41,034</b>	<b>36,388</b>	<b>2,205/4,646</b>

Source: PUSD 2020a.

Table 5.13-3 shows the current capacity and enrollment numbers available for the public schools that serve the student-aged populations within the project site. As shown in this table, excess capacity exists at all of the schools listed.

**Table 5.13-3.  
School Enrollment and Capacity Serving the Project**

School	Address	Estimated Capacity (State Loading/ District Loading)	Enrollment (2019)	Enrollment Projected (2020)
Los Peñasquitos Elementary School	14125 Cuca St, San Diego, California 92129	525/557	535	496
Black Mountain Middle School	9353 Oviedo St, San Diego, California 92129	1,458/1,496	1,244	1,166
Mt. Carmel High School	9550 Carmel Mountain Rd, San Diego, California 92129	2,538/2,463	1,886	1,450

Source: PUSD 2020a.

**Libraries**

The project is located within the City’s public library system. The City’s General Plan establishes goals and policies for the library system and facilities (City of San Diego 2018). Per the General Plan, a library system should contribute to the quality of life through technologically improved services and welcoming environments. General Plan policy indicates that branch libraries should be 15,000 square feet or larger, and include features and services that address community-specific needs. Library design should incorporate public input to address the needs of the intended service area (City of San Diego 2018). The nearest municipal library to the project is the Rancho Peñasquitos Branch Library, located 1.5 miles northwest to the project site at 13330 Salmon River Rd. The Rancho Peñasquitos Branch Library is 20,650 square feet (City of San Diego n.d.b). The Rancho Peñasquitos Branch Library includes computer labs, meeting/study rooms, and an outdoor space (City of San Diego 2018).

**5.13.2 Regulatory Framework**

**Federal**

There are no federal regulations related to public services and facilities relevant to the project.

**State**

Quimby Act and Assembly Bill 1359

The Quimby Act, which is within the Subdivision Map Act, authorizes the legislative body of a city or county to require the dedication of land or impose fees for park or recreational purposes as a condition to the approval of a tentative or parcel subdivision map, if specified requirements are met. One of these requirements is that the dedicated land or fees, or combination thereof, shall be used only for the purposes of developing or rehabilitating neighborhood or community park or recreational facilities to serve the subdivision for which the land was dedicated or fees were paid.

The act provides that the dedication of land or the payment of fees, or both, shall not exceed the proportionate amount necessary to provide 3 acres of park area per 1,000 persons residing within a subdivision subject to the act, except as specified.

### ***Senate Bill 50***

Senate Bill 50 was enacted on August 27, 1998. The bill authorized a \$9.2 billion K–12 school and higher education bond to be presented to the voters of California. The state bond measure, known as the Class Size Reduction Kindergarten–University Public Education Facilities Bond Act of 1998, was approved by the voters on November 3, 1998.

Senate Bill 50 significantly revised developer fee and mitigation procedures for school facilities as set forth in Government Code Section 65996. The legislation holds that the statutory fees are the exclusive means of considering and mitigating school impacts. It does not just limit the mitigation that may be required, it limits the scope of the review and the findings to be adopted for school impacts. Once the statutory fee is paid, the impact would be mitigated because of the provision that the statutory fees constitute full and complete mitigation.

### ***California Mutual Aid***

The purpose of Emergency Management Mutual Aid (EMMA) is to provide emergency management personnel and technical specialists to support the disaster operations of affected jurisdictions during an emergency. In accordance with the California Master Mutual Aid Agreement, local and state emergency managers have responded in support of each other under a variety of plans and procedures. Immediately following the 1994 Northridge Earthquake, city and county emergency managers along with the Coastal, Inland, and Southern Regions of the California Governor’s Office of Emergency Services, developed EMMA to provide a valuable service during the emergency response and recovery efforts at the Southern Region Emergency Operations Center, local emergency operations centers, the Disaster Recovery Center, local assistance centers, and in the field. Since that time, EMMA has often been used to deploy emergency managers and other technical specialists not covered by law enforcement or fire mutual aid plans in support of emergency operations and response throughout California.

### **Local**

#### ***City of San Diego General Plan***

The Public Facilities, Services, and Safety Element of the General Plan addresses facilities and services that are publicly managed. Furthermore, this element provides policies for financing, prioritization, developer, and City funding responsibilities for public facilities in San Diego. In addition, Policy PF-C.1. requires development proposals to fully address impacts to public facilities and services (City of San Diego 2018). In addition, the Public Facilities, Services, and Safety Element provides service response time standards for both police and fire services within the City. The applicable response time goals and standards are provided in Table 5.13-1 for police services.

The Public Facilities, Services, and Safety Element also establishes guidelines and policies for branch libraries. Ideally, branch libraries should serve a resident population of 30,000 and may be

established when a service area, which is expected to grow to 30,000 residents within 20 years of library construction, has a minimum population of 18,000–20,000. Branches should be located in areas of intense human activity, with a 2-mile maximum service area, where trips can be combined with other daily trips. The City is also part of a county-wide cooperative relationship known as the Serra Cooperative Library System. This system allows residents of the City and San Diego County to use the facilities of public libraries.

Regarding schools, the Public Facilities, Services, and Safety Element established goals for the City to provide a multilevel public and private school system that enables all students to realize their highest potential as individuals and as members of society; to provide educational facilities that are equitable, safe, healthy, technologically equipped, aesthetically pleasing, sustainable, and supportive of optimal teaching and learning for all students, and welcoming to parents and community members; and to provide a public school system that provides opportunities for students to attend schools within their residential neighborhoods as well as choices in educational settings outside their neighborhoods.

The Recreation Element (City of San Diego 2021) of the City's General Plan provides the following categories of parks:

Population-based parks (commonly known as Neighborhood and Community parks) facilities and services are located in close proximity to residential development and are intended to serve the daily needs of the neighborhood and community. When possible, they adjoin schools in order to share facilities, and ideally are within walking distance of the residences within their service area. As the category's name implies, these parks are developed based on population changes. The Recreation Element (City of San Diego 2021) guidelines for resource-based park are as follows:

- Resource-based parks are located at, or centered on, notable natural or man-made features (beaches, canyons, habitat systems, lakes, historic sites, and cultural facilities) and are intended to serve the citywide population, as well as visitors.
- Open space lands are City-owned lands located throughout the City, consisting of canyons, mesas, and other natural landforms. This open space is intended to preserve and protect native plants and animals, while providing public access and enjoyment by the use of hiking, biking, and equestrian trails.

### ***Fire Hazard Severity Zones***

Wildland fire protection in California is the responsibility of the state, local, or federal government. The California Department of Forestry and Fire Protection (CAL FIRE) adopted Fire Hazard Severity Zone maps for State Responsibility Areas in 2007 and recommended maps for Very High Fire Hazard Severity Zones in Local Responsibility Areas. Local Responsibility Areas include incorporated cities, cultivated agricultural lands, and portions of the desert. CAL FIRE recommendations are not the same as actual zones, which do not go into effect unless adopted by local agencies (CAL FIRE 2019). In San Diego County, CAL FIRE made recommendations for 13 cities, including the City. The project site is classified as a Very High Fire Hazard Severity Zone per the City's very high fire hazard severity zone map (City of San Diego n.d.b). Fire Hazard Severity Zones are based on increasing fire hazard and are designated as "No Designation," "Moderate," "High," or "Very High."

### ***Fire Service Deployment***

Fire stations are equipped to respond to calls within established standards based on speed and weight of attack (Citygate 2017). Speed calls for first-due, all risk intervention units (engines, trucks, and/or rescue ambulances) are strategically located across a community responding in effective travel time. These units are tasked with controlling moderate emergencies without the incident escalating to a second alarm or greater size, which unnecessarily depletes departmental resources as multiple requests for service occur. Weight refers to the number of units needed to respond for serious emergencies such as a room and contents structure fire, multiple patient incident, a vehicle accident with extrication required, or a heavy rescue incident. In these situations, enough firefighters must be assembled within a reasonable timeframe to safely control the emergency, thereby keeping it from escalating to greater alarms (Citygate 2017). The science of fire crew deployment is to spread crews out across a community to keep emergencies small with positive outcomes, without spreading the crews too far apart that they cannot amass together quickly enough to be effective in major emergencies (Citygate 2017). Access and water supply issues for projects in this area will be addressed upon final plan submissions in the future. In 2011, the City retained Citygate Associates LLC to conduct a fire services deployment planning study to (1) further refine the findings of the Regional Fire Service Deployment Study that Citygate conducted for the County of San Diego that pertained to SDFD deployment within the City; (2) analyze whether the SDFD performance measures are appropriate and achievable given the risks, topography, and special hazards to be protected in the City; and (3) review existing SDFD deployment and staffing models for efficiency and effectiveness and determine how and where alternative deployment and staffing models could be beneficial to address current and projected needs (Citygate 2017).

The study concluded that additional fire-rescue resources were needed, and in response, the SDFD adopted the recommendations of the study and set new deployment standards. The deployment standards and fire station planning measure are described in the following sections.

#### Distribution of Fire Stations

To treat medical patients and control small fires, the first-due unit should arrive within 7.5 minutes 90% of the time from the receipt of the 911 call in fire dispatch. This equates to a 1-minute dispatch time, 1.5-minute company turnout time, and 5-minute drive time in the most populated areas (Citygate 2017).

#### Multiple-Unit Effective Response Force for Serious Emergencies

To confine fires near the room of origin, to keep wildland fires under 3 acres when noticed promptly, and to treat up to five medical patients at once, a multiple-unit response of at least 17 personnel should arrive within 10.5 minutes 90% of the time from the receipt of the 911 call in fire dispatch. This equates to a 1-minute dispatch time, 1.5-minute company turnout time, and 8-minute drive time spacing for multiple units in the most populated areas (Citygate 2017).

### ***Fire Unit Deployment Measures***

#### Population Density Measures

To direct fire station location timing and crew size planning as the City and communities grow, the adopted fire unit deployment performance measures based on population density zones are listed in the General Plan. According to Table PF-D.1 of the General Plan, structure fires in urban areas over 1,000 people per square mile would require a response standard of 5 minutes for first due travel time, 7.5 minutes for total reflex time, 8 minutes for first alarm travel time, and 10.5 minutes for first alarm total reflex. Reflex time is the total time from receipt of a 911 call to arrival of the required number of emergency units (City of San Diego 2018).

#### Aggregate Population Measures

Standards listed in the General Plan guide the determination of response time measures and the need for fire stations. According to Table PF-D.2 of the General Plan, the first-due unit travel time goal for metropolitan areas of over 200,000 people is 4 minutes. Urban-suburban areas of less than 200,000 people would require a goal of 5 minutes (City of San Diego 2018).

### ***San Diego Municipal Code Section 142.0412***

Section 142.0412 of the City's Municipal Code provides brush management regulations. Brush management is required in all base zones on publicly or privately-owned premises that are within 100 feet of a structure and contain native or naturalized vegetation. There are two brush management zones, as identified in this section of the municipal code. Brush Management Zone One is the area adjacent to a structure, shall be least flammable, and shall typically consist of pavement and permanently irrigated ornamental planting. Brush Management Zone Two is the area between Zone One and any area of native or naturalized vegetation and typically consists of thinned, native, or naturalized non-irrigated vegetation.

### ***Rancho Peñasquitos Public Facilities Financing Plan***

As indicated in the General Plan, public financing for public services and facilities is provided by a variety of methods within the City. For the Rancho Peñasquitos community, public service improvements are provided via the Rancho Peñasquitos Public Facilities Financing Plan (PFFP). The Rancho Peñasquitos PFFP was prepared in 2014, with the latest update completed in 2020. This plan identifies the needed public facility improvements for the community, and a plan to provide financing and implementing those needed improvements. As a part of this PFFP, fees are collected that go towards the improvements pursuant to Ordinance No. O-15318 (FBA Ordinance) and California Government Code sections 66000 et seq. (Mitigation Fee Act). Currently fees are being collected towards a series of transportation, park, library, and water utility projects. This includes the Hilltop Community Park, Peñasquitos Village Neighborhood Park, Rancho Peñasquitos Skate Park (partially completed), and Rancho Peñasquitos Parks – Playground Upgrades. The local library improvements identified in this plan have been completed. No need for additional police or fire stations within the area are warranted, as detailed in the PFFP (City of San Diego 2020).

### 5.13.3 Impacts Analysis

#### 5.13.3.1 Need for New or Altered Governmental Services

***Issue 1: Would the project have an effect upon, or result in a need for new or altered governmental services in any of the following areas: police protection, fire/life safety protection, libraries, parks or other recreational facilities, maintenance of public facilities including roads, and/or schools?***

#### **Threshold**

Per the City's Significance Determination Thresholds (City of San Diego 2020), impacts to public services and facilities would be significant if a project would result in the need for new or expanded public service facilities, the construction of which would cause direct, adverse physical environmental impacts in order to maintain acceptable service ratios, response times, or other performance objectives.

#### **Impact**

##### ***Fire-Rescue Services***

The project would introduce 55 dwelling units to the project site, resulting in an increase in population base within the fire protection service area, thereby increasing the demand for fire protection and emergency services within the service area. As previously stated, Station 40, located at 13393 Salmon River Road. Fire Station 40 could reach the project site within 4 minutes.

As stated above, to treat medical patients and control small fires, the first-due unit should arrive within 7.5 minutes 90% of the time from the receipt of the 911 call in fire dispatch. To stop wildfires to under 3 acres (when noticed promptly), and to treat up to 5 medical patients, a multi-unit response of at least 17 personnel should arrive within 10.5 minutes 90% of the time from the receipt of the 911 call in fire dispatch. San Diego Fire Department Fire Station 40 would meet both of these requirements.

The project would meet SDFD site design and construction design standards with respect to assuring adequate safety from fire hazards. The residential buildings and infrastructure proposed to be constructed as part of the project would be constructed per applicable fire codes and comply with applicable City regulations. The project would provide such provisions as adequate turn-around radii for fire trucks within the internal roadway network and cul-de-sacs and key placement and installation of fire hydrants throughout the project site. Additionally, the project would conform to the brush management regulations in accordance with Section 142.0412 of the City's Municipal Code.

Correspondence with SDFD indicates that they do not anticipate the need for an additional fire station or other improvements that would result in a physical impact as a result of the project (Appendix J).

Overall, existing facilities would continue to serve the site and the project would not require construction of new or alteration of existing facilities.

### ***Police Services***

The project would introduce up to a total of 55 dwelling units within the project site, resulting in the introduction of a new population base that would require police services. The Northeastern Division Substation is located approximately 1.5 miles from the project site, at 13396 Salmon River Road in Rancho Peñasquitos. As indicated in Table 5.13-1, the response times for each priority call category did not meet SDPD response time goals or the General Plan response time goals.

Although the project would result in additional residents and new housing that would require police services, the new housing development and the additional residential population base would be located in an area immediately surrounded by similar residential development, previously served by the same police service division. Although the project would result in an increase in population of the service area, the response times are already exceeding the goals prior to implementation of the project and the project would not directly cause the exceedance.

While there would be an increase in population through the introduction of 55 residential units, the project would not require new facilities and no improvements to existing facilities would be required as a result of implementing the project (Appendix J). Ongoing funding for police services is provided by the City's General Fund, which the project would be required to contribute funds. Further, the additional service needs would be provided through additional officers and vehicles, and not new or expanded facilities. Overall, existing facilities would continue to serve the project site and would not require the alteration of construction of new facilities and therefore no physical impacts due to facility expansion.

### ***Public Parks and Recreation Facilities***

Demands for parks and recreational facilities are directly related to local population levels. The project is intended to provide housing for a new population base, which in turn would generate an additional use of park and recreation facilities. Based on the multi-family household population rate coefficient of 3.07 persons per household for the Rancho Peñasquitos community, the project would directly introduce an estimated 169 people to the area (American Community Survey from SANDAG 2017). At 100 recreational value points per 1,000 residents, the project would be required to provide 15 recreational value points and contribute to the project's fair share for recreation centers and aquatic complexes through payment of the new Citywide Parks Development Impact Fee.

Although the project would increase demand for recreational areas or uses in the community, the project would provide payment of Citywide Park Development Impact Fees towards parks and recreation facilities and therefore no physical impacts will occur. The project applicant would be required to pay the applicable Citywide Park Development Impact Fees per the City of San Diego Development Impact Fee Schedule to satisfy General Plan population-based park standards. The project would not conflict with the City's General Plan requirements for parks and recreation facilities.

### ***Schools***

Potential impacts to schools serving the project site would be related to the number of students generated by the project. Student generation rates vary based on the type of residential development such as single-family attached/detached and multi-family housing. While PUSD does

not have standard generation rates, estimates were provided within the PUSD 2020 Development Fee Justification Study produced in May 2020 (PUSD 2020b). The estimated student generation rates for elementary, middle, and high schools associated with multi-family dwelling units, as well as the proposed project’s estimated student generation amounts (based on the proposed 55 multi-family dwelling units), are provided in Table 5.13-4.

**Table 5.13-4.  
Student Generation Rates for Multi-Family Housing Units**

School Level (Grades)	Student Generation Rates (Multi-Family) <sup>1</sup>	Proposed Project Student Generation <sup>2</sup>
Elementary school (K-5)	0.1601	9
Middle school (6-8)	0.0746	5
High school (9-12)	0.1002	6
<b>Total (Combined)</b>	<b>0.3349</b>	<b>20</b>

Sources: PUSD 2020b; Appendix J.

**Notes:**

- <sup>1</sup> Student generation rates are a calculation of students per residential unit.
- <sup>2</sup> Rounded up to the nearest whole number.

Based on the PUSD multi-family student generation rates, the project is estimated to generate 9 elementary school students, 5 middle school students, and 6 high school students, resulting in a total of 20 students within the PUSD school system. As shown in Table 5.13-3, there is an existing additional capacity of 2,205/4,646 students within the PUSD under the State Loading/District Loading scenarios. As such, the new student population generated by the project is not anticipated to cause the schools serving the project area to reach or exceed capacity. The project would not require the construction of new school facilities, and the district currently does not have plans for new or expanded school facilities that would serve the project site. The project would not impact PUSD’s ability to comply with Senate Bill 50, and the project would be required to pay all applicable school fees to PUSD. The project would not have an adverse effect upon, or result in a need for, new or modified schools, with payment of the school fees.

**Libraries**

The nearest municipal library to the project is the Rancho Peñasquitos Branch Library, located 1.5 miles northwest to the project site at 13330 Salmon River Road. This local branch is part of the City library system, which allows residents to use any branch or the main library, and the Serra Cooperative Library System, which allows residents of the City and San Diego County to use public library facilities. Currently, the Rancho Peñasquitos Branch Library satisfies the General Plan’s policy recommendation that every branch library be at least 15,000 square feet. The population increase associated with the project would increase the demand for library services; however, the project would not result in a need for library facility expansion or a new library. In conclusion, the project would not result in a need for additional libraries or expansion of library facilities.

### Significance of Impact

#### *Fire-Rescue Services*

The project would result in a population increase that would increase fire-rescue service calls, but no new facilities or improvements to existing facilities would be required as a result of the project. Impacts would be **less than significant**.

#### *Police Protection*

The project would result in a population increase that would increase police service calls, but no new facilities or improvements to existing facilities would be required as a result of the project. Impacts would be **less than significant**.

#### *Public Parks and Recreation Facilities*

The project would result in a population increase that would result in the need for population-based park and recreational facilities. However, no park and recreation facility expansion beyond what is already planned in the community would be required. Impacts would be **less than significant**.

#### *Schools*

The project would generate students; however, the existing schools have sufficient capacity in the near term to serve these students and the project applicant would pay facility fees per SB 50. Impacts would be **less than significant**.

#### *Libraries*

No new library or improvements to existing facilities would be required as a result of the project. Therefore, impacts to library facilities would be **less than significant**.

### Mitigation

No mitigation measures would be required.

## 5.14 Public Utilities

This section describes the existing utilities conditions of the proposed Paseo Montril Project (project) site, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures, if applicable, related to implementation of the project. The following discussion is based on the following technical reports prepared for the project: Public Sewer System Analysis by Dexter Wilson Engineering Inc. (Appendix K, January 2021), Public Water Study by Dexter Wilson Engineering Inc (Appendix L, January 2021), and Waste Management Plan (Appendix M, April 2022).

### 5.14.1 Existing Conditions

#### **Water**

##### ***Local Water Source and Supply***

Water service to the project site is provided by the City's Public Utilities Department (PUD). The PUD serves nearly 1.3 million people populating over 404 square miles, with average deliveries of 175,000 acre-feet per year (AFY) or 156 million gallons per day (mgd) (City of San Diego 2018, 2021). The PUD maintains a complex water system that includes 9 surface reservoirs, 3 drinking water treatment plants, 32 treated water storage facilities, 131 hydraulic pressure zones, 300+ pressure reducing stations, 29 reservoirs/storage tanks, 49 pump stations, and approximately 3,460 miles of water transmission and distribution pipelines (City of San Diego 2018, 2021).

The PUD has developed a separate recycled water system to offset the demand for potable water. The goal is to reduce the City's dependence on imported water and increase reliability by providing non-potable water supplies. Recycled water service is available through the North City Water Reclamation Plant (northern service area) and the South Bay Water Reclamation Plant (southern service area). Recycled water is approved for use in some construction activities, recreational water bodies, and the irrigation of parks, playgrounds, schoolyards, residential landscaping, common areas, nurseries, freeway landscaping, golf courses, dual plumbed-uses, and cooling towers. Customers can purchase recycled water for approved uses if they are fronting an existing recycled water distribution pipeline. The project site is located within the northern service area. The nearest recycled water distribution center is the Canyonside Recycled Water Pump Station. The City's recycled water system (RWS) extends approximately 99 miles (City of San Diego 2021). The City provided 8,195 AFY of non-potable recycled water to the City.

The City currently purchases most of its potable water from the San Diego County Water Authority (SDCWA), a wholesale water agency that provides water to its 24 member agencies in San Diego County (City of San Diego 2021). The SDCWA, in turn, purchases much of its water from the Metropolitan Water District of Southern California (MWD). Below is a summary of these water supply sources.

### ***The Metropolitan Water District of Southern California***

MWD is a consortium of 26 cities and water districts that provides imported water to nearly 19 million people in parts of Los Angeles, Orange, San Diego, Riverside, San Bernardino, and Ventura counties (City of San Diego 2021). MWD imports its water from two main sources—the Colorado River (via the Colorado River Aqueduct [CRA]) and the Sacramento and San Joaquin Rivers (via the State Water Project [SWP]). The CRA is owned and operated by MWD and extends approximately 242 miles from the Colorado River at Lake Havasu to Lake Mathews in Riverside County. From there, a series of canals, siphons, pipelines, and pump stations moves water west to several MWD reservoirs for local distribution. The principal structure conveying water south through the SWP is the California Aqueduct, which extends approximately 444 miles south from the Sacramento-San Joaquin Delta to Lake Perris in Riverside County (City of San Diego 2021). Additional water sources currently or potentially available to MWD include local supplies, groundwater banking, water transfers, seawater desalination, and water recycling.

### ***San Diego County Water Authority***

The SDCWA is an independent public agency that serves as a wholesale water supplier to its 24 member agencies. The SDCWA supplies approximately 95% of the population of San Diego County, in a service area of 951,000 acres (SDCWA 2016). The SDCWA operates and maintains a regional water delivery system capable of delivering more than 900 mgd of water. This system consists of two major aqueducts and numerous related facilities, including approximately 300 miles of pipeline and over 100 flow control facilities (SDCWA 2016).

SDCWA water is imported from MWD under a transfer agreement with Imperial Irrigation District, and agreements for the lining of the All American and Coachella Canals, via the Quantification Settlement Agreement of October 2003. Most of this water is obtained from the Colorado River and the SWP through a massive system of pipes and aqueducts (SDCWA 2016).

Both MWD and SDCWA provide water to their member agencies to meet projected water demand based on regional population forecasts. The San Diego Association of Governments (SANDAG) is responsible for providing and updating land use planning and demographic forecasts for the County. MWD and SDCWA update their water demand and supply estimates based on the most recent demographic forecasts approximately every five years to coincide with preparation of their respective Urban Water Management Plans (UWMPs) (SDCWA 2016).

SDCWA's 2015 UWMP includes a summary of the total projected water supplies and demands over the next 20 years in five-year increments (2020–2040) under normal, single dry, and multiple dry water years within SDCWA's service area (which includes the City and Poway Municipal Water District). SDCWA's reliability assessment demonstrates that, even with very conservative assumptions regarding the availability of dry year supplies from MWD, the San Diego region's existing and projected water resource mix is increasingly drought-resilient, but shortages still occur during a single dry year by 2035 (23,907 acre-feet per year [afy]), and during a multiple dry year beginning in 2028 (29,314 acre-feet per year) (SDCWA 2016). These shortages would be eliminated should MWD supplies approach the supply levels projected in MWD's 2015 UWMP for single dry and

multiple dry water year supply capabilities. Further, SDCWA will address these shortages by the following methods (SDCWA 2016):

- Implementing extraordinary conservation measures, achieved through voluntary and mandatory water-use restrictions that were used during the 2012–2016 drought period.
- Implementing its carryover storage program, which includes (1) in-region surface storage of approximately 100,000 acre-feet at San Vicente Reservoir, secured as part of the San Vicente Dam Raise Project completed in 2014, with the carryover pool of 100,000 acre-feet full by June 2016; and (2) out-of-region permanent groundwater storage allocation of a total of 70,000 acre-feet in water banks located in Kern County.
- If necessary, securing dry year water transfers, which SDCWA successfully acquired and used during the 2007–2011 shortage management period.

As stated, SDCWA also has applied very conservative assumptions regarding the availability of dry-year supplies from MWD. For instance, SDCWA has assumed that: (1) MWD is limited to 1.4 million acre-feet (maf) of supplies due to dry conditions and increased reductions in deliveries from the SWP (no Sacramento–San Joaquin River Delta improvements) and/or a reduction in Colorado River deliveries; and (2) SDCWA receives its preferential right based on MWD’s current method of calculating such rights.

Furthermore, SDCWA’s 2015 Annual Report, *Beyond Drought: Reliable Water in an Era of Change*, states that SDCWA has diversified its supply sources to ensure water reliability in drought years when supplies from Metropolitan may be limited (SDCWA 2015). This diversification includes independent water transfers from the Colorado River, working with the member agencies to increase conservation, increasing the use of recycled water, and using local groundwater (SDCWA 2015). The report also states that SDCWA’s most significant accomplishment of the year was proving the value of the region’s long-term strategy to develop a diversified water portfolio. In a year of serious drought, SDCWA and its member agencies not only had enough water to meet demands, but they had enough to start storing water behind the raised San Vicente Dam, which was completed in 2014 (SDCWA 2015).

As part of a diversified portfolio, the Carlsbad Desalination Plant, which began commercial operations in December 2015, can provide a highly reliable drought-resilient local potable water supply of up to 56,000 afy for the region, available in both normal and dry year conditions. SDCWA provided the opportunity for its member agencies—including the City—to enter into contracts to purchase desalinated water produced from the plant.

In summary, water agencies throughout California continue to face climatological, environmental, legal, and other challenges that impact water supply, such as court rulings regarding listed fish species, State Water Resources Control Board (SWRCB) water quality restrictions, and recent drought conditions. Challenges such as these will always be present. Nonetheless, the regional water supply agencies, MWD and SDCWA, contemplate sufficient, reliable supplies to serve existing and projected future demand.

MWD’s and SDCWA’s overall reliability goal is to deliver an adequate, reliable, and high-quality water supply for their customers, even during dry periods or severe droughts (City of San Diego 2021; SDCWA 2016). Based on conservative water supply and demand assumptions contained in MWD’s

and SDCWA's 2015 UWMPs for a long-term planning horizon over the next 25 years, in combination with conservation of non-essential demand during certain dry years, MWD and SDCWA have determined that implementing their related and coordinated water plans will successfully achieve this goal.

### ***City of San Diego Public Utilities Department***

In February 2021, the City issued its most recent UWMP (City of San Diego 2021) which outlines current and future water supplies and demands in the City's service area. The City is engaged in several strategies to increase water reliability, including the development of local groundwater supplies; increased utilization of recycled water, or potable reuse; continued conservation efforts; and ongoing strategic water resources planning. The UWMP projects water supply reliability for average years, single dry years, and multiple dry years, and concludes that the PUD will have sufficient water supplies to serve the City through the year 2040 (City of San Diego 2021). Subsequent to publication of the UWMP, Pure Water Phase 2 was approved as a verifiable water supply source. PUD and interim supply and demand forecast tracking also support a reduction in 2020 UWMP projected demands as a possible result of less water consumption than what was originally projected (City of San Diego 2021).

#### Conservation

The City's Water Conservation Program implemented by the PUD aims to reduce water use in San Diego by offering various rebate programs, landscaping classes, education, and free water conservation surveys for property owners and tenants. Depending on conditions, these savings can account for as much as 20% to 40% (City of San Diego 2021). Water conservation continues to be a priority throughout California, and water suppliers are tasked with adopting programs and policies designed to promote water conservation practices and implementing comprehensive public information and educational campaigns.

#### Potable Water Service

The following information is based on Appendix L regarding existing water infrastructure on the project site.

The existing water system within the project site is the Rancho Bernardo 793 Zone distribution system. All of the on-site water lines would be private and would connect to the City's public water system via backflow preventers and meters at the end of the project's cul-de-sac.

### **Wastewater**

#### ***Infrastructure***

The PUD collects, treats and disposes of nearly 180 mgd of sewage from a 450-mile service area that serves more than 2.2 million people (City of San Diego 2021). The PUD's water system consists of more than 3,300 miles of pipelines, including transmission lines up to 84 inches in diameter and distribution lines as small as 4 inches in diameter. Transmission lines are pipelines 16 inches and larger in diameter that convey raw water to the water treatment plants and convey treated water

from the water treatment plants to treated water storage facilities. Distribution lines are pipelines 16 inches and smaller in diameter that directly service the retail users connected to a meter. In addition, the PUD maintains and operates 49 water pump stations that deliver treated water from the water treatment plants to more than 276,000 metered service connections in 130 different pressure zones. The PUD also maintains several emergency connections to and from neighboring water agencies, including the following:

- Santa Fe Irrigation District Miramar Wastewater Treatment Plant (WTP);
- City of Poway (Miramar WTP);
- Olivenhain Municipal Water District (Miramar WTP);
- Cal-American Water Company (Alvarado and Otay WTP);
- Sweetwater Authority (Otay WTP); and
- Otay Water District (Otay WTP).

The North City Water Reclamation Plant is located in the Miramar area, and treats an average of 18,482 afy of wastewater, although the plant has an ultimate treatment capability of 33,604 afy. The Northern Service Area distribution system consists of 91 miles of recycled water pipeline, two reservoirs, and two pump stations, with service to 574 meters. The South Bay Water Reclamation Plant is located near the international border with Mexico, and treats an average of 8,961 afy of wastewater, although the plant has a treatment capability of 16,802 afy. The Southern Service Area distribution system consists of 3 miles of recycled water pipeline, one storage tank, one pump station and seven meters.

### **Wastewater and Infrastructure**

Wastewater collection and treatment services are provided by the Wastewater Branch of the PUD. The City wastewater system consists of two components:

- The Metropolitan Sewerage Sub-System treats the wastewater from the City and 15 other cities and districts from a 450-square-mile area. An average of 160 mgd of wastewater is treated. Planned improvements will increase wastewater treatment capacity to serve an estimated population of 2.8 million through the year 2050.
- The Municipal Wastewater Collection Sub-System is responsible for the collection and conveyance of wastewater from residences and businesses in the City, serving a 330-square-mile area.

The City's wastewater facilities include the Point Loma Wastewater Treatment Plant, the North City Water Reclamation Plant, the South Bay Water Reclamation Plant, and the Metro Biosolids Center. The Point Loma WWTP, which would serve the project, treats approximately 10 mgd of wastewater and has a treatment capacity of 30 mgd.

### **Wastewater Service Infrastructure**

The following information is based on the Public Sewer System analysis prepared by Dexter Wilson Engineering (Appendix K) regarding existing wastewater infrastructure on the project site.

The Peñasquitos Views Trunk Sewer system collects the wastewater flow from the majority of the Rancho Peñasquitos area in the City. Peñasquitos Views is considered a major sub-basin of the Peñasquitos Trunk Sewer, a large diameter (approximately 30-inch diameter to 42-inch diameter) trunk sewer line that conveys wastewater through the Peñasquitos Creek canyon to Pump Station 64 in Sorrento Valley.

### **Solid Waste Management**

Solid waste management in the project area is provided by the City Environmental Services Department (ESD) and private collectors. The City provides refuse collection for residents that are located on dedicated public streets, provides adequate safe space and access for storage and collection, and complies with regulations set forth in the Municipal Code and Waste Management Guidelines (City of San Diego 2013). Other customers pay for service by private hauling companies that are franchised by the City.

The closest landfill to the project is the Miramar Landfill, which is located approximately 13 miles south from the project site. It is located in Kearny Mesa and owned/operated by ESD. Waste collected during operation of the project would go towards the Miramar Landfill. The Miramar Landfill receives approximately 870,000 tons of trash per year. At this rate of disposal, the Miramar Landfill, which is the only City-run landfill, will likely be filled to capacity and close by 2025 (City of San Diego n.d.).

Additional active solid waste landfills within San Diego County include Borrego Springs Landfill, Otay Landfill, Sycamore Landfill, San Onofre Landfill, and Las Pulgas Landfill. Of these, the two closest facilities are Sycamore Landfill and Otay Landfill. Sycamore Landfill is located approximately 15 miles southeast from the project site, with a remaining capacity of approximately 114 million cubic yards (cy) as of 2016 (CalRecycle n.d.a). The Sycamore Landfill is permitted to receive a maximum of 5,000 tons per day and has a maximum permitted capacity of 148 million cy with a projected closing date of December 31, 2042 (CalRecycle n.d.a). Otay Landfill is located approximately 30 miles south from the project site, with a remaining capacity of approximately 21 million cy as of 2016 (CalRecycle n.d.b). This landfill is permitted to receive a maximum of 6,700 tons per day with a maximum permitted capacity of 61 million cy. The projected closing date is February 28, 2030 (CalRecycle n.d.b).

### **Electricity and Natural Gas**

The project is served by San Diego Gas and Electric (SDG&E). SDG&E is a regulated public utility that provides energy service to 3.6 million people through 1.4 million electric meters and 873,000 natural gas meters in San Diego County and southern Orange County, within a service area of 4,100 square miles (SDG&E n.d.). Forecasting future energy consumption demand is performed on a continual basis by SDG&E, including the need for installation of transmission and distribution lines. In situations where project with large power loads are planned, other loads in the project vicinity are considered in conjunction with the planned project, and electrical substations are upgraded as needed.

## 5.14.2 Regulatory Framework

### Federal

#### ***Federal Water Pollution Control Act of 1972 (Clean Water Act)***

The principal federal law regulating water quality in the United States is the 1972 Federal Water Pollution Control Act, also known as the Clean Water Act. The fundamental purpose of the Clean Water Act is the protection of designated beneficial uses of water resources. The Clean Water Act establishes a system of water quality standards, discharge limitations, and permits; it requires states to adopt water quality standards to protect public health and welfare, enhance the quality of water, and serve the other purposes of the Clean Water Act. The Clean Water Act was amended in 1987 to include urban and stormwater runoff, which required many cities to obtain a National Pollutant Discharge Elimination System permit for stormwater conveyance system discharges.

Under Section 404 of the Clean Water Act, the U.S. Army Corps of Engineers regulates discharges of dredged or fill material into waters of the United States, requiring issuance of a Section 404 permit. Under Section 401 of the Clean Water Act, a state water quality certification must be obtained whenever an application for a federal permit for discharge of pollutants into waters of the United States is submitted, such as a Section 404 permit. The Section 401 certification requires that any activity affecting waters of the United States be in compliance with all applicable water quality standards, limitations, and restrictions.

#### ***Safe Drinking Water Act***

Passed in 1974 and amended in 1986 and 1996, the Safe Drinking Water Act grants the U.S. Environmental Protection Agency the authority to set drinking water standards. Drinking water standards apply to public water systems, which provide water for human consumption through at least 15 service connections, or regularly serve at least 25 individuals. There are two categories of drinking water standards, (1) the National Primary Drinking Water Regulations and (2) the National Secondary Drinking Water Regulations. The National Primary Drinking Water Regulations are legally enforceable standards that apply to public water systems. These standards protect drinking water quality by limiting the levels of specific contaminants that can adversely affect public health and are known or anticipated to occur in water. The National Secondary Drinking Water Regulations are non-mandatory guidelines for certain substances that do not present a risk to public health.

#### ***Water Resources Development Act***

The Water Resources Development Act (passed December 2016) includes short-term provisions that sunset after five years. These provisions increase pumping operations in the Sacramento–San Joaquin River Delta at the highest levels allowed under biological opinions issued by state and federal wildlife agencies under the Endangered Species Acts, unless the pertinent agencies show that the increased pumping would cause additional adverse effects on listed fish (smelt and salmonid) species beyond the range of effects anticipated in those opinions, using the best scientific and commercial data available. The biological opinions have been subject to years of litigation between farming interests, urban water districts, fishing associations, and environmental groups,

with the current versions upheld by the Ninth Circuit Court of Appeals. The new law's long-term provisions include significant funding authorizations that also should result in more water availability throughout California. These funding authorizations include long-term water infrastructure projects such as storage and groundwater projects; water recycling, reuse, and conservation projects; and design and construction of desalination projects. The additional funds will help supplement California's water bond.

### **State**

#### ***Safe Drinking Water Act***

The State Safe Drinking Water Act (California Health and Safety Code Sections 116270 et seq.) builds on and strengthens the federal Safe Drinking Water Act. The state act authorizes the state's Department of Public Health to protect the public from contaminants in drinking water by establishing maximum contaminant levels that are at least as stringent as those developed by the U.S. Environmental Protection Agency under the federal act.

#### ***California Drinking Water Standards***

State drinking water standards are based on federal standards and are listed in Title 22 of the California Code of Regulations. The California Department of Health Services administers the state drinking water standards.

#### ***Water Conservation Act of 2009***

The Water Conservation Act (SBX7-7) (Water Code Section 10608) requires that all water suppliers increase water-use efficiency. This legislation sets an overall goal of reducing per-capita urban water use, compared to 2009 use, by 20% by December 31, 2020.

#### ***California Water Code***

The California Water Code contains provisions that control almost every consideration of water and its use. Division 2 of the California Water Code provides that the SWRCB shall consider and act upon all applications for permits to appropriate waters. Division 6 of the Water Code controls conservation, development, and utilization of state water resources. Division 7 addresses water quality protection and management.

#### ***Senate Bill 610***

State legislation has improved the link between water supply and land use planning. Senate Bill (SB) 610 (Water Code Sections 10910 et seq.) requires the preparation of a water supply assessment (WSA) for projects within cities and counties that propose any of the following:

- Residential developments of more than 500 dwelling units
- Shopping centers or business establishments employing more than 1,000 persons or having more than 500,000 square feet of floor space

- Commercial office buildings employing more than 1,000 persons or having more than 250,000 square feet of floor space
- Hotels, motels, or both, having more than 500 rooms
- Industrial, manufacturing, or processing plants, or industrial parks planned to house more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 square feet of floor area
- Mixed-use projects that include one or more of the projects specified in Water Code Section 10912(a)
- Projects that would demand an amount of water equivalent to or greater than the amount of water required by a 500-dwelling-unit project

Because the project does not meet any of the thresholds above, no WSA was prepared.

### ***Senate Bill 221***

Enacted in 2001, SB 221 (Government Code Sections 66455.3 and 66473.7) requires that the legislative body of a city or county, which is empowered to approve, disapprove, or conditionally approve a subdivision map, must condition such approval upon proof of sufficient water supply. The term “sufficient water supply” is defined in SB 221 as the total water supplies available during normal, single dry, and multiple dry water years within a 20-year projection that would meet the projected demand associated with the proposed subdivision. The definition of sufficient water supply also includes the requirement that sufficient water encompass not only the proposed development, but also existing and planned future uses, including, but not limited to, agricultural and industrial uses.

SB 221 requirements apply to proposed development that is considered a “project” under SB 610 (DWR 2003). Thus, SB 221 applies to the proposed project.

### ***Urban Water Management Planning Act***

The 1983 Urban Water Management Planning Act (California Water Code Sections 10610–10656) requires specified urban water suppliers within the state to prepare a UWMP and update it every five years. State and local agencies and the public frequently use such plans to determine if agencies are planning adequately to reliably meet water demand in various service areas. As such, the plans serve as an important element in documenting water supply availability and reliability for compliance with state laws, including SB 610 and SB 221 (discussed above), which link water supply sufficiency to large land-use development project approvals. Urban water suppliers also must prepare such plans, pursuant to the Urban Water Management Planning Act, to be eligible for state funding and drought assistance.

UWMPs provide information on water usage, water supply sources, and water reliability planning. They also may provide implementation schedules to meet projected demands over a planning horizon, a description of opportunities for new development of desalinated water, groundwater information (where groundwater is identified as an existing or planned water source), a description of water quality over the planning horizon, and identification of water management tools that maximize local resources and minimize imported water supplies. A UWMP’s water supply analysis

includes a water supply reliability assessment, water shortage contingency plan, and development of a plan in case of an interruption in water supply.

UWMPs are required by all the water purveyors related to the proposed project, including the City, SDCWA, and MWD.

### ***Delta Plan***

Water supplies in California are based largely around the Sacramento–San Joaquin River Delta (Delta). Water from Northern California surface waters and snowmelt travels to and through the Delta to Central Valley urban and agricultural users and to Southern California through aqueducts, dams, and other infrastructure. The Sacramento–San Joaquin Delta Reform Act (Water Code Section 85000 et seq.) established the Delta Stewardship Council, which has the primary goal of developing and implementing an enforceable, long-term management plan for the Delta (Delta Plan). The Delta Plan’s coequal goals of providing a more reliable water supply for California while restoring the Delta ecosystem are the foundation of all state water management policies. As required by statute, the Delta Plan adopts a science-based adaptive management strategy to manage decision making in the face of uncertainty (Water Code Section 85308[f]). The law requires that the Delta Plan be updated every five years, and each update is intended to build on an evolving base of knowledge, direct near- and mid-term actions, and preserve and protect longer-term opportunities.

### ***California Water Plan***

Water Code Sections 10004 through 10013 describe the components and characteristics of the California Water Plan, which addresses the coordinated control, protection, conservation, development, and utilization of the state’s water resources. Updated every five years, the most recent water plan is the California Water Plan Update 2018, released in June 2019.

### ***California Water Recycling Standards***

The California Legislature has developed state requirements for the production, discharge, distribution, and use of recycled water. These requirements are contained in the California Code of Regulations, Title 22, Division 4, Chapter 3, Reclamation Criteria, Sections 60301 through 60475, and Title 17. The California Department of Public Health administers the state recycling water standards.

### ***California Green Building Standards Code***

The California Green Building Standards Code (CALGreen Code) is set forth in California Code of Regulations, Title 24, Part 11, and establishes voluntary and mandatory standards pertaining to the planning and design of sustainable site development and water conservation, among other issues. Under the CALGreen Code, all water closets (i.e., flush toilets) are limited to 1.28 gallons per flush, and urinals are limited to one-half gallon per flush. In addition, maximum flow rates for faucets are established as follows: two gpm at 80 pounds per square inch for showerheads; 1.5 gpm at 60 per square inch for residential lavatory faucets; and 1.8 gpm at 60 per square inch for kitchen faucets.

The CALGreen Code also includes Section 4.408.2, a Construction Waste Management Plan. This plan identifies which waste created during construction could be sorted on site, or bulked and then transported to diversion facilities.

### ***Water Conservation Projects Act***

The state requirements for water conservation, which are codified in the Water Conservation Projects Act of 1985 (California Water Code, Sections 11950–11954), encourage local agencies and private enterprise to implement potential water conservation and reclamation projects. Potential water conservation and reclamation projects may include facilities for municipal and industrial advanced wastewater treatment, regulatory impoundments, improvements to water supply and delivery systems, tailwater recovery systems, and sprinkler or drip irrigation systems.

### ***General Waste Discharge Requirements***

On May 2, 2006, the SWRCB adopted a General Waste Discharge Requirement (Order No. 2006-0003) for all publicly owned sanitary sewer collection systems in California with more than one mile of sewer pipe. The order provides a consistent statewide approach to reducing sanitary sewer overflows by requiring public sewer system operators to take all feasible steps to control the volume of waste discharged into the system in order to prevent sanitary sewer waste from entering the storm sewer system, and to develop a Sewer System Management Plan. The General Waste Discharge Requirement also requires that storm sewer overflows be reported to the SWRCB using an online reporting system.

### ***California Porter–Cologne Water Quality Control Act***

The Porter–Cologne Water Quality Control Act (Porter–Cologne Act) is the principal state law enacted to establish requirements for adequate planning, implementation, management, and enforcement of water quality controls. The Porter–Cologne Act, which became Division 7 of the California Water Code, establishes a regulatory program to protect water quality and beneficial uses of all state waters, outlined the responsibilities and authorities of the nine Regional Water Quality Control Board (RWQCBs), and established the SWRCB. For the San Diego Hydrologic Region, water quality is regulated by the San Diego RWQCB, Region 9 of the SWRCB. Each RWQCB is directed to create a water quality control plan, to include three main components: (1) beneficial uses that are to be protected, (2) water quality objectives that protect those uses, and (3) an implementation plan to accomplish those objectives.

### ***California Integrated Waste Management Act – Assembly Bill 939***

The Integrated Waste Management Act requires each county to prepare a Countywide Integrated Waste Management Plan, with input from each city in a given county. This plan is reviewed at least once every five years to ensure that waste management practices remain consistent with the practices defined in the Public Resources Code. As part of the Countywide Integrated Waste Management Plan, each jurisdiction (cities and county) is required to prepare and maintain Source Reduction and Recycling, Household Hazardous Waste, and Non-Disposal Facility Elements. The Countywide Integrated Waste Management Plan is a summary plan that combines all these

elements and is required to be approved by the county Board of Supervisors and the majority of the cities within the county.

### ***California Mandatory Commercial Organics Recycling – Assembly Bill 1826***

In October 2014, Governor Brown signed AB 1826, requiring businesses to recycle their organic waste on and after April 1, 2016, depending on the amount of waste they generate per week. This law also requires that on and after January 1, 2016, local jurisdictions across the state implement an organic waste recycling program to divert organic waste generated by businesses, including multi-family residential dwellings that consists of five or more units. Organic waste is defined as food waste, green waste, landscape and pruning waste, nonhazardous wood waste, and food-soiled paper waste that is mixed in with food waste. However, multi-family dwellings are not required to have a food waste diversion program. This law phases in the mandatory recycling of commercial organics over time, while also offering an exemption process for rural counties. In particular, the minimum threshold of organic waste generation by businesses decreases over time, which means an increasingly greater proportion of the commercial sector will be required to comply.

### ***California Solid Waste Reuse and Recycling Access Act of 1991 – Assembly Bill 1327***

AB 1327, which was established in 1991, required CalRecycle to develop a model ordinance for the adoption of recyclable materials in development projects. Local agencies were then required to adopt the model, or an ordinance of their own, governing adequate areas for collection and loading of recyclable materials in development projects.

### ***Disposal Measurement System Act of 2008 – Senate Bill 1016***

SB 1016 maintains the 50% diversion rate requirement established by AB 939, and also established revised calculations for those entities that did not meet the 50% diversion rate. SB 1016 also established a per-capita disposal measurement system to make the process of goal measurement, as established by AB 939, simpler, timelier, and more accurate. The new disposal-based indicator—the per-capita disposal rate—uses only two factors, (1) a jurisdiction’s population (or in some cases employment) and (2) its disposal rate as reported by disposal facilities.

### ***Solid Waste Diversion – Assembly Bill 341***

Effective July 1, 2012, AB 341 requires that commercial enterprises that generate four cubic yards or more of solid waste weekly participate in recycling programs. This requirement also includes multi-family housing complexes of five units or more, regardless of the amount of solid waste generated each week. The purpose of this requirement is to reduce greenhouse gas emissions by diverting commercial solid waste to recycling, and to expand recycling opportunities in California. As part of implementing AB 341, the California Legislature set an ambitious goal of 75% recycling, composting, or source reduction of solid waste by 2020. The law calls for the state and CalRecycle to take a statewide approach to decreasing California’s reliance on landfills. CalRecycle is actively working to develop and implement programs to achieve the 75% target.

### ***Organic Waste Disposal – Senate Bill 1383***

In September 2016, the State Legislature brought forward SB 1383, to reduce greenhouse gasses and associated climate change. SB 1383 established statewide targets to reduce the amount of organic waste disposal in landfills. More specifically, it required a 50% reduction by 2020 and 75% by 2025. In addition, it established a State goal to reduce food waste by 20% by 2025 by donating it to people in need. To achieve these goals, the California Department of Resources, Recycling and Recovery (CalRecycle) adopted regulations in November 2020 that take effect January 2022.

### **Local**

#### ***City of San Diego General Plan***

The City's Public Facilities, Services, and Safety Element of the General Plan addresses facilities and services that are publicly managed and have a direct influence on the location of land uses. These include Fire-Rescue, Police, Wastewater, Storm Water, Water Infrastructure, Waste Management, Libraries, Schools, Information Infrastructure, Disaster Preparedness, and Seismic Safety. The purpose of this chapter is to provide the public facilities and services needed to serve the existing population and new growth.

#### Wastewater Policies

- PF-F.5. Construct and maintain facilities to accommodate regional growth projections that are consistent with sustainable development policies (see also Conservation Element, Section A).
- PF-F.6 Coordinate land use planning and wastewater infrastructure planning to provide for future development and maintain adequate service levels.

#### Waste Management Policies

- PF-I.1. Provide efficient and effective waste collection services.
  - a. Encourage waste reduction and recycling with source-separated collection of materials.
  - b. Provide space for recycling containers and efficient collection.
- PF-I.2. Maximize waste reduction and diversion (see also Conservation Element, Policy CE.A.9).
  - a. Conveniently locate facilities and informational guidelines to encourage waste reduction, diversion, and recycling practices.
  - c. Support resource recovery programs that produce soil additives, mulch, or compost from yard debris and organic waste.
  - d. Maximize the separation of recyclable and compostable materials.
  - e. Reduce and recycle Construction and Demolition (C&D) debris. Strive for recycling of 100% of inert C&D materials and a minimum of 50% by weight of all other material.
  - f. Encourage the private sector to build a mixed construction and demolition waste materials recycling facility.

### Utility Policies

- PF-M.3. Integrate the design and siting of safe and efficient public utilities and associated facilities into the early stages of the long-range planning and development process, especially in redevelopment/urban areas where land constraints exist.

### ***City of San Diego Ordinance 0-17327 (Mandatory Water Reuse Ordinance)***

This ordinance, adopted by the City Council in 1989, requires that “recycled water shall be used within the City where feasible and consistent with the legal requirements, preservation of public health, safety, and welfare, and the environment.” All development projects are required to install an additional water pipeline reserved for reclaimed water. Compliance with this ordinance for new development is made a condition of tentative maps, land use permits, etc., based on the project’s location within an existing or proposed recycled water service area.

### ***City of San Diego Drought Restrictions***

The City has year-round city and state permanent mandatory water restrictions (City of San Diego 2018). These restrictions apply to those whose property lies within the PUD’s service area. These water restrictions include the following:

- A customer shall not allow potable water to irrigate outdoor landscapes in a manner that causes runoff, such that, water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures.
- Customers shall repair or stop all water leaks upon discovery or within seventy-two hours of notification by the City of San Diego.
- Customers shall not wash down sidewalks, driveways, parking areas, tennis courts, or other paved areas without using a power washer or a hose with a shutoff nozzle. Washing any paved areas is only allowed to alleviate immediate safety or sanitation hazards. Water shall be collected and prevented from leaving the property and entering the municipal separate storm sewer system.
- Customers shall not overfill swimming pools and spas.
- Customers shall not use non-recirculating potable water in ornamental fountains or cascading fountains.
- Customers shall not use a hose that dispenses potable water to wash a motor vehicle, except where the hose is fitted with a shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use.
- Single pass-through cooling systems, as part of water service connections, shall be prohibited after the effective date of this section. Non-recirculating systems in all conveyer car wash and commercial laundry systems shall be prohibited after the effective date of this section.
- The serving of drinking water other than upon request in eating or drinking establishments, including but not limited to restaurants, hotels, cafes, cafeterias, bars, or other public places where food or drink are served and/or purchased is prohibited.
- To promote water conservation, operators of hotels and motels shall provide guests with the option of choosing not to have towels and linens laundered daily. The hotel or motel shall

prominently display notice of this option in each guestroom using clear and easily understood language.

- Potted plants, non-commercial vegetable gardens and fruit trees, residential and commercial landscapes, including golf courses, parks, school grounds and recreation fields, may only be watered before 10 a.m. or after 6 p.m.
- The irrigation with potable water of ornamental turf on public street medians shall be prohibited.
- The application of potable water to outdoor landscapes during and within 48 hours after measurable rainfall shall be prohibited.

### ***City of San Diego Zero Waste Plan***

The City's Zero Waste Plan, a component of the City's Climate Action Plan, was approved and adopted by the City Council on July 13, 2015. The Zero Waste Plan lays out strategies to be implemented by the City to accomplish the following goals:

- Target 75% diversion by 2020, 90% diversion by 2035, and "zero waste" by 2040 by identifying potential diversion strategies for future action. To increase the City's waste diversion rate to 75% will require an estimated additional 332,000 tons per year to be diverted from landfill disposal;
- Demonstrate continuous improvement towards a goal of zero waste to landfills;
- Emphasize education by renewing City public information efforts;
- Promote local policies and ordinances and legislation at the state level that encourage manufacturers, consumers, and waste producers to be responsible for waste;
- Investigate appropriate new technologies; and
- Re-emphasize market development at the local and state level.

The City's ESD estimates that compliance with existing City codes and ordinances alone (including the Refuse 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]) would achieve only an approximate 40% diversion rate, which is substantially below the current 75% diversion level targeted by the state and the goals of the City's Zero Waste Plan.

The Recycling Ordinance requires all single-family, multi-family, and commercial uses to participate in a recycling program by separating recyclable materials from other solid waste and depositing the recyclable materials in the approved recycling containers. The C&D Debris Deposit Ordinance requires project applicants to submit a Waste Management Form with the building permit or demolition/removal permit, to provide a general estimate of the total waste generated by the project including how much will be recycled. The code requires a minimum diversion rate of 50% for building permits or demolition/removal permits issued within 180 calendar days of the effective date of the ordinance, and a minimum diversion rate of 75% for building permits or demolition/removal permits issued after 180 calendar days from the effective date of the ordinance, provided that a certified recycling facility which accepts mixed construction and demolition debris is

operating within 25 miles of the City Administrative Building, located at 202 C Street, San Diego (City of San Diego 2015). The Preliminary Waste Management Plan identifies the certified Otay C&D/Inert Debris Processing Facility in Chula Vista.

### ***City of San Diego Municipal Code***

In compliance with AB 939 and AB 341, the City is currently at a waste diversion rate of 67%. The City has adopted programs and policies requiring individual developments to incorporate recycling and waste reduction measures, and waste reduction and recycling programs have been implemented to assist the City in reducing waste in compliance with state law.

The following sections of the Municipal Code target waste reduction:

Chapter 6, Article 6, Division 6. This section (and related ordinances) requires project applicants to submit a Waste Management Form with the building permit or demolition/removal permit, to provide a general estimate of total project waste generation, including how much will be recycled. The code requires a minimum diversion rate of 50% for building permits or demolition/removal permits issued within 180 calendar days of the effective date of the ordinance. A minimum diversion rate of 75% is required for building permits or demolition/removal permits issued more than 180 calendar days after the effective date of the ordinance, provided that a certified recycling facility that accepts mixed construction and demolition debris operates within 25 miles of the City Administrative Building, which is the case here with the Otay C&D/Inert Debris Processing Facility in Chula Vista.

Chapter 6, Article 6, Division 7 (Recycling Ordinance). This section requires all single-family, multi-family, and commercial uses to participate in a recycling program by separating recyclable materials from other solid waste and depositing the recyclable materials in approved recycling containers.

Chapter 14, Article 2, Division 8 (Refuse, Organic Waste, and Recyclable Material Storage Regulations). This section is intended to encourage solid waste recycling through requirements to provide permanent, adequate, and convenient space for the storage and collection of refuse, organic waste, and recyclable material. Specific requirements for new residential development include the provision at least one exterior refuse and recyclable material storage area per building. In addition, each dwelling unit must include an interior refuse, organic waste, and recyclable material storage area. The exterior storage area is depending on the project size as detailed in San Diego Municipal Code Table 142-08B, but is noted to be 144 sf for each refuse, organic waste and recyclable materials for residential projects between 51 and 75 units.

### **City of San Diego Water System Design Criteria**

Book 2 of the City of San Diego Guidelines and Standards was used to analyze the water system. A summary of the design criteria from Book 2 is presented in Table 5.14-1.

**Table 5.14-1.  
City of San Diego Water System Design Criteria**

Criteria	Design Requirement
Minimum Static Pressure	65 psi
Maximum Static Pressure	120 psi
Maximum Pressure Drop – Reservoir Out of Service	40 psi
Maximum Pressure Drop – Peak Hour and Max Day Plus Fire	25 psi
Minimum Pressure – Peak Hour	40 psi
Minimum Pressure – Max Day plus Fire	20 psi
Maximum Pipeline Velocity (Fire Flow) <sup>1</sup>	15 fps
Maximum Pipeline Velocity (Normal Operating Conditions) <sup>2</sup>	5 fps

**Notes:**

<sup>1</sup> Section 3.3.1 E.

<sup>2</sup> Section 3.10.1; pounds per square inch = psi.

### **City of San Diego Land Development Code – Landscape Standards**

The Landscape Standards establish the minimum plant material, irrigation, brush management, and landscape related standards for work done in accordance with requirements of Land Development Code. They provide guidelines and alternative methods to meet regulations based on various site conditions. Additionally, the Landscape Standards provide the technical standards to create and maintain landscapes that conserve and efficiently use water. Applicants proposing landscape work should also obtain copies of the Submittal Requirements in the Land Development Manual. These establish the materials and information that must be submitted with an application for review by the City and establish applicable drafting standards for landscape drawings (City of San Diego 2009).

## 5.14.3 Impacts Analysis

### 5.14.3.1 Issue 1: Need for New or Altered Utilities Systems

***Issue 1: Would the project result in a need for new systems, or require substantial alterations to existing utilities, the construction of which would create physical impacts with regard to the following utilities: water; sewer; and solid waste disposal?***

#### **Thresholds**

According to the City's Significance Determination Thresholds (City of San Diego 2020), impact analysis of public utilities should focus on the physical impacts associated with the construction or expansion of existing public utilities. Impacts to public utilities would be significant if the removal, construction, and/or relocation of the utility would:

- Result in direct impacts from the construction of new or expanded public utilities needed to serve the project; and/or
- Construct, demolish, and/or renovate 1,000,000 SF or more of building space, which would generate approximately 1,500 tons or more of waste. For projects over 1,000,000 SF, a

significant direct solid waste impact would result if compliance with the City’s ordinances and the WMP fails to reduce the impacts of such projects to below a level of significance and/or if a WMP for the project is not prepared and conceptually approved by the ESD prior to distribution of the draft environmental document for public review.

In addition, the City’s Significance Determination Thresholds note the following guidance should be considered in determining whether utility work could have significant environmental effects.

Would removal, construction, and/or relocation of the utility:

- Be compatible with existing and adjacent land uses?
- Change drainage or affect water quality/runoff?
- Affect air quality?
- Have a negative aesthetic affect?
- Increase noise levels to existing receptors?
- Affect biological resources including habitat?

**Impact**

**Water**

The City’s PUD service area total water demand forecast for 2025 is 202,685 AFY, or 125,656.58 gpm (City of San Diego 2021). The water demands were developed in accordance with the City of San Diego Design Guidelines and Standards. Multi-family residential water demand is estimated based on density and a unit water demand of 150 gpd/person. The project proposes 55 residential units over 3.1 net acres equaling 18 units per acre. Table 2-1 in the City of San Diego Design Guidelines and Standards, as referenced in Appendix L, indicates that 28 units per acre falls in the range of approximately 3.0 persons per dwelling unit. A dwelling unit density of 3.0 persons per dwelling unit and a unit water demand of 150 gpd/person results in a water demand rate of 450 gpd per multi-family dwelling unit at the project. Table 5.14-2 presents the projected potable water demand for the project.

**Table 5.14-2.  
Project Portable Water Demand**

Land Use	Quantity	Demand Factor	Average Water Use, gpd
Multi-Family Residential (28 DUs/net acre)	55 units	450 gpd/DU	24,750
<b>Total</b>			24,750 = 17.2 gpm

**Source:** Appendix L.

**Notes:** gpd =gallons per day; gpm = gallons per minute; DU = dwelling unit. Based on Table 2-1 and Table 2-2 in Book 2 of the City of San Diego Guidelines.

From the City of San Diego Guidelines and Standards, the maximum day demand to average annual demand ratio is approximately 3.6 based on the Inland North peaking curve, resulting in an estimated maximum day demand of 89,100 gpd (62 gpm) (Appendix L). The peak hour demand to average annual demand ratio is approximately 7.4 based on the Inland North peaking curve, resulting in an estimated peak hour demand of 183,150 gpd (127 gpm). An irrigation water demand for the project is estimated to be 948 gpd based on the current landscape plan.

Maximum static pressures within the project are calculated based on the Rancho Bernardo 793 Water Service Pressure Zone. Using the static pressure data from the City’s hydrant flow test (126 psi at 497 feet equates to 788 HGL static), maximum static pressures within the project would range between 119 psi and 123 psi (Appendix L). This is slightly above the City of San Diego Water System Design Guidelines maximum allowable pressure of 120 psi (see Table 5.14-3). Due to the elevation and the relatively high static pressures at the project site, individual pressure regulators would be installed for building services in order to comply with the California Plumbing Code which limits pressure inside a dwelling unit to a maximum of 80 psi.

**Table 5.14-3.  
City of San Diego Water System Design Criteria**

Criteria	Design Requirement
Multi-Family Residential Fire Flow	3,000 gpm
Minimum Static Pressure	65 psi
Maximum Static Pressure	120 psi
Maximum Pressure Drop – Reservoir Out of Service	40 psi
Maximum Pressure Drop – Peak Hour and Max Day plus Fire	25 psi
Minimum Pressure – Peak Hour	40 psi
Minimum Pressure – Max Day plus Fire	20 psi
Maximum Pipeline Velocity (Fire Flow)	15 fps
Maximum Pipeline Velocity (Normal Operating Conditions)	5 fps

**Source:** Appendix L.

Private Water System Improvements

Private domestic water service to the project would be provided through a master meter. For the project, the California Plumbing Code estimates the maximum domestic flow to be approximately 250 gpm based on a count of Water Fixture Units based on the proposed residential product type. The City of San Diego Public Utilities Department uses 80% of the AWWA meter rating as their maximum allowable flow rate. A 3-inch meter has an AWWA rated capacity of 350 gpm, which means the maximum flow rate allowed by the city of San Diego for a 3-inch meter is 280 gpm. As this is still higher than the estimated demand for project of 250 gpm, a single 3-inch meter would be sufficient for the project.

The City of San Diego Public Utilities Department, however, also has a policy of installing two parallel meters whenever the peak flow rate exceeds the capacity of a 2-inch meter. Thus, although the project requires only a single 3-inch meter, the Public Utilities Department would instead install two 2-inch meters in parallel. There would be two 2-inch public water service laterals that would flow into the two 2-inch meters with each meter being followed by a 2-inch reduced pressure principle backflow preventer. The two proposed 2-inch domestic water service laterals would be connected to the proposed 12-inch 793 Zone water line in the project site.

Additionally, a maximum day demand plus 3,000 gpm fire flow scenario can be met at the project site with all residual pressures greater than 48 psi on site and pipeline velocities less than 15 fps under an all-pipes-open scenario as well as under a pipe break scenario.

Potential significant environmental impacts associated with such construction include air quality, traffic, biological resources, cultural resources, noise, hydrology, water quality, and other impacts as identified and analyzed in Chapter 5 of this EIR. None of those sections identified construction or operation of the project's new or expanded water supply infrastructure as resulting in significant impacts apart from those already analyzed in this EIR. For example, construction of new or expanded water supply infrastructure would require limited amounts of grading and ground disturbance that are already considered in assessing project impacts. Further, to the extent any new or expanded water facilities create noise effects, the project must comply with the City's Noise Ordinance. In addition, pipeline construction would require trenching, also as part of the grading stages of the project, which have been assessed in this EIR.

Private systems would be designed in accordance with City of San Diego standards and plumbing code standards. New public water systems and improvements would be installed prior to occupancy of each Unit and would be adequately designed and sized to meet the project's water needs in conformance with City Design Guidelines and Standards. Final construction design/details for on-site private water systems internal to each Unit would be provided consistent with this EIR and the approved Tentative Map when individual Units proceed with their site development plans. Any impacts relative to the construction and installation of private water supply infrastructure are included as part of the project and analyzed herein. The proposed improvements described above would be installed within the project site and would not result in significant environmental effects beyond what has been analyzed within this EIR.

### **Wastewater**

The sewer from the project will flow through an existing 10-inch diameter gravity sewer line and easement through the La Quinta Inn hotel parking lot before reaching an existing 12-inch diameter sewer line in Rancho Peñasquitos Boulevard. At Rancho Peñasquitos Boulevard the gravity sewer line runs through a combination of easements before coming back into the project right-of-way and ultimately reaching the 30-inch diameter Peñasquitos Trunk Sewer after joining a 15-inch diameter Peñasquitos Views Trunk Sewer gravity line in La Tortola.

### **Wastewater Generation Rates**

Sewer generation rates for the project were developed in accordance with the Sewer Design Guide and are based on population (Appendix K).

The sewer generation for the project was developed in accordance with the City of San Diego Sewer Design Guide. Per a City plan check comment, the sewer generation for the multi-family residential units would be equal to the single-family EDU sewer generation factor of 280 gpd per DU (see Table 5.14-4). The project proposes 55 residential units over 2.0 net acres equaling 28 units per acre.

**Table 5.14-4.  
Project Sewer Generation**

Land Use	Quantity	Generation Factor	Average Sewer Generation, gpd
Multi-Family Residential (28 DUs/net acre)	55 Units	280 gpd/DU	15,400
<b>Total</b>			<b>15,400 = 10.7 gpm</b>

**Source:** Appendix K.

**Notes:** gpd =gallons per day; gpm = gallons per minute; DU = dwelling unit. Based on Table 2-1 and Table 2-2 in Book 2 of the City of San Diego Guidelines.

From the City of San Diego’s Sewer Design Guide, the peak dry weather flow to average flow ratio is approximately 4.0 based on the formula and table presented in the figure, resulting in an estimated peak dry weather flow of 61,600 gpd (43 gpm). Per a plan check comment from the City, the peak wet weather flow to peak dry weather flow ratio is 1.0 resulting in an estimated peak wet weather flow of 61,600 gpd (43 gpm) which is equitable to the peak dry weather flow.

Off-Site Sewer System

The increase in flow in the existing 12-inch diameter and 18-inch diameter off-site sewer segments (Peñasquitos Views Trunk Sewer) due to the 55 additional project units is not significant per Appendix K. Appendix K presents the current sewer modeling data in this trunk sewer system and the current segments with the least amount of capacity left under peak wet weather flow are Segment No. 35888 and Segment No. 35889. These 12-inch diameter segments at minimum slope (0.4%) are currently flowing at approximately a 0.32 d/D ratio and approximately 21% of maximum capacity. Thus, there would be adequate capacity to serve the project.

On-Site Sewer System

A preliminary on-site sewer analysis was completed utilizing the proposed manhole slopes/inverts throughout the project site (Appendix K). The on-site private sewer collection system will be sized based on the California Plumbing Code, Chapter 7, Sanitary Drainage. The total number of Drainage Fixture Units (DFUs) will be estimated for the project and used in combination with Table 703.2 in the Plumbing Code to determine the minimum sewer collection line size needed within the project site.

Appendix K includes a summary of the preliminary estimate DFUs for the 55 units. The DFUs for the 55 units is 1,040 DFUs. The project includes a sewer system that would meet the needs of the project and no additional improvements not analyzed herein would be required. It is noted that one particular on-site sewer segment (between MH 8 and MH 7) has a relatively steep slope (16% compared to 1% and 2%). This is necessary in order to convey sewer from the upper pad area to the

lower pad area of the project and ultimately off site to the connection to the existing public system. In this steep slope section, maximum velocities remain below the City design criteria of 10 fps. The project includes the needed modifications to the existing sewer system in the immediate vicinity of the project. The existing private on-site gravity sewer would be abandoned and removed. The existing public off-site gravity sewer within the project right-of-way and corresponding easement south of the project cul-de-sac would also be abandoned and kept in place per the City's Sewer Design Guide. A proposed private gravity sewer line would be constructed on site in order to adequately convey sewer at a 1% slope to the existing public manhole near the project boundary. An Encroachment Maintenance and Removal Agreement (EMRA) would be established for this sewer connection to the existing manhole/easement. Overall, the project includes a sewer system that would meet the needs of the project and would not result in significant environmental effects beyond what has been analyzed within this EIR.

### ***Solid Waste***

The purpose of a WMP is to identify the potential waste generated and diverted during demolition, construction, and operation, associated with a project, and to identify measures to reduce potential impacts associated with management of such waste. The project's WMP (Appendix M) addresses construction phases as well as the post-construction/occupancy phase of the project and identifies the types and projected amount of waste that would be generated, disposed, salvaged, and recycled, as applicable. The WMP describes the project measures and design features that would reduce the amount of waste generated and how waste reduction and recycling goals would be achieved. The following discussion of potential solid waste generation resulting from implementation of the project and related WDMs is based on the WMP (Appendix M).

### Demolition and Construction Waste

The City's C&D Debris Diversion Deposit Program applies to all applicants for building, demolition, and removal permits. This ordinance (San Diego Municipal Code [SDMC]) requires that the applicant post a deposit, which is held by the City until the applicant demonstrates that a minimum amount of the material generated has been diverted from landfills. The ordinance requires demolition and new construction projects to divert 65% of the waste produced during the project.

Mixed construction debris recycling facilities in the City are evaluated quarterly to determine how much of the throughput is recycled, and how much is a "residual" material requiring disposal. Facilities that accept mixed debris typically achieve a 68% or less diversion rate. Single material recyclers, such as metal recyclers, often achieve a nearly 100% diversion rate. When commingled materials are sent to a mixed facility, the 75% diversion goal established by AB 341 would not be met. Depending on the project, to ensure that the overall C&D diversion goal is attained, some materials must be separated and trucked to facilities with higher diversion rates, such as aggregate and metal recyclers.

### Demolition

The project site currently consists of a vacant, sloped hillside consisting of native/non-native and disturbed habitat. No demolition of structures would occur as part of the proposed project.

However, the project would require the demolition of approximately 4,000 square feet of asphalt in order to accommodate the proposed off-site water main. Site preparation would require the grading of approximately 3.27 acres, which requires the export of an estimated 46,700 cy of site soils. The final disposition of the soil export will depend on several factors including near-by construction sites that could accept fill soil at the time of the excavation as well as any required environmental sampling of the fill soils to identify potential contaminants in the undocumented fill. Alternatively, if near-by construction sites cannot accept the fill soil for reuse at the time of the excavation, assuming the fill soil meets reuse requirements of recycling facilities (uncontaminated, no organics, no clay, no rocks, no debris, etc.), the recycling facilities noted in the table below will be used. Table 5.15-5 below presents a summary of the anticipated demolition waste estimates. As shown, it is estimated the grading and demolition phase waste recycling and reuse would result in a 75% diversion rate in accordance with the SDMC Section 66.0601.

**Table 5.15-5.  
Grading and Demolition Waste Generation Estimates**

Waste Material	Waste Source	Estimated Generation Quantity (tons)	Proposed Recycling and/or Disposal Facility	Estimated Diversion Quantity (tons)	Estimated Disposal Quantity (tons)
Asphalt	Roadway	26	<b>Hanson Aggregates</b> 9229 Harris Plant Road San Diego, California 92126  <b>Vulcan Carol Canyon Landfill and Recycle Site</b> 10051 Black Mountain Road San Diego, California 92126 (100% diversion)	26	—
Soil	Grading	60,710	<b>Hanson Aggregates West - Miramar</b> 9229 Harris Plant Rd. San Diego California 92126  <b>Moody's</b> 3210 Oceanside Blvd Oceanside, California 92056  <b>Terra Bella Nursery</b> 302 Hollister St. San Diego California 92154	45,533	15,177

**Table 5.15-5.  
Grading and Demolition Waste Generation Estimates**

Waste Material	Waste Source	Estimated Generation Quantity (tons)	Proposed Recycling and/or Disposal Facility	Estimated Diversion Quantity (tons)	Estimated Disposal Quantity (tons)
			**Or local construction sites** (75% diversion)		
<b>Total (75% diversion)</b>				<b>45,559</b>	<b>15,177</b>

Source: Appendix M

Construction

The project involves construction of a new multi-family residential development. The proposed development would include 66,220 square feet of multi-family residential living space within the five residential buildings. The construction phase of the project would include waste types as provided in Table 5.14-6. In accordance with SDMC and state diversion targets, a minimum of 75% of construction materials would be recycled (Recycled materials would be redirected to appropriate recipients selected from ESD's directory of facilities that recycle construction materials, scrap metal, and yard waste.

**Table 5.14-6.  
Construction Waste Generation Estimates**

Waste Materials	Estimated Generation Quantity (tons)	Proposed Recycling and/or Disposal Facility	Estimated Diversion Quantity (tons)	Estimated Disposal Quantity (tons)
Concrete and Asphalt	24	<b>Hanson Aggregates West – Miramar</b> 9226 Harris Plant Road San Diego, California 92126  <b>Vulcan Carol Canyon Landfill and Recycle Site</b> 10051 Black Mountain Road San Diego, California 92126 (100% diversion)	24	--
Scrap Metal	11	<b>Allan Company</b> 6733 Consolidated Way San Diego, California 92121 (100% diversion)	11	—
Drywall	20	<b>EDCO Recovery &amp; Transfer</b>	20	--

**Table 5.14-6.  
Construction Waste Generation Estimates**

<b>Waste Materials</b>	<b>Estimated Generation Quantity (tons)</b>	<b>Proposed Recycling and/or Disposal Facility</b>	<b>Estimated Diversion Quantity (tons)</b>	<b>Estimated Disposal Quantity (tons)</b>
		3660 Dalbergia Street San Diego, California 92113 (100% diversion)		
Carpet	7	<b>DFS Flooding</b> 10178 Willow Creek Road San Diego, California 92131 (100% diversion)	7	--
Cardboard	13	<b>Allan Company</b> 6733 Consolidated Way San Diego, California 92121 (100% diversion)	13	--
Unpainted, Clean Wood	32	<b>Miramar Greenery</b> 5180 Convoy Street San Diego, California 92111 (100% diversion)	32	--
Miscellaneous Garbage/trash	26	<b>Miramar Landfill</b> 5180 Convoy Street San Diego, California 92111 (100% diversion)	--	26
<b>Total (80% diversion)</b>			<b>107</b>	<b>26</b>

**Source:** Appendix M.

#### Operational Waste

Operation of the project would involve on-going waste generation from the multi-family development. The project would be required to provide sufficient refuse and recyclables storage to comply with the San Diego Municipal Code Section 142.0820, which states that each dwelling unit and each structure that contains dwelling units shall be equipped with interior and exterior refuse, organic waste, and recycling storage areas, respectively. Table 5.14-7 outlines the refuse and recycling storage requirements based on the San Diego Municipal Code Table 142-08B.

**Table 5.14-7.  
Minimum Exterior Refuse and Recyclable Material Storage Areas for the Project**

<b>Land Use</b>	<b>Number of Units or Square Footage</b>	<b>Minimum Refuse Storage Areas (square feet)</b>	<b>Minimum Organic Waste Storage Area (square feet)</b>	<b>Minimum Recyclable Material Storage Area (square feet)</b>	<b>Total Minimum Storage Area (square feet)</b>
Multi-Family Residential	55 units	144	144	144	432

**Sources:** Appendix M.

A minimum of 144 square feet of refuse storage area, 144 square feet of organic waste storage area, and 144 square feet of recyclable material storage area would need to be provided for the residential areas of the project.

Pursuant to San Diego Municipal Code (SDMC) Article 6, Division 7 (Recycling Ordinance) and SDMC Chapter 14, Article 2, Division 8 (Refuse, Organic Waste, and Recyclable Material Storage Regulations), the site shall provide on-site recycling services and associated storage space for the multifamily residential development. The recycling services shall include, at a minimum, the following:

- Collection of recyclable materials at least twice monthly;
- Collection of plastic bottles, plastic and glass jars, paper and newspaper, metal containers, and cardboard;
- Designated recycling collection and storage areas, with proper recycling receptacles, organic waste receptacles, and signage that comply with the Environmental Services Department's Container and Signage Guidelines; and
- Collection of organic waste materials for recycling. AB 1826 and AB 1383 require multifamily properties to arrange for organic materials recycling. Organic waste materials include yard clippings, landscape materials, and food waste. The site will provide food waste bins for residents to collect food waste. The food waste, yard clippings, and landscape materials will be composted through a private hauler.

In accordance with SDMS Section 66.0706(f), the site shall educate occupants about the recycling services by providing the following:

- Information shall be provided to all occupants annually, to new occupants upon move-in, and to all occupants upon any change in the recycling service at the site including:
  - Information on the types of recyclable materials accepted,
  - The occupants' responsibility to recycle, and
  - The location of recycling containers.

Further waste reduction methods and environmentally-preferable practices during occupancy relate to plant selection, use of reclaimed water and low-yield drip irrigation where appropriate, use of efficient lighting and plumbing, as well as collection of green waste for management and recycling by a local facility. Additional waste reduction methods could include mulching, grass-cycling, reducing lawn size, and proper pruning.

As shown in Table 5.14-8, occupancy of the project is expected to generate approximately 0.32 tons of waste per year. The estimated solid waste generation during occupancy was estimated using the California Emissions Estimator Model (CalEEMod), updated October 2017, CalRecycle data as well as the San Diego Municipal Code Section 142.082 (see Appendix M). With the proposed 55 units, the project is expected to deposit 17.6 tons per year in a landfill.

**Table 5.14-8.  
Occupancy Waste Generation Estimate**

<b>Waste Type</b>	<b>Project Waste (with SB 1383 Diversion) (tons per year per dwelling unit)</b>
Paper	0.11
Glass	0.01
Metal	0.02
Electronics	0.01
Plastic	0.05
Organic Waste	0.05
Inerts and Other	0.03
Household Hazardous Wastes	0.00
Special Wastes	0.02
Mixed Residue	0.02
<b>Total</b>	<b>0.32</b>

Sources: Appendix M.

**Significance of Impact**

***Water***

From the City of San Diego Guidelines and Standards, the maximum day demand to average annual demand ratio is approximately 3.6 based on the Inland North peaking curve, resulting in an estimated maximum day demand of 89,100 gpd (62 gpm) (Appendix L). The peak hour demand to average annual demand ratio is approximately 7.4 based on the Inland North peaking curve, resulting in an estimated peak hour demand of 183,150 gpd (127 gpm). An irrigation water demand for the project is estimated to be 948 gpd based on the current landscape plan.

The project would result in an estimated maximum demand of 17.2 gpd. The City's PUD service area total water demand forecast for 2025 is 202,685 AFY, or 125,656.58 gpm (City of San Diego 2021). The project's estimated maximum day demand of 62 gpm and the estimated pear hour demand of

127 gpm aligns with the City's forecasted water demand and would not require the construction of new or expanded public utilities needed to serve the project.

As discussed earlier, a private system improvement would be required for the project. Private systems would be designed in accordance with City of San Diego standards and plumbing code standards. New public water systems and improvements would be installed prior to occupancy of each Unit and would be adequately designed and sized to meet the project's water needs in conformance with City Design Guidelines and Standards. Final construction design/details for on-site private water systems internal to each Unit would be provided consistent with this EIR and the approved Tentative Map when individual Units proceed with their site development plans. Any impacts relative to the construction and installation of private water supply infrastructure are included as part of the project and analyzed herein.

As concluded in Appendix L, the maximum static pressure within the project would range between 119 psi and 123 psi, which marginally exceeds the City's design criteria of 120 psi and as a result is not anticipated to result in a significant impact. Additionally, the 3,000 gpm fire flow scenario can be met by the project.

The project would connect to existing 12-inch water main adjacent to the site within the existing Paseo Montril cul-de-sac as well as provide a 12-inch water main connection through Paseo Montril to the 12-inch water main in Rancho Peñasquitos Boulevard. An 8-inch connection to the proposed 12-inch line would also be provided for fire protection. The on- and off-site water connections and the environmental impacts of those water connections are addressed within the EIR. Water infrastructure would be designed and sized to meet the project's water needs in conformance with City standards, the construction of which impacts would be **less than significant**.

### ***Wastewater***

The project is expected to only generate a peak wet weather flow of 61,600 gpd or 0.062 mgd. When added to existing peak flows in the trunk sewer it would approximately equate to a d/D ratio of 0.34 and 26% of the maximum capacity in the critical line segments. The project would remove a portion of an existing 10-inch sewer line that extends from Paseo Montril onto the project site. Instead, the project would include an 8-inch connection to the existing 10-inch line directly at the project boundary to the south of the Paseo Montril cul-de-sac where it first enters the site. The project includes proposed modifications to the existing sewer system in the immediate vicinity of the project, however the modifications are included as a part of the project and addressed in this EIR herein. The project's construction impacts associated with installation of new or expanded wastewater facilities would be **less than significant**.

### ***Solid Waste***

The project includes a WMP to manage solid waste generated by the project, as detailed in Appendix M. Implementation of this WMP involves a 75% diversion rate for demolition waste and a 80% diversion rate for construction waste. The majority of waste generated during the demolition, grading, and construction phase would consist of export soil. At least 75% of the soil exported from the site will be sent to facilities for reuse. The project would provide sufficient refuse, organic waste, and recycling

containers and education to comply with City ordinances and provide sufficient waste diversion. In addition, the project would include a standard condition of approval to require adherence to the waste management plan. These waste diversion measures, along with the waste reduction measures, would reduce the project impacts related to solid wastes to **less than significant**.

### **Mitigation**

No mitigation is required.

### **Significance of Impact After Mitigation**

No mitigation is required. Therefore, impacts remain be **less than significant** after mitigation.

### 5.14.3.2 Issues 2 and 3: Water

***Issue 2: Would the project result in the use of excessive amounts of water?***

***Issue 3: Does the project propose landscaping which is predominantly non-drought resistant vegetation?***

### **Thresholds**

According to the City's Significance Determination Thresholds (City of San Diego 2020), public utility impacts related to water use would be significant if a project would:

- Water Supply – Result in the need to comply with SB 610 to determine the availability of water to meet the projected water demands of the project for a 20-year planning horizon, including single and multiple dry years The types of projects subject to SB 610 include the following:
  - Residential developments with more than 500 units;
  - Shopping centers or businesses employing more than 1,000 people or having more than 500,000 square feet of floor space;
  - Commercial office buildings employing more than 1,000 people or having more than 250,000 square feet of floor space;
  - Mixed use projects that include one or more of the projects listed above; or
  - Projects that would demand an amount of water equivalent to, or greater than, the amount of water required by a 500-dwelling unit project.
- Water Conservation
  - Use an excessive amount of potable water; or
  - Propose predominately non-drought resistant landscaping and excessive water usage for irrigation and other purposes.

### Impact

#### ***Water Supply***

From the City of San Diego Guidelines and Standards, the maximum day demand to average annual demand ratio is approximately 3.6 based on the Inland North peaking curve, resulting in an estimated maximum day demand of 89,100 gpd (62 gpm) (Appendix L). The peak hour demand to average annual demand ratio is approximately 7.4 based on the Inland North peaking curve, resulting in an estimated peak hour demand of 183,150 gpd (127 gpm). An irrigation water demand for the project is estimated to be 948 gpd based on the current landscape plan.

The project would result in an estimated maximum demand of 17.2 gpm. The City's PUD service area total water demand forecast for 2025 is 202,685 AFY, or 125,656.58 gpm (City of San Diego 2021). The project's estimated maximum day demand of 62 gpm and the estimated peak hour demand of 127 gpm aligns with the City's forecasted water demand and would not require the construction of new or expanded public utilities needed to serve the project.

As concluded in Appendix L, the maximum static pressure within the project would range between 119 psi and 123 psi, which marginally exceeds the City's design criteria of 120 psi. Additionally, A maximum day demand plus 3,000 gpm fire flow scenario can be met at the project site with all residual pressures greater than 48 psi on site and pipeline velocities less than 15 fps under an all-pipes-open scenario as well as under a pipe break scenario.

This project does not exceed the threshold set by the City of San Diego for water supply, as it is less than 500 dwelling units and would not be expected to use the equivalent water supply of a 500 dwelling unit development.

The project would not result in excessive water usage and impacts would be **less than significant**.

#### ***Water Conservation***

The project would incorporate water sustainable design features, techniques, and materials that would reduce water consumption. These sustainability measures as they pertain to water resources include high efficiency plumbing fixtures and fittings in all structures and the use of recycled water instead of potable water for irrigation at within the open space and park areas. The project applicant has committed to implement these water conservation standards into the design of the new residences, buildings, and other infrastructure that would be constructed as part of the project.

Drought-tolerant landscaping would include a variety of trees, shrubs, grasses, and groundcover that would be native and drought-tolerant species that would not require the excessive use of water, or pesticides and fertilizers. Irrigation of the project site would utilize irrigation applied via low precipitation rate spray heads, drip emitters, or other highly efficient systems. Landscaping would be installed in compliance with the City's Landscape Standards.

### Significance of Impact

#### *Water Supply*

The project would be consistent with regional water resource planning and applicable water supply regulations. There would be sufficient water supply to meet the projected demands of the project; therefore, impacts related to potable water supplies/demand from project implementation would be **less than significant**.

#### *Water Conservation*

The project would incorporate water sustainable features and Landscaping would include California native drought-tolerant plant palette. Overall, the project would be consistent with applicable water conservation requirements; therefore, impacts would be **less than significant**.

#### **Mitigation**

No mitigation measures would be required.

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## 5.15 Tribal Cultural Resources

This section describes the existing physical conditions and cultural context of the proposed Paseo Montril Project (project) site, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures, if required, related to implementation of the project. The following discussion is based on the Cultural Resources Letter Report for the Paseo Montril Development Project prepared by Dudek (November 2020) and included as Appendix N. Additionally, the analysis is based on consultation with Native American Tribes traditionally and culturally affiliated with the project area who have requested consultation pursuant to California Public Resources Code, Section 21080.3.

### 5.15.1 Existing Conditions

#### **Physical Conditions**

Currently, the project site is undeveloped, surrounded by existing residential, commercial, and transportation infrastructure. The site is primarily characterized by undeveloped land on a hillside that contains native habitats as well as disturbed areas. The off-site area consists of the Paseo Montril roadway (urban/developed land). Previous grading on the site is limited to the area where the Paseo Montril cul-de-sac and sewer infrastructure was installed. However, the site has been disturbed via dirt trails and dumping. Surrounding land uses include residential and commercial development to the north, west, and south, an Interstate 15 (I-15).

#### **Ethnographic, Religious, and Cultural Context**

Many areas of San Diego County, including mesas and the coast, are known for intense and diverse prehistoric occupation and important archaeological and historical resources. The pre-contact cultural sequences are locally characterized by the material culture recovered during archaeological investigations as early as the 1920s, and through early accounts of Native American life in San Diego, recorded as a means to salvage scientific knowledge of native lifeways. Additional information of Native American lifeways, however, comes from the Kumeyaay themselves, from the stories and songs passed down through the generations, in their own words. According to ethnographies based on interviews with local tribal elders, there are hundreds of words that describe a given landform, showing a close connection with nature. There are also stories associated with the land.

As recognized in 2001 by State Assembly Joint Resolution No. 60, the Kumeyaay Nation has occupied the Southern California and Baja California region, including the City of San Diego (City) and the project's area of potential effect (APE). The Kumeyaay are the identified Most Likely Descendants (MLD) for all Native American human remains found in the City.

The last 10,000 years of continuous human occupation in the San Diego region includes the following archaeological cultural periods:

1. Paleoindian (pre-5500 BC)
2. Archaic (8000 BC–500 AD)

3. Late Prehistoric (500 AD–1769 AD)
4. Ethnohistoric (post-1769 AD)

### **Native American Heritage Commission Sacred Lands File**

A Native American Heritage Commission (NAHC) search of its Sacred Lands (SLF) File was requested on January 28, 2020, for the project area of direct impacts. The search identified no previously recorded sites within the AID or within a 1-mile buffer area. A subsequent NAHC SLF request was sent on February 20, 2020. The request included the project APE boundary. The NAHC responded on February 20, 2020, stating that the updated search boundary would not change the results of the SLF or the list of the Native American contacts.

On February 12, 2020, the NAHC provided a list with the results of its search of Native American tribes and individuals/organizations that might have knowledge of cultural resources in or near the project site. Correspondence letters were sent on February 12, 2020, to the listed tribal representatives provided by the NAHC, requesting information, opinions, or concerns relating to project impacts. These letters contained a brief description of the planned project and reference maps for the project. One response, from the Viejas Band of Kumeyaay Indians (Viejas), was received, stating that the project site has cultural significance or ties to Viejas, and requested that a Kumeyaay Cultural Monitor be on site for ground disturbing activities. Tribal correspondence is included in Appendix B to Appendix N of the EIR.

### **AB 52 Outreach**

Further, the City conducted government-to-government consultation with Native American tribes under Assembly Bill (AB) 52. The City provided formal consultation notification to Lipay Nation of Santa Isabel, Jamul Indian Village, and San Pasqual Band of Mission Indians, who are traditionally and culturally affiliated with the project area. Formal notification letters were sent via electronic mail on March 5, 2021 describing the location of the project site, identifying the positive record search on the California Historic Resources Information System (CHRIS) digital database, and provided a copy of the site-specific archaeological report. The Lipay Nation of Santa Isabel responded within the 30-day formal notification period concurring with City staff's determination. Jamul Indian Village responded outside of the formal notification period also concurring with staff determination. No response was received from San Pasqual band of Mission Indians.

## 5.15.2 Regulatory Framework

### **Federal**

#### ***United States Code, Title 25, Sections 3001 et seq.***

The Native American Graves Protection and Repatriation Act is a federal law passed in 1990 that provides a process for museums and federal agencies to return certain Native American cultural items, such as human remains, funerary objects, sacred objects, or objects of cultural patrimony, to lineal descendants and culturally affiliated Indian tribes.

### ***National Historic Preservation Act of 1966 and National Register of Historic Places***

The National Register of Historic Places (NRHP) is the official list of the nation’s historic places worthy of preservation. The NHRP, as authorized by the National Historic Preservation Act of 1966, is part of a national program to coordinate and support public and private efforts to identify, evaluate, and protect America's historic and archaeological resources. Once listed in the NRHP, a resource or property is officially recognized as historically significant to the nation, the state, or the community. Properties listed (or potentially eligible for listing) in the NRHP must meet certain significance criteria and possess integrity of form, location, or setting. Barring exceptional circumstances, resources generally must be at least 50 years old to be considered for listing in the NRHP.

Criteria for listing in the NRHP are stated in the Code of Federal Regulations (36 CFR 60). A resource may qualify for listing if there is quality of significance in American history, architecture, archaeology, engineering, and culture present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and where such resources:

1. Are associated with events that have made a significant contribution to the broad patterns of history.
2. Are associated with the lives of persons significant in the past.
3. Embody the distinctive characteristics of a type, period, or method of construction; represent the work of a master; possess high artistic values; or represent a significant and distinguishable entity whose components may lack individual distinction.
4. Have yielded, or may be likely to yield, information important in prehistory or history.

Eligible properties must meet at least one of the NRHP criteria and exhibit integrity, measured by the degree to which the resource retains its historical properties and conveys its historical character, the degree to which the original historic fabric has been retained, and the reversibility of changes to the property. The fourth criterion is typically reserved for archaeological and paleontological resources.

### **State**

#### ***California Register of Historical Resources (California Public Resources Code, Section 5020 et seq.)***

In California, the term “cultural resource” includes but is not limited to “any object, building, structure, site, area, place, record, or manuscript which is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California” (California Public Resources Code, Section 5020.1[j]). In 1992, the California legislature established the California Register of Historical Resources (CRHR) “to be used by state and local agencies, private groups, and citizens to identify the state’s cultural resources and to indicate what properties are to be protected, to the extent prudent and feasible, from substantial adverse change” (California Public Resources Code, Section 5024.1[a]). A resource is eligible for listing in the CRHR if the State Cultural Resources Commission determines that it is a significant resource and that it meets any of the following NRHP criteria (California Public Resources Code, Section 5024.1[c]):

1. Associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage.
2. Associated with the lives of persons important in our past.

3. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.
4. Has yielded, or may be likely to yield, information important in prehistory or history.

Resources less than 50 years old are not considered for listing in the CRHR, but may be considered if it can be demonstrated that sufficient time has passed to understand the historical importance of the resource (see 14 CCR 4852[d][2]).

The CRHR protects cultural resources by requiring evaluations of the significance of prehistoric and historic resources. The criteria for the CRHR are nearly identical to those for the NRHP, and properties listed or formally designated as eligible for listing on the NRHP are automatically listed on the CRHR, as are the state landmarks and points of interest. The CRHR also includes properties designated under local ordinances or identified through local cultural resource surveys. The State Historic Preservation Office maintains the CRHR.

### ***Native American Historic Cultural Sites (California Public Resources Code Section 5097 et seq.)***

The Native American Historic Resources Protection Act (California Public Resources Code, Section 5097 et seq.) addresses the disposition of Native American burials in archaeological sites and protects such remains from disturbance, vandalism, or inadvertent destruction; establishes procedures to be implemented if Native American skeletal remains are discovered during construction of a project; and establishes the NAHC to resolve disputes regarding the disposition of such remains. In addition, the Native American Historic Resources Protection Act makes it a misdemeanor punishable by up to 1 year in jail to deface or destroy an Indian historic or cultural site that is listed or may be eligible for listing in the CRHR.

### ***California Native American Graves Protection and Repatriation Act***

The California Native American Graves Protection and Repatriation Act, enacted in 2001, requires all state agencies and museums that receive state funding and that have possession or control over collections of human remains or cultural items, as defined, to complete an inventory and summary of these remains and items on or before January 1, 2003, with certain exceptions. The act also provides a process for the identification and repatriation of these items to the culturally affiliated tribes.

### ***California Health and Safety Code Section 7050.5***

California law protects Native American burials, skeletal remains, and associated grave goods, regardless of their antiquity, and provides for the sensitive treatment and disposition of those remains. California Health and Safety Code Section 7050.5 requires that if human remains are discovered in any place other than a dedicated cemetery, no further disturbance or excavation of the site or nearby area reasonably suspected to contain human remains shall occur until the County coroner has examined the remains (California Health and Safety Code Section 7050.5b). If the coroner determines or has reason to believe the remains are those of a Native American, the coroner must contact the NAHC within 24 hours (California Health and Safety Code Section 7050.5c). The NAHC will notify the MLD. With the permission of the landowner, the MLD may inspect the site of discovery. The inspection must be completed within 24 hours of NAHC's notification of the MLD.

The MLD may recommend means of treating or disposing of, with appropriate dignity, the human remains and items associated with Native Americans.

### ***California Environmental Quality Act***

The following California Environmental Quality Act (CEQA) statutes and CEQA Guidelines are relevant to the analysis of historic, archaeological and tribal cultural resources:

1. California Public Resources Code Section 21083.2(g): Defines “unique archaeological resource.”
2. California Public Resources Code Section 21084.1 and CEQA Guidelines Section 15064.5(a): Defines cultural resources. In addition, CEQA Guidelines Section 15064.5(b) defines the phrase “substantial adverse change” in the significance of a cultural resource. It also defines the circumstances when a project would materially impair the significance of a cultural resource.
3. California Public Resources Code Section 21074 (a): defines “Tribal cultural resources” and Section 21074(b): defines a “cultural landscape.”
4. California Public Resources Code Section 5097.98 and CEQA Guidelines Section 15064.5(e): These statutes set forth standards and steps to be employed following the accidental discovery of human remains in any location other than a dedicated ceremony.
5. California Public Resources Code Sections 21083.2(b)-(c) and CEQA Guidelines Section 15126.4: These statutes and regulations provide information regarding the mitigation framework for archaeological and historic resources, including options of preservation-in-place mitigation measures; identifies preservation-in-place as the preferred manner of mitigating impacts to significant archaeological sites.

Under CEQA, a project may have a significant effect on the environment if it may cause “a substantial adverse change in the significance of an historical resource” (California Public Resources Code, Section 21084.1; 14 CCR 15064.5[b]). A “historical resource” is any site listed or eligible for listing in the CRHR. The CRHR listing criteria (14 CCR 15064.5[a][3]) are intended to examine whether the resource in question:

- A. Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage;
- B. Is associated with the lives of persons important in our past;
- C. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
- D. Has yielded, or may be likely to yield, information important in pre-history or history.

The term “historical resource” also includes any site described in a local register of historical resources, or identified as significant in a historical resources survey (meeting the requirements of California Public Resources Code, Section 5024.1[g]).

All historical resources and unique archaeological resources – as defined by statute – are presumed to be historically or culturally significant for purposes of CEQA (California Public Resources Code, Section 21084.1; 14 CCR 15064.5[a]). The lead agency is not precluded from determining that a resource is a historical resource even if it does not fall within this presumption (California Public

Resources Code, Section 21084.1; 14 CCR 15064.5[a]). A site or resource that does not meet the definition of “historical resource” or “unique archaeological resource” is not considered significant under CEQA and need not be analyzed further (California Public Resources Code, Section 21083.2[a]; 14 CCR 15064.5[c][4]).

Pursuant to these sections, the CEQA first evaluates whether a project site contains any historical resources, then assesses whether that project will cause a substantial adverse change in the significance of a historical resource such that the resource’s historical significance is materially impaired.

When a project significantly affects a unique archaeological resource, CEQA imposes special mitigation requirements.

Finally, CEQA Guidelines Section 15064.5 assigns special importance to human remains and specifies procedures to be used when Native American remains are discovered. These procedures are set forth in California Public Resources Code, Section 5097.98.

### ***Assembly Bill 52***

AB 52, the Native American Historic Resource Protection Act, sets forth a proactive approach intended to reduce the potential for delay and conflicts between Native American and development interests. Under AB 52, a TCR is defined as a site, feature, place, cultural landscape (must be geographically defined in terms of size and scope), sacred place, or object with cultural value to a California Native American tribe that is either included or eligible for inclusion in the CRHR, or included in a local register of historical resources. A Native American tribe or the lead agency, supported by substantial evidence, may choose at its discretion to treat a resource as a TCR. AB 52 also mandates lead agencies to consult with tribes, if requested by the tribe, and sets the principles for conducting and concluding consultation.

### ***Senate Bill 18***

California Senate Bill 18 (SB 18), which took effect on March 1, 2005, requires local (city and county) governments to consult with California Native American tribes identified by the Native American Heritage Commission (NAHC) for the purpose of protecting, and/or mitigating impacts to cultural places in creating or amending general plans, including specific plans (Government Code section 65352.3).

### 5.15.3 Impacts Analysis

#### 5.15.3.1 Issue 1: Significance of a Tribal Cultural Resource

**Issue 1:** *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:*

- a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or*
- 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, the lead agency shall consider the significance of the resource to a California Native American tribe?*

#### **Thresholds**

The City of San Diego has not yet developed thresholds of significance for potential impacts to Tribal Cultural Resources. Therefore, for purposes of this EIR, guidance provided by issue questions listed in CEQA Appendix G are utilized to evaluate the potential for significant impacts to Tribal Cultural Resources. Would the project:

1. 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:
  - a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k).
  - 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, the lead agency shall consider the significance of the resource to a California Native American tribe.

#### **Impact**

Tribal Cultural Resources include sites, features, places, cultural landscapes, and sacred places or objects that have cultural value or significance to a Native American Tribe. Tribal Cultural Resources include “non-unique archaeological resources” that, instead of being important for “scientific” value as a resource, can also be significant because of the sacred and/or cultural tribal value of the resource. Tribal representatives are considered experts appropriate for providing substantial

evidence regarding the locations, types, and significance of tribal cultural resources within their traditionally and cultural affiliated geographic area (California Public Resources Code, Section 21080.3.1[a]).

The NAHC SLF Search indicated that no resources have been previously identified in the APE. The project site has not been selected as a site recommended for historic designation. The project site is also not identified on any of the historic resource lists/databases; the NRHP and the California State Historical Landmarks, Points of Historical Interest, and CRHR.

Based on the cultural resource evaluation and survey (Appendix N), the site does not contain any known tribal cultural resources nor is it expected to contain such resources. Refer to Chapter 7, Effects Found Not To Be Significant, and Appendix N for further details. The City, as the lead agency, determined that no TCR would be potentially impacted with project implementation.

In accordance with the requirements of California Public Resources Code Section 21080.3.1, the City provided formal consultation notification to the Lipay Nation of Santa Isabel, Jamul Indian Village, and San Pasqual Band of Mission Indians, who are traditionally and culturally affiliated with the project area. Formal notification letters were sent via electronic mail on March 5, 2021 describing the location of the project site, identifying the negative record search on the California Historic Resources Information System (CHRIS) digital database, and provided a copy of the site-specific archaeological report. The Lipay Nation of Santa Isabel responded within the 30-day formal notification period concurring with City staff's determination. Jamul Indian Village responded outside of the formal notification period also concurring with staff determination. No response was received from San Pasqual band of Mission Indians. The City, as the lead agency, determined that no TCR (buried cultural resources and/or subsurface deposits) would be potentially impacted due to project implementation.

### **Significance of Impact**

The project site has not been selected as a site recommended for historic designation. Furthermore, the project site is not identified on any of the historic resource lists/databases; the NRHP and the California State Historical Landmarks, Points of Historical Interest, and CRHR. The area is not considered potentially sensitive for TCR as determined by the City, as lead Agency. Additionally, local Native American tribes affiliated traditionally and culturally with the project area concurred with City's conclusions. **No impact** would occur

### **Mitigation**

No impact would occur and no mitigation is required.

## 5.16 Visual Effects/Neighborhood Character

This section describes the existing visual conditions of the proposed Paseo Montril Project (project) site, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures related to implementation of the project.

### 5.16.1 Existing Conditions

#### **Physical Conditions**

The existing visual environment of the Rancho Peñasquitos community mostly consists of built features including residential and commercial development, schools, parks, and roads. In addition, the open space area of Black Mountain Open Space Park and the Los Peñasquitos Canyon Preserve are located along the northern and southern boundaries of the community, respectively.

The project site is currently undeveloped and primarily characterized as adjacent and densely to moderately vegetated hillsides separated by a narrow drainage/swale. Adjacent to I-15 on the east and single-family residential and limited commercial uses on the west and north, the site predominantly supports Diegan coastal sage scrub vegetation. In addition, the western and northern periphery of the site features several mature eucalyptus trees, graded landscaped areas associated with the adjacent residential neighborhood, the paved terminus of Paseo Montril, and a narrow dirt road utilized by SDG&E for transmission line pole maintenance.

The small drainage swale bisecting the project site originates from the residential development to the west. The swale conveys runoff to the south and then east across the site towards the Caltrans I-15 right-of-way and parallel brow ditch (see Figure 5.4-1). Several brow ditches are also located along the western side of the site associated with the existing residential development (see Figure 5.4-1).

#### ***Existing Landforms***

As previously stated, the project site is characterized by two adjacent hills that are separated by a narrow drainage. Topography on site ranges from 580 feet above mean sea level (AMSL) at the northwest corner to approximately 440 feet AMSL at the southwest corner. Also, as it approaches the brow ditch paralleling I-15, the central drainage swale reaches an elevation of approximately 440 feet AMSL (Figure 2-2).

Topographical elevations across the community of Rancho Peñasquitos vary and are notable across and in the vicinity of the project site. According to the Rancho Peñasquitos Community Plan, the “community is topographically diverse and is physically characterized by numerous canyons, hillsides and ridges” (City of San Diego 2011). Black Mountain, a prominent landform in the community and topographical feature located approximately two miles to the northwest of the project site, rise to an elevation over 1,500 feet. In contrast to Black Mountain that is located in the northern portion of the community, the Los Peñasquitos Canyon Preserve, which borders the community’s southern boundary, has an elevation of less than 200 feet.

### ***Scenic Highways***

According to the California Department of Transportation Scenic Highway Mapping System, the project site is not located adjacent to, or in the vicinity of, a designated state scenic highway (Caltrans 2021). The nearest officially designated state scenic highway, State Route (SR) 52 as it travels adjacent to Mission Trails Regional Park (approximately Santo Road in San Diego to Mast Boulevard in Santee), is located approximately 8.5 miles to the south of the project site. SR-52 to the west of Santo Road (to La Jolla) and east of Mast Boulevard (to SR-67) is also an eligible state scenic highway (Caltrans 2021) Due to distance and intervening terrain, the project site is not visible from SR-52 or any other state scenic highway in San Diego County. While I-15 is located adjacent to the southwestern portion of the project site, this particular segment of the interstate is not included in the State Scenic Highway Program and has not been designated by the City of San Diego (City) as scenic.

### ***Scenic Vistas***

A scenic vista is typically characterized as a panoramic view or vista from an identified view/vista point, public road, public trails, public recreational areas, or scenic highways. While the City's General Plan does not identify designated scenic vistas (City of San Diego 2008), the General Plan EIR identifies a general communitywide public vantage. Specifically, Section 3.16, Visual Effects and Neighborhood Character, of the General Plan EIR identifies public access to canyon rims as a visual resource and requires the provision of views at suitable locations in the form of paths, scenic overlooks, and streets (see Table 3.16-1 of the General Plan EIR, Community Plan Identified Public Vantage Points; City of San Diego 2008). The Rancho Peñasquitos Community Plan does not identify any designated scenic vistas (City of San Diego 2011).

Due to the local topography in the Rancho Bernardo community and specifically, the area surrounding the project site, views to the project site from public roads are limited. View locations are shown in Figure 5.16-1, Key Map: Community Character and Views. Figure 5.16-2, Views from I-15, Sabre Hill Drive, and Sabre Springs Open Space, includes representative photographs depicting views to the project site available from the interstate. The project site is visible from northbound and southbound I-15. While the duration of partial views to the project site from southbound lanes is relatively short (generally occurring where the interstate parallels the project site), the project site is initially visible from northbound I-15 near the Mercy Road/Scripps Poway Parkway exit off-ramp (approximately 1.35 miles south of the project site) and remains visible until motorists pass the site. While relatively long in length and stretching down the corridor, views from the interstate near the project site are somewhat narrow due to the presence of hillsides to the east and west. In addition to the interstate, the project site is visible from westbound Poway Road as it approaches and spans I-15. The duration of available views is short and the project site is partially to fully blocked by landscaping and fencing and lighting elements along the bridge span over the interstate. See Figure 5.16-2. East of the interstate, views to the project site from westbound Ranch Peñasquitos Boulevard are blocked by a four-story hotel, gas station canopy, and landscaping. Lastly, the project site has limited visibility from Sabre Hill Drive, a two-lane road located atop a disturbed and developed hillside to the east of I-15. Approximately 0.10 mile from the project site, Sabre Hill Drive provides local access to the Palo Alto and Hilltop multi-family residential developments. A partial view to the project site is available from the eastbound Sabre Hill Drive sidewalk over an appropriate distance of 65 feet and specifically, west of homes off Belle Fleur Way to the dirt access road that parallels the road to the west. Beyond this location,

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westerly views to the project site from west/northbound Sabre Hill Drive are blocked by a 5- to 6-foot-high block wall that is constructed along the western extent of the Sabre Hill Drive right of way. The narrow view to the project site from Sabre Hill Drive, and the tan block wall that effectively blocks westerly views from motorists are depicted in Figure 5.16-2.

While not formally designated as scenic vistas, the network of trails within the Sabre Springs Open Space may provide opportunities for scenic west-oriented views that include the project site. Elevated, ridgeline and hillside trails in the open space area (including the Van Damm Peak Trail that is accessible from Sabre Springs Park and other trailheads) are located east of I-15, north of Poway Road, and are as close as approximately 0.60 miles from the project site. The trail network in the open space area receives use from hikers and mountain bikers and offers expansive viewing opportunities including to the west towards Los Peñasquitos Canyon and more distant coastal bluffs. A representative view from the trail network is provided on Figure 5.16-2 and while the project site is relatively indistinct as viewed from the Van Damm Peak Trail above Sabre Springs Park, it is visible in the available panoramic views. With the exception of Sabre Springs Open Space, the project site is not clearly visible from a public recreation area in the community.

There are no designated state or local scenic highways that offer views of the project site.

### **Community and Neighborhood Character**

To aid in the following description of the project site and surrounding area, a photographic inventory of portions of the site and several locations from which the project site may be visible to the public. The site and surrounding area were visited on April 15, 2021, when conditions were sunny and clear. Photographs were taken with an iPhone 7 enabled with location services to capture geolocation information. A map of the photographs referenced in the discussion below is provided as Figure 5.16-1.

### ***Project Site***

The project site consists of undeveloped slopes with dense to moderately vegetated coastal sage scrub shrubs, as well as a drainage ditch and developed and disturbed land along the northern and western boundary. The varying density and plant species of on-site vegetation is illustrated in Figure 5.16-3, Existing Visual Character: Project Site. Access to the site is provided at the eastern terminus of the Paseo Montril. On-site coastal sage scrub varies in height and generally, is denser in the northern portion of the site (see Photographs A and C in Figure 5.16-3) and becomes thinner and more disturbed in the southern and western portions. Based on proximity to Paseo Montril and a parking lot of the adjacent hotel, the western and southern portions of the site appear to be used for illegal dumping of general packaging and other refuse including mattresses (see Photograph C in Figure 5.16-3). In visibly disturbed areas on the project site, coastal sage scrub vegetation is intermixed with areas of bare ground or higher levels of soil disturbance. Bare ground is associated with narrow, informal paths that extend from Paseo Montril onto the project site. In addition to rough textured and generally drab colored native vegetation (San Diego County sunflower is also scattered in portions of the site; see Photographs A and C in Figure 5.16-3), non-native black mustard and stemmy artichoke thistle is present on site. Several tall and unmaintained palm trees are also present and are aligned along the central drainage in the northern portion of the project site. The tall palm trees in the central drainage are visible in Photograph B in Figure 5.16-3.

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In addition to the paved cul-de-sac of Paseo Montril and several narrow and informal dirt trails, the project site supports several linear brow ditches that convey stormwater flow from the adjacent residential neighborhood towards I-15. Other than the cul-de-sac and brow ditches, there are no structures on the project site.

### ***Surrounding Area***

The project site and immediate surrounding area are within the Views neighborhood of the Rancho Peñasquitos Community Plan. The neighborhood is delineated by I-15 to the east, State Route 56 (SR-56; Ted Williams Parkway) to the north, and Rancho Peñasquitos Boulevard to the south. According to the community plan, the neighborhood is relatively small, containing approximately 200 single-family residential dwelling units and 680 multi-family units, and includes the Chicarita power substation (0.35 mile to the north of the project site) (City of San Diego 2011). Primarily single-story single-family residences are located to the north and west of the project site and the older, ranch-style home neighborhood is accessible off Via Del Sud. A representative photograph of homes in the neighborhood is provided on Figure 5.16-4, Existing Visual Character: Surrounding Area (see Photograph E). Several of these residences share a fence with the project site (a shared fence is visible in Photo C in Figure 5.16-3). Multifamily developments are located east and west of the Chicarita substation and are separated from the single-family residential neighborhood undeveloped yet disturbed lands that support a transmission lien corridor and informal dirt trails. Located closer to the project site, two gas stations featuring approximately 20-foot high canopies each, a three-story assisted living facility, small general commercial area consisting of restaurants and drive-thru establishments, and a four-story hotel line Rancho Peñasquitos Boulevard. Commercial, gas station, and hotel uses are depicted on Figure 5.16-4 (see Photographs F and H). As shown in the images 5.16-14 (see Photographs A through G), these uses generally incorporate tan or white stucco clad exteriors and angled, reddish tile roofs. Commercial business signage is commonplace along the Rancho Peñasquitos Boulevard corridor and individual businesses also feature illuminated signage mounted to building exteriors.

Outside of the Views neighborhood and west of Rancho Peñasquitos Boulevard, local development includes a general commercial shopping center with surface lot parking that is surrounded by multi-family residential developments to the north, west, and south. Uses in the shopping center are varied and include a mini-mart (7-Eleven), cleaners, gas and car maintenance service station, fast-food drive through restaurant, daycare facility and assorted professional services. Buildings are generally one-story although a two-story structure is present at the southern end of the shopping center. Buildings typically incorporate angled, red-tiled roof and white or tan stucco clad exteriors. The two-story structure incorporates Mission architectural features including tiled roofs, a recessed upper floor that features a partial wrap-around balcony, and multiple archways at the ground level. See Figure 5.16-5, Photograph I.

The multi-family uses to the west of Rancho Peñasquitos Boulevard consist of the Rancho Villas, Eaves Rancho Peñasquitos, and Peñasquitos Point residential developments. These complexes on Rancho Peñasquitos Boulevard are visible from the adjacent roadway. Located west of the Via Del Sud and Rancho Peñasquitos Boulevard intersection and approximately 0.15 mile from the project site, the two-story Rancho Villas development sits on a triangular parcel and consists of ten closely spaced buildings. Architectural features include alternating façade strips of tan to white stucco clad

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exteriors with white trim around windows, angled red tiled roofs, forest green awnings over upper floor patios, and pull-down shades on ground floor patios. The modern Eaves Rancho Peñasquitos complex is located to the immediate south. The 11-building development is constructed atop an elevated pad that sits approximately 20 feet higher in elevation than adjacent Paseo Montril to the south. The four-story buildings feature secure parking on the ground floor and three floors of residential units. Similar to other nearby residential and commercial development, the Eaves Rancho Peñasquitos buildings incorporate dark tan and off-white stucco clad exterior with white trim around select windows, small patios, regular changes in façade elevations (e.g., recessed and pop out walls), and angled, red tiled roofs. Lastly, the Peñasquitos Point development is located south of the commercial area and west of the I-15 southbound on-ramp. Buildings within the development are setback and separated from the on-ramp by a low slope covered with ground cover and scattered shrubs, a 5- to 6-foot high off-white stucco clad masonry wall, a linear row of mature eucalyptus trees, and surface parking stalls. The two- to three-story buildings (three-story buildings feature parking on the ground floor) are clad in tan stucco and feature red tiled roofs. Decorative wrought iron railing is incorporated into patio walls, building openings, and olive painted wooden staircases that appear on the west facades of buildings. I-15 is located downslope and to the east of the project site. The adjacent segment of the north-south interstate is 14 lanes wide and includes four express lanes that are separated and walled off from north and southbound travel lanes. North of Poway Road and south of SR-56, the interstate is bordered by rising and depressed terrain to the east and west that is developed with residential, warehouse, and office uses (i.e., east of the interstate), and residential and undeveloped lands (i.e., to the west of the interstate). The hilltop residential uses to the east include the single-family residential neighborhood located off Sabre Hill Drive and Belle Fleur Way. The 72-home neighborhood consists of two-story homes with typically densely landscaped front and rear yards. Approximately 15 of the homes line the west-facing slope adjacent to the interstate and are provided views extending west towards the project site and Rancho Peñasquitos community. The Palo Alto and Hilltop multi-family residential developments are also located atop the ridge overlooking I-15; however, the tan to off-white to peach stucco exterior and red tiled roof buildings are setback from the hilltop and separated from the edge by a six-foot high wall, Sabre Hill Drive, and surface parking within the complex. Regarding I-15, hillsides to the east are densely to sparsely vegetated and terracing that occurred for interstate and/or hilltop residential development remains visible. In addition to low concrete walls separating directional travel lanes, the interstate features regular road and informational signage and occasionally, overhead and downward casting lighting support by curved metallic poles.

The adjacent area to the north of the project site consists of a wide, triangular patch of undeveloped open space covered with coastal sage scrub vegetation. Beyond the open space to the north is a heavily landscaped multi-family residential development (Sun Vista Ridge) and a triangular, undeveloped 10-acre that is recommended in the community plan for development as a recreational vehicle storage facility (as of April 2021 the site has been mass graded and heavy construction equipment remains on site). As with the project site, these features are within the Views neighborhood of the Rancho Peñasquitos Community Plan. The multi-family residential along Azuga Street features clusters of two-story, eight-unit buildings that are and heavily screened from the roadway with landscaping and walls. The buildings are finished with white stucco exteriors, arched and rectangular openings, simple tan metal railings, and arched, red tile roofs. SR 56 (Ted Williams Parkway) is located 0.5 miles to the north of the project site.

### Existing Light and Glare Conditions

As the project site is undeveloped, no sources of existing light and glare are located on the project site. However, given the developed nature of the surroundings, as well as the project's proximity to I-15, existing sources of light and glare generated from off-site areas including vehicle lights from I-15, and the commercial and residential development to the north and west of the project site are received on the project site. These lighting sources are typical of residential and commercial development and include interior lighting emanating through windows, outdoor lighting fixtures on structures, streetlights, and parking lot lighting. With the exception of glass windows, lights, and traffic signals, sources of glare in the surrounding area are generally limited.

## 5.16.2 Regulatory Framework

### Local

#### *City of San Diego General Plan*

The Urban Design Element of the General Plan contains the goals, recommendations, and urban design objectives that relate to visual issues and community and neighborhood character. The stated purpose of the Urban Design Element is to guide physical development toward a desired scale and character that is consistent with the social, economic, and aesthetic values of the City (City of San Diego 2008). The Urban Design Element defines community and neighborhood character as the visual and sensory relationship between people and the built and natural environment. The Urban Design Element identifies several goals and policies to help guide compact, efficient, and environmentally sensitive patterns of development. The Economic Prosperity Element links economic prosperity goals with land use distribution and employment land use policies to support existing and new businesses and also encourages community revitalization. Goals and policies contained in the Urban Design Element that relate to visual effects and neighborhood character are identified below.

#### Urban Design Element

#### General Urban Design

#### **Policies**

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

**Policy UD-A.6:** Create street frontages with architectural and landscape interest to provide visual appeal to the streetscape and enhance the pedestrian experience.

**Policy UD-A.8:** Landscape materials and design should enhance structures, create and define public and private spaces, and provide shade, aesthetic appeal, and environmental benefits.

**Policy UD-A.11:** Encourage the use of underground or above-ground parking structures, rather than surface parking lots, to reduce land area devoted to parking.

**Policy UD-A.12:** Reduce the amount and visual impact of surface parking lots.

**Policy UD-A.14:** Design project signage to effectively utilize sign area and complement the character of the structure and setting.

### Distinctive Neighborhoods and Residential Design

#### **Policy**

**Policy UD-B.1:** Recognize that the quality of a neighborhood is linked to the overall quality of the built environment. Projects should not be viewed singularly, but viewed as part of the larger neighborhood or community plan area in which they are located for design continuity and compatibility.

### **Rancho Peñasquitos Community Plan**

The Community Appearance and Design Element of the Rancho Peñasquitos Community Plan contains goals, objectives, guidelines and proposals to guide the form of development within the Rancho Peñasquitos community. The Rancho Peñasquitos Community Plan provides the following applicable policies and guidelines for achieving the primary goal of ensuring a pleasant, healthful, physical and social environment for Rancho Peñasquitos residents by balancing development with the preservation of the community's natural resources and amenities

#### Neighborhood Plan Element

The community plan recognizes eleven neighborhoods within the Plan Area and states that each neighborhood should be developed “in a manner appropriate to its particular topography, geology, views, and other natural features, as well as its location with respect to existing and proposed land uses” (City of San Diego 2011). The project site is located in the Views neighborhood that, as previously discussed, is relatively small and delineated by I-15 on the east, SR-56 on the north, and Rancho Peñasquitos Boulevard on the south. The Views neighborhood is depicted on Figure 17 of the Community Plan and according to this figure, the project site and undeveloped lands to the north paralleling I-15 are identified as open space that “should be preserved to provide a buffer between I-15 and residential areas (City of San Diego 2011).

#### Community Appearance and Design Element

The primary goal of the Community Appearance and Design Element of the Rancho Peñasquitos is to “ensure a pleasant, healthful, physical and social environment for Rancho Peñasquitos residents by balancing development with the preservation of the community's natural resources and amenities.”

The following policies are contained within this community plan element and are relevant to the project:

- All new development should be sensitive to the environment and be designed to avoid incremental contributions to the problems of air and water pollution, natural fire hazards, soil erosion, siltation, slope instability, flooding and severe hillside cutting and scarring.
- Preserve significant natural features and canyons as viable connected open space systems

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- Protect environmental resources that are typically associated with hillsides, preserve significant public views of and from hillsides, and maintain a clear sense of natural hillside topography throughout the Rancho Peñasquitos Community.
- Develop a sense of neighborhood identity by encouraging design diversity between development areas while promoting design integration and compatibility within neighborhood areas.
- Use high-quality design, materials and workmanship in buildings and developments. Gates and guard houses should not be permitted in new developments because they restrict access for pedestrians, bicyclists, fire and police services and have a negative impact on overall feeling of community.
- All new development should incorporate aesthetics and functional features into the design of fences, signs, street furniture and lighting.

The following guidelines are contained within the Community Appearance and Design Element and are applicable to the project:

### Urban Design

- **Compatibility with Existing Development.** The design of any new construction should respect existing development with regard to preservation of views from public rights-of-way where possible, and compatibility of scale, bulk, architectural styles, building materials, color and landscaping.
- **Differential Land Uses.** Particular care should be given to the treatment of different land uses sited side-by-side, such as single-family and multi-family developments located adjacent to each other. Such developments should be compatible in design. Buffers between land uses, such as fencing, landscaping and elevation separations, may be appropriate in order to reduce adverse visual, noise and other impacts.
- **Neighborhoods.** A harmonious appearance within neighborhoods is sought by using compatible design features; architectural styles and colors, lot sizes and setbacks, building heights, landscaping, signs and street furniture.

### Landform and Grading

- **Overall Landform.** Site planning should maintain the topographic relief of the existing terrain, minimize cut and fill slopes and preserve significant views from and of development areas. The ridge-canyon relationship should be maintained and not obliterated. While hilltops and valleys may be graded to permit development, the sense of distinctive landform should remain. Special care should be taken to preserve the landform of the ridgetop in the Black Mountain area and the Camino del Sur open space corridor in Peñasquitos Canyon.
- **Artificial Slopes.** In engineering design throughout the community, the heights of manufactured slope banks should be minimized. For artificial slopes over 15 feet in height, slopes should be blended, tops of slope banks should be rounded and contoured or sculptured, grading should be both horizontally and vertically, all artificial slopes should be blended to meet native terrain. The overall effect desired is a natural undulating terrain rather than a manufactured appearance.

## 5.16 – Visual Effects/Neighborhood Character

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- **Landscaping.** Areas disturbed by grading should be landscaped expediently, with planting done in sequence with grading rather than on a project-wide basis. On manufactured slopes greater than 30 feet in height in the special development areas, clusters of trees with other plant materials should be planted to visually break up the tall banks.

### Site Design

- **Sensitive Site Design and Flexible Siting Techniques.** In site planning, care should be taken in the layout of building sites and streets, in the placement of buildings on lots, and in the treatment of yards, slopes and canyons. Flexible siting techniques should consider major topographic and other natural features as well as relationships with other buildings. The use of variable side, back and front setbacks is recommended. Siting of buildings along canyon rims should consider citywide Brush Management requirements. Minimum setbacks from top of slope ranging from 20 to 50 feet (depending on fire severity rating) should be required in order to reduce the potentially significant environmental impacts associated with the brush management. Residential developments should be required to step down hillsides and leave open space areas, instead of massive grading and flattening large areas for development. Views should be a major consideration in siting residential units.

### Building Design

- **Building Compatibility.** In order to preserve existing landform, building design should reflect split-level, hillside development techniques. Structures within a development should possess similar architectural styles but also provide visual variety. Earth tones, textured materials and California ranch house and Spanish mission styles are considered appropriate in residential construction in Rancho Peñasquitos.
- **Shadow Relief.** All buildings should have shadow relief where pop-outs, offsetting planes, overhangs and recesses are used to produce effective visual interest. Large unbroken expanses of wall should usually be avoided.

### Landscaping and Urban Design

- **Function and Aesthetics.** Landscaping and urban design features should enhance residential developments aesthetically, while meeting functional requirements such as screened outdoor living areas, sufficient night lighting and adequate signage.
- **Street Lighting.** Low-intensity, shielded light standards should be used in all areas of the community.
- **Slope Banks.** Appropriate measures should be taken to maintain highly visible slope banks and fences both within private lots and abutting residential development areas. Homeowners' associations, for example, may take responsibility for grounds maintenance for their areas.

### Open Space and Resource Management Element

As previously discussed, the project site is identified as open space (see Figure 33, Open Space System, of the Community Plan) and according to the Open Space and Resources Management

## 5.16 – Visual Effects/Neighborhood Character

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Element policies, open space serving as wildlife habitat should be maintained in its natural state. In addition, the following policies are applicable to the project:

- Grading on ridges should be kept to a minimum. Where grading is feasible, sculptured grading techniques should be used to blend slopes with natural land contours. Graded areas should be built upon or planted rapidly in accordance with the City's land development ordinance. These measures should preclude the erosion of exposed slopes and subsequent erosion and siltation of natural drainage systems.
- Any recontoured slopes should be stabilized with appropriate plant materials to help reestablish the natural biotic systems.
- Design of dwelling units should stress a blending of architecture with the natural terrain. Architectural shapes, bulk, color materials and landscaping should be carefully chosen and respect the physical constraints of the land.

### ***San Diego Municipal Code***

#### Lighting

Lighting within the City is regulated by the City's Outdoor Lighting Regulations contained in San Diego Municipal Code Section 142.0740 (Outdoor Light Regulations). The City's Outdoor Lighting Regulations are intended to protect surrounding land uses from light pollution, including light trespass, glare, and urban sky glow in order to preserve enjoyment of the night sky and minimize conflict caused by unnecessary illumination. General regulations limit illumination intensities and times of operation require shielding and directional controls, and mandate compliance with applicable regulatory standards (i.e., California Building Code and California Electric Code, Federal Aviation Administration).

Glare within the City is controlled by San Diego Municipal Code Section 142.0730 (Glare Regulations), which include the following proscriptions:

- A maximum of 50% of the exterior of a building may be comprised of reflective material that has a light-reflectivity factor greater than 30% (Section 142.0730 [a]).
- Reflective building materials shall not be permitted where the City Manager determines that their use would contribute to potential traffic hazards, diminished quality of riparian habitat, or reduced enjoyment of public open space (Section 142.0730 [b]).

#### Steep Hillsides

The project site contains Environmentally Sensitive Lands (ESL), including biologically sensitive resources and steep hillsides. Development regulations for steep hillsides that are categorized as ESL are regulated by San Diego Municipal Code Section 143.0142 (Development Regulations for Steep Hillsides). The following components of Municipal Code Section 143.0142 are applicable to this project:

- Outside of the MHPA, the allowable development area includes all portions of the premises without steep hillsides. Steep hillsides shall be preserved in their natural state, except that development is permitted in steep hillsides if necessary to achieve a maximum development area of 25% of the premises.

- All development occurring in steep hillsides shall comply with the design standards identified in the Steep Hillside Guidelines in the Land Development Manual for the type of development proposed.
- Newly created slopes shall not exceed the slope gradient permitted in Section 142.0133.
- Disturbed portions of the site in 25% (4 horizontal feet to 1 vertical foot) or greater slopes shall be revegetated or restored in accordance with Chapter 14, Article 2, Division 4 (Landscape Regulations).
- Before approval of any Neighborhood Development Permit or Site Development Permit, the applicant shall execute and record in favor of the City a hold harmless and/or indemnification agreement for the approved development, as necessary and appropriate.
- 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 run-off.
- Erosion Control Measures
  - Outside of the Coastal Overlay Zone, erosion control measures are not subject to the 25% development area regulations in Section 143.0142(a), but are subject to the landscape regulations in Chapter 14, Article 2, Division 4 and the Steep Hillside Guidelines in the Land Development Manual. Within the Coastal Overlay Zone, erosion control measures are subject to Section 142.0142(a)(4). San Diego Municipal Code Chapter 14: General Regulations (3-2021) Ch. Art. Div. 14 3 1 28
  - Air-placed concrete, including gunite or shotcrete, retaining walls, buttress fills, and other similar erosion control measures may be allowed only if determined to be the only feasible means of erosion control to protect the existing primary structures or public improvements.
  - These measures shall be designed and implemented in accordance with generally accepted engineering standards and specifications and shall also incorporate existing adjacent landform characteristics including color coating, texturing, landscape, and topographical features.

### 5.16.3 Impacts Analysis

#### 5.16.3.1 Issue 1: Vistas or Scenic Views

**Issue 1:** *Would the project result in a substantial obstruction of any vista or scenic view from a public viewing area as identified in the community plan?*

#### Thresholds

According to the City's CEQA Significance Determination Thresholds, a project is considered to have a significant impact if the project would block public views from designated open space areas, roads, or parks or to significant visual landmarks or scenic vistas (e.g., Pacific Ocean, downtown skyline, mountains canyons, waterways). To meet this significance threshold, one or more of the following conditions must apply (City of San Diego 2020):

## 5.16 – Visual Effects/Neighborhood Character

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- The project would substantially block a view through a designated public view corridor as shown in an adopted community plan or the General Plan or Local Coastal Program. Minor view blockages would not be considered to meet this condition.
- The project would cause substantial view blockage from a public viewing area of a public resource (such as the ocean) that is considered significant by the applicable community plan.
- The project exceeds the allowed height or bulk regulations, and this excess results in a substantial view blockage from a public viewing area.

### Impact

#### ***Designated Public View Corridors***

The project site is not identified as a protected scenic vista in the City's General Plan or in the Rancho Peñasquitos Community Plan (City of San Diego 2008, 2011). Designated public view corridors are not located in the Views neighborhood or nearby neighborhoods in the Rancho Peñasquitos Community Plan. Therefore, the project would not substantially block a view through a designated public view corridor as shown in an adopted community plan or the General Plan.

#### ***Public Viewing Areas of a Public Resource***

As discussed in Section 5.16.1, Existing Conditions, the project site consists of natural hillsides within an identified open space area of the Rancho Peñasquitos Community Plan. While hillsides are not expressly identified as significant public resources, the Community Appearance and Design Element of the Community Plan requires the protection of environmental resources that are typically associated with hillsides and the preservation of significant public views of and from hillsides (City of San Diego 2011). Thus, for purposes of this analysis, hillsides are considered a local public resource and the project's impacts on blockage of public views of hillsides is examined below.

The proposed development would occur on an undeveloped hill that supports coastal sage scrub vegetation and is visible from I-15 and Poway Road. The site has limited visibility from Sabre Hill Drive but is visible from trails within the Sabre Springs Open Space including higher elevation segments of trails originating from Sabre Spring Park.

As the site is private property and does not feature formal public trails or viewing platforms, implementation of the project would not impact a significant public view from a hillside area. Similar, the hillside to the east of the site (and east of I-15) is private property and does not support public use. Thus, the project would not impact a public views from this hillside area. The Sabre Springs Open Space trail network is over 0.60 mile from the project site and due to distance and elevated vantage points provided to trail users, available views are expansive. While the project site and development of multi-family residential buildings (up to 40 feet high) including grading and cut slope effects, the installation of soil nail walls, driveways and landscaping would be detectable from the trail network, the project site occupies a relatively small area of the available view. In addition, the grading plan depicts the development of a gently sloping building pad that would be located lower in elevation than the adjacent residential neighborhood such that proposed buildings would not result in substantial view blockage of hillsides or other local or regional resources (including Black Mountain to the northwest or faint coastal bluffs to the west) from the Sabre Springs Open Space trail network. Implementation of the grading plan (see Figure 3-5, Grading Plan) and project

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would alter the existing character of the hillside present on the proposed Lot 1 site; however, given the expansive nature of available views and numerous hilly topography that would continue to be experienced from the Sabre Springs Open Space trail network, blockage of hilly topography associated with project development would not be substantial.

Views of the project site are available from I-15. As previously stated in Section 5.16.1, views to the project site are available for a longer duration from the northbound travel lanes of I-15 as compared to from the southbound travel lanes. As experienced from the interstate, the elevated, hilly site generally displays light- to dark-green or brown tones associated with Diegan coastal sage scrub vegetation and from northbound I-15, views extend beyond the project site to the adjacent residential neighborhood. Peripheral views of the site are available from the southbound lanes of the interstate and as such, the project site is not visually prominent, and the adjacent residential neighborhood is generally obscured from view. As proposed, the southeastern portion of the site would be maintained as open space and thus, views of this area would not be subject to substantial change. However, as depicted on the grading plan (see Figure 3-5), newly graded 2:1 slopes and retaining walls exceeding the Municipal Code section 142.0340(e) 12-foot limit are needed and unless shielded, these features would result in noticeable visual change. The retaining wall along the Paseo Montril cul-de-sac (Wall 1; 2 to 13.5 feet tall) would be visually screened via landscaping proposed in front of the wall adjacent to the cul-de-sac public viewpoint. The proposed stepped retaining walls along the eastern boundary of the development, which would include Wall 3a (2 to 14.5 feet tall) and Wall 3b (6 to 12.5 feet tall), would over time be partially shielded by native trees and shrubs, as shown on the project landscape plan (see Figure 3-4, Landscape Plan). As detailed in the design guidelines (Appendix O), shrubs would be maintained at 36 inches tall around the project driveway to preserve line of sight. All other shrub material would be maintained at an appropriate height that preserves privacy and views. The western retaining wall (Wall 4; 2 to 26 feet tall) would be shielded from public views by the proposed 40-foot buildings and topography. While visible (Figure 5.16-6, Visual Simulations), the proposed walls and the five buildings would not result in the substantial blockage of views to a public resources and as detailed in Section 5.16.1, existing views experienced from the I-15 corridor tend to be narrowed by adjacent, rising terrain. Therefore, the project would not result in substantial obstruction of existing scenic views from I-15.

### ***Height or Bulk Regulations***

The project includes a rezone of Lot 1 to RM-1-1 to reflect the proposed lower density than allowed under RM-2-5 and would require a deviation from the Land Development or SDMC Code Section 131.0431, Table 131-04G height limit of 30 feet. The project site is 15.2 acres and the proposes to split the site into two lots (i.e., Lot 1 and Lot 2). The larger of the two lots, Lot 2, would be approximately 10.3 acres and the balance of the site (i.e., Lot 1) would be approximately 4.9 acres (or 213,444 square feet). As 55 units are proposed on Lot 1, the project would include a residential density of 11.2 units per acre. RM-1-1 allows 10 to 14 unit per acre. Considering the proposed 4.90-acre Lot 1, the project would be within the allowed density for this zone.

The project would result in a change to the visual setting of the project site due to the proposed development. However, the property line to the north of the project site, where the existing single-family residential development exists, would be located at a grade that is above the highest point of the project's residential buildings. The highest point of the buildings would be constructed to fall

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below the highest points of the graded slopes to the north of the buildings; thus, the buildings would not block any views towards the project site from the east along I-15 (Figure 5.16-6). Moreover, views of the project site from the west (looking east) would be from private views associated with the residential development, which are not protected views by the City (City of San Diego 2020). Therefore, although the project would exceed height regulations, the project would not result in a substantial view blockage from a public viewing area.

The project would result in a change to the visual setting of the project site, due to the proposed development. However, as detailed above under the Public Viewing Areas of a Public Resource heading, the proposed development would not result in substantial view blockage of a public resource from a public area. The proposed development would also not result in the substantial blockage of existing views from the adjacent residential neighborhood. Existing on-site elevations range from approximately 580 feet amsl (along the western portion of the project site) to 445 feet amsl (along the eastern portion of the project site). The nearest homes to proposed Lot 1 are located at an approximately elevation of 580 amsl. As proposed, the property line to the north of the project site, where the existing single-family residential development exists, would be located at a grade that is above the highest point of the project's residential buildings. The grading plan indicates in the western portion of the site, the building pad would be located at an approximate elevation of 535 feet amsl or 45 feet lower in elevation than nearby residences. From the building pad edge, the site would gradually slope such that the northern two proposed buildings (i.e., Buildings 3 and 4) would feature a finished floor elevation of 513.7 feet amsl and Building 5 would have a finished floor elevation of 509.2 feet amsl. Nearby proposed Buildings 1 and 2 would feature a finished floor elevation of 501.7 feet amsl. Assuming these finished floor elevations and a maximum building height of 40 feet, the roofs of Buildings 3 and 4 would be at 553.7 feet amsl (or approximately 30 feet lower in elevation than the elevation of the foundations of the nearest residences) and the roofs of Buildings 1 and 2 would be at 541.7 feet amsl (or approximately 40 feet lower in elevation than the elevation of the foundations of the nearest residences). See Figure 3-5 for finished floor elevations. The relationship of proposed buildings, existing terrain, and proposed grading is also depicted on Figure 3-3, Site Cross Sections. As the highest point of the buildings would be well below the ground plane elevation of the nearest residences to the north and west, proposed buildings would not block any existing views from residences or private yards. Moreover, easterly views across the project site from residences to the west are private in nature and are not expressly protected by the City of San Diego (City of San Diego 2020) or CEQA. As such, the project would not result in a substantial view blockage from a public viewing area of a public resource that is considered significant by the City's General Plan or the Rancho Peñasquitos Community Plan.

### Significance of Impact

The project would not substantially block a view through a designated public view corridor as shown in an adopted community plan or the General Plan, as there are no designated view corridors identified in the Rancho Peñasquitos Community Plan or the General Plan. Although the project would be visible from public vantage points including I-15, project structures would not substantially block public views and would not obscure or otherwise interrupt available public views of a public resource. Impacts would be **less than significant**.

### Mitigation

No mitigation would be required.

### 5.15.3.2 Issue 2: Negative Aesthetic Site or Project

**Issue 2: *Would the project result in the creation of a negative aesthetic site or project?***

### Thresholds

According to the City's Significance Determination Thresholds (2020), a project may have a negative visual appearance if one or more of the following conditions occur:

- The project would create a disorganized appearance and would substantially conflict with City codes (i.e., a sign plan that proposes extensive signage beyond the City's sign ordinance allowance);
- The project significantly conflicts with the height, bulk, or coverage regulations of the zone and does not provide architectural interest (e.g., a tilt-up concrete building with no offsets or varying window treatment);
- The project includes crib, retaining, or noise walls greater than 6 feet in height and 50 feet in length with minimal landscape screening or berming where the walls would be visible to the public; and/or
- The project is large and would result in an exceeding monotonous visual environment (e.g., a large subdivision in which all of the units are virtually identical).

### Impact

#### ***Potential for Disorganized Appearance, Conflict with City Codes, and Potential for Monotonous Visual Environment***

Development of the project site would be guided by Design Guidelines which are intended to ensure a high standard of architectural design and quality for future residents. The guidelines provide design recommendations for the five proposed buildings that utilize compatible architectural styles, colors, building heights, lot sizes, setbacks, landscaping, and street furniture harmonious to the existing community appearance. Per the Design Guidelines, the architectural design themes for Paseo Montril will integrate the unique character of Rancho Peñasquitos topography combined with the rich and diverse architectural forms and styles associated with modern California design. The project's buildings would be finished with a variety of colors and textured materials that are compatible with surrounding development. The color scheme would utilize natural earth tone colors that complement existing architecture, vegetation, and open space. The building forms would incorporate varied roof lines and cantilevered, projecting, or recessed elements at balconies and second-story and third-story elements to accentuate roof lines and fenestration compositions. Architectural elevations depicting proposed colors, materials, and façade projections and recessions are depicted on Figure 3-2a, Architectural Elevations. In addition, a three-dimensional, perspective rendering of a proposed building is included on Figure 3-2b, Architectural Elevations. The project also envisions a climate-appropriate plant palate that would aid in the screening of graded slopes

and retaining walls as experienced from I-15 and locations to the east while also instilling a sense of calm and place for future residents. The project's landscape plan is shown on Figure 3-4. Refer to Figure 5.16-6 for a visual simulation of the proposed project from surrounding public views. Lastly, the project would be required to comply with City codes, including the San Diego Municipal Code, and would be consistent with signage requirements outlined in Chapter 14 Article 2 Division 12 of the San Diego Municipal Code. Through compliance with the Design Guidelines (Appendix O) and applicable regulations such as the San Diego Municipal Code, the project would not result in the creation of a negative aesthetic site or project or an exceeding monotonous visual environment.

### ***Bulk and Scale Regulations***

The project would require a Rezone of the project site, which would increase the intensity of use and allow for the proposed residential development (see Section 5.1, Land Use, for details). Development within the project site would be implemented through City-wide zoning with deviations to development standards described in the Design Guidelines. Chapter 3, Project Description, provides a breakdown of zoning, density, and height limits allowed by the applicable City-wide zoning, as well as the requested deviations. Regarding architectural interest, the building forms would incorporate varied roof lines and cantilevered, projecting, or recessed elements at balconies and second-story and third-story elements to accentuate roof lines and fenestration compositions. Architectural elevations depicting proposed colors, materials, and façade projections and recessions are depicted on Figure 3-2a, and a three-dimensional rendering of a proposed building is included on Figure 3-2b. Consistent with Shadow Relief Building Design policies of the Rancho Peñasquitos Community Plan, the architectural design of proposed buildings would provide for visual interest through the incorporation of pop-outs, offsetting planes, overhangs and recesses. Large unbroken expanses of wall are not envisioned in the architectural design of residential buildings. Refer to Figure 5.16-6 for a visual simulation of the proposed project from surrounding public views. Therefore, the project would not result in significant conflicts with the height, bulk, or coverage regulations of the zone.

### ***Walls***

In order to reduce the grading footprint, retaining walls would be constructed on the project site. The individual walls would feature a maximum length of 390 feet and a maximum height of 26 feet (see Figure 3-5 and Figure 3-8, Wall Plan). The retaining walls would be located along the Paseo Montril cul-de-sac (Wall 1; 2 to 13.5 feet tall), the southwestern boundary of the project site (Wall 2; 2.5 to 6.5 feet tall), two terraced walls along the northeastern boundary (Wall 3a; 2 to 14.5 feet tall, and Wall 3b; 6 to 12.5 feet tall), along the western side of the development (Wall 4; 2 to 26 feet tall), and between the terraced building pads (Wall 5; 2 to 6 feet tall). Due to the wall height above 12 feet, the project would include a deviation per Municipal Code Section 142.0340(e). Accordingly in compliance with deviation requirements, the walls above 12 feet would include an etched stone surface to give the wall a more natural look similar to the existing slope next to Paseo Montril, and walls exceeding the wall height limits would be designed to be screened from public view via landscaping and buildings (Figure 5.16-6).

As walls and topographical gradients are proposed on site and would be in locations accessible to future residents, fall protecting fence or view glass walls would be provided around the upper building pad (Figure 3-8). The 42-inch tall fall protection fence consists of four galvanized steel cable

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wire ropes extended between poles. This fall protection fencing would be located near or atop Retaining Walls No. 1, 4, and 5 (see Figure 3-5). The view glass wall (also referred to a Combo Fire Wall on Figure 3-8) would be along the western and northwestern edge of development near or atop Retaining Walls No. 2 and No. 3. The view glass wall is an alternative compliance measure that is being implemented because the project would not be able to implement the full defensible space required for City's Brush Management Regulations found in Section 142.0412 of the Land Development Code. The view glass wall would consist of a two-foot concrete masonry unit wall base with a 4-foot tempered glass on top. The intent of the wall is to reduce visual obstructions while also providing fire safety and fall protection. Retaining Wall No. 4 would consist of a soil nail wall that is necessary due to local geologic conditions and proposed height of the cut slope located to the northwest of Buildings 3, 4, and 5. The soil nail wall would feature a stone etching finish to depict a more natural look. Other minor retaining walls under 3 feet tall may also be constructed within the development footprint.

The project includes deviations for the proposed walls, as discussed in Section 3.3.9, Discretionary Actions. The project would require a deviation from San Diego Municipal Code Section 142.0340(e), which allows for a maximum height of 12 feet for a retaining wall. In addition, a deviation from the Steep Hillside Guidelines would be required considering the guidelines indicate walls should 10 feet tall and sites that require big elevational changes should include stepped terraced walls. The proposed retaining wall running along the eastern boundary of the development, would be a stepped terraced wall, in accordance with this requirement. However, Wall No. 4 would also be above the height allowed by the Municipal Code and Steep Hillside Guidelines, and would not be stepped terraced. While Wall No. 4 would not be stepped, it would be screened from public views due to its location behind the proposed 40-foot tall buildings, adjacency to the existing slope, as depicted in Figure 3-4. Additionally, the exposed side of Wall No. 4 faces interior to the development so the wall would not be visible to the neighboring development to the west. . As previously stated, the eastern wall closest to the I-15 would be a View Glass/Combo Fire Wall that would feature 2 feet of masonry block topped by four feet of tempered glass. While native vegetation to the east of the wall would be subject to thinning (the area is within a proposed Brush Management Zone 2), proposed native trees would provide screening. Thinned vegetation would provide adequate height to fully or partially screen the solid, two-foot tall masonry block component of the wall from public view. By incorporating tempered glass into the wall and avoiding the use of solid, opaque materials, views to the proposed shrub and tree landscaping on newly graded slopes would be available to interstate motorists and other members of the public located east of the project site. While the wall would not be fully screened, use of transparent materials would result in a less stark and abrupt visual change and would soften the appearance of the project as viewed from the east (Figure 5.16-1). Retaining Walls No. 2, No. 3, and No. 5 are proposed in the northeastern and western portions of the project site (see Figure 3-5) and would be primarily screened from public off-site views by 40-foot-high project buildings and site landscaping. Wall No. 1 at the project entrance would be visible from the Paseo Montril cul-de-sac and up to 13.5 feet tall, but only a limited segment of the wall would be above 10 feet tall and it would be screened by intervening vegetation planted between the wall and the roadway. Overall, walls, including those proposed to deviate from the Municipal Code and Steel Hillside Guidelines, would be adequately screened from view and would not result in a negative aesthetic impact.

### Significance of Impact

Implementation of the project would result in changes in the aesthetics of the site and its surroundings. However, through implementation of Design Guidelines and compliance with the San Diego Municipal Code deviation requirements such as adequate screening, these changes would not be characterized as a negative aesthetic impact. Development of the project site would occur in an organized manner that would be guided by a site plan and Design Guidelines. While a range of building types and densities are proposed, the overarching guidelines would result in compatible themes and elements across the proposed neighborhoods. With the inclusion of landscaping on new graded slopes and tempered glass in the View Glass/Combo Fire Wall that would be terraced along the eastern boundary of proposed Lot 1 (Walls No. 3a and 3b) would be within the I-15 viewshed, the project would not create a negative visual appearance. Wall No. 4, which would be 26 feet, and would be screened from off-site viewers due to the location of the wall behind the proposed residential buildings and adjacency to existing slope. Therefore, impacts concerning a negative site aesthetic or project would be **less than significant**.

### Mitigation

No mitigation would be required.

#### 5.16.3.3 Issues 3 and 4: Compatibility with Surrounding Development and Alteration to the Existing or Planned Character of the Area

**Issue 3:** *Would the project result in a project bulk, scale, materials, or style which would be incompatible with surrounding development?*

**Issue 4:** *Would the project result in substantial alteration to the existing or planned character of the area such as could occur with the construction of a subdivision in a previously undeveloped area?*

### Thresholds

According to the City's Significance Determination Thresholds, a project is considered to have a significant impact if a project would contrast the surrounding neighborhood character. To meet this significance threshold, one or more of the following conditions must apply (City of San Diego 2016):

- The project exceeds the allowable height or bulk regulations and the height and bulk of the existing patterns of development in the vicinity of the project by a substantial margin.
- The project would have an architectural style or use building materials in stark contrast to adjacent development where the adjacent development follows a single or common architectural theme.
- The project would result in the physical loss, isolation or degradation of a community identification symbol or landmark (e.g., a stand of trees, coastal bluff, historic landmark) which is identified in the General Plan, applicable community plan or local coastal program.

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- The project is located in a highly visible area (e.g., on a canyon edge, hilltop or adjacent to an interstate highway) and would strongly contrast with the surrounding development or natural topography through excessive height, bulk, signage or architectural projections.

### **Impact**

#### ***Bulk, Height, and Scale***

The project proposes a total of 55 units within 5 separate buildings, on the 4.9-acre lot (Lot 1) which results in approximately 11 units per acre. The proposed bulk and scale would be similar to the surrounding 3-story apartment complexes, and consistent with the allowed zoning code density of 0.1 unit per 2,000 sq ft. Specifically, the proposed project (Figure 3-2a and 3-2b) would be similar to those existing developments shown in Figure 5.16-4 (see Photographs G and H), and Figure 5.16-5 (Photographs J through L).

As previously discussed, the project would require a rezone of the project site. the proposed Lot 1 zone RM-1-1 has a structure height limit of 30 feet. While the project is proposing to downzone to more closely match the proposed development density of the site, the project is proposing 40-foot tall buildings consistent with the previous height limit and would require a height limit deviation from the proposed zone that limits structure height to 30 feet. The project is visually isolated from most areas of the community and the primary viewers along the I-15 southbound adjacent to the site would see the site in conjunction with open space hillsides and the adjacent motel that is four stories with corner tower and sloped eave feature extending to a greater height (Figure 5.16-6). Other areas in the nearby community along Rancho Peñasquitos Boulevard also include three-story multi-family buildings as well, including the Eaves at the corner of Rancho Peñasquitos Boulevard and Paseo Montril and Atria Rancho Peñasquitos at Rancho Peñasquitos Boulevard and Via Del Sud (Figures 5.16-4 and 5.16-5). While the project would exceed the allowable height of the proposed zone, the project would not result in a substantial exceedance considering it would be consistent with the existing patterns of development in the vicinity.

#### ***Architectural Styles***

As discussed above, development of the project site would be guided by the Design Guidelines prepared for the project which are intended to ensure a high standard of architectural design and quality for future residents. The guidelines provide design recommendations for homes that utilize compatible architectural styles, colors, building heights, lot sizes, setbacks, landscaping, and street furniture harmonious to the existing community appearance. Per the Design Guidelines, the architectural design themes for Paseo Montril will integrate the unique character of Rancho Peñasquitos topography combined with the rich and diverse architectural forms and styles associated with modern California design. The project's buildings would be constructed with the use of a variety of colors and textured materials that are compatible with surrounding development to articulate buildings facades and architectural features. The color scheme would utilize natural earth tone colors that complement existing architecture, vegetation, and open space (Figure 5.16-6). The building form would contain varied roof lines and cantilevered, projecting, or recessed elements at balconies and second-story and third-story elements to accentuate roof lines and fenestration compositions.

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In addition, the architectural design of project buildings would be visually compatible with modern multi-family residential development located nearby and along the Rancho Peñasquitos Boulevard corridor. For example, the incorporation of varied roof lines, projecting and recessed elements on building facades, angled roofs, and use of light to tan colors on building exteriors is proposed on site and is also incorporated at the nearby Rancho Villas, Eaves Rancho Peñasquitos, and Peñasquitos Point multi-family residential developments. While the project would not display similar design style as the adjacent single-family neighborhood, this neighborhood is an older, ranch-style development and these styles are not typically expressed in modern, multi-family residential developments. However, as with the single-family development, project buildings would incorporate stucco clad, earth-tone exteriors. Overall, the project would be in not stark contrast to adjacent development where the adjacent development follows a single or common architectural theme.

### ***Community Landmark***

No specific community identification symbols or landmarks identified in the General Plan or Rancho Peñasquitos Community Plan are present at the project site (City of San Diego 2008, 2011). As the project site has not been identified as a community identification symbol or landmark, the project would not result in the physical loss, isolation, or degradation of a community identification symbol or landmark that is identified in the General Plan, applicable community plan, or local coastal program.

### ***Project Visibility and Contrast***

The project is located in a highly visible hillside area that is located adjacent to I-15 (Figure 5.16-2). In addition, the project site comprises two hills separated by a narrow canyon area associated with the drainage swale (Figure 5.16-3). While the southeastern portion of the project site is adjacent to I-15, intervening terrain and vegetation partially screens the nearest areas of the project site from view. As discussed previously, development of the project site would not strongly contrast with the surrounding development or natural topography through excessive height, bulk, signage or architectural projections. The property line to the north of the project site, where the existing single-family residential development occurs, would be located approximately 30 to 40 feet higher in elevation than the top of roof of proposed 40-foot-high residential buildings on the project site. As discussed above, the project would adapt to the topography of the site, to the maximum extent feasible, in order to complement the existing natural topography. Refer to Figure 3-3, which illustrates how the buildings would be terraced into the hillside. Refer to Figure 5.16-6 for a visual simulation of the proposed project from surrounding public views. Also as discussed under Bulk, Height, and Scale, the project would ultimately include features that are consistent with the surrounding area and would not substantially contrast in bulk, height or scale. Development of the project site would occur in an organized manner that would be guided by a site plan and Design Guidelines. Although the project is visible from I-15, the proposed project would be compatible with the surrounding environment developments as described above. Therefore, the project would not strongly contrast with the surrounding development or natural topography through excessive height, bulk, signage or architectural projections.

### ***Alteration to Existing or Planned Character***

The project site is designated as Park, Open Space, and Recreation in the City of San Diego's General Plan (City of San Diego 2008) and is designated as Open Space in the Rancho Peñasquitos Community Plan (City of San Diego 2011). Development of the site with residential uses was not envisioned in the Rancho Peñasquitos Community Plan or the General Plan and implementation of the project would substantially alter the existing and planned character of the site. However, the project is concurrently processing a proposed amendment to the General Plan and Rancho Peñasquitos Community Plan, as well as a Rezone, which would increase the intensity of use and allow for the proposed residential development on site. As described in Chapter 3, development of the project would be implemented through City-wide zoning with modifications to development standards described in the Design Guidelines and through the Planned Development Permit. The project would introduce building height, bulk, and scale to the currently undeveloped project site. The Design Guidelines and Planned Development Permit would include standards for building height, bulk, and scale that would ensure and facilitate consistency with the bulk, height, and scale of the existing nearby multi-family residential development and commercial uses. While the proposed project would be located in a highly visible location and would not be compatible with the planned character of the site as expressed in the City's General Plan and the local community plan, through compliance with the Design Guidelines and the San Diego Municipal Code, and with the processing of project entitlements and proposed rezone and General Plan Amendment, the project would not result in bulk, scale, materials, or style which would be incompatible with surrounding development. Therefore, the project would be consistent with its surroundings and would not result in substantial alteration to the existing or planned character of the area.

### **Significance of Impact**

#### ***Incompatibility with Surrounding Development***

Through compliance with the Design Guidelines and the San Diego Municipal Code, the construction of five modern, 40-foot high multi-family residential buildings would not result in bulk, scale, materials, or style which would be incompatible with surrounding modern development. Thus, the project would not result in significant impacts related to bulk, scale, materials, or style which would be incompatible with surrounding development and impacts would be **less than significant**.

#### ***Alteration to Existing or Planned Character***

While the proposed project would be located in a highly visible location and would not be compatible with the planned character of the site as expressed in the City's General Plan and the local community plan, through compliance with the Design Guidelines and the San Diego Municipal Code, and with the processing of project entitlements and proposed rezone and General Plan Amendment, the project would not result in bulk, scale, materials, or style which would be incompatible with surrounding development. Therefore, with the processing of project entitlements and proposed rezone and General Plan Amendment, impacts would be **less than significant**.

### **Mitigation**

No mitigation would be required.

### 5.16.3.4 Issue 5: Loss of Any Distinctive or Landmark Tree(s), or Stand of Mature Trees

**Issue 5:** *Would the project result in the loss of any distinctive or landmark tree(s), or stand of mature trees as identified in the community plan? (Normally, the removal of non-native trees within a wetland as part of a restoration project would not be considered significant.)*

#### Thresholds

According to the City's Significance Determination Thresholds, a project is considered to have a significant impact if the project would result in the physical loss, isolation, or degradation of a community identification symbol or landmark (e.g., a stand of trees, coastal bluff, historic landmark) that is identified in the General Plan, applicable community plan, or local coastal program (City of San Diego 2020).

#### Impact

No distinctive or landmark trees were identified within the project area and there are no distinctive or landmark trees designated in the project area in the City's General Plan or the Rancho Peñasquitos Community Plan (City of San Diego 2008, 2011). The site does support several palm and eucalyptus trees; however, these species are not designated as distinctive, landmark, or a mature stand in local planning documents. Therefore, implementation of the project and development of the site as proposed would not result in the loss of any distinctive or landmark trees. No impact related to a loss of any distinctive or landmark tree(s), or stand of mature trees as identified in the community plan would occur.

#### Significance of Impact

There are no community identification symbols or landmark trees designated on the project site. Therefore, implementation of the project would not result in the loss of any distinctive or landmark trees. **No impact** would result.

#### Mitigation

No mitigation would be required.

### 5.16.3.5 Issue 6: Substantial Change in the Existing Landform

**Issue 6:** *Would the project result in a substantial change in the existing landform?*

#### **Thresholds**

According to the City's CEQA Significance Determination Thresholds, a project is considered to have a significant impact if a project would result in more than 2,000 cubic yards of earth per graded acre by either excavation or fill. In addition, one or more of the following conditions (1–4) must apply to meet this significance threshold (City of San Diego 2020):

1. The project would disturb steep hillsides in excess of the encroachment allowances of the Environmentally Sensitive Lands regulations (Land Development Code Chapter 14, Article 3, Division 1).
2. The project would create manufactured slopes higher than 10 feet or steeper than 2:1 (50%).
3. The project would result in a change in elevation of steep hillsides as defined by the San Diego Municipal Code Section 113.0103 from existing grade to proposed grade of more than 5 feet by either excavation or fill, unless the area over which excavation or fill would exceed 5 feet is only at isolated points on the site.
4. The project design includes mass terracing of natural slopes with cut or fill slopes in order to construct flat-pad structures.

However, the above conditions may not be considered significant if one or more of the following apply:

1. The grading plans clearly demonstrate, with both spot elevations and contours, that the proposed landforms will very closely imitate the existing on-site landform and/or the undisturbed, pre-existing surrounding neighborhood landforms. This may be achieved through "naturalized" variable slopes.
2. The grading plans clearly demonstrate, with both spot elevations and contours, that the proposed slopes follow the natural existing landform and no point vary substantially from the natural landform elevations.
3. The proposed excavation or fill is necessary to permit installation of alternative design features such as step-down or detached buildings, non-typical roadway or parking lot designs, and alternative retaining wall designs which reduce the projects overall grading requirements.

#### **Impact**

On-site elevations range from approximately 580 feet amsl (along the western portion of the project site) to 445 feet amsl (along the eastern portion of the project site). Steep hillsides are present within the project site, and the project is requesting a deviation from SDMC Section 143.0142(a)(2) to exceed the 25% maximum development area within steep slopes. The project proposes to develop on 27.3% of the steep slopes within the project site. In addition, grading of the project site would result in 22 feet of fill slopes, and 49 feet of cut slopes, and would require a total cut amount of 59,500 cubic yards of soil. The manufactured slopes would be constructed at a 2:1 slope ratio. Therefore, the project result in more than 2,000 cubic yards of earth per graded acre, would disturb steep hillsides in excess of the encroachment allowances of the Environmentally Sensitive Lands

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regulations, would create manufactured slopes higher than 10 feet, and would result in a change in elevation of steep hillsides as defined by the San Diego Municipal Code Section 113.0103 from existing grade to proposed grade of more than 5 feet by either excavation or fill. The project would exceed the City's significance thresholds for landform alternations. The Rancho Peñasquitos Community Plan also identifies a desire to retain a visual buffer between the I-15 and the community via retaining the hillsides along the I-15 freeway, as well as a general desire preserving hillside topography throughout the community.

The proposed grading of the project site is designed to retain the majority of the site as open space, reduce the overall grading footprint, and also integrate the proposed buildings into the hillside. This would be achieved by providing six retaining walls throughout the project site, with a maximum length of 390 feet and maximum height of 26 feet (Figure 3-5). The retaining walls would be located along the Paseo Montril cul-de-sac (Retaining Wall No. 1; 2 to 13.5 feet tall), the southwestern boundary of the project site (Retaining Wall No. 2; 2.5 to 6.5 feet tall), two terraced walls along the northeastern boundary (Wall 3a; 2 to 14.5 feet tall, and Wall 3b; 6 to 12.5 feet tall), along the western side of the development (Retaining Wall No. 4; 2 to 26 feet tall), and between the terraced building pads (Retaining Wall No. 5; 2 to 6 feet tall). This would allow for a stepped-down development plan for the buildings and internal parking lots and driveways. The project is also seeking to balance the proposed walls with the grading footprint and is seeking wall height deviations to minimize the footprint associated with the walls and proposed terracing. Therefore, while the project would exceed the City's significance thresholds for landform alterations, the project meets one of the three conditions provided in the City's significance guidelines and thus, the landform alteration impact would not significance considered significant. In addition, per the Design Guidelines (Appendix O), the project would maintain the existing topography of the site to the maximum extent feasible, in order to complement the existing natural topography and hillsides of the project site, through providing multilevel landscape and structures, integration of building step downs at existing slopes and minor retaining walls within the residential building pad area. Ultimately the project would preserve 11.6 acres of the 15.2-acre site as open space within a covenant of easement, and would focus the development area closest to the adjacent existing homes to the west and commercial area to the south. While the project would develop within a hillside area, the proposed development would be designed to integrate into the hillside with terracing and use of walls that minimize the grading footprint as well as the preservation of approximately 75% of the site as on-site open space.

### Significance of Impact

The proposed project would not result in a significant impact related to a substantial change in the existing landform. Therefore, impacts would be **less than significant**.

### Mitigation

No mitigation would be required.

### 5.16.3.6 Issue: Light and Glare

**Issue 7:** *Would the project result in substantial light or glare which would adversely affect daytime or nighttime view in the area?*

#### Thresholds

According to the City's Significance Determination Thresholds, a project is considered to have a significant impact if a project would (City of San Diego 2020):

- Be moderate to large in scale, more than 50% of any single elevation of a building's exterior is built with a material with a light reflectivity greater than 30% (see Land Development Code Section 12.07330(a)), and the project is adjacent to a major public roadway or public area.
- Shed substantial light onto adjacent, light-sensitive property or land use, or would emit a substantial amount of ambient light into the nighttime sky. Uses considered sensitive to nighttime light include, but are not limited to, residential, some commercial and industrial uses, and natural areas.

#### Impact

##### *Lighting*

The project site is located in an urbanized area that contains existing sources of lighting associated with existing development along Paseo Montril and Rancho Peñasquitos Boulevard), and with street lighting along major arterial roadways. Development of the project would introduce lighting to a site that is currently vacant and does not contain or support existing lighting. New lighting at the project site would include lighting for parking areas, residential amenity areas, and internal walkways. In addition, the project would introduce interior and exterior lighting within proposed residential units, lighting within proposed on-site roadways, and proposed signage.

All lighting proposed would be constructed in compliance with the standards contained in the City's Outdoor Lighting Regulations (San Diego Municipal Code Section 142.0740), which requires that all outdoor lighting fixtures shall be installed in a manner that minimizes negative impacts from light pollution, including light trespass, glare, and urban sky glow, in order to preserve enjoyment of the night sky and minimize conflict caused by unnecessary illumination. Specifically, the Municipal Code requires the installation of "acceptable" lighting fixtures that are fully shielding and with the exception of "period" style fixtures, directed downward. Further, new sources of lighting including exterior mounted building lights, security lighting, landscaping, and accent lighting, shall be operated with control systems in place to ensure unnecessary lighting is not left on throughout the night. In addition, due to the project site's proximity to open space that may support sensitive biological resources (i.e., Lot 2), Section 142.0740(c)(6) requires exterior lighting to be limited to low level lights that are shielded. Therefore, exterior lighting would be directed away from adjoining properties and would be off a low-level so as to not unnecessarily illuminate off-site areas. Compliance with the San Diego Municipal Code would minimize and restrict project-related nighttime light pollution and light trespass onto adjacent properties.

### **Glare**

As proposed, project structures would feature exterior building materials including stucco, wood, brick, stone, terracotta, or cast concrete. The use of reflective building materials and finishes, as well as reflective lighting structures and metallic surfaces, would be minimized in order to impede the creation of project-generated glare. The project's buildings would be finished with a variety of colors and textured materials that would articulate buildings facades and architectural features and would be compatible with surrounding development. . The color scheme would utilize natural earth tone colors that complement existing architecture, vegetation, and open space. As previously stated, all proposed lighting would be installed in compliance with the standards contained in the City's Outdoor Lighting Regulations (San Diego Municipal Code Section 142.0740), which includes measures to minimize the negative impacts of glare. Therefore, the project does not propose any features that would be characterized as creating a substantial new source of glare that would adversely affect daytime or nighttime views in the area.

### **Significance of Impact**

Through compliance with the San Diego Municipal Code, the proposed project would not introduce substantial sources of day or nighttime lighting. Proposed lighting on site would be fully shielded, directed downward, and would be of a low level/intensity in order to minimize light pollution and skyglow. Regarding glare, the project does not incorporate any features that would be characterized as creating a substantial source of glare that would adversely affect daytime or nighttime views in the area. Thus, the project would not result in a significant impact to day or nighttime views due to light and glare. Therefore, impacts would be **less than significant**.

### **Mitigation**

No mitigation would be required.



SOURCE: SANGIS 2017, 2019; Civil Sense 2020



**FIGURE 5.16-1**  
Key Map: Views, Community Character, and Visual Simulations

Paseo Montril Development Project

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Photo 1: View from NB I-15 north of Poway Road towards Project Site



Photo 2: View from Poway Road at I-15 towards Project Site



Photo 3: View from Sabre Hill Drive sidewalk towards Project Site



Photo 4: View from Van Damm Peak Trail (Sabre Springs Open Space) to the west

SOURCE: Google Earth 2021 (Poway Road image)

FIGURE 5.16-2

Views

Paseo Montrail Development Project

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Photo 9



Photo 10



Photo 11



Photo 12

SOURCE: Google Earth 2021 (all)

FIGURE 5.16-5

Existing Visual Character: Surrounding Area

Paseo Montral Development Project

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SOURCE: KTG 2022

**FIGURE 5.16-6a**  
Visual Simulation 1 – Northbound I-15 looking towards Project Site  
Paseo Montril Development Project

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SOURCE: KTG 2022

**FIGURE 5.16-6b**  
Visual Simulation 2 – Poway Road at I-15 looking towards Project Site  
Paseo Montril Development Project

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SOURCE: KTG 2022

**FIGURE 5.16-6c**  
Visual Simulation 3 – Southbound I-15 looking towards Project Site  
Paseo Montril Development Project

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## 5.17 Water Quality

This section describes the existing water quality conditions of the proposed Paseo Montril Project (project) site, identifies associated regulatory requirements, evaluates potential impacts related to implementation of the project. The following analysis is based in part on the Storm Water Quality Management Plan, prepared by Chang Consultants (April 2021), which is included as Appendix I.

### 5.17.1 Existing Conditions

#### **Physical Conditions**

The project site's existing drainage within occurs as sheet flow in a southerly to southeasterly direction over the moderate to steeply sloping natural hillside. The storm runoff flows to the following three locations:

- Runoff flows through the project site then conveyed easterly away from the project site along the existing street.
- Remainder of surface flows to a Caltrans storm drain system near the bottom of the hillside on the western side of Interstate 15 (I-15).
- As the runoff enters the Caltrans storm drain system on either the north or south end, the runoff is conveyed southerly away from the project site along I-15.

There are no Multiple Species Conservation Program (MSCP) Multi-Habitat Planning Area (MHPA) lands impacted by the project or directly adjacent to the project site. All runoff from the project site would ultimately enter Los Peñasquitos Creek, located approximately 0.5 miles south of the project site.

The project site is located within the Los Peñasquitos Watershed Management Area (WMA), Rancho Santa Fe Hydrologic Subarea (Hydrologic Unit 905.11), which extends from the foothills east of the City of Poway to the coastal plain where the watershed drains into Los Peñasquitos Lagoon before flowing into the Pacific Ocean through a narrow mouth at Torrey Pines State Beach. The Los Peñasquitos WMA is 94 square acres and encompasses the drainage areas of Los Peñasquitos Creek, Carmel Creek, and Carroll Canyon Creek (City of San Diego 2015). The Los Peñasquitos WMA consists of two hydrologic areas (HAs): Miramar Reservoir (906.10) and Poway (906.20). The Los Peñasquitos WMA contains one water storage facility, Lake Miramar, and one groundwater basin, the Poway Valley basin.

The project site is located within the Poway HA (906.20). The Poway HA is located to the east of Miramar Reservoir HA and is covered entirely by the upper portion of the Los Peñasquitos Creek sub-watershed (City of San Diego 2015). The majority of surface runoff in the Poway HA is eventually directed into Los Peñasquitos Creek by way of a number of smaller creeks and tributaries. Los Peñasquitos Creek then makes its way through the Los Peñasquitos Lagoon before being discharged into the Pacific Ocean.

The existing beneficial uses from the 2011 Water Quality Control Plan for the San Diego Basin (Peñasquitos Hydrologic Unit 906.00, Poway Hydrologic Area 906.20) for inland surface waters

include AGR, REC1, REC2, WARM, and WILD. The potential beneficial uses for inland surface waters include IND. The groundwater beneficial uses include MUN and AGR. The potential groundwater beneficial uses include IND. There are no Areas of Special Biological Significance receiving waters downstream of the project.

### 5.17.2 Regulatory Framework

#### **Federal**

##### ***Clean Water Act***

The Clean Water Act (CWA) was designed to restore and maintain the chemical, physical, and biological integrity of waters in the United States. The CWA also directs state governments to establish water quality standards for all waters of the United States and to review and update such standards on a triennial basis. Other provisions of the CWA related to basin planning include Section 208, which authorizes the preparation of waste treatment management plans, and Section 319, which mandates specific actions for the control of pollution from nonpoint sources. The U.S. Environmental Protection Agency (EPA) has delegated responsibility for implementation of portions of the CWA to the State Water Resources Control Board (SWRCB) and the Regional Water Quality Control Board (RWQCB), including water quality control planning and control programs such as the National Pollutant Discharge Elimination System (NPDES) program. The NPDES program is a set of permits, designed to implement the CWA, that apply to various activities that generate pollutants with potential to impact water quality.

Section 303 of the CWA requires states to adopt water quality standards for all surface waters of the United States. Section 304(a) requires the EPA to publish water quality criteria that accurately reflect the latest scientific knowledge on the kind and extent of all effects on health and welfare that may be expected from the presence of pollutants in water. Where multiple uses exist, water quality standards must protect the most sensitive use. Water quality standards are typically numeric, although narrative criteria based upon biomonitoring methods may be employed where numerical standards cannot be established or where they are needed to supplement numerical standards. Section 303(c)(2)(b) of the CWA requires states to adopt numerical water quality standards for toxic pollutants for which the EPA has published water quality criteria and which reasonably could be expected to interfere with designated uses of a water body.

The following two total maximum daily loads have been adopted in the Los Peñasquitos WMA:

- The Pacific Ocean Shoreline at Torrey Pines State Beach at Del Mar was 303(d) listed in 2010 for coliform as impairing shellfish beneficial use.
- The Los Peñasquitos Lagoon was 303(d) listed in 2012 for sedimentation and siltation as impairing beneficial use.

### State

#### ***Porter-Cologne Water Quality Control Act***

The Porter-Cologne Water Quality Control Act authorizes the SWRCB to adopt, review, and revise policies for all waters of the state (including both surface and groundwater) and directs the RWQCB to develop regional basin plans. Section 13170 of the California Water Code also authorizes the SWRCB to adopt water quality control plans on its own initiative. The Water Quality Control Plan for the San Diego Basin (Basin Plan) is designed to preserve and enhance the quality of water resources in the San Diego Region for the benefit of present and future generations. The purpose of the plan is to designate beneficial uses of the region's surface water and groundwater, designate water quality objectives for the reasonable protection of those uses and establish an implementation plan to achieve the objectives.

All projects resulting in discharges, whether to land or water, are subject to Section 13263 of the California Water Code and are required to obtain approval of Waste Discharge Requirements (WDRs) from the RWQCBs. Land and groundwater-related WDRs (i.e., non-NPDES WDRs) regulate discharges of process and wash-down wastewater and privately or publicly treated domestic wastewater. WDRs for discharges to surface waters also serve as NPDES permits. These regulations are applicable to the projects.

#### ***NPDES Construction General Permit***

Construction activities exceeding 1 acre (or meeting other applicable criteria) are subject to pertinent requirements under the Construction General Permit. This permit was issued by the SWRCB, pursuant to authority delegated by the EPA, as previously noted. Specific conformance requirements include implementing a Stormwater Pollution Prevention Plan (SWPPP), an associated Construction Site Monitoring Program, employee training, and minimum best management practices (BMPs), as well as a Rain Event Action Plan for applicable projects (e.g., those in Risk Categories 2 or 3). Under the Construction General Permit, project sites are designated as Risk Level 1 through 3 based on site-specific criteria (e.g., sediment erosion and receiving water risk), with Risk Level 3 sites requiring the most stringent controls. Based on the site-specific risk level designation, the SWPPP and related plans/efforts identify detailed measures to prevent and control the off-site discharge of pollutants in stormwater runoff. Depending on the risk level, these may include efforts such as minimizing/stabilizing disturbed areas, mandatory use of technology-based action levels, effluent and receiving water monitoring/reporting, and advanced treatment systems. Specific pollution control measures require the use of best available technology economically achievable and/or best conventional pollutant control technology levels of treatment, with these requirements implemented through applicable BMPs. While site-specific measures vary with conditions such as risk level, proposed grading, and slope/soil characteristics, detailed guidance for construction-related BMPs is provided in the permit and related City standards (as outlined below), as well as additional sources including the EPA National Menu of Best Management Practices for Stormwater Phase II – Construction (EPA 2020), and Stormwater Best Management Practices Handbooks (CASQA 2020). Specific requirements for the project under this permit would be determined during SWPPP development, after completion of project plans and application submittal to the SWRCB.

### ***NPDES Groundwater Permit***

While shallow groundwater is generally not expected to occur on site, if project-related construction activities entail the discharge of extracted groundwater into receiving waters, the applicant would be required to obtain coverage under the Groundwater Permit. This permit is issued by the RWQCB after a public hearing, and must be obtained prior to construction. It is not anticipated that the proposed project would require a groundwater permit. Conformance with this permit is generally applicable to all temporary and certain permanent groundwater discharge activities, with exceptions as noted in the permit fact sheet. Specific requirements for permit conformance include (1) submittal of appropriate application materials and fees; (2) implementation of pertinent (depending on site-specific conditions) monitoring/testing, disposal alternative, and treatment programs; (3) provision of applicable notification to the associated local agency prior to discharging to a municipal storm drain system; (4) conformance with appropriate effluent standards (as outlined in the permit); and (5) submittal of applicable documentation (e.g., monitoring reports).

### ***NPDES Municipal Permit***

The Municipal Permit implements a regional strategy for water quality and related concerns, and mandates a watershed-based approach that often encompasses multiple jurisdictions. The overall permit goals include (1) providing a consistent set of requirements for all co-permittees; and (2) allowing the copermittees to focus their efforts and resources on achieving identified goals and improving water quality, rather than just completing individual actions (which may not adequately reflect identified goals). Under this approach, the copermittees are tasked with prioritizing their individual water quality concerns, as well as providing implementation strategies and schedules to address those priorities. Municipal Permit conformance entails considerations such as receiving water limitations (e.g., Basin Plan criteria as outlined below), waste load allocations, and numeric water quality-based effluent limitations. Specific efforts to provide permit conformance and reduce runoff and pollutant discharges to the maximum extent practicable involve methods such as (1) using jurisdictional planning efforts (e.g., discretionary general plan approvals) to provide water quality protection; (2) requiring coordination between individual jurisdictions to provide watershed-based water quality protection; (3) implementing appropriate BMPs, including Low Impact Development measures to avoid, minimize, and/or mitigate effects such as increased erosion and off-site sediment transport (sedimentation), hydromodification and the discharge of pollutants in urban runoff; and (4) using appropriate monitoring/assessment, reporting, and enforcement efforts to ensure proper implementation, documentation, and (as appropriate) modification of permit requirements. The City has implemented a number of regulations to ensure conformance with these requirements, as outlined in the Local section.

### **Local**

#### ***San Diego Basin Plan***

The Basin Plan adopted by the RWQCB sets forth water quality objectives for constituents that could potentially cause an adverse effect or impact on the beneficial uses of water. Specifically, the San Diego Basin Plan is designed to accomplish the following:

- Designate beneficial uses for surface water and groundwater.
- Set the narrative and numerical objectives that must be attained or maintained to protect the designated beneficial uses and conform to the state's anti-degradation policy.

- Describe implementation programs to protect the beneficial uses of all waters within the region.
- Describe surveillance and monitoring activities to evaluate the effectiveness of the Basin Plan.

The Basin Plan incorporates by reference all applicable SWRCB and RWQCB plans and policies.

### ***City of San Diego Stormwater Standards Manual***

Stormwater BMP standards for City projects are outlined in the City's Stormwater Standards Manual (City of San Diego 2018). The Stormwater Standards Manual constitutes the City's implementation of the Regional Municipal Separate Storm Sewer System (MS4) Permit and Stormwater Management and Discharge Control Ordinance (San Diego Municipal Code Section 43.0301 et seq.). Specific requirements for implementing BMPs vary based on the project type and amount of impervious surface proposed.

The City's Stormwater Requirements Applicability Checklist (Form DS-560) is used to determine whether a project is a priority development project; a standard development project; or exempt from permanent, post-construction stormwater BMP requirements (City of San Diego 2018). Post-construction BMP requirements in the Stormwater Standards Manual and the Regional MS4 Permit apply to new development or significant redevelopment projects that exceed size thresholds and/or fit under specific use or location categories. The size threshold is typically the amount of impervious area added and/or replaced. Additional criteria requires post-construction BMPs when a project results in disturbance of 1 or more acres of land and is expected to generate pollutants after construction (even if there is no addition or replacement of impervious area).

### ***City Stormwater Management and Discharge Control Ordinance***

The purpose of San Diego Municipal Code Sections 43.0301 to 43.0312 (Stormwater Management and Discharge Control) is to restore and maintain the water quality of receiving waters and further ensure the health, safety, and general welfare of the citizens of the City. The ordinance prohibits non-stormwater discharges, including spills, dumping, and disposal of materials other than stormwater to the MS4, and reduces pollutants in discharges from the MS4 to receiving waters, to the maximum extent practicable, in a manner consistent with the CWA. The ordinance also requires the implementation of BMPs required in the Jurisdictional Runoff Management Plan, including erosion and sediment control BMPs as required by the Stormwater Standards Manual, and describes enforcement authorities and remedies that can be used in instances of noncompliance.

### ***City of San Diego General Plan***

The City General Plan addresses water quality concerns in the Public Facilities, Services, and Safety Element; and the Conservation Element, as summarized below. Consistency with the goals and policies in the following elements can be found in Section 5.1, Land Use, of this EIR.

#### Public Facilities, Services, and Safety Element

This element includes a number of goals and policies related to the provision of adequate public facilities and services for existing and proposed development. For stormwater, these involve efforts to provide appropriately designed and sized infrastructure and ensure adequate conveyance

capacity, protect water quality, and provide conformance with applicable regulatory standards (e.g., the NPDES) (City of San Diego 2018).

### **Conservation Element**

The Conservation Element provides a number of goals and policies related to preserving and protecting watersheds and natural drainage features, minimizing runoff and related pollutant generation during and after construction activities, and protecting drinking water resources (City of San Diego 2008).

## 5.17.3 Thresholds of Significance

### 5.17.3.1 Issue 1 and 2: Pollutant Discharge and Local and Regional Water Quality

***Issue 1: Would the proposal result in an increase in pollutant discharge to receiving waters during or following construction, or discharge identified pollutants to an already impaired water body?***

***Issue 2: What short-term and long-term effects would the proposal have on local and regional water quality and what types of pre- and post-construction Best Management Practices (BMPs) would be incorporated into the project to preclude impacts to local and regional water quality?***

#### **Thresholds**

The City's Significance Determination Thresholds (City of San Diego 2020) note that compliance with applicable City Water Quality Standards is assured through permit conditions provided by LDR Engineering. Adherence to the City stormwater standards is thus considered adequate to preclude surface water quality impacts. Because the project does not involve activities that could directly affect groundwater quality (e.g., underground fuel storage tanks or septic systems), potential impacts to groundwater quality are limited to the percolation of project-related surface runoff and associated pollutants (e.g., in pervious portions of the proposed storm drain system). Accordingly, conformance with the City stormwater standards is the applicable threshold for both surface and groundwater water resources.

#### **Impact**

Potential project-related pollutant discharge and water quality impacts are associated with both short-term construction activities related to the proposed project and long-term maintenance and occupation of the project site.

#### ***Short-Term Construction Impacts***

Proposed demolition, grading, excavation, and construction activities associated with the project could create additional sources of polluted runoff, which could have short-term impacts on surface water quality. The project site would undergo site-preparation activities for vertical building construction, such as grading, soil import, trenching for dry and wet utilities, and surface

improvements. Pollutants associated with construction could degrade water quality if those pollutants are washed into surface waters. Sediment is often the most common pollutant associated with construction sites because of the associated earth-moving activities and areas of exposed soil. Hydrocarbons such as fuels, asphalt materials, oils, and hazardous materials such as paints and concrete discharged from construction sites could also result in impacts downstream. Debris and trash could be washed into existing storm drainage channels to downstream surface waters. These activities could impact aquatic habitat, upland wildlife, and general water quality.

Under the NPDES permit program, BMPs are mandated for construction sites in which grading would be greater than 1 acre, through preparation of SWPPPs in order to reduce the occurrence of pollutants in surface water. SWPPPs are submitted to the RWQCB prior to ground-disturbing activities and set forth the measures that will be employed during construction to avoid runoff into surface waters. Project temporary construction BMPs would typically include street sweeping, waste disposal, vehicle and equipment maintenance, designated concrete washout area, designated materials storage areas with runoff protection, minimization of hazardous materials, and proper handling and storage of hazardous materials. Typical erosion and sediment control BMPs include silt fences, fiber rolls, gravel bags, temporary desilting basins, velocity check dams, temporary ditches or swales, stormwater inlet protection, and soil stabilization measures. Implementation of these state-mandated measures and implementation of the required SWPPP for the proposed project would ensure that short-term impacts from construction-related activities would not violate any water quality standards or WDRs and not further contribute to water quality impacts identified in the CWA Section 303(d) List of Water Quality Limited Segments.

Furthermore, the project would incorporate construction BMPs in accordance with the City's Stormwater Standards Manual. The project would also be required to comply with all of the City's stormwater standards, including San Diego Municipal Code Sections 43.0301 to 43.0312, which prohibits non-stormwater discharges, including spills, dumping, and disposal of materials other than stormwater to the MS4, and reduces pollutants in discharges from the MS4 to receiving waters, to the maximum extent practicable, in a manner consistent with the CWA.

With implementation of a SWPPP and compliance with applicable water quality requirements, runoff from the project site during construction would not adversely affect surface waters or water quality.

### ***Long-Term Operation Impacts***

The project site is located on a hillside and, as detailed in Section 5.9, Hydrology, currently runoff from the single-family development area to the west flows onto the site, converges with the site runoff, and discharges to the east towards the Caltrans right-of-way (Figure 5.9-1, Existing Hydrologic Setting). With the implementation of the proposed project, the open space area (approximately 75% of the site) would continue to discharge towards the east as under the existing conditions into the Caltrans right-of-way but the runoff from the proposed development area would be directed, treated and conveyed into the City's storm drain system via Paseo Montril (Figure 5.9-2, Proposed Drainage Patterns). The City's storm drain system discharges directly into Los Peñasquitos Creek approximately 0.5 miles south of the site.

Detention and water quality treatment facilities would be provided within all areas of proposed development in accordance with the requirements of the SDMC and San Diego RWQCB MS4 permit.

The City's Stormwater Standards Manual, which is the jurisdiction-specific BMP manual for the City, addresses updated on-site post-construction stormwater requirements for standard projects and priority development projects and provides updated procedures for planning, preliminary design, selection, and design of permanent stormwater BMPs based on the performance standards presented in the MS4 Permit. All of the proposed BMPs on the project site would be designed per City specifications and the drainage study recommendations. Implementation of proposed BMPs, recommendations in the project-specific Drainage Study (Appendix G) and Storm Water Quality Management Plan (Appendix I), and preparation and implementation of the required SWPPP would ensure that the project would comply with regulatory ordinances and with the standards set forth in the City's Stormwater Standards Manual. Site-specific source control BMPs include prevention of illicit discharges, storm drain stenciling, integrated pest management principles, and efficient landscape and irrigation design. Treatment BMPs selected for the proposed project include two lined biofiltration basins (Bio Clean Modular Wetlands System Linear BMPs) each with a connected vault for flow control. The majority of the storm water runoff from the project site would enter one of the two biofiltration basins for pollutant control and connected vaults for flow control. One biofiltration basin would be located at the southern portion of the site and would collect the majority of the project runoff. The second biofiltration basin would be located near the entrance of the proposed project and would collect runoff from the southern portion of the site. Storm water runoff would then be conveyed away from the site to the west, along Paseo Montril, in the proposed storm drain system, which eventually drains into an existing public storm drain at the intersection of Paseo Montril and Rancho Peñasquitos Boulevard. The proposed development's runoff would not be conveyed into the Caltrans right-of-way. The proposed drainage collection design was designed to ensure retention of runoff would occur and conveyance into the stormwater system would be controlled to the existing runoff rates to prevent downstream erosion as well as on-site erosion. It is noted that the site's underlying geology results in low infiltration rates, and infiltration is not feasible due to this and the need for several retaining walls to create the building pad area. As such, the biofiltration basins were determined to be the best treatment BMP available to address the pollutants of concern and pollutant control requirements. The proposed water quality BMPs would maintain in perpetuity through the Homeowners' Association to ensure long-term operations would continue to provide water quality control. Project-specific site design, source control, and treatment control BMPs, Low Impact Development practices, and project design measures would be implemented to ensure proposed water quality would not degrade further beyond existing conditions. Therefore, runoff from the project site would not adversely affect surface waters, water quality, or discharge pollutants to an already impaired water body.

### **Significance of Impact**

Through implementation of project-specific site design, source control, treatment control BMPs, Low Impact Development practices, project design measures, related maintenance efforts, and conformance with City stormwater standards and associated requirements (including the NPDES Construction General, Municipal and Groundwater permits), potential pollutant discharge and water quality impacts associated with construction and operation of the project would be **less than significant**.

### **Mitigation**

No mitigation would be required.

## 5.18 Wildfire

This section describes the existing wildfire conditions of the proposed Paseo Montril Project (project) site, identifies regulatory requirements, evaluates potential impacts, and identifies mitigation measures if applicable related to implementation of the project.

### 5.18.1 Existing Conditions

#### Physical Conditions

Currently, the project site is undeveloped, surrounded by existing residential, commercial, and transportation infrastructure. The site is primarily characterized by undeveloped land on a hillside comprised of native vegetation communities, non-native vegetation communities, urban/developed land and disturbed habitat. The off-site area consists of urban/developed land (the existing Paseo Montril road). The elevations within the project area range from approximately 440 feet above mean sea level in the southwest of the project area near I-15 to approximately 580 feet above mean sea level near the western boundary. The surrounding area includes residential to the north, commercial to the south, Interstate 15 (I-15) to the east and undeveloped native habitat area to the northeast. The undeveloped habitat area to the northeast appears to include fairly dense coastal sage scrub habitat and, similar to the project, is located on a hillside between the freeway and adjacent residential uses.

The project site is within SDFRD jurisdiction; therefore, the project site is currently served by SDFRD. Additionally, SDFRD Fire Station 40 is located approximately 2 miles to the north of the project site, at 13393 Salmon River Road, San Diego, California 92129. Fire Station 40 serves the Rancho Peñasquitos community and the surrounding area and has one fire engine, one fire truck, one brush engine, one water tender, one light and air specialized rig, and a paramedic unit and medic rescue rig (City of San Diego 2021).

Wildfire is a continuous threat in Southern California and is particularly concerning in the wildland-urban interface, the geographic area where urban development either abuts or intermingles with wildland or vegetative fuels. Due to climate, vegetation, and topography, the City of San Diego is subject to both wildland and urban fires. The region's climate and increasingly severe dry periods result in large areas of dry vegetation that provides fuel for wildland fires. Late summer and fall are the most critical seasons for wildland fires when Santa Ana winds bring hot, dry desert air from the east into the region. When the high air temperature, low humidity, and powerful winds combine with dry vegetation, the result can be large-scale fire events. Since these winds push wildland fires westward toward denser development, Santa Ana wind-driven fires have the potential to result in a greater risk of property damage. The City contains over 900 linear miles of wildland-urban interface due to established development along the open space areas and canyons within urban and suburban areas (City of San Diego 2008).

## **Fire Hazard Mapping**

The California Department of Forestry and Fire Protection (CAL FIRE) Fire and Resource Assessment Program database includes map data documenting areas of significant fire hazards in the state. These maps categorize geographic areas of the state into different Fire Hazard Severity Zones (FHSZs), ranging from moderate to very high. CAL FIRE uses FHSZs to classify anticipated fire-related hazards for the entire state, and includes classifications for State Responsibility Areas, Local Responsibility Areas, and Federal Responsibility Areas. Fire hazard severity classifications take into account vegetation, topography, weather, crown fire production, and ember production and movement. As shown in Figure 5.18-1, Very High Fire Hazard Severity Zones in Local Responsibility Area, the entirety of the project site is designated as a Very High FHSZ within the Local Responsibility Area (CAL FIRE 2009).

## **Fire History**

Fire history data provides valuable information regarding fire spread, fire frequency, ignition sources, and vegetation/fuel mosaics across a given landscape. Fire frequency, behavior, and ignition sources are important for fire response and planning purposes. It is advantageous to know which areas may have burned recently and, therefore, may provide a tactical defense position, or what type of fire burned on the site and how a fire may have spread. According to available data from the California State Geoportal, the CAL FIRE Fire Perimeters and Prescribed Burns data shows that the project site previously burned in 1944 associated with an unnamed fire that burned approximately 1,704 acres, while the surrounding area to the north and west burned at various times from 1944 to 1967 (CSG 2021). The City of San Diego Fire-Rescue Department (SDFRD) may have data regarding smaller fires (less than 10 acres) that have occurred near the site that are not included in CAL FIRE's dataset. Per the WIFIRE historical fire data compiled by the University of California, the following wildfires have occurred within 5 miles of the project site in the last 20 years: Witch Fire (2007) located approximately 4.3 miles to the northwest and 3 miles to the east; and Bernardo Fire (2014) located approximately 3 miles to the northwest within the Lusardi Creek and La Jolla Valley area (University of California 2021). It is noted that the Cedar Fire (2003) extended through an area north of the project, but that fire was located just over 5 miles away.

## **Vegetation Communities and Land Covers**

The site's vegetation fire risk is primarily determined by development-adjacent vegetation that would be preserved in the open space directly adjacent to the project's brush management zones. The growth of vegetation types is influenced by aspect (orientation), soil constituents, soil depth, soil moisture, and weather. The vegetation occurring on the slopes adjacent to the site is part of the site's fuel load.

A total of three vegetation communities (two native and one non-native) were identified in the project area: Diegan coastal sage scrub, Diegan coastal sage scrub (disturbed), and eucalyptus woodland. In addition, two land cover types were found in the project area: disturbed habitat and urban/developed land. A detailed description of the vegetation communities and land cover types are discussed in Section 5.4, Biological Resources, and the project's biological technical report (Appendix D).

### **Topography and Terrain**

Per standard fire behavior analysis (Andrews and Rothermel 1982), topography affects wildfire movement and spread. Steep terrain typically results in faster fire spread due to pre-heating (and drying) of uphill vegetation. Flat areas typically result in slower fire spread, absent of windy conditions. Topography may form unique conditions which result in concentrated winds or localized fire funneling, such as saddles, canyons, and chimneys (land formations that collect and funnel heated air upward along a slope). Similarly, terrain may slow the spread of fire. For example, fire generally moves slower downslope than upslope. Terrain may buffer or redirect winds away from some areas based on canyons or formations on the landscape. Topography within the project site consists of sloped terrain, with elevations within the project area ranging from approximately 580 feet above mean sea level (MSL) at the northwest corner to approximately 440 feet MSL at the southwest corner. .

### **Climate, Weather, and Wind**

North San Diego and the project site are influenced by the Pacific Ocean and are frequently under the influence of a seasonal, migratory subtropical high pressure cell known as the “Pacific High.” Wet winters and dry summers, with mild seasonal changes, characterize the Southern California climate. This climate pattern is occasionally interrupted by extreme periods of hot weather, winter storms, or dry, easterly Santa Ana winds. The average high temperature for the San Diego area is approximately 73°F, with average highs in the summer and early fall months (July–October) reaching 79°F. The average precipitation for the area is approximately 10 inches per year, with the majority of rainfall concentrated in the months of December (2.2 inches), January (1.7 inches), February (1.8 inches), and March (1.0 inches), while smaller amounts of rain are experienced during the other months of the year.

The prevailing wind pattern is from the west (on-shore), but the presence of the Pacific Ocean causes a diurnal wind pattern known as the land/sea breeze system. During the day, winds are from the west–southwest (sea), and at night winds are from the northeast (land), averaging 3 mph. During the summer season, the diurnal winds may average slightly higher (approximately 18 mph) than the winds during the winter season due to greater pressure gradient forces. Surface winds can also be influenced locally by topography and slope variations. The highest wind velocities are associated with downslope, canyon, and Santa Ana winds.

Typically, the highest fire danger is produced by the high-pressure systems that occur in the Great Basin, which result in the Santa Ana winds of Southern California. Sustained wind speeds recorded during recent major fires in San Diego County exceeded 30 mph and 50 mph during extreme conditions. The Santa Ana wind conditions are a reversal of the prevailing southwesterly winds that usually occur on a region-wide basis during late summer and early fall. Santa Ana winds are warm winds that flow from the higher desert elevations in the north through the mountain passes and canyons. As they converge through the canyons, their velocities increase. Consequently, peak velocities are highest at the mouths of canyons and dissipate as they spread across valley floors or mesas. Santa Ana winds generally coincide with the regional drought period and the period of highest fire danger. The project site is affected by Santa Ana winds. Winds funneled through mountains and onto the flat mesas dissipate and produce lower average wind conditions.

## 5.18.2 Regulatory Framework

### Federal

#### ***National Fire Protection Association Codes, Standards, Practices, and Guides***

National Fire Protection Association codes, standards, recommended practices, and guides are developed through a consensus standards development process approved by the American National Standards Institute. This process brings together professionals representing varied viewpoints and interests to achieve consensus on fire and other safety issues. National Fire Protection Association standards are recommended guidelines and nationally accepted good practices in fire protection, but are not laws or codes unless adopted as such or referenced as such by the California Fire Code (CFC) or the local fire agency.

#### ***Federal Wildland Fire Management Policy***

The Federal Wildland Fire Management Policy was developed in 1995, updated in 2001, and again in 2009 by the National Wildfire Coordinating Group, a federal multi-agency group that establishes consistent and coordinated fire management policy across multiple federal jurisdictions. An important component of the Federal Wildland Fire Management Policy is the acknowledgment of the essential role of fire in maintaining natural ecosystems. The Federal Wildland Fire Management Policy is based on the following guiding principles, found in the Guidance for Implementation of Federal Wildland Fire Management Policy (National Wildfire Coordinating Group 2009):

- Firefighter and public safety are the first priority in every fire management activity.
- The role of wildland fire as an essential ecological process and natural change agent will be incorporated into the planning process.
- Fire management plans, programs, and activities support land and resource management plans and their implementation.
- Sound risk management is a foundation for all fire management activities.
- Fire management programs and activities are economically viable, based upon values to be protected, costs, and land and resource management objectives.
- Fire management plans and activities are based upon the best available science.
- Fire management plans and activities incorporate public health and environmental quality considerations.
- Federal, state, tribal, local, interagency, and international coordination and cooperation are essential.
- Standardization of policies and procedures among federal agencies is an ongoing objective.

#### ***National Fire Plan***

The National Fire Plan, officially titled *Managing the Impacts of Wildfire on Communities and the Environment: A Report to the President In Response to the Wildfires of 2000*, was a presidential directive in 2000 as a response to severe wildland fires that had burned throughout the United

States. The National Fire Plan focuses on reducing fire impacts on rural communities and providing assurance for sufficient firefighting capacity in the future. The plan addresses five key points: firefighting, rehabilitation, hazardous fuels reduction, community assistance, and accountability. The plan provides technical, financial, and resource guidance and support for wildland fire management across the United States. U.S. Forest Service and the Department of the Interior are working to successfully implement the key points outlined in the plan (DOI/USDA 2000).

### ***International Fire Code***

Created by the International Code Council, the International Fire Code addresses a wide array of conditions hazardous to life and property, including fire, explosions, and hazardous materials handling or usage. The International Fire Code places an emphasis on prescriptive and performance-based approaches to fire prevention and fire protection systems. Updated every 3 years, the International Fire Code uses a hazards classification system to determine the appropriate measures to be incorporated to protect life and property (often times these measures include construction standards and specialized equipment). The International Fire Code uses a permit system (based on hazard classification) to ensure that required measures are instituted (ICC 2021).

### **State**

#### ***California Government Code***

California Government Code, Sections 51175 through 51189 provide guidance for classifying lands in California as fire hazard areas and requirements for management of property within those lands. CAL FIRE is responsible for classifying FHSZs based on statewide criteria, and makes the information available for public review. Further, local agencies must designate, by ordinance, Very High FHSZs within their jurisdiction based on the recommendations of CAL FIRE.

Section 51182 sets forth requirements for maintaining property within fire hazard areas, such as defensible space, vegetative fuels management, and building materials and standards. Defensible space around structures in fire hazard areas must consist of 100 feet of fuel modification on each side of a structure, but not beyond the property line unless findings conclude that the clearing is necessary to significantly reduce the risk of structure ignition in the event of a wildfire. Clearance on adjacent property shall only be conducted following written consent by the adjacent owner. Further, trees must be trimmed from within 10 feet of the outlet of a chimney or stovepipe, vegetation near buildings must be maintained, and roofs of structures must be cleared of vegetative materials. Exemptions may apply for buildings with an exterior constructed entirely of nonflammable materials.

#### ***California Code of Regulations***

##### Title 14 Natural Resources

Title 14, Division 1.5, Chapter 7, Subchapter 3, Fire Hazard, also sets forth requirements for defensible space if the distances specified above cannot be met. For example, options that have similar practical effects include noncombustible block walls or fences, 5 feet of noncombustible material horizontally around the structure, installing hardscape landscaping or reducing exposed windows on the side of the structure with a less-than-30-foot setback, or additional structure

hardening such as those required in the California Building Code—California Code of Regulations Title 24, Part 2, Chapter 7A.

### Title 24 California Building Standards Code

#### California Building Code

Part 2 of Title 24 contains the California Building Code. Chapter 7A of the California Building Code regulates building materials, systems, and/or assemblies used in the exterior design and construction of new buildings located within a fire hazard area. Fire hazard areas as defined by the California Building Code include areas identified as a FHSZ within a State Responsibility Area or a wildland–urban interface fire area. The purpose of Chapter 7A is to establish minimum standards for the protection of life and property by increasing the ability of structures located in a fire hazard area to resist the intrusion of flames or burning embers projected by a wildfire, and to contribute to a systematic reduction in structural losses from a wildfire. New buildings located in such areas must comply with the ignition-resistant construction standards outlined in Chapter 7A.

#### California Fire Code

Part 9 of Title 24 contains the CFC, which incorporates by adoption the International Fire Code with necessary California amendments. The purpose of the CFC is to establish the minimum requirements to safeguard the public health, safety, and general welfare from the hazards of fire, explosion, or dangerous conditions in new and existing buildings, structures, and premises, and to provide safety and assistance to firefighters and emergency responders during emergency operations. Chapter 49 of the CFC contains minimum standards for development in the wildland–urban interface and fire hazard areas.

The CFC and Office of the State Fire Marshal provide regulations and guidance for local agencies in the development and enforcement of fire safety standards. The CFC is updated and published every 3 years by the California Building Standards Commission. The 2019 CFC took effect on January 1, 2020.

#### **California Public Resources Code**

California Public Resources Code, Section 4290, requires minimum fire safety standards related to defensible space that are applicable to residential, commercial, and industrial building construction in State Responsibility Area lands and lands classified and designated as Very High FHSZs. These regulations include road standards for fire apparatus access, standards for signs identifying roads and buildings, fuel breaks and green belts, and minimum water supply requirements. It should be noted that these regulations do not supersede local regulations that equal or exceed minimum regulations required by the state.

California Public Resources Code, Section 4291, requires a reduction of fire hazards around buildings located adjacent to a mountainous area, forest-covered lands, brush-covered lands, grass-covered lands, or land that is covered in flammable material. Section 4291 requires 100 feet of defensible space around all sides of a structure, but not beyond the property line unless required by state law, local ordinance, rule, or regulations. Further, California Public Resources Code, Section 4291 requires the removal of dead or dying vegetative materials from the roof of a structure, and trees and shrubs

must be trimmed from within 10 feet of the outlet of a chimney or stovepipe. Exemptions may apply for buildings with an exterior constructed entirely of nonflammable materials.

### ***Fire Hazard Severity Zones***

CAL FIRE maps FHSZs based on fuel loading, slope, fire history, weather, and other relevant factors as directed by California Public Resources Code, Sections 4201–4204, and California Government Code, Sections 51175–51189. FHSZs are ranked from Moderate to Very High and are categorized for fire protection within a Federal Responsibility Area, State Responsibility Area, or Local Responsibility Area under the jurisdiction of a federal agency, CAL FIRE, or local agency, respectively. As shown in Figure 5.18-1, the project site, as well as lands to the north, south, west and east across I-15 are designated as a Very High FHSZ within the Local Responsibility Area (CAL FIRE 2009).

### ***California Strategic Fire Plan***

The 2018 Strategic Fire Plan for California reflects CAL FIRE’s focus on fire prevention and suppression activities to protect lives, property, and ecosystem services, and natural resource management to maintain the state’s forests as a resilient carbon sink to meet California’s climate change goals and to serve as important habitat for adaptation and mitigation. The Strategic Fire Plan for California provides a vision for a natural environment that is more fire resilient, buildings and infrastructure that are more fire resistant, and a society that is more aware of and responsive to the benefits and threats of wildland fire, all achieved through local, state, federal, tribal, and private partnerships (CAL FIRE 2018). Plan goals include the following:

1. Identify and evaluate wildland fire hazards and recognize life, property and natural resource assets at risk, including watershed, habitat, social and other values of functioning ecosystems. Facilitate the collaborative development and sharing of all analyses and data collection across all ownerships for consistency in type and kind.
2. Promote and support local land use planning processes as they relate to: (a) protection of life, property, and natural resources from risks associated with wildland fire, and (b) individual landowner objectives and responsibilities.
3. Support and participate in the collaborative development and implementation of local, county and regional plans that address fire protection and landowner objectives.
4. Increase fire prevention awareness, knowledge and actions implemented by individuals and communities to reduce human loss, property damage and impacts to natural resources from wildland fires.
5. Integrate fire and fuels management practices with landowner/land manager priorities across jurisdictions.
6. Determine the level of resources necessary to effectively identify, plan and implement fire prevention using adaptive management strategies.
7. Determine the level of fire suppression resources necessary to protect the values and assets at risk identified during planning processes.
8. Implement post-fire assessments and programs for the protection of life, property, and natural resource recovery.

***Mutual Aid Agreements***

The California Disaster and Civil Defense Master Mutual Aid Agreement, as provided by the California Emergency Services Act, provides statewide mutual aid between and among local jurisdictions and the state. The statewide mutual aid system exists to ensure that adequate resources, facilities, and other supports are provided to jurisdictions whenever resources prove to be inadequate for a given situation. Each jurisdiction controls its own personnel and facilities but can give and receive help whenever needed.

***California Natural Disaster Assistance Act***

The California Natural Disaster Assistance Act provides financial aid to local agencies to assist in the permanent restoration of public real property, other than facilities used solely for recreational purposes, when such real property has been damaged or destroyed by a natural disaster. The California Natural Disaster Assistance Act is activated after a local declaration of emergency, after the California Emergency Management Agency gives concurrence with the local declaration, or after the governor issues a proclamation of a state emergency. Once the California Natural Disaster Assistance Act is activated, local government is eligible for certain types of assistance, depending on the specific declaration or proclamation issued.

***State Fire Regulations***

State fire regulations are set forth in Sections 13000 et seq. of the California Health and Safety Code, and include regulations concerning building standards (as also set forth in the CBC), fire protection and notification systems, fire protection devices such as extinguishers and smoke alarms, high-rise building and childcare facility standards, and fire suppression training. The state fire marshal enforces these regulations and building standards in all state-owned buildings, state-occupied buildings, and state institutions throughout California.

**Local*****County of San Diego Office of Emergency Services***

The Unified San Diego County Emergency Services Organization has primary responsibility for preparedness and response activities in the County of San Diego (County). The County Office of Emergency Services serves as staff to the Unified Disaster Council, the governing body of the Unified San Diego County Emergency Services Organization. Emergency response and preparedness plans include the Operational Area Emergency Response Plan and the County Multi-Jurisdictional Hazard Mitigation Plan.

***Multi-Jurisdictional Hazard Mitigation Plan***

The City is a participating jurisdiction in the Multi-Jurisdictional Hazard Mitigation Plan, a Countywide plan that identifies risks, minimizes damage from natural and human-made disasters, and is generally intended to provide compliance with regulatory requirements associated with emergency response efforts. The Multi-Jurisdictional Hazard Mitigation Plan includes an overview of the risk assessment process, vulnerability assessments, and identifies hazards present in each jurisdiction of the County. Hazards profiled in the plan include wildfire, structure fire, flood, coastal storms,

erosion, tsunami, earthquakes, liquefaction, rain-induced landslide, dam failure, hazardous materials incidents, nuclear materials release, and terrorism. The plan sets forth a variety of objectives and actions based on a set of broad goals including the following: (1) promoting disaster-resistant future development; (2) increased public understanding and support for effective hazard mitigation; (3) building support of local capacity and commitment to become less vulnerable to hazards; (4) enhancement of hazard mitigation coordination and communication with federal, state, local and tribal governments; and (5) reducing the possibility of damage and losses to existing assets, particularly people, critical facilities or infrastructure, and County-owned facilities, due to dam failure, earthquake, coastal storm, erosion, tsunami, landslides, floods, structural fire/wildfire, and human-made hazards.

As part of the emergency response efforts, the City of San Diego Office of Health and Safety oversees emergency preparedness and response services for disaster-related measures, including administration of the City Emergency Operations Center and alternate Emergency Operations Center (County of San Diego 2017).

### ***City of San Diego General Plan***

Multiple elements of City's General Plan (City of San Diego 2008) address wildfire safety and risk within the City. The General Plan provides policies for protecting communities from unreasonable risk of wildfire, including the following.

- **Conservation Element**
  - CE-B.6. Provide an appropriate defensible space between open space and urban areas through the management of brush, the use of transitional landscaping, and the design of structures (see also Urban Design Element Policy UD-A.3). Continue to implement a citywide brush management system.
- **Urban Design Element**
  - UD-A.3h. Use building and landscape materials that blend with and do not create visual or other conflicts with the natural environment in instances where new buildings abut natural areas. This guideline must be balanced with a need to clear natural vegetation for fire protection to ensure public safety in some areas.
  - UD-A.3p. Design structures to be ignition and fire-resistant in fire prone areas or at-risk areas as appropriate. Incorporate fire-resistant exterior building materials and architectural design features to minimize the risk of structure damage or loss due to wildfires.
- **Public Facilities, Services, and Safety Element**
  - PF-D.12. Protect communities from unreasonable risk of wildfire within very high fire hazard severity zones.
    - a. Assess site constraints when considering land use designations near wildlands to avoid or minimize wildfire hazards as part of a community plan update or amendment. (see also LU-C.2.a.4)
    - b. Identify building and site design methods or other methods to minimize damage if new structures are located in very high fire hazard severity zones on undeveloped land and when rebuilding after a fire.

- c. Require ongoing brush management to minimize the risk of structural damage or loss due to wildfires.
- d. Provide and maintain water supply systems to supplies for structural fire suppression.
- e. Provide adequate fire protection. (see also PF-D.1 and PF-D.2 [analyzed in Public Services and Facilities in Section 5.13]).
- PF-D.13. Incorporate fire safe design into development within very high fire hazard severity zones to have fire-resistant building and site design, materials, and landscaping as part of the development review process.
  - a. Locate, design and construct development to provide adequate defensibility and minimize the risk of structural loss from wildland fires.
  - b. Design development on hillsides and canyons to reduce the increased risk of fires from topography features (i.e., steep slopes, ridge saddles).
  - c. Minimize flammable vegetation and implement brush management best practices in accordance with the Land Development Code.
  - d. Design and maintain public and private streets for adequate fire apparatus vehicles access (ingress and egress), and install visible street signs and necessary water supply and flow for structural fire suppression.
  - e. Coordinate with the Fire-Rescue Department to provide and maintain adequate fire breaks where feasible or identify other methods to slow the movement of a wildfire in very high fire hazard severity zones.
- PF-D.14. Implement brush management along City maintained roads in very high fire hazard severity zones adjacent to open space and canyon areas.
- PF-D.15. Maintain access for fire apparatus vehicles along public streets in very high fire hazard severity zones for emergency equipment and evacuation.
- PF-D.16. Provide wildland fire preparedness education for fire safety advance planning.
- PF-D.17. Coordinate with local, state, and federal fire protection agencies with respect to fire suppression, rescue, mitigation, training and education.
- PF-D.18. Coordinate with local, state, and federal agencies to update emergency, evacuation, and hazard mitigation plans, as necessary (also see section PF-P. Hazard Mitigation and Disaster Preparedness).
- PF-D.19. Support city-wide emergency and disaster preparedness education programs. (Also see Section PF-P. Hazard Mitigation and Disaster Preparedness).
- PF-D.20. Locate, when feasible, new essential public facilities outside of very high fire hazard severity zones, including but not limited to, hospitals and health care facilities, emergency shelters, emergency command centers, and emergency communication facilities, or identify construction methods or other methods to minimize damage if these facilities are located in very high fire hazard severity zones.

### ***City of San Diego Municipal Code***

The San Diego Municipal Code contains the fire hazard severity zone maps and identifies the fire protection Very High FHSZs and local agency Very High FHSZs for the City area of responsibility. The

adopted Fire Hazard Severity Zone Maps from CAL FIRE are maintained and codified in San Diego Municipal Code Sections 55.9401 and 145.0703(a)(2).

The Very High FHSZs are located throughout the City. Inclusion within these zones is based on five factors: density of vegetation, slope severity, 5-minute fire department response time, road class/proximity and proximity to fire hydrants, and CAL FIRE's vegetation cover and fire behavior/fuel spread model. Based on these factors, the Very High FHSZs encompass a large portion of the City, including most land use designations, major freeways and roads, various structures, and major utilities and essential public facilities.

The City's Wildland Management and Enforcement program provides information and guidelines on brush management and weed abatement in FHSZs. The City's Fire Safety and Brush Management Guide summarizes guidelines for brush management in canyon areas and landscape standards. San Diego Municipal Code Section 142.0412 regulates brush management and requires 100 feet of defensible space between structures and native wildlands. The City's Landscape Standards acknowledge fire safety is achieved by reducing flammable fuel adjacent to structures. Requirements of the landscape standards are included for pruning and thinning native and naturalized vegetation, and revegetation with low-fuel-volume plantings.

### **Brush Management**

The City's Brush Management Regulations (San Diego Municipal Code Section 142.0412) are intended to minimize wildland fire hazards through prevention activities and programs. These regulations require the provision of mandatory setbacks, irrigation systems, regulated planting areas, and plant maintenance in specific zones, and are implemented at the project level through the grading and building permit process.

Brush management is required in all base zones on publicly or privately owned premises that are within 100 feet of a structure and contain native or naturalized vegetation. Brush management is intended to reduce the risk of significant loss, injury, or death involving wildland fires. Unless otherwise approved by the City Deputy Fire Marshal, the brush management would consist of two separate and distinct zones, as follows:

- **Zone One:** 35-foot width; the area adjacent to structures where flammable materials would be minimized through the use of pavement and/or permanently irrigated ornamental landscape plantings. This zone is not allowed on slopes with a gradient greater than 4:1 unless the property received tentative map approval before November 15, 1989
- **Zone Two:** 65-foot width; the area between Zone One and any area of native or naturalized vegetation. This zone would consist of thinned native or naturalized vegetation.

## 5.18.3 Impacts Analysis

### 5.18.3.1 Issue 1: Impair an Emergency Response or Evacuation Plan

**Issue 1:** *Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?*

#### Threshold

Based on the City's Significance Determination Thresholds (City of San Diego 2020), a project would result in a significant impact if it would interfere with an adopted emergency response plan or emergency evacuation plan.

#### Impact

As discussed in Section 5.18.2, Regulatory Framework, the City is a participating entity in the MHMP (County of San Diego 2017), which is generally intended to provide compliance with regulatory requirements associated with emergency response efforts. The EOP (County of San Diego 2018) identifies a broad range of potential hazards and a response plan for public protection. The EOP identifies major interstates and highways within San Diego County that could be used as primary routes for evacuation. As part of the emergency response efforts, the San Diego Office of Homeland Security oversees emergency preparedness and response services for disaster-related measures, including administration of the City EOC and alternate EOC (County of San Diego 2017). For emergency evacuation, the EOP identifies I-15 and SR-56 as emergency evacuation routes in the vicinity of the project site. Portions of the project site are located adjacent to I-15 to the east, and the project site is approximately 0.75 miles south of SR-56. Per the LMA and VMT Analyses (Appendix B.1 and B.2 to this EIR), the proposed project is anticipated to add 440 average daily trips to and from the project site.

As discussed in Section 3.3.6, each unit within the project is proposed to have a private domestic water system and a private fire protection system. In accordance with City of San Diego standards, private domestic water systems will include a meter and backflow preventer, and private fire protection systems will include backflow preventers.

In addition, the private access driveways and alleyways would be constructed in accordance with San Diego Municipal Code Sections 55.8701 and 55.8703, which outline the requirements for fire apparatus access roads and gates to ensure adequate emergency access within the project site. Therefore, the proposed project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan.

Primary evacuation routes consist of the major interstates, highways, and prime arterials within the City. For emergency evacuation, the Emergency Operations Plan identifies I-15 and State Route 56 as emergency evacuation routes in the vicinity of the project site. A County of San Diego Emergency Plan, including an Evacuation Annex, is in place to provide for the effective mobilization of all the resources of San Diego. The project would not impair implementation of, or physically interfere with,

the San Diego Emergency Plan. Additionally, the project is subject to review by the San Diego Fire-Rescue and the SDPD to ensure compliance with applicable safety standards.

### **Significance of Impact**

The project would not impair or physically interfere with an adopted emergency response or evacuation plan and impacts would be **less than significant**.

### **Mitigation**

No mitigation would be required.

## **5.18.3.2 Issue 2: Expose People or Structures to Significant Wildfire Risk**

**Issue 2:** *Would the proposal expose people or structures to significant risk of loss, injury, or death involving wildland fires, including when wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?*

### **Threshold**

Per the City's Significance Determination Thresholds, impacts related to wildfire hazards would be significant if a project would expose people or structures to significant risk of loss, injury, or death involving wildland fires, including when wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.

### **Impact**

As shown in Figure 5.18-1, the project site, as well as lands to the north, south, west and east across I-15 are designated as a Very High FHSZ within the Local Responsibility Area (CAL FIRE 2009). The project site is located in and near lands classified as Very High FHSZ.

### **Construction**

As indicated above, the project site is located adjacent to wildland areas. The proposed construction activities would include the use of heavy equipment to clear land and graded in proximity to wildlands. In addition, the project would include blasting that would involve the ignition of explosives. Excavation would occur within geomorphic rock and grading has the potential to create sparks. Building construction would also involve equipment and activities that could generate sparks near wildlands. Overall, construction activities would introduce new ignition sources to the project area which could result in increased wildfire risk and expose nearby residential and commercial uses to risk of loss, injury or death involving wildland fires.

### **Operations**

The project is required to be constructed in accordance with all applicable standards for fire safety of the California Building Code (CBC) and the California Fire Code (CFC). In particular, the project would implement all requirements for construction in a Very High Fire Hazard Zone as outlined in

Chapter 7A of the CBC and Chapter 49 of the CFC, which outline minimum standards for development in the wildland-urban interface and fire hazard areas.

Further, brush management is required for premises with structures that are within 100 feet of any highly flammable area of native or naturalized vegetation. The project would implement the City's Brush Management Regulations found in Section 142.0412 of the Land Development Code, which establishes a means of providing fire safety in the landscape for public or privately owned premises that are within 100 feet of a structure and contain native or naturalized vegetation. The brush management plan is identified on the project site plan (Figure 3-1, Site Plan). Two distinct brush management areas referred to as "Zone One" and "Zone Two" reduce fire hazards around structures by providing an effective fire break between all structures and contiguous areas of native or naturalized vegetation. Brush Management Zone (BMZ) One is the area adjacent to the structure and would be the least flammable. It would consist of pavement and permanently irrigated ornamental planting and trees canopies no closer than 10 feet from the habitable structure.

BMZ One would not be allowed on slopes with a gradient greater than 4:1 unless the property received tentative map approval before November 15, 1989. BMZ Two is the area between Zone One and any area of native or naturalized vegetation and would consist of thinned, native, or naturalized non-irrigated vegetation. As shown on the landscape development plan, the development cannot provide the full defensible space required, and therefore, is subject to alternative compliance measures. Alternative compliance measures for Buildings 1, 2, and 3 are required due to the reduced BMZ Two. Alternative compliance measures proposed for these buildings include combo masonry block/ one-hour fire rated wall or 6-foot-high masonry block wall (see Figure 3-8, Wall Plan). The view glass wall (also referred to a Combo Fire Wall on Figure 3-8) would be along the eastern and northeastern. edge of development near or atop Retaining Walls No. 2 and No. 3. The view glass wall would consist of a two-foot concrete masonry unit wall base with a 4-foot tempered glass on top. The intent of the wall is to reduce visual obstructions while also providing fire safety and fall protection. The incorporation of a one-hour fire rated wall is considered an acceptable alternative that would provide equivalent protection from an approaching fire. Any additional specific measures would be determined during the ministerial review (Building Permits) and will be under the purview of Fire-review staff. Maintenance of brush management zones would include the removal of invasive species. Management and maintenance of brush management zones would be the responsibility of the Paseo Montril Homeowners Association.

As required by a condition of approval, brush management on the project site and within Brush Management Zones shall be conducted prior to the start of construction and maintained throughout all phases of the project. Adequate firebreaks consisting of vegetation removal or thinning of dead and dry vegetation as required by the San Diego Municipal Code and San Diego Fire-Rescue Department (SDFD) shall be created around all grading, staging areas, and other construction activities in areas where there is flammable, non-irrigated vegetation (special status species and irrigated native species planted as part of the project exempt). Additionally, work areas shall be cleared and kept clear of all flammable vegetation, invasive plant species, debris or other potentially flammable materials, in accordance with the City of San Diego Municipal Code Section 142.0412, Brush Management, and approved by SDFD. To reduce fire risk on the project site, temporary construction power lines would be allowed in areas that have been cleared of combustible vegetation, consistent with local fire agency and CPUC General Order 95; and caution must be used to avoid causing

erosion or ground (including slope) instability or water runoff due to implementation of vegetation removal, vegetation management, brush management zones, maintenance, landscaping or irrigation. As discussed above, post-development BMZs in conjunction with proper long-term maintenance would substantially lower fire behavior intensity during peak weather conditions. This would provide the existing adjacent residential structures and proposed structures on site with structural defense, BMZs and equivalent protections to survive a vegetation fire on or approaching the project site.

The proposed combination of BMZs and alternative compliance measures would reduce wildfire risk during operation of the project by providing protection to on-site structures and adjacent properties from an advancing wildfire. In addition, the adjacent I-15 freeway would serve as a significant fire break directly east of the project site. All habitable structures would be equipped with automatic alarm and sprinkler systems and would have fire resistance construction per Chapter 7A of the CBC. The City's Landscape and Fire Review staff have reviewed the Brush Management Plan and concluded that it adequately addresses the fire safety potentially affecting the project site. The project and identified project features have been designed in accordance with the City's Landscape Regulations. As required by a condition of approval, the City's Landscape and Fire staff would review the proposed landscaping plant materials to ensure no highly flammable plant materials are utilized in the proposed landscaping prior to the issuance of building permits.

### **Significance of Impact**

The project would comply with applicable state and City standards associated with fire hazards and prevention, including alternative compliance measures. The project would also implement pre-construction brush management as well as avoid the use of highly flammable species within the project's landscaping. Overall, wildfire impacts of the project would be **less than significant**.

### **Mitigation**

No mitigation would be required.

### **5.18.3.3 Issue 3: Exacerbate Wildfire Risk Resulting in Exposure to Pollutants or the Spread of a Wildfire**

**Issue 3: *Would the proposal, due to slope, prevailing winds, and other factor exacerbate wildfire risks and thereby expose project occupants to pollutant concentration from wildfire or the uncontrolled spread of a wildfire?***

### **Threshold**

Consistent with State CEQA Guidelines Appendix G, a project would result in a significant impact to wildfire if due to slope, prevailing winds, and other factor exacerbate wildfire risks and thereby expose project occupants to pollutant concentration from wildfire or the uncontrolled spread of a wildfire.

### Impact

As shown in Figure 5.18-1, the project site, as well as lands to the north, south, west and east across I-15 are designated as a Very High FHSZ within the Local Responsibility Area (CAL FIRE 2009). Exposure of project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire could occur given the proximity to wildland areas and fire hazard areas. As discussed in Section 5.18.1, Existing Conditions, the project site consists of moderately sloping hillside terrain, with elevations ranging from approximately 580 feet AMSL at the northwest corner to approximately 440 feet AMSL at the southwest corner. The project site would be graded to a flat level surface, and retaining walls would be incorporated along the perimeter of the project site. Grading would result in cuts up to 60 feet within the central and northern portions of the site, and fills up to 30 feet in the southwest corner and along the eastern edge. Retaining walls with heights ranging from less than 5 feet to 26 feet are planned along the site perimeter. A 2:1 (horizontal to vertical) cut slope will be made above the retaining wall at the north end of the property. Fill slopes with an inclination of 2:1 are planned at the southwest corner and east side of the site as well. All recommendations outlined in the Geotechnical report prepared for the project (Appendices E.1 through E.4) would be implemented to ensure slope stability and avoid over-steepened slopes. Additionally, BMZs would be planted with non-flammable vegetation which would stabilize slopes.

Prevailing winds in the project area are from the west/southwest (on-shore), during the day, and at night winds are from the northeast (land), averaging 3 mph. During the summer season, the diurnal winds may average higher wind speeds (approximately 18 mph). Surface winds can also be influenced locally by topography and slope variations. The project would not create new slopes such that slopes would alter wind patterns and fire risk exacerbated by project conditions.

In areas where the public might be experiencing wildfire smoke, the EPA recommends that public health and air quality agencies provide advice on strategies to limit exposure, which include staying indoors; limiting physical activity; reducing indoor air pollution sources; effectively using air conditioners and air filters or cleaners; creating cleaner air shelters; and using respiratory protection appropriately. The most common advisory during a smoke episode is to stay indoors, where people can better control their environment. Whether at home or in a public space, indoor environments that have filtered air and climate control can provide relief from smoke and heat (EPA 2019).

### Significance of Impact

The project would not exacerbate wildfire risks, due to slope, prevailing winds, or other factors, thereby exposing project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. Impacts would be **less than significant**.

### Mitigation

No mitigation measures would be required.

### 5.18.3.4 Issue 4: Infrastructure Maintenance Installation Exacerbation Resulting in Fire Risk

**Issue 4:** *Would the project 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?*

#### **Threshold**

Consistent with State CEQA Guidelines Appendix G, a project would result in a significant impact to wildfire if the project would 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?

#### **Impact**

##### ***Construction***

The project would involve the construction of multi-family homes, and associated infrastructure, including brush management zones, interior driveways/alleyways and parking, and connections to existing water, sewer, electricity, and gas infrastructure would be required. The project does not include any linear infrastructure improvements or other utilities through the wildlands, as all are proposed within the proposed development pad and off-site Paseo Montril roadway. As such, no ongoing maintenance or installation beyond that within the development pad area would occur. Utility connections would be required to comply with the current 2019 California Code of Regulations, Title 24 Parts 1-12, as well as City regulations which would require review and approval through the building permit process. Additionally, the project would include vegetation management prior to construction of the project as described above in Section 5.18.3.2. All construction activities would be conducted in accordance with state and local guidelines related to fire prevention and safety.

##### ***Operation***

###### Utilities

The project would connect to existing utilities and operation of utility infrastructure would be underground, within the project site, and would not exacerbate fire risks.

###### Roads

All private access roads would be constructed in accordance with San Diego Municipal Code Sections 55.8701 and 55.8703, which outline the requirements for fire apparatus access roads and gates to ensure adequate emergency access within the project site. Additionally, the project is subject to review by the San Diego Fire-Rescue and the SDPD to ensure compliance with applicable safety standards.

### Landscaping and Brush Management

The project would include up to 100-feet of BMZs between the surrounding natural open space areas and on-site structures. BMZs are designed to provide vegetation buffers that gradually reduce fire intensity and flame lengths from advancing fire, and would reduce, rather than exacerbate, wildfire risk., and vegetation management activities would occur prior to the start of construction and throughout the life of the project. Consequently, the associated vegetation management activities would not exacerbate fire risk, provided that fuel modification and other vegetation management activities are implemented prior to the start of construction and enforced according to City and state requirements. The proposed vegetation management activities would reduce the fire risk by thinning or removing combustible vegetation and implementing a landscape plan with more adequately spaced, drought-tolerant, low-fuel-volume plants (Figure 3-4) in order to reduce flame lengths of an approaching wildfire and avoid exacerbating wildfire risks. BMZs would be maintained on an annual basis or more frequently as necessary, as described in Section 3.3.3.

As required per a condition of approval, a detailed landscape plan and plant palette would be submitted to the Landscape Section and San Diego Fire Department for review and approval prior to the issuance of building permits. This review would include a check to ensure no plants that are highly flammable would be used within the proposed landscaping.

### **Summary**

Given that the activities involved with installation or maintenance of associated infrastructure would require ground disturbance and the use of heavy machinery associated with trenching, grading, site work, and other construction and maintenance activities, the installation of related infrastructure could potentially result in temporary impacts to the environment or exacerbate wildfire risks. However, the installation and maintenance of roads, service utilities, drainage and water quality improvements, and vegetation management activities are within the residential development pad of the project analyzed herein and would not be traversing wildlands. Additionally, the project would be required to comply with all regulatory requirements associated with trenching, grading, site work, and the use of heavy machinery. In addition, the project would ultimately include pre-construction brush management. As such, any potential temporary or ongoing environmental impacts related to these components of the proposed project have been accounted for and analyzed in this EIR as part of the development footprint impact assessment conducted for the entirety of the project under Sections 5.18.3.1, 5.18.3.2, 5.18.3.3 and 5.18.3.5. No adverse physical effects beyond those already disclosed in this EIR would occur as a result of implementation of the project's associated infrastructure.

### **Significance of Impact**

Therefore, the installation and maintenance of associated infrastructure would not exacerbate wildfire risk during construction or operation, or result in temporary or ongoing impacts to the environment beyond those disclosed within this EIR, and impacts would be **less than significant**.

**Mitigation**

No mitigation would be required.

5.18.3.5 Issue 5: Expose to Flooding or Landslides due to Post-fire Conditions

**Issue 5:** *Would the project 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?*

**Threshold**

Consistent with State CEQA Guidelines Appendix G, a project would result in a significant impact to wildfire if the project would 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.

**Impact**

As discussed in Section 5.6, Geologic Conditions, and the geotechnical investigation, no evidence of landslide deposits was encountered at the site (Appendix E.1). Topographically, the project site consists of moderately sloping terrain. Compliance with building and land development code requirements for any existing or manufactured slopes would minimize potential slope instability. In addition, the underlying geologic conditions consists of metamorphic rock that is not prone to landslides or other slope instability issues.

As discussed in Section 5.9, Hydrology, the Drainage Report prepared for the project (Appendix G) concludes that redevelopment would result in an overall increase in impervious area and site runoff, but peak flows after detention would be at or below the existing condition peak flow at the project outfall. No fires have recently occurred at the project site, as discussed under 5.18.1 above. Flooding as a result of runoff or drainage changes under post-fire conditions would not expose people or structures to significant risk considering this.

Due to the proposed development of the site, lack of evidence of previous landslides, improved runoff conditions, and existing surrounding development on three sides, it is unlikely that the project would expose people or structures to downstream flooding or landslides as a result of runoff, post-fire slope instability, or drainage changes.

**Significance of Impact**

The project would 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. Impacts would be **less than significant**.

**Mitigation**

No mitigation would be required.

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SOURCE: SANGIS 2017, 2019; Civil Sense 2020

FIGURE 5.18-1

Very High Fire Hazard Severity Zones in Local Responsibility Area

Paseo Montral Development Project



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# 6 Cumulative Effects

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California Environmental Quality Act (CEQA) Guidelines Section 15130(a) requires that an environmental impact report (EIR) discuss cumulative impacts of a project when the project's incremental effect is cumulatively considerable as defined in Section 15065(a)(3). CEQA Guidelines Section 15355 defines cumulative impacts as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts" (14 CCR 15355).

According to CEQA Guidelines, Section 15130(b), "the discussion [of cumulative impacts] need not provide as great detail as is provided for the effects attributable to the project alone" (14 CCR 15130[b]). Section 15130(b) further states that a cumulative impacts discussion "should be guided by standards of practicality and reasonableness" (14 CCR 15130[b]). The evaluation of cumulative impacts is to be based in either "(A) a list of past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency; or (B) a summary of projections contained in an adopted general plan or related planning document, or in a prior environmental document which has been adopted or certified which described or evaluated regional or area-wide conditions contributing to the cumulative effect." This cumulative impact analysis uses the list method. The locations of the cumulative projects are depicted in Figure 6-1, Cumulative Projects. A brief description of each cumulative project is presented in Table 6-1; the numbers in the list correspond to the locations shown on Figure 6-1. The basis and geographic area for the cumulative impacts discussed in Table 6-1 are dependent on the nature of the issue and the project.

**Table 6-1.  
Cumulative Projects**

<b>Name</b>	<b>PTS</b>	<b>Project Description</b>	<b>Location</b>	<b>Project Status</b>
1) Merge 56	360009	<i>Merge 56</i> is a mixed-use project with 242 residential units and 525,000 square feet of commercial, office, theater and hotel uses.	South of SR-56 in the vicinity of Camino Del Sur and Torrey Santa Fe Road. Approved not yet constructed.	Under Construction
2) Pacific Village	470158	<i>Pacific Village</i> is a redevelopment project with a net increase of 277 apartments.	Southeast corner of Carmel Mountain Road and Peñasquitos Drive.	Under Construction
3) The Preserve at Torrey Highlands	442880	<i>The Preserve at Torrey Highlands</i> includes 450,000 square feet of commercial office space.	South of Torrey Santa Fe Road and west of Camino Del Sur.	Approved
4) Watermark	443731	<i>Watermark</i> is a commercial project with 151,369 square feet of multi-tenant office, 316,000 square feet of regional shopping center, a 43,917 square foot movie theater, and a 130-room hotel	Southeast corner of the Scripps Poway Parkway/I-15 interchange.	Under Construction
5) Sunridge Vista RV & Mini Storage	534380	<i>Sunridge Vista RV &amp; Mini Storage</i> is an outdoor storage facility for 69 Recreational Vehicles and 139,587 square feet of mini warehouse building.	Southwest corner of I-15 and SR-56 (beyond the eastern terminus of Azuaga Street).	Approved
6) Alante Project	648597	<i>Alante Project</i> is a 50-unit residential project.	Existing two-level park and ride parking facility east of the SR-56 and I-15 intersection.	Approved
7) 3 Roots	587128	<i>3 Roots</i> is a proposed mixed-use project with 1,800 residential units, 16,000 sf ground floor retail, 86,400 sf food/beverage uses, 30,300 sf commercial retail, 23,460 sf office and 4,000 sf of mobility hub commercial generally Phase 1 opening year is anticipated to be 2021 and Phase 2 is anticipated to be in the year 2025.	Northeast corner of Camino Santa Fe and Carroll Canyon Rd.	Approved

**Table 6-1.  
Cumulative Projects**

Name	PTS	Project Description	Location	Project Status
8) Black Mountain Rd reclassification	357262	<i>Black Mountain Road</i> is a proposed reclassification project that would reclassify Black Mountain Road in the Rancho Peñasquitos Community Plan from a 6-Lane Primary Arterial to a 4-Lane Major between Twin Trails Drive just north of SR-56 to the southern community boundary.	Between Twin Trails Drive just north of SR-56 to the southern community boundary.	Approved
9) Stone Creek	67943	<i>Stone Creek</i> is a proposed mixed-use project with multiple phases and a final product with approximately 4,445 residential dwelling units, 174,000 square-feet of retail uses, 200,000 square-feet of office space, 850,000 square-feet of industrial/business park use, 175 room hotel, and 26.2 acres of neighborhood park space.	West of I-15 between Camino Ruiz and Black Mountain Road on both the north and south sides of Carroll Canyon Road (about 4.5 miles from the project site as a crow flies).	Under Review
10) Trails at Carmel Mt. Ranch	652519	<i>Trails</i> proposes the development of 1,200 multi-family homes and a mix of open space and recreational uses on a 164.5-acre site.	14050 Carmel Ridge Road. The project site is bounded by Ted Williams Parkway to the south, Carmel Mountain Road to the north, Interstate (I) 15 (I-15) to the west, and the boundary with the City of Poway to the east.	Approved

## 6.1 Cumulative Effects Analysis

### 6.1.1 Land Use

As discussed in Section 5.1, Land Use, deviations requested under the proposed Paseo Montril Project (project) would not affect any other environmental issue or sensitive resource, and they would not result in a physical impact on the environment. Further, Section 5.1 provided an analysis to ensure that the project would implement many of the applicable goals, policies, guidelines, and recommendations contained within the City's General Plan and the Rancho Peñasquitos Community Plan. Although the project is concurrently processing a proposed amendment to the General Plan and Rancho Peñasquitos Community Plan, as well as a rezone, which would re-designate the land use from Park, Open Space and Recreation to Residential and Medium Density Residential to allow for the proposed residential development on site, and impacts associated with the increase in use intensity relative to the Community Plan on the site are analyzed and addressed through this EIR. Additionally, although the project is located within the Airport Influence Area for the Marine Corps Air Station–Miramar – Review Area 2 of the Miramar Airport Land Use Compatibility Plan, the project would not conflict with the plan. Lastly, the proposed project would not result in a conflict with the provisions of the City's Multiple Species Conservation Program Subarea Plan.

Other projects under review by the City would also be required to comply with the General Plan, any applicable Community Plan, and existing zoning. Projects that would not be consistent would require implementation of a General Plan Amendment, Community Plan Amendment, and/or zone change and be would be required to demonstrate conformance with pertinent goals, policies, and recommendations. Each project would be required to be considered in combination with other foreseeable projects and would be required to demonstrate consistency with an adopted land use plan, land use designation, or policy. Therefore, land use impacts related to the Miramar Airport Land Use Compatibility Plan, Community Plan and General Plan would **not be cumulatively considerable**.

The project would not be consistent with the City's Climate Action Plan (CAP), as detailed in Section 5.7, Greenhouse Gas Emissions. Greenhouse gas emissions impacts are inherently a cumulative issue due to climate change affecting the entire world, and effecting health and the environment cumulatively. As such, the project would result in a cumulatively considerable land use impact due to the project's inconsistency with the CAP and the associated GHG. While the project would incorporate mitigation and the CAP measures (see **MM-GHG-1** (implementation of cool roofs), **MM-GHG-2** (low flow plumbing fixtures), **MM-GHG-3** (implementation of electric vehicle charging stations), and **MM-GHG-4** (implementation of electric vehicle capable spaces) in Section 5.7.4) as well as VMT reduction measures (see **MM-TRA-1** (implementation of pedestrian improvements), **MM-TRA-2** (implementation of 10 bike parking spaces), **MM-TRA-3** (implementation of a transit subsidy program), **MM-TRA-4** (implementation of a commute trip reduction program), and **MM-TRA-5** (provide one bicycle per unit to the first buyer of each unit) in Section 5.2.3), the project would continue to generate more emissions than assumed in the CAP since it assumed no development would occur at the site. As it is a General Plan goal to be consistent with local GHG emission reduction targets, this also results in a conflict with the General Plan. These conflicts would lead to significant secondary significant cumulative GHG emission impacts, as detailed in

Section 5.7, GHG Emissions. As described in Chapter 5.1,, this land use impact would be **significant and unavoidable (Impact LND-1)**.

## 6.1.2 Transportation

As discussed in Section 5.2, Transportation, the proposed project would not substantially alter the present roadway, pedestrian, bicycle, or transit circulation movements in the area. Additionally, the project would not conflict with adopted policies, plans or programs addressing the transportation system, and would not result in inadequate emergency access or create hazardous design features.

However, as noted in Section 5.2, the census tracts containing the project site (170.18) has a VMT per capita of 23.3. This value is 122.8% of the regional mean of 18.9 VMT per capita. Thus, the project would have a VMT transportation impact because the project location in census tract 170.18 is above the 85th percentile mean VMT per Capita for the region. This value is 115.6% of the regional mean of 17.6 VMT per capita. Even with the implementation of mitigation measures **MM-TRA-1** (implementation of pedestrian improvements), **MM-TRA-2** (implementation of 10 bike parking spaces), **MM-TRA-3** (implementation of a transit subsidy program), **MM-TRA-4** (implementation of a commute trip reduction program), and **MM-TRA-5** (provide one bicycle per unit to the first buyer of each unit). at the project-level, the project would be unable to reduce VMT impacts to a less than significant level, and the project's contribution to traffic/VMT in the surrounding area, in addition to that of the projects listed in Table 6-1, would be **cumulatively significant (Impact TRA-1)**. Refer to Section 5.2, Transportation, for additional details.

## 6.1.3 Air Quality

Air pollution is largely a cumulative impact. The nonattainment status of regional pollutants is a result of past and present development, and the San Diego Air Pollution Control District develops and implements plans for future attainment of ambient air quality standards. Based on these considerations, project-level thresholds of significance for criteria pollutants are relevant in the determination of whether a project's individual emissions would have a cumulatively significant impact on air quality.

The San Diego Air Basin (SDAB) has been designated as a federal nonattainment area for O<sub>3</sub> and a state nonattainment area for O<sub>3</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub>. The air quality in the SDAB is the result of cumulative emissions from motor vehicles, off-road equipment, commercial and industrial facilities, and other emission sources. Projects that emit these pollutants or their precursors (i.e., VOCs and NO<sub>x</sub> for O<sub>3</sub>) potentially contribute to worsened air quality. In analyzing cumulative impacts from a project, the analysis must specifically evaluate the project's contribution to the cumulative increase in pollutants for which the SDAB is designated as nonattainment for the California Ambient Air Quality Standards (CAAQS) and National Ambient Air Quality Standards (NAAQS). If the project does not exceed thresholds and is determined to have less-than-significant project-specific impacts, it may still contribute to a significant cumulative impact on air quality if the emissions from the project, in combination with the emissions from other proposed or reasonably foreseeable future projects, are in excess of established thresholds. However, a project would only be considered to have a significant cumulative impact if the project's contribution accounts for a significant proportion of the cumulative total emissions (i.e., it represents a "cumulatively considerable contribution" to the cumulative air quality impact).

Regarding short-term construction impacts, the San Diego Air Pollution Control District (SDAPCD) thresholds of significance are used to determine whether the project may have a short-term cumulative impact. As shown in Table 5.3-5, the project would not exceed any criteria air pollutant during construction. Therefore, the project would have a less than significant cumulative impact during construction. Additionally, as shown in Table 5.3-6, the project would not exceed any criteria air pollutant during operations.

Additionally, for the SDAB, the Regional Air Quality Strategy (RAQS) serves as the long-term regional air quality planning document for the purpose of assessing cumulative operational emissions in the basin to ensure the SDAB continues to make progress toward NAAQS- and CAAQS-attainment status. As such, cumulative projects located in the San Diego region would have the potential to result in a cumulative impact to air quality if, in combination, they would conflict with or obstruct implementation of the RAQS. Similarly, individual projects that are inconsistent with the regional planning documents upon which the RAQS is based would have the potential to result in cumulative operational impacts if they represent development and population increases beyond regional projections.

Regarding long-term cumulative operational emissions in relation to consistency with local air quality plans, the state implementation plans (SIP) and RAQS serve as the primary air quality planning documents for the state and SDAB, respectively. The SIP and RAQS rely on the San Diego Association of Governments (SANDAG) growth projections based on population, vehicle trends, and land use plans developed by the cities and the County as part of the development of their general plans. Therefore, projects that propose development that is consistent with the growth anticipated by local plans would be consistent with the SIP and RAQS and would not be considered to result in cumulatively considerable impacts from operational emissions. As stated previously, the proposed project would not result in significant regional growth that is not accounted for within the RAQS. As a result, the proposed project would not result in a cumulatively considerable contribution to pollutant emissions.

As a result, the proposed project would not result in a cumulatively considerable contribution to pollutant emissions. Impacts to air quality would **not be cumulatively considerable** during construction and operation.

### 6.1.4 Biological Resources

Cumulative impacts consider how a project may affect biological resources on a regional scale. As discussed in Section 5.4, Biological Resources, the project would result in potentially significant direct impacts to sensitive vegetation communities (**Impact BIO-1**), and direct impacts to the coastal California gnatcatcher, western bluebird, orange-throated whiptail, and Blainville's horned lizard (**Impact BIO-2**). The project proposes no impacts to jurisdictional resources regulated by the ACOE, RWQCB, CDFW or City. In addition, no wetlands will be impacted by proposed maintenance activities required within the wetland buffer.

Impacts to wildlife corridors, habitat conservation plans, natural community conservation plan, or other approved local regional or state habitat conservation plan, or any local policies or ordinances would be less than significant. Impacts related to the introduction of invasive plant species to natural open space area would also be less than significant.

The project would implement MM-BIO-1 for impacts to sensitive vegetation communities (**Impact BIO-1**) and special-status wildlife species (**Impact BIO-2**), which would mitigate impacts in accordance with the City's Biological Guidelines. Related projects could also result in impacts to sensitive vegetation communities. However, all future projects would be required to comply with all City regulations pertaining to impacts to biological resources and implement similar project design features and mitigation measures, as appropriate, to ensure impacts would be less than significant. Therefore, impacts to biological resources would not be considerable and **not be cumulatively significant**.

### 6.1.5 Energy

Part 6 of Title 24 specifically establishes energy efficiency standards for residential and non-residential buildings constructed in the State of California in order to reduce energy demand and consumption. The proposed project, in addition to all cumulative projects, would be required to comply with Title 24, Part 6, per state regulations. In accordance with Title 24 Part 6, the proposed project would have (a) sensor-based lighting controls—for fixtures located near windows, the lighting would be adjusted by taking advantage of available natural light—and (b) efficient process equipment—improved technology offers significant savings through more efficient processing equipment. Similar energy efficiency equipment would be required for the other cumulative projects as well.

Title 24, Part 11, contains voluntary and mandatory energy measures that are applicable to the proposed project, and all other cumulative projects as well, under the California Green Building Standards Code. Cumulative projects would result in an increased demand for electricity, natural gas, and petroleum. However, in accordance with Title 24, Part 11, mandatory compliance, each project applicant would have (a) 50% of its construction and demolition waste diverted from landfills; (b) mandatory inspections of energy systems to ensure optimal working efficiency; (c) low pollutant-emitting exterior and interior finish materials, such as paints, carpets, vinyl flooring, and particle boards; and (d) a 20% reduction in indoor water use. Compliance with all of these mandatory measures would decrease the consumption of electricity, natural gas, and petroleum.

The proposed project would not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, either during project construction or operation. In addition, the proposed project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Other cumulative projects would also be required to demonstrate compliance with regulations, which aim to increase energy efficiency and reduce wasteful or inefficient use. Impacts would **not be cumulatively considerable**.

### 6.1.6 Geologic Conditions

As discussed in Section 5.6, Geologic Conditions, per the geotechnical investigation, no soils or geologic conditions were encountered that would preclude the development of the project site as proposed, with incorporation of the recommendations outlined in the geotechnical investigation. Further, the proposed project would be required to comply with requirements of the CBC, which would further reduce impacts related to geologic hazards. Short-term erosion and sedimentation impacts would be addressed through conformance with applicable elements of the City stormwater program, which would entail implementing an approved stormwater pollution prevention plan (SWPPP) and related

plans and best management practices (BMPs), and would comply with National Pollutant Discharge Elimination System (NPDES) standards. Specifically, this would entail conformance with applicable City regulatory codes, as well as the NPDES Construction General Permit.

Due to the localized nature of geology and soils, cumulative projects would address potential impacts to geology and soils on a project-by-project basis, as potential geologic hazards and soil composition varies by site. Each cumulative project would be required to assess individual and site-specific geologic conditions, which would inform construction and development of each site. All cumulative development would be subject to similar requirements to those imposed and implemented for the proposed project and would be required to adhere to applicable regulations, standards, and procedures. As such, the proposed project would result impacts that would **not be cumulatively considerable**.

### 6.1.7 Greenhouse Gas Emissions

Due to the global nature of the assessment of greenhouse gas (GHG) emissions and the effects of global climate change, GHG emissions analysis, by its nature, is a cumulative impact analysis. Therefore, the information and analysis provided in Section 5.7, Greenhouse Gas Emissions, to determine project-level impacts, applies here and the project's contribution to global climate change would not be cumulatively considerable.

As discussed in Section 5.7, projects that are consistent with the Climate Action Plan (CAP) as determined through the use of the City's CAP consistency review checklist would not have a cumulative GHG emissions impact. Projects that are not consistent with the CAP must prepare a comprehensive project-specific analysis of GHG emissions, including quantification of existing and projected GHG emissions and incorporation of the measures in this checklist to the extent feasible. Per Section 5.7, the proposed project would be consistent with Steps 1, 2, and 3 of the City's CAP Consistency Checklist, and Steps 4, 5, 6, and 7 are not applicable to the project.

However, the project would not be consistent with City's CAP because of the changes in land use and zoning designation, and does not include a land use plan and/or zoning designation amendment that would result in an equivalent or less GHG-intensive project when compared to the existing designation. Therefore, the project would conflict with the City's CAP or any applicable plan, policy, or regulation for the purpose of reducing GHG emissions. Therefore, GHG emission impacts would be potentially significant. Therefore, impacts from GHG emissions would **be cumulatively considerable (Cumulative Impact GHG-1)**.

### 6.1.8 Health and Safety

As discussed in Section 5.8, the proposed project is not located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and a significant hazard to the public or environment would not result. Any hazardous materials utilized during construction of the project, or during operation, would be transported, stored, handled, and disposed of in accordance with all applicable federal, state, and local laws and regulations pertaining to the management and use of hazardous materials. The project would not result in hazardous emissions or

handle hazardous or acutely hazardous materials, substance, or waste within 0.25 mile of an existing or proposed school. The project would not result in airport safety hazards for people residing or working in the project area, as project would be consistent with the MCAS Miramar ALUCP and the project would not result in a safety hazard for people residing or working within an airport influence area.

Health and safety impacts are generally site specific and thus handled on a site-by-site basis. All projects identified in Table 6-1 would require the identification of existing hazardous materials on site and would be required to comply with existing regulations related to use, transport, and disposal of hazardous materials. Similarly, all related projects would be required to analyze and properly mitigate any impacts, if impacts are identified. Therefore, impacts would **not be cumulatively considerable**.

### 6.1.9 Hydrology

As discussed in Section 5.9, Hydrology, development of the proposed project and cumulative projects would result in an increase of impervious surfaces in the area. More specifically, other large development projects nearby would result in conversion of large pervious areas to impervious. This would potentially result in increased surface runoff, alteration of the regional drainage pattern, and flooding. However, like the proposed project, each individual project applicant would be required to hydrologically engineer the respective project sites to ensure that post-development surface runoff flows can be accommodated by the regional drainage system. As such, with implementation of storm drain facilities for each related project, if applicable, the proposed project would not result in a cumulative impact to hydrology. Therefore, the proposed project's contribution to a cumulative hydrology impact would **not be cumulatively considerable**.

### 6.1.10 Noise

Of the cumulative projects listed in Table 6-1, there are no cumulative projects that are located within 0.25 miles of the project site. The closest cumulative project to the project site is Sunridge Vista RV, located approximately 0.90 miles north of the project site. Because the cumulative projects are located over 0.25 miles from the project site, the cumulative projects would be at a substantial distance such that noise would attenuate and cumulative impacts would not occur.

As discussed in Section 5.11, Noise, with implementation of **MM-NOI-1**, which requires on-site noise control and sound abatement, short-term construction noise impacts would be less than significant. Further, with implementation of **MM-NOI-2**, which requires implementation of a blasting vibration and noise plan, short-term construction noise impacts due to blasting, as well as short-term blasting even vibration impacts, would be less than significant. The project would not contribute to a cumulative construction noise impact, and cumulative noise impacts would be less than significant during construction.

As discussed in Section 5.11, the project would not result in potentially significant impacts associated with operations, including groundborne vibration, on- or off-site traffic noise, noise from residential mechanical equipment, and would not otherwise expose occupants to sound levels that exceed the City's standards. It is anticipated that, if any of the nearby cumulative projects would result in operational noise impacts, appropriate mitigation would be implemented to reduce potential impacts to less than significant, similar to the proposed project. Therefore, noise impacts during operations **would not be cumulatively considerable**.

### 6.1.11 Paleontology

As described in Section 5.12, Paleontological Resources impacts would be less than significant based on underlying geologic conditions consisting of metamorphic rock, and no mitigation is required. The cumulative projects listed in Table 6-1 that require excavation that would exceed the City's Significance Determination Thresholds would be subject to the City's Municipal Code requirements pertaining to the recovery and curation of paleontological resources. As such, potential significant impacts to paleontological resources resulting from future development would not rise to the level of significance either. Considering that the potential for the proposed project to impact significant paleontological impacts is precluded because all other cumulative projects would be required to comply to the City's local regulations pertaining to paleontological resources, impacts to paleontological resources would **not be cumulatively considerable**.

### 6.1.12 Population and Housing

As discussed in Section 5.13, Population and Housing, the proposed project would introduce an estimated 169 people to the project site. Because the project proposes a General Plan Amendment and Rezone, the estimated population of 169 people would not have been accounted for in SANDAG's projections. Similarly, the City's current Housing Element does not anticipate any housing development at the project site in order to meet the Regional Housing Needs Allocation. However, the project would not directly induce substantial unplanned population growth to the area, as the expected population change within the Rancho Peñasquitos community is expected to result in the addition of 1,164 residents by 2050. Thus, the addition of 169 people to the area would fall within the anticipated population change (SANDAG 2013). The proposed project would not indirectly induce a growth in population as no extension of infrastructure is proposed beyond what is required to adequately serve the proposed project. Further, because the majority of the surrounding area is developed, the project would not otherwise result in the extension of infrastructure to an area that is currently undeveloped or underdeveloped, thereby removing barriers to growth.

Various cumulative projects listed in Table 6-1 would either directly or indirectly induce population growth. The several of the cumulative projects listed in Table 6-1 involve residential and mixed-use development projects that may increase population growth in the surrounding area. The introduction of a new population is not, in and of itself, a significant impact. As with a project-level analysis, the significance of a cumulative population impact is determined by whether the population growth resulting from the combined cumulative projects would be considered substantial. In conjunction with other residential developments proposed in the surrounding area, the proposed project would not result in cumulative impacts to population and housing. Therefore, cumulative impacts to population and housing would be **not be cumulatively considerable**.

### 6.1.13 Public Services and Facilities

As discussed in Section 5.13, Public Services and Facilities, the proposed project would introduce 55 dwelling units to the project area, resulting in an increase in population base within the Rancho Peñasquitos community and fire/police protection service area, thereby increasing the demand for fire/police protection and emergency services within the service area. The cumulative projects

in the community would result in additional demand of fire and police protection services as well. However, all cumulative projects would be required to offset the increase in demand caused by their respective project. Thus, cumulative impacts related to fire and police service would **not be cumulatively considerable**.

The project, as well as the cumulative projects in the community, would add to the cumulative demand for park and recreation facilities in the Rancho Peñasquitos community. All residential projects that increase the demand for park and recreation needs in the City are required to provide park space and/or pay park in lieu-fees to ensure adequate recreational facilities are provided. The projects as well as cumulative projects would participate in this program. Thus, cumulative impacts related to recreation would **not be cumulatively considerable**.

As discussed in Section 5.13, the project site is located within the Poway Unified School District (PUSD) boundary. Thus, the project would be served by PUSD for the provision of school services. Cumulative projects that have a residential component within the PUSD would generate students that need to be accommodated by either PUSD or another school district in the area. The project applicant would be required to contribute development fees to PUSD. All of the cumulative projects in the PUSD service area that would result in increased demand on schools would be required to pay school fees to offset the increase demand, similar to the project. As such, with contribution of required development fees by the proposed project and related projects, impacts would not be significant. Thus, cumulative impacts related to schools would **not be cumulatively considerable**.

The nearest municipal library to the project is the Rancho Peñasquitos Branch Library, located 1.5-miles northwest to the project site at 13330 Salmon River Rd. This local branch is part of the City library system, which allows residents to use any branch or the main library, and the Serra Cooperative Library System, which allows residents of the City and San Diego County to use public library facilities. Currently, the Rancho Peñasquitos Branch Library does not satisfy the General Plan's policy recommendation that every branch library be at least 15,000 square feet and thus a public services deficiency exists today. Although the population increase associated with the project would increase the demand for library services, it would not result in a need for a new or expected library. . Therefore, impacts to library facilities would be less than significant.

Overall, impacts associated with public services as a result of the proposed project would be **less than significant**.

### 6.1.14 Public Utilities

#### Water

Cumulative projects within the City would be serviced by the same water supply as the proposed project and would contribute to the cumulative demand for water supply and water infrastructure. As concluded in the Public Water Study (Appendix L) prepared for the proposed project, the total water supplies available to the Public Utilities Department during normal, single-dry and multiple-dry years within a 20-year projection will meet the projected water demand of the project in addition to the demand of existing and other planned uses. Other cumulative projects that are consistent with the land use assumptions made in the Urban Water Management Plan would have already

been accounted for in demand projections. Projects that are inconsistent with the land use assumptions made in the Urban Water Management Plan would also be required to demonstrate adequate supply for development. Overall, cumulative impacts to water supply would not be cumulatively considerable.

Further, related projects would be required to assess whether adequate infrastructure exists to serve the related projects, and whether additional or expanded water infrastructure would be required to be constructed in order to serve these related project and provide water in structure improvements as they are needed. All projects would be required to construct water infrastructure improvements in order to adequately serve the projects as necessary. Thus, as each cumulative project would be required to provide an individual assessment as to whether the project would contribute to a direct or cumulative impact to water services. The project would connect to existing and new public water mains adjacent to the project site and within the surrounding roadways, and no additional improvements would be needed to serve the project. Cumulative impacts to water supply/service facilities would **not be cumulatively considerable**.

### **Wastewater**

Project generated wastewater would account for 10.7 gallons per minute (gpm) (15,400 gallons per day [gpd]), whereas the Point Loma Wastewater Treatment Plant has a treatment capacity of 30 million gallons per day. Therefore, existing capacity at the wastewater treatment plant exists to accommodate the proposed project. The off-site and on-site sewer system would be able to accommodate the flows from the project. Impacts would be less than significant as a result of the project. Cumulative projects that result in an increase in density or development over what was accounted for could further exacerbate wastewater deficiencies. However, these projects would also be required to provide improvements to address infrastructure needs. As such, cumulative impacts to wastewater facilities would **not be cumulatively considerable**.

### **Solid Waste**

According to the City's Significance Determination Thresholds (City of San Diego 2020), cumulative impacts to solid waste facilities would be significant if a project includes the construction, demolition, and/or renovation of 40,000 SF or more of building space. Projects that meet this criterion are required to prepare a project-specific Waste Management Plan (WMP) to address waste generated during construction and operation. A project-specific WMP was prepared for the project (Appendix M) that identifies waste diversion measures. The measures identified in the WMP, when implemented, would ensure that potential cumulative impacts to solid waste management facilities would be below a level of significance. Similarly, cumulative projects would be required to comply with the City's Recycling Ordinance and prepare WMPs (for those that meet the 40,000-SF threshold) to show waste diversion measures.

As stated in Section 5.14, Public Utilities, in accordance with state diversion targets, a minimum of 75% of construction materials would be recycled (see Table 5.14-5). Regarding operation, all occupants shall participate in a recycling program by separating recyclable materials from other solid waste and depositing the recyclable materials in the recycling container provided for each unit. Recycling services are required by SDMC Section 66.0707. Therefore, impacts associated with solid waste would **not be cumulatively considerable**.

### 6.1.15 Tribal Cultural Resources

As discussed in Section 5.16, Tribal Cultural Resources, there are no tribal cultural resources within the area of potential effect or expected to occur due to the site conditions. While there is potential for other projects within the local tribal area to impact tribal resources, the project would not contribute to that impact. Thus, impacts to tribal cultural resources would **not be cumulatively considerable**.

### 6.1.16 Visual Effects and Neighborhood Character

Projects contributing to a cumulative aesthetic impact include those within the project viewshed. The viewshed encompasses the geographic area within which the viewer is most likely to observe the proposed project and surrounding uses. Typically, this is delineated based on topography, as elevated vantage points, such as from scenic vistas, offer unobstructed views of expansive visible landscapes. Due to the topography, none of the cumulative projects are within the same viewshed as the project. Of the cumulative projects listed in Table 6-1, Sunridge Vista RV/Mini Storage is the closest cumulative project to the project site, located approximately 0.89 miles north. Since these projects are both located along the I-15, they would both be visible to motorists traveling on the adjacent I-15 freeway. Both of these projects would result in development of former vacant land next to the freeway. It is noted that the Sunridge Vista RV / Mini Storage site is currently undergoing grading as of Spring 2021.

While the combination of these two projects along the corridor would result in additional urbanization character change along the I-15 corridor, the area is already primarily urbanized along this corridor and the change would not be significant. Due to topography and the view being limited to the immediate area, construction at these two sites would not impact any significant scenic vista or view corridor. The I-15 is also not a scenic highway (Caltrans 2021), and **no impacts** to scenic highway views would occur with the implementation of this project and the cumulative Sunridge Vista RV / Mini Storage project.

Cumulative aesthetic impacts would occur if projects combine to result in substantial adverse impacts to the visual quality of the environment and increase sources of lighting and glare. As discussed in Section 5.17, the project would comply with the lighting requirements of the San Diego Municipal Code and lighting would shield and directed away from property lines to prevent light spillage. Further, development of the project site would be guided by the Design Guidelines prepared for the project (Appendix O), which include design requirements for the proposed project lighting. The cumulative projects located closest to the project site would also be required to comply with the same development standards as the proposed project pursuant to the San Diego Municipal Code. Overall, with compliance with the Municipal Code, lighting impacts of the project would minimally contribute to the nighttime sky impacts within the County and impacts would **not be cumulatively considerable**.

In conclusion, the proposed project would not combine with other cumulative projects or existing developments to result in significant aesthetic impacts. The proposed project would not result in aesthetic impacts, and impacts would **not be cumulatively considerable**.

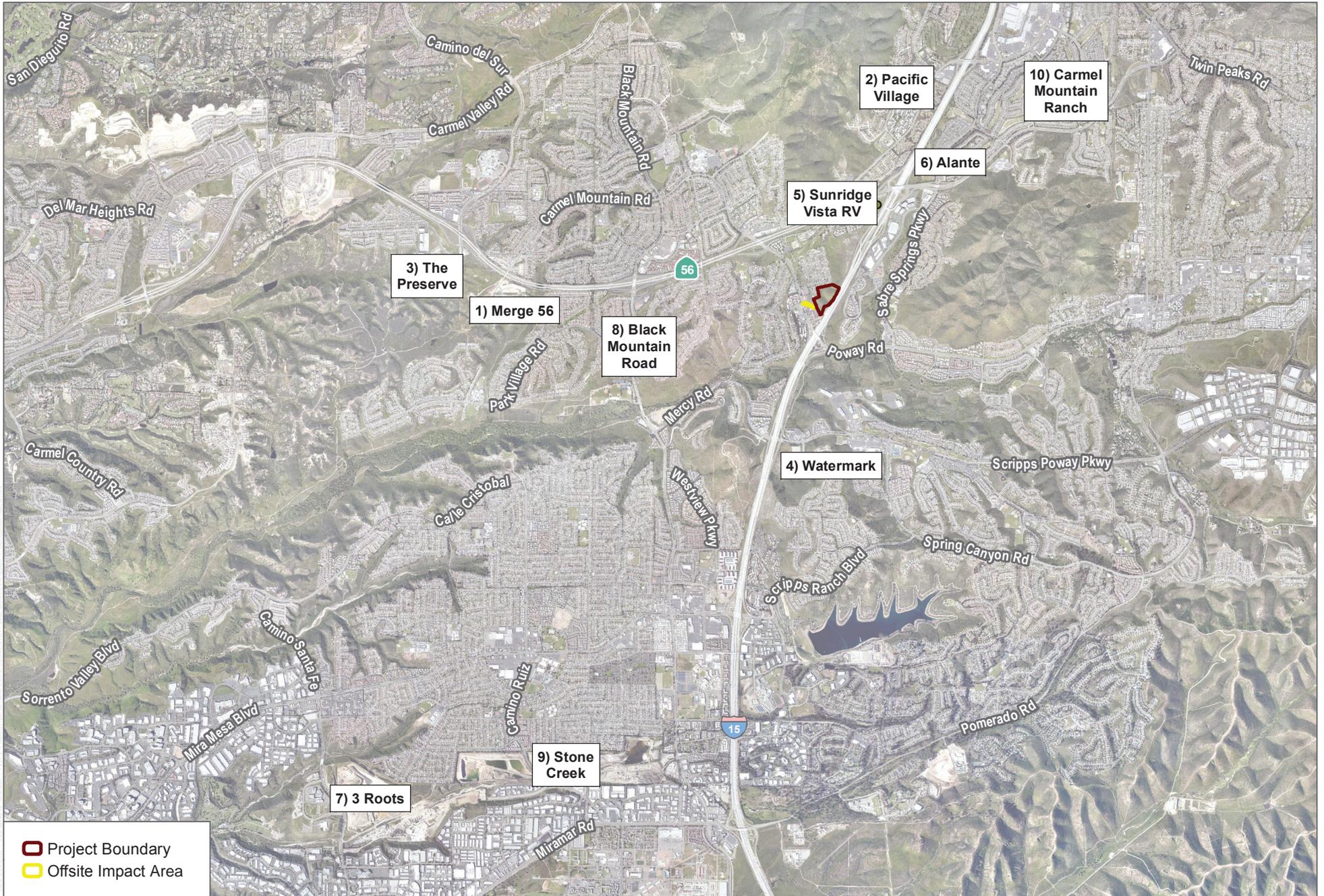
### 6.1.17 Water Quality

The City Significance Determination Thresholds (City of San Diego 2016) note that compliance with applicable City (and related) water quality standards is assured through required permit conditions. Adherence to the City stormwater standards is thus considered adequate to preclude surface water quality impacts, unless substantial evidence supports a fair argument that a significant impact will occur. Accordingly, conformance with the City stormwater standards would preclude potential water quality impacts from occurring. In addition, preparation of a stormwater pollution prevention plan, which would be implemented during construction, and preparation of project-specific stormwater quality management plan, which would be implemented during operation, would preclude potentially significant water quality impacts from occurring. All cumulative projects would be required to demonstrate compliance with state and local water quality regulations. If projects are not compliant, mitigation measures would be required in order to ensure water quality impacts do not occur. Water quality impacts would **not be cumulatively considerable**.

### 6.1.18 Wildfire

With regard to wildfire hazards, as shown in Figure 5.18-1 and discussed in Section 5.19, Wildfire, the project site is within a Very High Fire Hazard Severity Zone within the Local Responsibility Area (CAL FIRE 2009). However, all projects proposed within the urban/wildland interface would be required to meet minimum fire fuel modification and/or clearing requirements in addition to meeting the standards of the various fire codes in effect at the time of building permit issuance. Currently that is the 2017 Consolidated Fire Code, 2016 California Building Code, San Diego County requirements for Enhanced Building Construction, and California State Fire Marshal requirements for fire resistive construction; in addition to meeting the requirements for Brush Management specified within the San Diego Municipal Code. For projects within the City, these requirements are implemented through preparation of and compliance with a Brush Management Plan, which is reviewed and approved by the Fire Marshal and City Landscape Section.

As stated in Section 5.18, Wildfire, alternative compliance measures for Buildings 1, 2, and 3 are required due to the reduced brush management Zone Two. Alternative compliance measures proposed for these buildings include a combo masonry block/1-hr fire rated wall or a 6' high masonry block wall. Any additional specific measures would be determined during the ministerial review. Brush management Zone Two is the area between Zone One and any area of native or naturalized vegetation and would consist of thinned, native, or non-irrigated vegetation. Maintenance of brush management zones would include the removal of invasive species. These proposed combination of BMZs, and alternative compliance measures would not increase hazards to on-site structures from wildland fires and hazards to adjacent properties. As such, through compliance with existing regulations and similar project design features, as applicable, cumulative impacts to wildfire would **not be cumulatively considerable**.



SOURCE: SANGIS 2017, 2019; Civil Sense 2020



**FIGURE 6-1**  
**Cumulative Projects**  
 Paseo Monrtil Development Project

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# 7 Effects Found Not to be Significant

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Section 15128 of the California Environmental Quality Act (CEQA) Guidelines requires that an environmental impact report (EIR) briefly describe potential environmental effects that were determined not to be significant and, therefore, were not discussed in detail in the EIR. Based on initial environmental review, the City of San Diego (City) determined that the proposed Paseo Montril Project (project) would not have the potential to cause significant impacts associated with the areas discussed below.

## 7.1 Agricultural and Forestry Resources

The project proposes to develop 55 multi-family homes and supporting recreation, open space, landscaping, access, and utility improvements within approximately 15.2 acres (project site) of undeveloped land. The project also contains an off-site area consisting of 0.85 acres (off-site area) (Figure 3-1, Site Plan). In total, the project area is approximately 16.05 acres. Currently, the project site is undeveloped, surrounded by existing residential, commercial, and transportation infrastructure. The site is primarily characterized by undeveloped land on a hillside (comprised of native vegetation communities) and contains areas of non-native vegetation communities and urban/developed land and disturbed habitat. The off-site area consists of urban/developed land (the existing Paseo Montril road).

Additionally, the entire project site is classified as “Other Land” under the California Department of Conservation’s Farmland Mapping and Monitoring Program (CDC 2021; SDCIF 2016). Other land is defined as land not included in any other mapping category. Common examples include 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 40 acres. Vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as other land (SDCIF 2016).

The project site also does not contain any forest/timberland resources and is not identified for such uses. Therefore, the project would result in **no impact**.

## 7.2 Cultural Resources

A cultural resources letter report was prepared for the proposed project by Dudek in 2021, and is included as Appendix N. The cultural resources letter report included an archival historic maps and aerial photograph review at the South Coastal Information Center record search with a 1-mile radius, a Sacred Lands File search with tribes identified as affiliated with the area per the Native American Heritage Commission, and two pedestrian surveys in February 2020 completed by archaeologist Scott Wolf and Red Tail Environmental Inc. Native American monitors Shuuluk Linton and Corel Taylor. The following analysis is based on the information presented in the cultural resources letter report (Appendix N).

Dudek consulted historic maps and aerial photographs to understand development of the project site and surrounding properties. Historic aerial photographs of the project area of potential effect (APE) were available for 1953, 1964, 1966, 1967, 1972, 1980, 1989, 1996, 2002, 2003, 2005, 2009, 2010, 2012, 2014, and 2016 (NETR 2020). The historic photographs show that the project APE has remained undeveloped since 1953.

The records search results indicate that 78 previous cultural resources studies have been conducted within 1 mile of the project APE. Of the 78 studies, five intersect the project area of potential effect (APE). Based on the previous studies, approximately 40% of the project APE has been studied. None of these studies identified resources within the project site or off-site area.

The pedestrian survey found that the project APE showed evidence of previous ground disturbances from San Diego Gas and Electric service dirt roads, grading activities, cut drainages, modern refuse dumping, and homeless activities within the southwestern portion of the site. The Paseo Montril portion of the APE is completely developed by an asphalt paved road and concrete sidewalks. Minimal ground disturbance was observed within the northeastern portion of the APE. The majority of the site consists of a hillside covered with dense vegetation and a drainage that runs east-west through the central area of the site. No archaeological resources were identified during the field survey.

As detailed in Appendix N, there is low sensitivity for intact subsurface archaeological deposits within the project area of potential impact considering the location of the site on a hillside and lack of known resources on the site. In consideration of the negative results of the South Coastal Information Center records search, archival research, Native American Heritage Commission Sacred Lands File search, previous surveys that covered 40% of the site, and the two intensive-level surveys in 2020, no cultural resources are expected to occur on the site. Human remains are also not expected to be located on site, and it is assumed that if remains are located, the protocol identified in Section 7050.5 of the California Health and Safety Code would be implemented in the event of an accidental discovery. As such, grading activities are not expected to impact any significant cultural resources and no mitigation is warranted. **No impact** would occur.

### 7.3 Mineral Resources

According to the City's General Plan – Conservation Element, the project site is designated as MRZ-3 (City of San Diego 2008). MRZ-3 are areas containing mineral deposits, the significance of which cannot be evaluated from available data. Despite the known mineral resource designation of the project site, the surrounding area has experienced increased urbanization and development with land uses (such as residential and commercial) incompatible with typical mineral extraction and processing operations. Similarly, the project site and surrounding area are historically and currently designated by the City's General Plan and zoned for uses that would preclude mineral resource operations. Additionally, as described in Section 5.3, Air Quality and Odor, grading of the project site would require import of soils. As such, the project could use the potential construction grade aggregate located within the project site to the extent feasible during grading operations. Therefore, it would not result in the loss of mineral resources of statewide or local importance. **No impact** would result.

# 8 Mandatory Discussion Areas

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This section addresses significant environmental impacts that cannot be avoided if the proposed Paseo Montril Project (project) is implemented, significant irreversible environmental changes that would be involved should the project be implemented, and the growth-inducing impact of the project.

## 8.1 Significant Environmental Effects that Cannot be Avoided if the Project is Implemented

Section 15126.2(b) of the California Environmental Quality Act (CEQA) Guidelines requires an environmental impact report (EIR) to identify significant environmental effects that cannot be avoided if a project is implemented (14 CCR 15000 et seq.). As discussed in Chapter 5, Environmental Analysis, of this EIR, implementation of the project would result in significant impacts related to the following issue areas: land use, transportation/circulation, air quality, biological resources, greenhouse gas, and noise. Incorporation of mitigation measures would reduce the project's significant impacts to less than significant, except for impacts to land use, greenhouse gas, and transportation that would remain significant and unmitigated.

## 8.2 Significant Irreversible Environmental Changes Caused by the Project

CEQA Guidelines Section 15126.2(c) requires the evaluation of significant irreversible environmental changes that would occur should a project be implemented, as follows:

- (1) Primary impacts, such as the use of nonrenewable resources (i.e., biological habitat, agricultural land, mineral deposits, water bodies, energy resources, and cultural resources);
- (2) secondary impacts, such as road improvements, which provide access to previously inaccessible areas; and
- (3) environmental accidents potentially associated with the project.

Furthermore, Section 15126.2(c) of the CEQA Guidelines states that irretrievable commitments of resources should be evaluated to ensure that current consumption of such resources is justified. Implementation of the project would not result in significant irreversible impacts to agricultural land, mineral resources, water bodies, historical resources, paleontological resources, or tribal cultural resources.

The project site consists of a vacant site on a hillside between Interstate 15 and adjacent residential and commercial uses. The project site is designated Park, Open Space, and Recreation in the General Plan (City of San Diego 2008), and as Open Space in the Rancho Peñasquitos Community Plan (City of San Diego 2011). The site is zoned for residential use (RM-2-5 and RS-1-14).

The project site does not contain agricultural or forestry resources, as the project site and immediate surroundings are classified as Urban and Built-Up Land under the California Department of Conservation's Farmland Mapping and Monitoring Program (CDC 2021). No Prime Farmland, Unique Farmland, or Farmland of Statewide Importance is present on site or would be impacted as a result of the project.

According to the City's General Plan – Conservation Element, the project site is designated as MRZ-3 (City of San Diego 2008). MRZ-3 areas contain mineral deposits, the significance of which cannot be evaluated from available data. Despite the known mineral resource designation of the project site, the surrounding area has experienced increased urbanization and development with land uses (such as residential and commercial) incompatible with typical mineral extraction and processing operations. Similarly, the project site and surrounding area are historically and currently designated by the City's General Plan and zoned for uses that would preclude mineral resource operations. Additionally, as described in Section 5.3, Air Quality and Odor, grading of the project site would require import of soils. As such, the project could use the potential construction grade aggregate located within the project site to the extent feasible during grading operations. Therefore, it would not result in the loss of mineral resources of statewide or local importance.

The proposed project would require the commitment of energy and non-renewable resources, such as electricity, fossil fuels, natural gas, construction materials (e.g., concrete, asphalt, sand and gravel, steel, petrochemicals, and lumber), potable water, and labor during construction. New development within the project site would be required to comply with the California Energy Code (Title 24) and California Green Building Standards Code. The proposed project features a number of sustainable elements (e.g., rooftop photovoltaic solar panels, energy-efficient lighting and appliances, cool roofs, energy-efficient windows) to minimize its consumption of energy and non-renewable resources (see Section 5.7, Greenhouse Gas Emissions, and Section 5.5, Energy, for further details). However, use of these resources on any level would have an incremental effect regionally and would, therefore, result in long-term irretrievable losses of non-renewable resources, such as fuel and energy.

The site does contain biological resources, including sensitive habitat and sensitive species. More specifically, the site contains Diegan coastal sage scrub habitat. The following sensitive wildlife species were determined to have moderate potential to occur within the project area: Southern California legless lizard, San Diegan tiger whiptail, red diamondback rattlesnake, Blainville's horned lizard, Coronado skink, coast patch-nosed snake, and Crotch bumble bee. Two special-status species and MSCP Covered Species, coastal California gnatcatcher and western bluebird, were observed on site. The project would result in potentially significant impacts to 3.21 acres of Tier II Diegan coastal sage scrub (including disturbed forms) (Impact BIO-1). The project was specifically designed to avoid the on-site non-wetland waters that crosses the central area of the site east to west. Thus, no significant irreversible impacts to water bodies would occur. Refer to Section 5.4, Biological Resources, for additional details. The project would implement habitat mitigation (MM-BIO-2) in

accordance with the City of San Diego Biology Guidelines. With the implementation of these measures, biological resource impacts would be less than significant.

Implementation of the proposed project has the potential to result in health and safety impacts due to demolition and construction activities, which could expose people or workers to a cancer risk above the 10 in 1 million threshold. The project would include **MM-AQ-1**, which requires use of Tier 4 Interim engines or better, to reduce this potential to below a level of significance, as detailed in Section 5.3. All other health and safety impacts of the project would be less than significant (see Section 5.8, Health and Safety). Specifically, the project would follow applicable health and safety related regulations to prevent any spills or hazardous material use, transport, or disposal from resulting in significant environmental accidents. While the project is located within Review Area 2 of the MCAS Miramar Airport Land Use Compatibility Plan, the project would comply with the applicable noticing requirements and obtain a Determination of No Hazard from the Federal Airport Authority prior to construction as a Condition of Approval. Thus, no significant environmental accidents would occur as a result of the project.

The project would not involve a roadway or highway improvement that would provide access to previously inaccessible areas. The project includes no additional public roadways, and access to the site would be from the existing Paseo Montril roadway. Therefore, the proposed project would not result in significant irreversible environmental changes.

### 8.3 Growth-Inducing Impacts

Section 15126.2(d) of the CEQA Guidelines mandates that the growth-inducing impact of a project be discussed (14 CCR 15000 et seq.). This guideline states that the growth-inducing analysis is intended to address the potential for the project to “foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment,” and to “encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively” through extension or expansion of existing services, utilities, or infrastructure. This second issue involves the potential for the project to induce further growth through the expansion or extension of existing services, utilities, or infrastructure. The CEQA Guidelines further state, “it must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment.”

The City of San Diego’s CEQA Significance Determination Thresholds (City of San Diego 2016) state that a project would have a significant impact related to growth inducement if it would:

1. Induce substantial population growth in an area.
2. Substantially alter the planned location, distribution, density, or growth rate of the population of an area.
3. Include extensions of roads or other infrastructure not assumed in the community plan or adopted Capital Improvement Project list, when such infrastructure exceeds the needs of the project and could accommodate future development.

### Short-Term Growth Inducement

During project construction, demand for various construction trade skills and labor would increase. It is anticipated that this demand would be met predominantly by the local labor force and would not require importation of a substantial number of workers or cause an increased demand for temporary or permanent local housing. Further, construction of the project is expected to take approximately 2 years (see Section 3.3.8, Grading and Construction). Since construction would be short term and temporary, it would not lead to an increase in employment on site that would stimulate the need for additional housing or services. Accordingly, no associated substantial short-term growth-inducing effects would result.

### Long-Term Growth Inducement

Per the CEQA Guidelines, growth-inducing effects are not necessarily beneficial, detrimental, or of little significance to the environment. The project proposes to construct 55 multi-family homes with amenities and place the remaining open space within a covenant of easement. Specifically, Lot 1 would consist of 3.60 acres of residential land uses and amenities, and the remaining 1.3 acres of Lot 1 and all of Lot 2 would be open space covered by a covenant of easement. The project would also include off-site improvements within Paseo Montril and a sewer easement.

As discussed in Section 5.1, Land Use, the project site is designated as Park, Open Space, and Recreation in the City of San Diego's General Plan (City of San Diego 2008) and Open Space under the Rancho Peñasquitos Community Plan (City of San Diego 2011). The majority of the project site is zoned as RM-2-5, with smaller portions zoned as RS-1-13. The project would require General Plan and Community Plan Amendments as well as a Rezone to allow for the proposed residential development on site.

Based on the population rate coefficient of 3.07 persons per household<sup>1</sup> for the Rancho Peñasquitos community, the proposed 55-unit project would introduce an estimated 169 people to the area (SANDAG 2013). As discussed in Section 5.12, Population and Housing, because the project would help accommodate the existing and planned population and population growth anticipated in the City and help with the existing housing shortage, the proposed project would not directly induce substantial growth through the development of residential land uses within a vacant site.

The City is currently in urgent need for housing and is experiencing a housing shortage, as discussed in the City of San Diego General Plan Housing Element 2021-2029. The City of San Diego's portion of the County's RHNA target for the 2021-2029 Housing Element period is 108,036 homes (City of San Diego 2020). While the City is planning for additional housing to meet the need and targeted to permit more than 88,000 new housing units between 2010 – 2020, less than half of those units were constructed (42,275) as of December 2019 (City of San Diego 2020). Considering this, the proposed construction of 55 units is anticipated to help accommodate the existing and planned population and population

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<sup>1</sup> There are multiple sources for estimations of a "person per household" rate. The analysis contained herein conservatively uses the SANDAG 2050 regional growth forecast rate for the Rancho Peñasquitos community for year 2035, which is the highest out of each forecasted year. By comparison, the City as a whole also has a forecasted rate of 2.65 persons per household in 2035 per SANDAG's regional growth forecast.

growth anticipated in the City and help with the existing housing shortage. Therefore, the project would not directly induce substantial unplanned population growth to the area.

Regarding infrastructure, the properties surrounding the project site consist of residential and commercial development that is served by existing public service and utility infrastructure. As discussed in Section 5.14, Public Utilities, the proposed project would use existing utility connections that serve the surrounding community to accommodate the internal utility infrastructure needs of the development. No major new infrastructure facilities are required specifically to accommodate the proposed project. No existing capacity deficiencies were identified for water, wastewater, or storm drain facilities that would serve the project. Furthermore, the project would not generate sewage flow or stormwater that would exceed the capacity already planned for the sewer line or storm drain. In addition, the internal roadway network proposed to be constructed within the project site would connect to the existing roadway network surrounding the project site. Since the project site is surrounded by existing development, and would connect to existing utility infrastructure, implementation of the proposed project would not remove a barrier to economic or population growth through the construction or connection of new public utility infrastructure.

While the project proposes housing on a site planned for open space, the proposed project would not induce substantial growth considering the housing shortage in the City and the need for additional housing to accommodate planned growth. Therefore, the project would not directly induce substantial unplanned population growth to the area. Refer to Section 5.12.3.1 for additional details.

INTENTIONALLY LEFT BEHIND

# 9 Alternatives

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## 9.1 Introduction

The California Environmental Quality Act (CEQA) requires that environmental impact reports (EIRs) contain an analysis of alternatives to the proposed Paseo Montril Project (project) that would avoid or substantially lessen environmental impacts. Section 15126.6(a) of the CEQA Guidelines states that an EIR should “describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project, but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives” (14 CCR 15000 et seq.). The selection of alternatives is governed by a “rule of reason” that requires an EIR to evaluate only those alternatives necessary to permit a reasoned choice (14 CCR 15126.6[f]). The EIR should identify any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process and briefly explain the reasons for that determination (14 CCR 15126.6[c]). Additionally, CEQA requires discussion of a No Project Alternative to give decision makers the ability to compare impacts of approving the project with those of not approving the project (14 CCR 15126.6[e]).

Pursuant to the CEQA Guidelines, a range of alternatives for the project is considered in this EIR. These alternatives were developed in the course of project planning, environmental review, and public input. The discussion in this section provides a description of alternatives considered and an analysis of whether the alternatives meet most of the objectives of the project.

Per CEQA Guidelines, Sections 15126.6(b) and (c), the focus of this analysis is to determine (1) whether alternatives are capable of avoiding or substantially lessening the significant environmental effects of the project, (2) the feasibility of alternatives, and (3) whether an alternative meets all or most of the basic project objectives. This chapter focuses on those alternatives that are capable of reducing or eliminating significant environmental impacts, even if they would impede the attainment of some project objectives or would be more costly. In accordance with Section 15126(f)(1) of the CEQA Guidelines, the factors that may be taken into account when addressing the feasibility of alternatives are site suitability; economic viability; availability of infrastructure; general plan consistency; other plans or regulatory limitations; jurisdictional boundaries; and whether the project proponent can reasonably acquire, control, or otherwise have access to an alternative site.

## 9.2 Project Objectives

The following are the goals and objectives of the project:

1. Assist the City of San Diego (City) in meeting state and local housing goals by providing new housing.
2. Provide new housing opportunities to the City by utilizing an underutilized site not currently planned for residential uses.

3. Provide an infill development.
4. Promote homeownership by providing for-sale units with entry-level housing market product types.
5. Provide a cohesive design that is compatible in use, scale and character with the surroundings.
6. Integrate the project into the existing topography of the site and cluster development in a manner that reduces the grading footprint as well as impacts to environmental resources.

## 9.3 Significant Impacts

As discussed throughout this EIR, implementation of the project would result in significant impacts to land use, transportation/circulation, air quality, biological resources, greenhouse gas, and noise. Impacts relative to air quality, biological resources, and noise would be mitigated to below a level of significance with implementation of mitigation measures identified in this EIR. Direct and cumulative impacts related to land use, transportation/circulation, and greenhouse gas would remain significant and unavoidable. The project alternatives evaluated below were developed to address the project's significant impacts.

## 9.4 Alternatives Eliminated from Detailed Consideration

In accordance with CEQA Guidelines Section 15126.6(c), an EIR should identify any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process and should briefly explain the lead agency's determination. Factors that may be used to eliminate alternatives from detailed consideration in an EIR include failure to meet most of the basic project objectives, infeasibility, or inability to avoid significant environmental effects. The following are alternatives that have been rejected by the lead agency and do not require further analysis in this EIR.

### **Off-Site Location Alternative**

Section 15126.6(f)(2) of the CEQA Guidelines provides that off-site alternatives should be considered if development is feasible and would avoid or substantially lessen the significant effects of the project. Factors that need to be considered when identifying an off-site alternative includes the size of the site, its location relative to the general area, the General Plan (or other applicable planning document) land use designation, and the ability to meet the project objectives.

One of the factors for feasibility of an alternative site is "whether the proponent can reasonably acquire, control or otherwise have access to the alternative site." No alternative location exists in the City that is available, of suitable size, owned and controlled by the Applicant. While there may be sites within the City of an approximately equivalent size to the project site that could be redeveloped with a multi-family residential project; the project Applicant does not control another site within the City of comparable land area that is available for development of the project, and does not have a reasonable expectation that a site of similar size and suitability could be obtained. Therefore, off-site alternatives were rejected from further consideration because they could not feasibly achieve most of the project objectives.

## **Mixed-Use Alternative**

### ***Alternative Project Description***

A Mixed-Use Alternative was considered. This alternative would add a ground-floor commercial component within the project site. This alternative would include 55 condominium style units on top of approximately 36,000 square-feet of commercial instead of townhomes with garages. As the intent of this alternative is to reduce vehicle miles traveled as discussed below, the commercial uses would include restaurants, a grocery store and retail. Due to commercial uses typically including higher ceiling than residential and the addition of a whole story, the Mixed-use Alternative building height would be increased to approximately 60 feet tall relative to the project's 40-foot building height. Due to the inclusion of additional uses and the need to provide parking, that the project footprint would be expanded to the north. Due to the site topography, this additional grading would entail a significant amount of fill being placed into the valley between the two hillsides as well as an increase in retaining wall length along both the eastern and western sides of the site. This would result in additional encroachment into environmentally sensitive lands, including both steep hillsides and sensitive biological habitat. Notably, the project already exceeds the steep hillside encroachment limit of 25% by 2.3%, and this alternative would sustainably increase that encroachment considering the additional development area included in this alternative would be within steep hillsides. Considering the existing land use designations identifying the site as open space and zoning for residential uses, this alternative would require a General Plan Amendment, Community Plan Amendment, and a Rezone to allow for the mixed-use development. The Rezone would involve a change to a Mixed-Use Zone (see Municipal Code Chapter 13, Article 1, Division 7) such as EMX-1 that allows for retail, grocery and restaurant uses with multi-family residential. While this is the least intense mixed-use zoning, EMX-1 would allow for a floor to area ratio of 3.0 and a maximum building height of 120 feet (ground floor a minimum of 13 feet tall).

### ***Impact Analysis***

The intent of this alternative would be to reduce vehicle miles traveled (VMT) by co-locating commercial and residential uses. More specifically, the intent would be to reduce the distance between the proposed residents and commercial uses residents commonly use on a daily basis such as restaurants, grocery stores and retail. Due to the lack of a grocery store in the immediate area, a grocery store would be a targeted commercial use since it would result in the most reduction in VMT of the proposed project residents. Reducing VMT would potentially reduce the project's significant and unavoidable transportation impact (**Impact TRA-1**).

While co-locating residential and commercial uses typically would result in less net emissions than providing these two uses in separate locations due to a decrease in VMT, the addition of commercial uses to the site would still result in an overall net increase of vehicular greenhouse gas (GHG) emissions impacts relative to the proposed project (**Impact GHG-1**). This increase overall GHG emissions at the site where emissions were assumed to be zero by the City's Climate Action Plan (CAP; City of San Diego 2015a), would also worsen CAP consistency land use impacts (**Impact LU-1**) relative to the project.

While this alternative would reduce the VMT impacts, it is important to note that the development of this alternative would require a larger development footprint and a substantial amount of additional grading in order to accommodate the proposed uses and additional parking. Thus, this alternative would result in greater significant biological resource impacts to sensitive habitats (Diegan coastal sage scrub (**Impact BIO-1**) and greater impacts to covered species, including the coastal California gnatcatcher, western bluebird, orange-throated whiptail, and Blainville's horned lizard (**Impact BIO-2**). Due to the increase in footprint and proximity of the drainage on the site (Figure 5.4-1, Biological Resources), this alternative would also impact the non-wetland waters of the United States/state drainage located on the site and require permits from the Army Corps of Engineers, California Department of Fish and Wildlife, and the Regional Water Quality Control Board. Other construction-related impacts would also be increased due to the greater amount of construction activities required, such as construction noise impacts (**Impacts NOI-1 to NOI-3**) to the adjacent residences and air quality emissions from the additional grading and haul trips (**Impact AIR-1**). Operational noise would also potentially increase considering a loading dock and other rooftop equipment would be required for the additional commercial uses near the existing homes to the east, and additional traffic noise would be generated from an increase in vehicles travelling to the site. Similarly, the addition of commercial uses would increase air quality emissions during operations considering the additional trips as well as additional energy and water use. Lastly, due to an increase in development at the project site, as well as substantial amount of additional grading in order to accommodate the proposed uses and additional parking, this alternatives would increase impacts to visual effects/neighborhood character, including landform alteration.

While this alternative would potentially reduce community-wide VMT impacts (**Impact TRA-1**), this alternative would increase GHG, land use, air quality, biological resource, noise, and visual effects/neighborhood character impacts.

### ***Feasibility***

While this alternative was considered since it would potentially reduce the project's significant unavoidable VMT impacts, the CEQA Guidelines Section 15126.6(a) states "[a]n EIR is not required to consider alternatives which are infeasible." Feasibility factors per CEQA Guidelines Section 15126.6(f)(1) include site suitability, economic viability, general plan consistency, and other plans or regulatory limitations. Accordingly, the feasibility of a Mixed-use Alternative based on these factors is considered herein.

Due to the location of the project site on a roadway segment that only leads to the project and site access limits due to the topography differences between the roadway and the site, it is not a desirable location for commercial uses. Typically, commercial uses are along a more heavily traveled roadway where people can stop at the commercial use via a pass-by trip and also where it is visible to attract customers. In addition, commercial uses typically require fast access to promote convenience and customers coming to the site. The project site would not offer these features typically needed by commercial uses and it would be difficult to attract a tenant to occupy the space and a tenant that could generate enough customers at this location to sustain a commercial use. In addition, the ground-floor commercial space at the site would not be large enough to support a grocery store. Thus, it would not be reasonable to assume a commercial use at the project site would be viable.

In addition, this alternative would involve additional approvals relative to the project. As indicated above, this alternative would require land use changes and a Rezone to Mixed Use. It is unknown if the community would support the location of commercial uses at the site. In addition, this alternative would encroach further into ESL. While the project is consistent with the Steep Slope encroachment percentage, this alternative would likely surpass that limit and require additional deviation approvals. Similarly, the project is already seeking wall height deviations and this alternative would require additional wall height length that would further deviate from the wall height limit.

Due to the additional grading, this alternative would also impact the non-wetland waters of the United States/state drainage located on the site. As mentioned above, such an impact would trigger the need for permits from the Army Corps of Engineers (Section 404 permit to fill waters), California Department of Fish and Wildlife (Streambed Alteration Agreement), and the Regional Water Quality Control Board (Section 401 Certification). Due to the presence of coastal California gnatcatcher, coordination with the U.S. Fish and Wildlife via a Section 10 would also be necessary. These regulatory entities focus on minimizing impacts to drainages, which is already achieved by the proposed project design. As such, this alternative would be less desirable than the project for these agencies.

Overall, this alternative was determined to be infeasible due to site suitability, general plan consistency, and other plans or regulatory limitations.

### ***Project Objectives***

Per CEQA Guidelines, the project alternative must “feasibility attain most of the basic objectives of the project.” In other words, the alternative must meet at least three of the project’s six objectives (see Section 8.2). This Mixed-use Alternative would be a greater height, bulk and scale than the surrounding uses, and would potentially not meet Objective 5. Similarly, this alternative would require a larger footprint and taller structures that would not be integrated into the topography, which would not be consistent with Objective 6. Due to the inclusion of housing (Objective 1), use of an underutilized site to provide housing (Objective 2), infill project site location (Objective 3), provision of for-sale units (Objective 4), the project would meet the basic project objectives, though to a lesser extent than the project considering the reduced residential units provided.

### ***Conclusion***

Overall, while the Mixed-use Alternative would reduce significant VMT impacts of the project and would meet the basic project objectives, the Mixed-use Alternative was rejected based on feasibility.

### **Increased Density Alternative**

#### ***Alternative Project Description***

An Increased Density Alternative was considered due to the 2021 CAPCOA Handbook (CAPCOA 2021) identifying that VMT can be decreased through an increase in density (see T-1. Increase Residential Density). Instead of the proposed townhomes with garages, this alternative would include a denser condominium style development with larger building footprints, taller five-story structures, and rooftop open space amenities. This development would include 71 units instead of the proposed 55 units, as allowed under the Community Plan Amendment and Rezone of the

proposed project. Due to the need to provide parking, it is assumed that the project footprint would be expanded to include a parking structure. As a result, additional grading into the valley between the two hillsides as well as an additional retaining wall would be required. This would result in additional encroachment into environmentally sensitive lands, including both steep hillsides, sensitive biological habitat, and the drainage. Similar to the project, this alternative would require a General Plan Amendment, Community Plan Amendment, and a Rezone. In addition, this alternative would require permits from the Army Corps of Engineers, California Department of Fish and Wildlife, and the Regional Water Quality Control Board for impacts to the drainage.

### ***Impact Analysis***

The intent of this alternative would be to reduce vehicle miles traveled (VMT) by increasing density pursuant to the 2021 CAPCOA Handbook (CAPCOA 2021). Increasing density might reduce the regional and community-wide VMT, but would not reduce the project's significant and unavoidable direct and cumulative transportation (**Impact TRA-1**). Thus, while this alternative was originally considered to reduce the project's transportation VMT impacts, further consideration determined that it would not do so.

While increasing density typically results in less emissions than providing sprawled out residential developments, overall GHG emissions would be increased and the GHG impact (**Cumulative Impact GHG-1**) would be greater than the project. This would also increase emissions relative to those assumed in the CAP, and thereby increasing the project's CAP consistency land use impact (**Impact LU-1**) relative to the project as well.

While this alternative might reduce regional VMT, it is important to note that the development of this alternative would require a larger development footprint and a substantial amount of additional grading in order to accommodate the proposed uses and additional parking. Thus, this alternative would result in greater significant biological resource impacts to sensitive habitats (Diegan coastal sage scrub; **Impact BIO-1**) and greater impacts to covered species, including the coastal California gnatcatcher, western bluebird, orange-throated whiptail, and Blainville's horned lizard (**Impact BIO-2**). . Due to the increase in footprint and proximity of the drainage on the site (Figure 5.4-1, Biological Resources), this alternative would also impact the non-wetland waters of the United States/state drainage located on the site and require permits from the Army Corps of Engineers, California Department of Fish and Wildlife, and the Regional Water Quality Control Board. Other construction-related impacts would also be increased due to the greater amount of construction activities required, such as construction noise impacts to the adjacent residences (**Impacts NOI-1 to NOI-3**) and air quality emissions from the additional grading and haul trips (**Impact AIR-1**). Operational noise would also potentially increase considering additional traffic noise would be generated. Similarly, the addition of units would increase air quality emissions during operations considering the additional trips as well as additional energy and water use. Lastly, due to an increase in development at the project site, as well as taller structures and additional grading into the valley between the two hillsides, this alternatives would increase impacts to visual effects/neighborhood character, including landform alteration.

While this alternative was considered in order to reduce VMT impacts (**Impact TRA-1**), it was determined that project's VMT impacts would not be reduced. In addition, this alternative would increase GHG, land use, air quality, biological resource, noise, and visual effects/neighborhood character impacts.

### ***Feasibility***

While this alternative was considered since it would potentially reduce the project's significant unavoidable VMT impacts, the CEQA Guidelines Section 15126.6(a) states "[a]n EIR is not required to consider alternatives which are infeasible." Feasibility factors per CEQA Guidelines Section 15126.6(f)(1) include site suitability, economic viability, general plan consistency, and other plans or regulatory limitations. Accordingly, the feasibility of an Increased Density Alternative based on these factors is considered herein.

This alternative would involve additional approvals relative to the project and may require a different General Plan and Community Plan Amendment and Rezone. As indicated above, this alternative would require additional deviations for building height to achieve the increase in density while also meeting parking needs. It is unknown if the community would support the increase in building density and associated increase in building height, considering the density would be greater than in the surrounding community. In addition, this alternative would encroach further into ESL. While the project is consistent with the Steep Slope encroachment percentage, this alternative would likely surpass that limit and require additional deviation approvals. Similarly, the project is already seeking wall height deviations and this alternative would require additional wall height length that would further deviate from the wall height limit.

Due to the additional grading, this alternative would also impact the non-wetland waters of the United States/state drainage located on the site. As mentioned above, such an impact would trigger the need for permits from the Army Corps of Engineers (Section 404 permit to fill waters), California Department of Fish and Wildlife (Streambed Alteration Agreement), and the Regional Water Quality Control Board (Section 401 Certification). Due to the presence of coastal California gnatcatcher, coordination with the U.S. Fish and Wildlife via a Section 10 would also be necessary. These regulatory entities focus on minimizing impacts to drainages, which is already achieved by the proposed project design. As such, this alternative would be less desirable than the project for these agencies.

Overall, this alternative was determined to be infeasible due to consistency and site suitability, and other plans or regulatory limitations.

### ***Project Objectives***

Per CEQA Guidelines, the project alternative must "feasibility attain most of the basic objectives of the project." In other words, the alternative must meet at least three of the project's six objectives (see Section 8.2). This Increased Density Alternative would be a greater height, bulk and scale than the surrounding uses, and would potentially not meet Objective 5. Similarly, this alternative would require a larger footprint and taller structures that would not be integrated into the topography, which would not be consistent with Objective 6. Due to the provision of housing (Objective 1), use of an underutilized site to provide housing (Objective 2), infill project site location (Objective 3), provision of for-sale units (Objective 4), the project would meet the basic project objectives, though to a lesser extent than the project considering the reduced residential units provided.

### **Conclusion**

While this alternative was considered in order to reduce VMT impacts (**Impact TRA-1**), it was determined that project’s VMT impacts would not be reduced. In addition, it was rejected based on feasibility.

## 9.5 Alternatives Under Consideration

This analysis focuses on alternatives capable of avoiding or substantially lessening any of the significant effects of the project, even if the alternatives would impede, to some degree, the attainment of project objectives.

Per CEQA Guidelines Section 15126.6(e)(2), “the no project analysis shall discuss the existing conditions..., as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, but based on current plans and consistent with available infrastructure and community services.” Section 15126.6(e)(3)(B) also indicates that “in certain instances, the no project alternative means ‘no build’ wherein the existing environmental setting is maintained.”

The following alternatives have been identified for analysis: No Project/No Development Alternative, Reduced Density Alternative, and Reduced Footprint/Increased Density Alternative.

## 9.6 Environmental Analysis

### 9.6.1 No Project/No Development Alternative

CEQA Guidelines Section 15126.6(e) requires that an EIR evaluate a “no project” alternative, along with its impacts. The purpose of describing and analyzing a no project alternative is to allow a lead agency to compare the impacts of approving the project to the impacts of not approving it. Specifically, Section 15126.6(e)(3)(B) requires that an EIR for a development project on an identifiable property address the no project alternative as circumstances under which the project does not proceed. As the site is designated as open space by the General Plan (City of San Diego 2015b) and assumed to remain undeveloped in the SANDAG 2050 growth projections (Cortes, R. pers comm. 2020), it is reasonable to assume the “no project” conditions would consist of no development. None of the improvements resulting from the project would occur. Multi-family and affordable units would not be established, no outdoor recreational amenities would be provided to residents and the public, and no formal Covenant of Easement to protect the open space would be completed. Instead, the site would be left as it exists today. As no changes would occur, the No Project/No Development would avoid all significant impacts of the project. Thus, no further detailed analysis is warranted.

### **Project Objectives**

The No Project/No Development Alternative would not meet any of the project objectives set forth in Section 8.2, as it would not include housing or any development.

## 9.6.2 Reduced Density Alternative

### Alternative Project Description

This alternative would have the same footprint of the proposed project, but the density would be reduced. This alternative would reduce the number of multi-family homes proposed from 55 to 37 units. The intent of this alternative is to reduce the severity of impacts associated with transportation (**Impact TRA-1**). A Reduced Density Alternative of 37 units was chosen because with the development of 37 multi-family units, an estimate of 296 average daily trips would be expected to be generated using a rate of eight trips per dwelling unit, which is below the City's 300 average daily trips threshold to be considered as a small project for screening purposes. As discussed in more detail below, the City's Transportation Study Manual Screening Criteria indicate residential projects of this size would typically screen out as presumed less than significant. With this reduction in units, it is assumed that one building would be eliminated and the remaining buildings would be reoriented within the project site. The buildings would remain the same height and design as the proposed project. The grading footprint and retaining walls under this alternative would remain the same as the project as well. The same discretionary actions as would be required for the project would be needed for this alternative, including a General Plan Amendment, Community Plan Amendment, and Rezone.

### Impact Analysis

#### *Land Use*

Similar to the project, this alternative would not conflict with the environmental principles, goals, and policies contained within the General Plan or the Rancho Peñasquitos Community Plan. This alternative would still require deviations from the zoning code associated with allowable height of structures and walls, as well as setback deviations. However, the requested deviations would not affect any other environmental issue or sensitive resource beyond that addressed within the EIR. In addition, similar to the proposed project, this alternative would not conflict with the City's MSCP or an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan, or any local policies or ordinances. Similar to the project, this alternative would not divide an established community, as it would be constructed within the same project site. No conflict with the MCAS Miramar Airport Land Use Compatibility Plan would occur, similar to the proposed project. As the project would continue to place a development on a site assumed to be open space in the SANDAG Series 12 growth projects, the project would continue to result in additional GHG emissions relative to those assumed in the City's Climate Action Plan (CAP and would continue to result in a significant and unavoidable land use impact (**Impact LND-1**), even with implementation of mitigation measures **MM-GHG-1** (implementation of cool roofs), **MM-GHG-2** (low flow plumbing fixtures), **MM-GHG-3** (implementation of electric vehicle charging stations), and **MM-GHG-4** (implementation of electric vehicle capable spaces), **MM-TRA-1** (implementation of pedestrian improvements), **MM-TRA-2** (implementation of 10 bike parking spaces), **MM-TRA-3** (implementation of bike parking spaces within residential unit garages), **MM-TRA-4** (implementation of a commute trip reduction program), and **MM-TRA-5** (provide one bicycle per unit to the first buyer of each unit). Overall, impacts to land use compared to the project would be similar under this alternative.

### ***Transportation/Circulation***

Similar to the proposed project, this alternative would not result in inadequate emergency access or create hazardous design features. This alternative would also be consistent with plans, policies, and regulations related to the transportation system. Site access would remain at the same location as that proposed under the project, and residents would continue to have access to Paseo Montril.

Under this alternative, with the development of 37 multi-family units, 296 average daily trips would be generated using a rate of eight trips per dwelling unit, as used to determine the 440 daily trips for the proposed project. Under the City's Transportation Study Manual Screening Criteria for VMT impacts, projects that generate less than 300 daily unadjusted driveway trips are considered to be a "small project," and are typically presumed to have a less than significant VMT impact. Thus, because the Reduced Density Alternative would generate less than 300 trips, it would meet this screening criteria and be screened out from a VMT analysis, and presumed to have less than significant VMT impact. Therefore, the significant and unavoidable transportation impact under the proposed project (**Impact TRA-1**) potentially would be avoided with implementation of the Reduced Density Alternative.

### ***Air Quality and Odor***

It was determined that the project would result in a potentially significant impact to sensitive receptors in regard to cancer risk resulting from TAC emissions generated during construction, requiring the implementation of mitigation measure **MM-AQ-1**, which requires CARB-certified Tier 4 Interim engines or better. All other impacts related to air quality were determined to be less than significant.

Under this alternative, criteria air pollutant emissions would be reduced as compared to the proposed project, due to the density reduction of units to 37 total units under this alternative. Although construction activity would occur under this alternative, it would occur to a lesser extent than required by the project, due to the reduction in units to be constructed. Thus, construction emissions would be reduced compared to the project. Once operational, this alternative would result in a reduction of criteria air pollutants compared to the project. With the overall reduction of dwelling units, the mobile source emission generators, area source emission generators, and energy use would all be reduced as compared to the project, resulting in a reduced level of emissions during operations. However, similar to the project, the construction emissions could result in a potential Maximum Individual Cancer Risk at nearby residential receptors that would exceed the 10 in a million cancer risk threshold because this alternative would involve the same grading activities as the project. Construction emissions would be below the Chronic Hazard Index threshold however, similar to the project. This alternative would result in a potentially significant impact in regard to cancer risk resulting from TAC emissions generated during construction (**Impact AIR-1**) and mitigation is required. **MM-AQ-1**, which requires CARB-certified Tier 4 Interim engines or better, would be implemented under this alternative to reduce exhaust PM<sub>10</sub> (DPM) emissions. Overall, the significance level of impacts would be similar to the project; however, due to the reduction in dwelling units under this alternative, air quality emission impacts would be reduced as compared to the project.

***Biological Resources***

No biological resource impacts would be reduced with this alternative, as the grading footprint would be identical to the project. This alternative would still result in significant impacts to sensitive habitat (**Impact BIO-1**) and significant impacts to covered species, including the coastal California gnatcatcher, western bluebird, orange-throated whiptail, and Blainville's horned lizard (**Impact BIO-2**). As such, this alternative would similarly implement **MM-BIO-1**, which requires recording a Covenant of Easement on Lot 2 for preservation and protection of Diegan coastal sage scrub, to reduce biological resource impacts to below a level of significance. Similar to the proposed project, this alternative would comply with the City's Biology Guidelines. In addition, since the project site is not within or adjacent to designated MHPA lands, the alternative would not conflict with the provisions of any adopted conservation plan nor with the City's MSCP. All other direct and indirect impacts associated with biological resources would be less than significant. Impacts would be the same as the proposed project as a result of this alternative.

***Energy***

Similar to the proposed project, this alternative would increase electricity, natural gas, and petroleum use during construction and operation as a result of constructing residential buildings within a currently undeveloped site. Energy consumption associated with construction and operation of this alternative would not be inefficient or wasteful and would be slightly reduced compared to the proposed project due to a reduction in development.

Because the proposed project, and this alternative would comply with Title 24, Part 6 and Part 11, it would be consistent with the City's General Plan Conservation Element policies pertaining to energy use, and would implement the required components identified within Step 2 of the City's CAP Checklist, no conflict with existing energy standards and regulations would occur. Therefore, similar to the proposed project, energy impacts would be less than significant; albeit reduced in comparison.

***Geologic Conditions***

This alternative would be constructed on the same project site, with the same underlying geotechnical conditions. Therefore, similar to the proposed project, with implementation of the recommendations and appropriate building design measures consistent with the CBC, the risk of potential effects from geologic hazards would be reduced to an acceptable level of risk. Similarly, based on implementation of appropriate erosion and sediment control BMPs as part of, and in conformance with, an approved SWPPP and related City and NPDES requirements, associated potential erosion and sedimentation impacts from implementation of this alternative would be less than significant. Impacts would be the same as the proposed project.

***Greenhouse Gases***

Under this alternative, construction and operational GHG emissions would be reduced because less building square footage would be developed, and less traffic would be generated. Similar to the proposed project, not be consistent with City's CAP because of the proposed land use change from open space to residential uses. As with the project, this alternative would generate significant GHG emissions and would conflict with the City's CAP that is for the purpose of reducing GHG emissions

**(Impact GHG-1).** This alternative would be required to implement mitigation measures **MM-GHG-1** (implementation of cool roofs), **MM-GHG-2** (implementation of low flow plumbing fixtures), **MM-GHG-3** (implementation of electric vehicle charging stations), and **MM-GHG-4** (implementation of electric vehicle capable spaces), **MM-TRA-1** (implementation of pedestrian improvements), **MM-TRA-2** (implementation of 10 bike parking spaces), **MM-TRA-3** (implementation of a transit subsidy program), **MM-TRA-4** (implementation of a commute trip reduction program), and **MM-TRA-5** (provide one bicycle per unit to the first buyer of each unit). Even with the implementation of mitigation, it cannot be demonstrated that the alternative would achieve net zero emissions consistent with the CAP. In conclusion, this alternative's GHG emission impact would be significant and unavoidable after mitigation, the same as the proposed project. Overall, construction and operational GHG emissions would be reduced compared to the proposed project due to a reduction in the proposed dwelling unit count and vehicle trips, but the impact would remain significant and unavoidable.

### ***Health and Safety***

This alternative would have the same potential risks associated with health and safety as the proposed project, as it would be constructed within the same project footprint as the proposed project. The project site is not located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and a significant hazard to the public or environment would not result. No existing structures or soil contamination containing hazardous materials would be disturbed by construction of this alternative. Any hazardous materials utilized during construction or operation would be transported, stored, handled, and disposed of in accordance with all applicable federal, state, and local laws and regulations pertaining to the management and use of hazardous materials. Lastly, the development of this alternative would not result in hazardous emissions or handle hazardous or acutely hazardous materials, substance, or waste within 0.25 mile of an existing or proposed school. This alternative would not result in airport safety hazards for people residing or working in the project area. Impacts associated with health and safety would be the same as the proposed project.

### ***Hydrology***

Similar to the proposed project, this alternative would increase the impervious surfaces within the project site, thereby increasing the quantity of runoff on site. However, the same as the proposed project, this alternative would include a private on-site drainage system (storm drainpipes, inlets, ditches, and drive aisles) to capture and convey stormwater runoff. The runoff would be directed into biofiltration basins for pollutant control and a vault for flow control, located under the parking spaces along the eastern boundary of the project site. Storm runoff from the BMPs would be conveyed south in a proposed storm drain within Paseo Montril that would connect to the existing inlet on Paseo Montril near the Rancho Peñasquitos Boulevard intersection. Detention and water quality treatment facilities would be provided within all areas of proposed development in accordance with the requirements of the SDMC and San Diego Regional Water Quality Control Board MS4 permit. Similar to the project, the proposed development under this alternative would mitigate potential 100-year flow increases from the increased impervious surface area, as needed, with detention. The project will have a private on-site drainage system to convey flow to the pollutant and flow control BMPs. As such, this alternative would not result in increased runoff or have an adverse

effect on drainage patterns, similar to the proposed project. Hydrology impacts associated with this alternative would be less than significant and the same as the proposed project.

### **Noise**

Noise associated with project construction under this alternative would be similar compared to the project because the same grading and similar construction activities would be implemented. As with the project, noise associated with construction activities have the potential to exceed the City's 12-hour average noise standard of 75 dBA (**Impact NOI-1**), and construction noise impacts would be reduced with implementation of **MM-NOI-1**, which would still be required under this alternative.

Regarding blasting operations and blast event vibration impacts, similar to the proposed project, construction of this alternative would require blasting in order to construct the buildings. As with the project, predicted airborne noise levels from blasting under this alternative could exceed the City's standard of 75 dBA  $L_{eq}$  12-hour for a blast event (**Impact NOI-2**) and associated blasting vibration would be significant (**Impact NOI-3**), and blasting noise and vibration impacts would be reduced with implementation of **MM-NOI-2**, which would still be required under this alternative.

Regarding operation, off-site roadway traffic noise would be reduced as compared to the project, due to a reduction in vehicle trips that the alternative would generate. Traffic noise exposure to project occupants under this alternative would be the same as the project, as all facades are anticipated to exhibit a predicted STC rating of at least 34, and thus would provide sufficient exterior-to-interior sound insulation from outdoor traffic noise to yield interior background sound levels that are less than 45 dBA CNEL. Noise levels generated by residential mechanical noise would be similar to the proposed project, as the predicted sound emission level from the combination of the air conditioning condenser units would be no more than 44 dBA  $L_{eq}$ , and would thus be compliant with the City's nighttime threshold of 45 dBA hourly  $L_{eq}$ . Regarding noise as open space and balconies, project design features PDF-1 and PDF-2 would be implemented under this alternative, the same as the project.

Thus, construction noise impacts would be less than significant with mitigation, similar as the project under this alternative, while operational noise would be the same as well, except that off-site traffic noise would be reduced as compared to the project due to a reduction in vehicle trips generated by this alternative. Therefore, the severity of noise impacts would be similar under this alternative when compared to the project.

### **Paleontological Resources**

Impacts under this alternative would be the same as the project, as the same footprint would be disturbed as the proposed project. Because the project site is not underlain by any formation with a moderate or high-resource potential for the occurrence of sensitive paleontological resources. Thus, although development of this alternative would require the excavation that exceeds the City's thresholds for potential impacts to paleontological resources, because the underlying geologic units do not possess a moderate or high paleontological sensitivity rating, no adverse impacts to paleontological resources are anticipated. Thus, the Reduced Density Alternative impacts would not result in an impact, similar to the proposed project.

### ***Population and Housing***

Compared to the proposed project, which would generate 169 people, this alternative would result in the generation of 114 people. Similar to the project, the Reduced Density Alternative would also require a General Plan Amendment and Rezone, but this unplanned increase in population of 114 people was not previously accounted for in SANDAG's projections for this project site. . However, because the Reduced Density Alternative would provide housing to assist with the City's housing shortage, this growth would not be considered substantial. Additionally, despite the conflict with current zoning and unexpected population growth on the project site, similar to the project, the Reduced Density Alternative would not result in a significant impact on the environment because no new or expanded services would be required on the project site. The Reduced Density Alternative would not directly induce substantial unplanned population growth to the area and population and housing impacts would be less than significant, similar to the project.

### ***Public Services and Facilities***

The Reduced Density Alternative would result in less units being developed, and would generate less people, which would reduce any increases to fire and police service calls, reduce the amount of students generated, and would reduce the usage of people using parks and recreation facilities as well as libraries. No facility improvements would be required to service the alternative. Thus, the Reduced Density Alternative impacts would be less than significant, the same as the project.

### ***Public Utilities***

This alternative would reduce the demand on water, reduce the amount of wastewater generated, and reduce the amount of solid waste generated. Similar to the proposed project, landscaping would include California native drought-tolerant plant palette that is predominantly consistent with the established Community Plan palette. Overall, utilities impacts would be reduced under the Reduced Density Alternative, but would be less than significant similar to the project.

### ***Tribal Cultural Resources***

As the site under this alternative would be the same as the project, there would be a similar potential as the project for an inadvertent discovery of a tribal cultural resource. The Reduced Density Alternative impacts to tribal cultural resources would be considered less than significant and similar to the proposed project.

### ***Visual Effect and Neighborhood Character***

Visual impacts would be similar to the proposed project, as this alternative would be constructed within the same footprint as the proposed project and would require a similar amount of grading and landform alterations as the proposed project. The building heights would also be similar to the project but one building would be eliminated. As this alternative would be required to comply with the Design Guidelines and the San Diego Municipal Code similar to the project, the alternative would not result in bulk, scale, materials, or style that would be incompatible with surrounding development. Visual impacts of the Reduced Density Alternative would be slightly reduced with the elimination of the one building, and impacts would remain less than significant, similar to the proposed project.

***Water Quality***

This alternative would be required to comply with the NPDES permit program similar to the proposed project during construction. Under the NPDES permit program, BMPs are mandated for construction sites in which grading would be greater than 1 acre, through preparation of SWPPPs in order to reduce the occurrence of pollutants in surface water. Temporary construction BMPs would typically include street sweeping, waste disposal, vehicle and equipment maintenance, concrete washout area, materials storage, minimization of hazardous materials, and proper handling and storage of hazardous materials. Typical erosion and sediment control BMPs include silt fences, fiber rolls, gravel bags, temporary desilting basins, velocity check dams, temporary ditches or swales, stormwater inlet protection, and soil stabilization measures. Implementation of these state-mandated measures, and implementation of the required SWPPP for this alternative, would ensure that short-term impacts from construction-related activities would not violate any water quality standards or WDRs and not further contribute to water quality impacts identified in the CWA Section 303(d) List of Water Quality Limited Segments.

During operation, similar to the project, specific site design, source control, and treatment control BMPs, Low Impact Development practices, and project design measures would be implemented by this alternative in accordance with regulations to ensure proposed water quality would not degrade further beyond existing conditions. Moreover, drainage flow volumes would remain the same as under existing conditions or would decrease following project implementation. Therefore, runoff from the project site would not adversely affect surface waters, water quality, or discharge pollutants to an already impaired water body under this alternative. The Reduced Density Alternative water quality impacts would be the same as the project.

***Wildfire***

This alternative would utilize the same site as the project. Similar to the proposed project, this alternative would not impair implementation of, or physically interfere with, the San Diego Emergency Operations Plan, as access to evacuation routes SR-56 and I-15 would be provided from the project site. A reduction of persons within the site under this alternative, compared to the project, would add less vehicles to roadways, and would therefore not create additional roadway traffic during an emergency evacuation event. Additionally, this alternative would be subject to review by the San Diego Fire-Rescue and the SDPD to ensure compliance with applicable safety standards, similar to the project.

Similar to the proposed project, post-development BMZs in conjunction with proper long-term maintenance would substantially lower fire behavior intensity during peak weather conditions. This would provide the existing adjacent residential structures and proposed structures on site with the ability to survive a vegetation fire on the project site with little intervention of firefighting forces. This alternative would also implement BMZs and alternative compliance measures, similar to the project, which would not increase hazards to on-site structures from wildland fires and hazards to adjacent properties. In addition, all habitable structures under this alternative would be equipped with automatic alarm and sprinkler systems and would have fire resistance construction per Chapter 7A of the CBC. This alternative would comply with state and City standards associated with fire hazards

and prevention. Therefore, the Reduced Density Alternative impacts associated with wildfire would be the same as the proposed project.

### ***Impact Summary***

The Reduced Density Alternative would potentially reduce the severity of the project's significant and unavoidable impacts associated with transportation/traffic (**Impact TRA-1**) to a less than significant level, and would therefore avoid the project's significant VMT impacts. While this alternative would reduce the overall level of greenhouse gas emissions due to a reduction in dwelling units and vehicle trips compared to the project, it would not avoid the significant and unavoidable greenhouse gas emission impacts due to a conflict with the City's CAP. As such, the land use inconsistency impact (**Impact LND-1**) and GHG emissions impact (**Cumulative Impact GHG-1**) would remain significant and unavoidable under the Reduced Density Alternative similar to the project.

The following issue areas that would be less than significant with or without mitigation under the proposed project, would be slightly reduced under the Reduced Density Alternative: air quality, energy, population and housing, public services and facilities, public utilities, and visual effects and neighborhood character.

The following issue areas that would be less than significant with or without mitigation under the proposed project, would be the same under the Reduced Density Alternative: biological resources, geologic conditions, health and safety, hydrology, noise, paleontological resources, tribal cultural resources, water quality, and wildfire.

None of the impacts associated with this alternative would be greater than those of the proposed project.

### **Project Objectives**

The Reduced Development Alternative would meet project objectives 2 through 5 to the same extent as the proposed project. However, by reducing the number of units, although this alternative would provide new housing in order to assist the City in meeting state and local housing goals, the extent to which this alternative would meet this objective would be reduced compared to the project, due to the reduction in dwelling unit count. However, this alternative would still meet the overall goal of Project Objective 1 by providing new housing. Thus, this alternative would meet the objectives of the project, though to a reduced extent considering the reduction in units.

### **Feasibility**

Feasibility factors per CEQA Guidelines Section 15126.6(f)(1) include site suitability; economic viability; availability of infrastructure; general plan consistency; other plans or regulatory limitations; jurisdictional boundaries; and whether the project proponent can reasonably acquire, control, or otherwise have access to an alternative site. The site is considered suitable for the Reduced Density Alternative considering the design features that were incorporated similar to the project. There is also adequate infrastructure in the area and the development would be fully in the control of the City with no jurisdictional concerns. The site proposed to be utilized by this alternative is controlled by the proponent, and therefore it is feasible for the applicant to control it. However, it is unknown if this

alternative would be economically feasible. An economic analysis would be required to determine if it would be feasible to implement a 37-unit residential development with the associated amenities and infrastructure improvements on the project site, and such information is not available.

### 9.6.3 Construction Noise Avoidance Alternative

This alternative would result in a similar overall development to the proposed project, in that 55 multi-family units would be constructed within five individual buildings. The internal drives and alleyways would be constructed in a similar manner compared to the proposed project, and on-site residential amenities would remain the same. The intent of this alternative is to reduce the severity of impacts associated with construction noise, specific to grading. Grading for this alternative would vary from that under the proposed project, in that this alternative would require a deviation that includes a steeper slope (1.5:1) between the residential Buildings 3 through 5 and the single-family housing to the northwest. This would reduce grading by approximately 0.13 acres. Similar to the project, this alternative would require the same discretionary actions, including a General Plan Amendment, Community Plan Amendment, and Rezone.

#### **Land Use**

Similar to the project, this alternative would not conflict with the environmental principles, goals, and policies contained within the General Plan or the Rancho Peñasquitos Community Plan. This alternative would still require deviations from the zoning code associated with allowable height of structures, retaining wall, as well as setbacks. In addition, the Construction Noise Avoidance Alternative would require a deviation for the proposed 1.5:1 slope. However, the requested deviations would not affect any other environmental issue or sensitive resource beyond that identified in the analysis. In addition, similar to the proposed project, this alternative would not conflict with the City's MSCP or an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan, or any local policies or ordinances. Similar to the project, this alternative would not divide an established community, as it would be constructed within the same project site. No conflict with the MCAS Miramar Airport Land Use Compatibility Plan would occur, similar to the proposed project. This alternative would have an inconsistency with the CAP, and would result in a similar significant and unavoidable land use impact as the project (**Impact LND-1**), even with implementation of mitigation measures **MM-GHG-1** to **MM-GHG-4** and **MM-TRA-1** to **MM-TRA-5**. Overall, impacts to land use compared to the project would be similar under this alternative.

#### **Transportation/Circulation**

Similar to the proposed project, this alternative would have adequate emergency access and would not create hazardous design features. This alternative would also be consistent with plans, policies, and regulations related to the transportation system. Site access would remain at the same location as that proposed under the project, and residents would continue to have access to Paseo Montril.

However, this alternative, which would be constructed in the same location and contain the same number of dwelling units as the project, would have a VMT transportation impact, the same as the project. This is because the project location in census tract 170.18 is 122.8% of the regional mean

VMT per Capita for the region per SANDAG ABM 2+ Base Year 2016, over the 85% of regional mean significance threshold. Thus, similar to the project, this alternative would result in a **significant and unavoidable impact (Impact TRA-1)** relative to VMT, even with implementation of mitigation measures **MM-TRA-1** to **MM-TRA-5**.

### Air Quality and Odor

It was determined that the project would result in a potentially significant impact to sensitive receptors in regard to cancer risk resulting from TAC emissions generated during construction, requiring the implementation of mitigation measure **MM-AQ-1**. All other impacts related to air quality were determined to be less than significant. This alternative would involve a similar amount of grading and construction efforts as the project and would result in a similar air quality impact (**Impact AIR-1**). This alternative would be required to implement mitigation measure **MM-AQ-1** in order to reduce the potential impact to sensitive receptors to a less than significant level. Under this alternative, air quality impacts would remain the same as the proposed project.

### Biological Resources

This alternative would have a slightly reduced footprint and would reduce impacts to sensitive biological habitat (Diegan coastal sage scrub) by approximately 0.13 acre as well as slightly reduce impacts to covered species, including the coastal California gnatcatcher, western bluebird, orange-throated whiptail, and Blainville's horned lizard (**Impact BIO-2**). Due to the decrease in impact, the mitigation acreage identified in **MM-BIO-1**, which requires recording a Covenant of Easement on Lot 2 for preservation and protection of Diegan coastal sage scrub, for the project would less for this alternative. As with the project, this alternative would comply with the City's Biology Guidelines. In addition, since the site is not within or adjacent to designated MHPA lands, the alternative would not conflict with the provisions of any adopted habitat conservation plans nor would it conflict with the City. All other direct and indirect impacts associated with biological resources would be less than significant. Overall, biological resource impacts of the Construction Noise Avoidance Alternative would be less than the proposed project considering the sensitive habitat impact reduction.

### Energy

Similar to the proposed project, this alternative would increase electricity, natural gas, and petroleum use during construction and operation as a result of constructing residential buildings within a currently undeveloped site. Energy consumption associated with construction and operation of this alternative would not be inefficient or wasteful and would be the same as the proposed project.

Because the proposed project, and this alternative would comply with Title 24, Part 6 and Part 11, it would be consistent with the City's General Plan Conservation Element policies pertaining to energy use, and would implement the required components identified within Step 2 of the City's CAP Checklist, no conflict with existing energy standards and regulations would occur. Therefore, similar to the proposed project, energy impacts of the Construction Noise Avoidance Alternative would be less than significant, the same as the proposed project.

### **Geologic Conditions**

This alternative would be constructed on the same project site, with the same underlying geotechnical conditions. Therefore, similar to the proposed project, with implementation of the recommendations and appropriate building design measures consistent with the IBC/CBD, the risk of potential effects from geologic hazards would be reduced to an acceptable level of risk. Similarly, based on implementation of appropriate erosion and sediment control BMPs as part of, and in conformance with, an approved SWPPP and related City and NPDES requirements, associated potential erosion and sedimentation impacts from implementation of the Construction Noise Avoidance Alternative would be less than significant. Geologic impacts of the Construction Noise Avoidance Alternative would be the same as the proposed project.

### **Greenhouse Gases**

Under this alternative, GHG emissions would be similar to the project considering the Construction Noise Avoidance Alternative would include the same magnitude of construction and operations as the project. Similar to the proposed project, the Construction Noise Avoidance Alternative would not be consistent with City's CAP because of the changes in land use designation from open space to development. Therefore, this alternative would conflict with the City's CAP that is for the purpose of reducing GHG emissions (**Impact GHG-1**). This alternative would be required to implement mitigation measures **MM-GHG-1** through **MM-GHG-4** as well as **MM-TRA-1 to MM-TRA-5**, similar to the proposed project. Under this alternative, it cannot be demonstrated that the alternative would achieve net zero emissions consistent with the CAP. In conclusion, this alternative's GHG emission impact would be significant and unavoidable after mitigation, the same as the proposed project.

### **Health and Safety**

This alternative would have the same potential risks associated with health and safety as the proposed project, as it would be constructed within the same project footprint as the proposed project. The project site is not located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and a significant hazard to the public or environment would not result. No existing structures or soil contamination containing hazardous materials would be disturbed by construction of this alternative. Any hazardous materials utilized during construction or operation would be transported, stored, handled, and disposed of in accordance with all applicable federal, state, and local laws and regulations pertaining to the management and use of hazardous materials. Lastly, the development of this alternative would not result in hazardous emissions or handle hazardous or acutely hazardous materials, substance, or waste within 0.25 mile of an existing or proposed school. The Construction Noise Avoidance Alternative would not result in airport safety hazards for people residing or working in the project area. The Construction Noise Avoidance Alternative impacts associated with health and safety would be the same as the proposed project and less than significant.

### **Hydrology**

Similar to the proposed project, this alternative would increase the impervious surfaces within the project site, thereby increasing the quantity of runoff on site. However, similar to the proposed project,

this alternative would include a private on-site drainage system (storm drainpipes, inlets, ditches, and drive aisles) to capture and convey stormwater runoff. The runoff would be directed to a biofiltration system for pollutant control and a vault for flow control, located under the parking spaces along the eastern boundary of the project site. Storm runoff from the BMPs would be conveyed south in a proposed storm drain within Paseo Montril that would connect to the existing inlet on Paseo Montril near the Rancho Peñasquitos Boulevard intersection. Detention and water quality treatment facilities would be provided within all areas of proposed development in accordance with the requirements of the SDMC and San Diego Regional Water Quality Control Board MS4 permit. Similar to the project, the proposed development under this alternative would mitigate potential 100-year flow increases from the increased impervious surface area, as needed, with detention. The alternative would have a private on-site drainage system to convey flow to the pollutant and flow control BMPs. As such, this alternative would not result in increased runoff or have an adverse effect on drainage patterns, similar to the proposed project. Hydrology impacts associated with the Construction Noise Avoidance Alternative would be the same as the proposed project.

### Noise

Short-term construction noise would be generated under the Construction Noise Avoidance Alternative. However, grading and blasting activities for this alternative would be further set back from the adjacent residential uses to the north. With this additional setback, the noise generated by construction and blasting would not exceed the City's 12-hour average noise standard of 75 dBA, and construction noise impacts of the project (**Impact NOI-1**) would be avoided. Groundborne vibration and noise associated with blasting would remain significant under this alternative, and the project Impact NOI-2 and Impact NOI-3 would continue to occur (Appendix F of the Noise Report that is Appendix H of this EIR). Therefore, the Construction Noise Avoidance Alternative would reduce the significant construction noise impacts, but blasting noise impacts would remain significant and require implementation of mitigation **MM-NOI-2**.

Regarding operation, additional vehicular traffic would be the same as the proposed project, and would result in a CNEL increase of less than 0.4 dB, which is below the 3 dB discernible level of change for the average healthy human ear, and below the City's threshold for significant change in the ambient noise environment. The design of the residential buildings would be the same, and all facades are anticipated to exhibit a predicted STC rating of at least 34, and thus would provide sufficient exterior-to-interior sound insulation from outdoor traffic noise to yield interior background sound levels that are less than 45 dBA CNEL and thus compliant with the City and state standards under this alternative. The predicted sound emission level under this alternative from the combination of the air conditioning condenser units would be no more than 44 dBA Leq, and would thus be compliant with the City's nighttime threshold of 45 dBA hourly Leq. Moreover, this alternative would be required to implement project design features PDF-1 and PDF-2, similar to the project, to ensure exterior noise levels would meet the City's exterior noise standard of 65 dBA CNEL. Operational noise impacts of the Construction Noise Avoidance Alternative would be the same as the proposed project under this alternative.

### **Paleontological Resources**

Impacts under this alternative would be the same as the project, even though a smaller footprint would be disturbed under this alternative compared to the proposed project. Because the project site is not underlain by any formation with a moderate or high-resource potential for the occurrence of sensitive paleontological resources. Thus, although development of this alternative would require the excavation that exceeds the City's thresholds for potential impacts to paleontological resources, because the underlying geologic units do not possess a moderate or high paleontological sensitivity rating, no adverse impacts to paleontological resources are anticipated. Thus, no impacts would occur, similar to the proposed project.

### **Population and Housing**

This alternative would also generate 169 residents like the project, as the same number of dwelling units would be constructed. Similar to the project, this alternative would result in unplanned population growth. However, because this alternative would provide housing to assist with the City's housing shortage, this growth would not be considered substantial. I . The project would not directly induce substantial unplanned population growth to the area, similar to the project.

### **Public Services and Facilities**

This alternative would result in the same number of units being developed, and would generate the same amount of people, which would result in a similar impact to fire and police services, schools, parks, and libraries. The same amount of calls would be generated for emergency or medical service in the future, and the same number of students would attend surrounding schools. As with the project, no new or expanded public service facilities would be required to service this alternative. Impacts to public services as a result of the Construction Noise Avoidance Alternative would be less than significant, similar to the project.

### **Public Utilities**

This alternative would have the same less than significant impact on water demand and water supply, would result in the same amount of wastewater generated, and the same amount of solid waste would be generated. Similar to the proposed project, the Construction Noise Avoidance Alternative landscaping would include California native drought-tolerant plant palette that is predominantly consistent with the established Community Plan palette. Overall, the Construction Noise Avoidance Alternative impacts associated with utilities would be the same under this alternative.

### **Tribal Cultural Resources**

As the same site would be utilized, the Construction Noise Avoidance Alternative would have the same risk as the project for potential for inadvertent discovery of a tribal cultural resource. The Construction Noise Avoidance Alternative tribal cultural resource impacts would be considered less significant and similar to the proposed project.

### **Visual Effect and Neighborhood Character**

Visual impacts would be similar to the proposed project, as this alternative would be constructed within the same footprint as the proposed project and would require a similar amount of grading and landform alterations as the proposed project. While the grading footprint would be slightly smaller, from the public vantage points this visual difference would be negatable. The building heights would be the same as the proposed project, and the same amount and height of retaining walls would be required. This alternative would be required to comply with the Design Guidelines and the San Diego Municipal Code, and would not result in bulk, scale, materials, or style which would be incompatible with surrounding development. Visual impacts of the Construction Noise Avoidance Alternative would be less than significant, similar to the proposed project.

### **Water Quality**

This alternative would be required to comply with the NPDES permit program similar to the proposed project during construction. Under the NPDES permit program, BMPs are mandated for construction sites in which grading would be greater than 1 acre, through preparation of SWPPPs in order to reduce the occurrence of pollutants in surface water. Temporary construction BMPs would typically include street sweeping, waste disposal, vehicle and equipment maintenance, concrete washout area, materials storage, minimization of hazardous materials, and proper handling and storage of hazardous materials. Typical erosion and sediment control BMPs include silt fences, fiber rolls, gravel bags, temporary desilting basins, velocity check dams, temporary ditches or swales, stormwater inlet protection, and soil stabilization measures. Implementation of these state-mandated measures, and implementation of the required SWPPP for this alternative, would ensure that short-term impacts from construction-related activities would not violate any water quality standards or WDRs and not further contribute to water quality impacts identified in the CWA Section 303(d) List of Water Quality Limited Segments.

During operation, similar to the project, specific site design, source control, and treatment control BMPs, Low Impact Development practices, and project design measures would be implemented by this alternative to ensure proposed water quality would not degrade further beyond existing conditions. Moreover, drainage flow volumes would remain the same as under existing conditions or would decrease following project implementation. Therefore, runoff from the project site would not adversely affect surface waters, water quality, or discharge pollutants to an already impaired water body under this alternative. Impacts of the Construction Noise Avoidance Alternative would be the same as the project.

### **Wildfire**

Similar to the proposed project, this alternative would not impair implementation of, or physically interfere with, the San Diego Emergency Operations Plan, as access to evacuation routes SR-56 and I-15 would be provided from the project site. A reduction of persons within the site under this alternative, compared to the project, would add less vehicles to roadways, and would therefore not create additional roadway traffic during an emergency evacuation event. Additionally, the Construction Noise Avoidance Alternative would be subject to review by the San Diego Fire-Rescue and the SDPD to ensure compliance with applicable safety standards, similar to the project.

Similar to the proposed project, post-development BMZs in conjunction with proper long-term maintenance would substantially lower fire behavior intensity during peak weather conditions. This would provide the existing adjacent residential structures and proposed structures on site with the ability to survive a vegetation fire on the project site with little intervention of firefighting forces. This alternative would also implement BMZs and alternative compliance measures, similar to the project, which would not increase hazards to on-site structures from wildland fires and hazards to adjacent properties. In addition, all habitable structures under this alternative would be equipped with automatic alarm and sprinkler systems and would have fire resistance construction per Chapter 7A of the CBC. The Construction Noise Avoidance Alternative would comply with state and City standards associated with fire hazards and prevention.. The Construction Noise Avoidance Alternative impacts associated with wildfire would be the same as the proposed project.

### **Impact Summary**

The Construction Noise Avoidance Alternative would not reduce or avoid the project’s significant and unavoidable impacts to land use, transportation and greenhouse gas emissions.

The following issue areas that would be less than significant with or without mitigation under the proposed project, would be reduced under the Construction Noise Avoidance Alternative: biological resources. Impact NOI-1 related to general construction noise would be avoided, but Impact NOI-2 and NOI-3 related to blasting noise would remain significant.

The following issue areas that would be less than significant with or without mitigation under the proposed project, would be the same under the Construction Noise Avoidance Alternative: air quality, energy, geologic conditions, health and safety, hydrology, paleontological resources, population and housing, public services and facilities, public utilities, tribal cultural resources, water quality, and wildfire.

None of the impacts associated with this alternative would be greater than those of the proposed project.

### **Project Objectives**

The Construction Noise Alternative would meet all of the project objectives.

### **Feasibility**

Feasibility factors per CEQA Guidelines Section 15126.6(f)(1) include site suitability; economic viability; availability of infrastructure; general plan consistency; other plans or regulatory limitations; jurisdictional boundaries; and whether the project proponent can reasonably acquire, control, or otherwise have access to an alternative site. The site is considered suitable for the Construction Noise Avoidance Alternative considering the design features were incorporated similar to the project. There is also adequate infrastructure in the area and the development would be fully in the control of the City with no jurisdictional concerns. The site proposed to be utilized by this alternative is controlled by the proponent, and therefore it is feasible for the applicant to control it. In addition, this alternative would be economically feasible considering the reduced grading would result in less cost than the project. Overall, The Construction Noise Avoidance Alternative is potentially feasible to implement.

## 9.7 Environmentally Superior Alternative

The environmentally superior project would be the No Project/No Development Alternative as it would avoid all environmental impacts. However, it would also not achieve the basic project objectives. Section 15126.6(e)(2) of the CEQA Guidelines states that if the No Project Alternative is the environmentally superior alternative, the EIR shall also identify an environmentally superior alternative from among the other alternatives. The context of an environmentally superior alternative is based on consideration of several factors, including the proposed project's objectives and the ability to fulfill the goals while reducing potential impacts to the environment. Thus, the environmentally superior alternative, as identified in the analysis above, would be the Reduced Density Alternative.

This alternative would potentially avoid the project's significant and unavoidable transportation impact (**Impact TRA-1**). However, while this alternative would reduce the amount of greenhouse gas emissions generated by the project, this alternative would not avoid the project's significant and unavoidable cumulative impacts to greenhouse gas emissions (**Impact GHG-1**) or conflict with the City's CAP (**Impact LND-1**). The following issue areas that would be less than significant with or without mitigation under the proposed project, would be slightly reduced under the Reduced Density Alternative: air quality, energy, population/housing, public utilities, public services and facilities, and visual effects and neighborhood character. In addition, this alternative would meet most of the project objectives.

Table 8-1 summarizes the potential impacts of the alternatives evaluated as compared to the potential impacts of the project.

**Table 9-1.  
Summary of Impacts for Each Alternative**

<b>Environmental Issue</b>	<b>Project</b>	<b>No Project/ No Development Alternative</b>	<b>Reduced Density Alternative</b>	<b>Construction Noise Avoidance Alternative</b>
Land Use	Significant and Unavoidable (Impact LND -1 )	Impacts Avoided	Similar Impacts	Similar Impacts
Transportation	Significant and Unavoidable (Impact TRF-1)	Impacts Avoided	Potentially reduced to Less than Significant	Similar Impacts
Air Quality and Odor	Less than Significant with Mitigation (Impact AIR-1)	Impacts Avoided	Reduced	Similar Impacts
Biological Resources	Less than Significant with Mitigation (Impacts BIO-1)	Impacts Avoided	Similar Impacts	Reduced
Energy	Less than Significant	Impacts Avoided	Reduced	Similar Impacts
Geologic Conditions	Less than Significant	Impacts Avoided	Similar Impacts	Similar Impacts
Greenhouse Gas Emissions	Significant and Unavoidable (Impact GHG-1)	Impacts Avoided	Reduced, but remain Significant and Unavoidable	Similar Impacts
Health and Safety	Less than Significant	Impacts Avoided	Similar Impacts	Similar Impacts
Hydrology	Less than Significant	Impacts Avoided	Similar Impacts	Similar Impacts
Noise	Less than Significant with Mitigation (Impact NOI-1 NOI-2, and NOI-3)	Impacts Avoided	Similar Impacts	Reduced
Paleontological Resources	No Impact	Impacts Avoided	Similar Impacts	Similar Impacts
Population and Housing	Less than Significant	Impacts Avoided	Reduced	Similar Impacts
Public Services and Facilities	Less than Significant	Impacts Avoided	Reduced	Similar Impacts
Public Utilities	Less than Significant	Impacts Avoided	Reduced	Similar Impacts
Tribal Cultural Resources	Less than Significant	Impacts Avoided	Similar Impacts	Similar Impacts

**Table 9-1.  
Summary of Impacts for Each Alternative**

<b>Environmental Issue</b>	<b>Project</b>	<b>No Project/ No Development Alternative</b>	<b>Reduced Density Alternative</b>	<b>Construction Noise Avoidance Alternative</b>
Visual Effect and Neighborhood Character	Less than Significant	Impacts Avoided	Reduced	Similar Impacts
Water Quality	Less than Significant	Impacts Avoided	Similar Impacts	Similar Impacts
Wildfire	Less than Significant	Impacts Avoided	Similar Impacts	Similar Impacts
<b>Meets Most of the Basic Project Objectives?</b>	<b>Yes</b>	<b>No</b>	<b>Yes</b> (not to the same extent as the project)	<b>Yes</b>

# 10 Mitigation Monitoring and Reporting Program

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California Environmental Quality Act (CEQA), Section 21081.6, requires that a mitigation monitoring and reporting program (MMRP) be established upon certification of an Environmental Impact Report. It stipulates that “the public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation” (California Public Resources Code, Section 21000 et seq.).

This MMRP has been developed in compliance with Section 21081.6 of CEQA and identifies (1) project design features to reduce the potential for environmental effects; (2) mitigation measures to be implemented prior to, during, and after construction of the Paseo Montril project (project); (3) the individual/agency responsible for that implementation; and (4) criteria for completion or monitoring of the specific measures.

## 10.1 General

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

1. Prior to the issuance of a Notice To Proceed (NTP) for a subdivision, or any construction permits, such as Demolition, Grading or Building, or beginning any construction related activity on-site, the Development Services Department (DSD) Director's Environmental Designee (ED) shall review and approve all Construction Documents (CD), (plans, specification, details, etc.) to ensure the MMRP requirements are incorporated into the design.
2. In addition, the ED shall verify that the MMRP Conditions/Notes that apply ONLY to the construction phases of this project are included VERBATIM, under the heading, **“ENVIRONMENTAL/MITIGATION REQUIREMENTS.”**

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/standtemp.shtml>.

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

## 10 – Mitigation Monitoring and Reporting Program

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arrange and perform this meeting by contacting the CITY RESIDENT ENGINEER (RE) of the Field Engineering Division and City staff from MITIGATION MONITORING COORDINATION (MMC). Attendees must also include the Permit holder's Representative(s), Job Site Superintendent, and the following consultants:

Qualified Acoustician, Archaeologists(s), Native American Monitor(s), and Biologist(s)

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

**CONTACT INFORMATION:**

- a. The PRIMARY POINT OF CONTACT is the **RE** at the **Field Engineering Division – 858.627.3200**
  - b. For Clarification of ENVIRONMENTAL REQUIREMENTS, it is also required to call **RE and MMC** at **858.627.3360**
2. **MMRP COMPLIANCE:** This Project, Project Tracking System (PTS) Number 658273 and/or Environmental Document Number 658273, 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:
- *Regional Water Quality Control Board: National Pollutant Discharge Elimination System General Construction Permit*
4. **MONITORING EXHIBITS** All consultants are required to submit, to RE and MMC, a monitoring exhibit on a 11"x17" reduction of the appropriate construction plan, such as site plan, grading, landscape, etc., marked to clearly show the specific areas including the **LIMIT OF WORK**, scope of that discipline's work, and notes indicating when in the construction schedule that work will be performed. When necessary for clarification, a detailed methodology of how the work will be performed shall be included.

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

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

**Table 10-1.  
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
Air Quality	Grading Plans	Grading Permit Issuance
Biology	Biologist Limit of Work Verification Grading Plans	Limit of Work Inspection Grading Permit
Greenhouse Gas Emissions	Building Plans	Building Permit Issuance
Noise	Grading Plan Acoustical Reports	Grading Permit Issuance
Transportation	Building Plans	Traffic Features On-site Paseo Montril Sidewalk Inspection
Bond Release	Request for Bond Release Letter	Final MMRP Inspections Prior to Bond Release Letter

## 10.2 Specific MMRP Issue Area Conditions/Requirements

### 10.2.1 Air Quality

**MM-AQ-1** Prior to the issuance of a grading permit, the grading and construction plan notes shall specify that all 50-horsepower or greater diesel-powered equipment is powered with California Air Resources Board (CARB)-certified Tier 4 Interim engines or better.

An exemption from this requirement may be granted if (1) the applicant documents equipment with Tier 4 Interim engines or better are not reasonably available, and (2) the required corresponding reductions in diesel particulate matter (DPM) emissions can be achieved for the project from other combinations of construction equipment. Before an exemption may be granted, the applicant’s construction contractor shall: (1) demonstrate that at least two construction fleet owners/operators in San Diego County were contacted and that those owners/operators confirmed Tier 4 Interim equipment or better could not be located within San Diego County during the desired construction schedule; and (2) the proposed replacement equipment has been evaluated using California Emissions Estimator Model (CalEEMod) or other industry standard emission

estimation method and documentation provided to the City of San Diego to confirm that project-generated construction emissions do not exceed applicable San Diego Air Pollution Control District's carcinogenic (cancer) risk threshold.

### 10.2.2 Biology

**MM-BIO-1 Habitat Mitigation.** Prior to issuance of a Notice to Proceed or the first grading permit, the owner/permittee shall mitigate upland impacts in accordance with the City of San Diego Biology Guidelines. Mitigation for impacts to 3.24 acres of Diegan coastal sage scrub (including disturbed) shall be accomplished on site at a 1.5:1 mitigation ratio by on-site preservation of 4.81 acres of Tier II habitat.

A total of 9.91 acres of Diegan coastal sage scrub would remain on site following project implementation. This project would utilize 4.86-acres of that remaining area to mitigate for the project's direct impacts to Diegan coastal sage scrub. In accordance with ESL regulations, the owner/permittee shall convey a Covenant of Easement to be recorded against the title in over the remaining ESL area on the site.

### 10.2.3 Greenhouse Gas Emissions

**MM-GHG-1 CAP Strategy 1- Cool Roofs.** Prior to the issuance of residential building permits, the project applicant or its designee shall submit building plans illustrating that residential structures shall meet the U.S. Green Building Council standards for cool roofs. This is defined as achieving a three-year solar reflectance index (SRI) of 64 for a low-sloped roof and an SRI of 32 for a high-sloped roof.

**MM-GHG-2 CAP Strategy 1 - Low Flow Plumbing Fixtures.** Prior to the issuance of residential building permits, the project applicant or its designee shall submit building plans illustrating that residential structures shall have low flow fixtures including; kitchen faucets with a maximum flow rate not to exceed 1.5 gallons per minute at 60psi; standard dishwashers at 4.25 gallons per cycle; compact dishwashers at 3.5 gallons per cycle and clothes washers with a water factor of 6 gallons per cubic feet of drum capacity.

**MM-GHG-3 CAP Strategy 2 - Electrical Vehicle Charging Stations.** Prior to the issuance of building permits, the proposed project applicant or its designee shall submit building plans illustrating that the project provides electrical vehicle charging stations at 5% of the on-site parking (6 spaces).

**MM-GHG-4 Beyond CAP Strategy 2 - Electrical Vehicle Charging Stations.** Prior to the issuance of building permits, the proposed project applicant or its designee shall submit building plans illustrating that the project provides an additional 5% of on-site parking as EV capable spaces above Title 24 code and half of those additional spaces as EV charging stations.

In addition, the project would also implement MM-TRA-1 to MM-TRA-5 that would reduce GHG emissions, as detailed in the transportation analysis in Section 5.2.3.

### 10.2.4 Noise

**MM-NOI-1 Temporary Construction Noise.** Prior to issuance of demolition, grading, or building permits, Mitigation Monitoring Coordination shall verify that project applicant or its contractor shall implement one or more of the following options for on-site noise control and sound abatement means that, in aggregate, would yield a minimum of approximately 12 dBA of construction noise reduction during the grading phase of the Project:

- A. *Administrative controls* (e.g., reduce operating time of equipment and/or prohibit usage of equipment type[s] within certain distances to a nearest receiving occupied off-site property).
- B. *Engineering controls* (change equipment operating parameters [speed, capacity, etc.], or install features or elements that otherwise reduce equipment noise emission [e.g., upgrade engine exhaust mufflers]).
- C. Install noise abatement on the site boundary fencing (or within, as practical and appropriate) in the form of sound blankets or comparable temporary solid barriers to occlude construction noise emission between the site (or specific equipment operation as the situation may define) and the noise-sensitive receptor(s) of concern.

**MM-NOI-2 Blasting Vibration and Noise Plan.** Prior to issuance of building permit, Mitigation Monitoring Coordination shall verify that project applicant or its contractor have prepared, and shall require the implementation of, a blasting plan that will reduce impacts associated with construction-related noise, drilling operations and vibrations related to blasting. The blasting plan shall be site specific, based on general and exact locations of required blasting and the results of a project-specific geotechnical investigation. The blasting plan shall include a description of the planned blasting methods, an inventory of receptors potentially affected by the planned blasting, and calculations to determine the area affected by the planned blasting. Noise calculations in the blasting plan shall account for blasting activities and all supplemental construction equipment. The final blasting plan and pre-blast survey shall meet the requirements provided below:

- Prior to blasting, a qualified geotechnical professional shall inspect and document the existing conditions of facades and other visible structural features or elements of the nearest neighboring off-site residential buildings. Should this inspector determine that some structural features or elements appear fragile or otherwise potentially sensitive to vibration damage caused by the anticipated blasting activity, the maximum per-delay charge weights and other related blast parameters shall be re-evaluated to establish appropriate quantified limits on expected blast-attributed PPV. The geotechnical professional shall consider geologic and environmental factors that may be reasonably expected to improve attenuation of groundborne vibration between the blast detonations and the receiving structure(s) of concern.

- All blasting shall be designed and performed by a blast contractor and blasting personnel licensed to operate per appropriate regulatory agencies.
- Each blast shall be monitored and recorded with an air-blast overpressure monitor and groundborne vibration accelerometer that is located outside the closest residence to the blast. This data shall be recorded, and a post-blast summary report shall be prepared and be available for public review or distribution as necessary.
- Blasting shall not exceed 1 ips PPV (transient or single-event), or a lower PPV determined by the aforesaid inspector upon completion of the pre-blast inspection, at the façade of the nearest occupied residence.
- To ensure that potentially impacted residents are informed, the applicant will provide notice by mail to all property owners within 500 feet of the project at least 1 week prior to a scheduled blasting event.
- Where a blast event may be expected to cause an airborne noise level that exceeds the City's 12-hour  $L_{eq}$  standard, the proposed project applicant or its contractor(s) shall coordinate with the potentially affected neighboring property owner-occupant for permission to install at or near the proposed project property line (to the extent feasible, given the terrain of the proposed project vicinity) a field-erected temporary noise wall (e.g., sound blankets suspended from framing members, such as those provided by Behrens & Associates, Pacific Sound Control, or other vendors of comparable equipment). The installing contractor shall be responsible for determining the height and extent of the temporary noise barrier, so that its proper on-site implementation can be expected to provide up to 15 dBA of noise reduction and thus enable the 12-hour  $L_{eq}$  representing the blast event noise level to comply with the City's standard of 75 dBA.
- Where a blast event may be expected to cause an airborne noise level that contributes to exceedance of the City's 12-hour  $L_{eq}$  standard, the proposed project applicant or its contractor(s) shall utilize blasting noise abatement techniques (at the discretion of the blast contractor) such as steel or rubber blasting mats over sand/dirt, so that its proper on-site implementation can be expected to provide approximately 15 dBA of noise reduction and thus enable the 12-hour  $L_{eq}$  representing the blast event noise level to comply with the City's standard of 75 dBA.

### 10.2.5 Transportation

- MM-TRA-1 Pedestrian Improvements.** Prior to the issuance of the first building permit, Permittee shall assure by permit and bond the construction/improvement of standard City sidewalk along the south side Paseo Montril, satisfactory to the City Engineer. The improvements shall be completed and operational prior to first occupancy. This includes providing a continuous concrete sidewalk from the project access to Rancho Peñasquitos Boulevard.

## 10 – Mitigation Monitoring and Reporting Program

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- MM-TRA-2**     **Bike Parking.** Prior to the issuance of the first occupancy permit, the Permittee shall provide 10 short term bike parking spaces on site.
- MM-TRA-3**     **Transit Passes.** Prior to first occupancy, the Permittee shall implement a transit subsidy program. The subsidy value will be limited to the equivalent value of 25% of the cost of an MTS “Regional Adult Monthly/30-Day Pass” (currently \$72, which equates to a subsidy value of \$18 per month). Subsidies will be available on a per unit basis to residential tenants for a period of five years (five years after issuance of the first occupancy permit). In no event shall the total subsidy exceed \$59,400. Permittee shall provide an annual report to the City Engineer in each of the first five years demonstrating how the offer was publicized to residents and documenting the results of the program each year, including number of participants and traffic counts at the project entrance.
- MM-TRA-4**     **Commute Trip Reduction Program.** Prior to first occupancy, the Permittee shall develop and implement a commute trip reduction program that requires each homeowner and tenant to be provided with a one page flyer every year that provides information regarding available transit, designated bicycle routes, local bicycle groups and programs, local walking routes and programs, and rideshare programs.
- MM-TRA-5**     **Bicycle Micromobility Fleet.** Prior to first of occupancy, the Permittee shall provide one bicycle (up to a \$400 value) per unit to the first buyer of each unit.

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