



THE CITY OF SAN DIEGO

Date of Notice: April 5, 2021

NOTICE OF PREPARATION FOR AN ENVIRONMENTAL IMPACT REPORT AND PUBLIC NOTICE OF A SCOPING MEETING

DEVELOPMENT SERVICES DEPARTMENT

SAP No. 24008129

NOTICE OF PREPARATION: The City of San Diego as the Lead Agency has determined that the project described below will require the preparation of an Environmental Impact Report (EIR) in compliance with the California Environmental Quality Act (CEQA), which requires that public agencies consider the potentially significant adverse environmental effects of projects over which they have discretionary approval authority before taking action on those projects (Public Resources Code [PRC] Section 21000 et. seq.). According to California Code of Regulations (CCR) Title 14, Section 15064(f)(1), preparation of an EIR is required whenever a project may result in a significant adverse environmental effect. An EIR is an informational document used to inform public agency decision makers and the general public of the significant environmental effects of a project, identify possible ways to mitigate or avoid the significant effects, and describe a range of reasonable alternatives to the project that could feasibly attain most of the basic objectives of the project while substantially lessening or avoiding any of the significant environmental impacts. Public agencies are required to consider the information presented in the EIR when determining whether to approve a project.

Thereby, this Notice of Preparation of an EIR and Scoping Meeting is publicly noticed and distributed on April 5, 2021. This notice was published in the SAN DIEGO DAILY TRANSCRIPT and placed on the City of San Diego CEQA website at: <https://www.sandiego.gov/ceqa/meetings> under "Notice of Preparation and Scoping Meetings" tab.

PUBLIC NOTICE OF SCOPING MEETING: Consistent with Section 21083.9 of the CEQA Statutes, a public scoping meeting will be held to solicit comments regarding the scope and analysis of the EIR. During the current State of Emergency and in the interest of public health and safety, and in accordance with guidance provided from the Office of Planning and Research, the City is not currently conducting in-person scoping meetings. Instead, a pre-recorded presentation is being provided. Therefore, in lieu of a public scoping meeting to be held in person, a pre-recorded presentation has been made accessible to the public and available for viewing from April 5, 2021 through May 5, 2021.

HOW TO VIEW THE PRESENTATION: Members of the public will be able to access a link to watch a pre-recorded presentation via livestream at <https://www.sandiego.gov/ceqa/meetings>. The link and pre-recorded presentation will remain available for viewing between April 5, 2021 at 12:00AM through May 5, 2021 at 12:00PM.

HOW TO SUBMIT COMMENTS: Comments on this Notice of Preparation document will be accepted for 30 days following the issuance of this notice and must be received no later than May 5, 2021. When submitting comments, please reference the project name and number (Towne Centre View/No. 624751). Responsible agencies are requested to indicate their statutory responsibilities in connection with this project when responding. Upon completion of the scoping process, all public comments will be organized and considered in the preparation of the draft environmental document.

Comment letters may be submitted electronically via e-mail at: DSDEAS@sandiego.gov. Due to the COVID-19 pandemic and State orders, non-essential City staff are working remotely. The City requests that all comments be provided electronically, however if a hard copy submittal is necessary, it may be submitted to:

Rachael Ferrell
Development Services Department
1222 First Avenue, MS-501
San Diego, CA 92101

GENERAL PROJECT INFORMATION:

- **Project Name / Number:** Towne Centre View / 624751
- **Community Area:** University
- **Council District:** 1

PROJECT DESCRIPTION: The Project proposes a COMMUNITY PLAN AMENDMENT (CPA), PLANNED DEVELOPMENT PERMIT (PDP), SITE DEVELOPMENT PERMIT (SDP), TENTATIVE MAP (TM), and STREET VACATION for redevelopment of a 33.5-acre site in which 7-acres would remain undeveloped open-space, and 26.5-acres would be developed. The Project proposes to demolish 199,735-square-feet of existing commercial buildings and construct a five-building campus (Buildings A-E) to include scientific R&D, laboratory, technology, and office uses, with supporting parking structures and surface parking areas, recreational facilities, amenities, and landscaping. Buildings A through E would have a gross floor area (GFA) of approximately one million-square-feet, with additional area consisting of balcony and roof deck space. Buildings A, B and C would be 6 levels, Building D would be 5 levels, and Building E would be 2 levels. The Project would also include approximately 2,500 parking spaces, in surface parking areas and parking structures. The existing terminus to Towne Centre Drive within the Project site would be removed and the intersection of Towne Centre Drive and Westerra Court would be modified. The Project site is currently associated with the following addresses: 9855/9865/9875/9885 Towne Centre Drive. The Project site is designated Industrial Employment pursuant to the San Diego General Plan and is designated Scientific Research within Area 11 of the University Community Plan and is zoned Industrial Park (IP-1-1) and Residential Single Unit (RS-1-7). The portion of the site that is zoned RS-1-7 would remain undeveloped. The project is subject to the Airport Influence Area Overlay, Coastal Overlay Zone, Community Plan Implementation Zone -A, Fire Brush Zones, Very High Fire Severity Zone, Parking Impact Overlay Zone, Prime Industrial Lands, Transit Priority Area, and FAA Part 77 Notification Area. The project is also located in the Accident Potential Zone II (APZ II), and Transition Zone (TZ) of the Marine Corps Air Station (MCAS) Miramar Airport Land Use Compatibility Plan (ALUCP). (LEGAL DESCRIPTION: Parcels 1, 2, & 3 of map No. 18286, in the City of San Diego, County of San Diego, State of California, according to map thereof, filed in the office of the County Recorder of San Diego county June 21, 1999 AND Parcels 1 and 2 of Parcel Map No. 20710, in the City of San Diego, County of San Diego, State of California, according to map thereof filed in the office of the County Recorder of San Diego County, September 21, 2009 as Instrument No. 2009-0524505 of Official Records.)
The site is not included on any Government Code listing of hazardous waste sites.

APPLICANT: BRE-BMR Towne Centre Science Park LLC

RECOMMENDED FINDING: Pursuant to Section 15060(d) of the CEQA Guidelines, it appears that the proposed project may result in significant environmental impacts in the following areas: Land Use, Transportation, Air Quality and Odor, Biological Resources, Energy, Geologic Conditions, Greenhouse Gas Emissions, Health and Safety, Historical Resources, Hydrology, Noise, Paleontological Resources, Population and Housing, Public Services and Facilities, Public Utilities, Tribal Cultural Resources, Visual Effect and Neighborhood Character, Water Quality, and Wildfire.

AVAILABILITY IN ALTERNATIVE FORMAT: To request this Notice or any additional information in an alternative format, call the Development Services Department at (619) 446-5460 or (800) 735-2929 (TEXT TELEPHONE).

ADDITIONAL INFORMATION: For environmental review information, contact the environmental analyst, Rachael Ferrell at (619) 446-5129. The Scoping Letter and supporting documents may be reviewed, or purchased for the cost of reproduction, at the Fifth floor of the Development Services Department. **For information regarding public meetings/hearings on this project, contact the Project Manager, Martha Blake at (619) 446-5375.** This notice was published in the SAN DIEGO DAILY TRANSCRIPT and distributed on April 5, 2021.

Raynard Abalos
Deputy Director
Development Services Department

ATTACHMENTS: NOP Distribution List
Figure 1: Vicinity Map
Figure 2: Aerial Photo
Figure 3: Conceptual Site Plan

NOP-Scoping Meeting Distribution:

Federal

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 Coastal Commission (47)

California Transportation Commission (51)

California Department of Transportation (51A)

California Department of Transportation (51B)

California Native American Heritage Commission (56)

California Highway Patrol (58)

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)

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 – Rachael Ferrell

Long-Range Planning – Katie Witherspoon

Transportation Development - DSD (78)

Development Coordination (78A)

Fire and Life Safety Services (79)

San Diego Fire – Rescue Department Logistics (80)

Water Review (86A)

Historical Resources Board (87)

Environmental Services (93A)

City Attorney (93C)

Other Interested Organizations, Groups and Individuals

Air Pollution Control District (65)

San Diego Association of Governments (108)

San Diego Regional County Airport Authority (110)

Metropolitan Transit Systems (112)

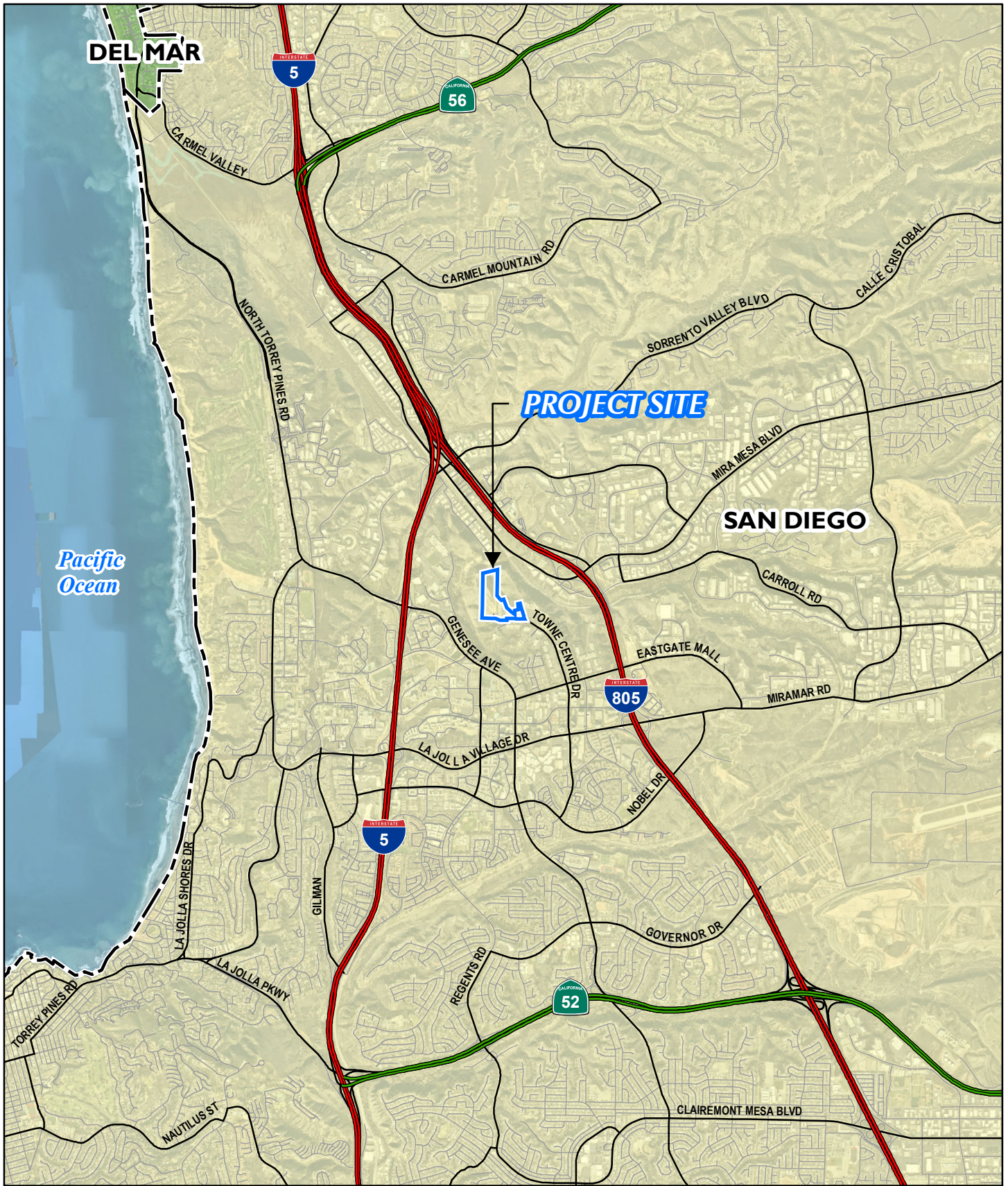
San Diego Gas and Electric (114)

Sierra Club (165)

San Diego Natural History Museum (166)

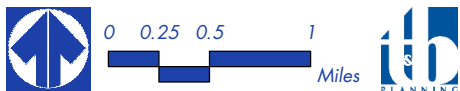
Other Interested Organizations, Groups and Individuals - continued

San Diego Audubon Society (167)
Mr. Jim Peugh (167A)
California Native Plant Society (170)
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)
University City Community Planning (480)
Commanding General – MCAS Miramar Air Station (484)
University City Community Association (466)
Debby Knight (487)
Chamber of Commerce (492)
John Stump
Richard Drury, Lozeau Drury LLP
Komalpreet Toor, Lozeau Drury LLP
Stacey Osborne, Lozeau Drury LLP
Peter Jones, Project Manager Advisors, Inc., Applicant
Tina Andersen, T&B Planning Inc., Environmental Consultant



Source(s): ESRI, Nearmap Imagery (2020), SANGIS (2021)

Figure 1



Vicinity Map



Source(s): ESRI, Nearmap Imagery (2020), SANGIS (2020)

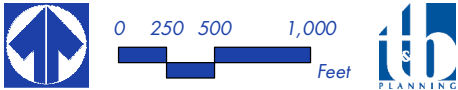
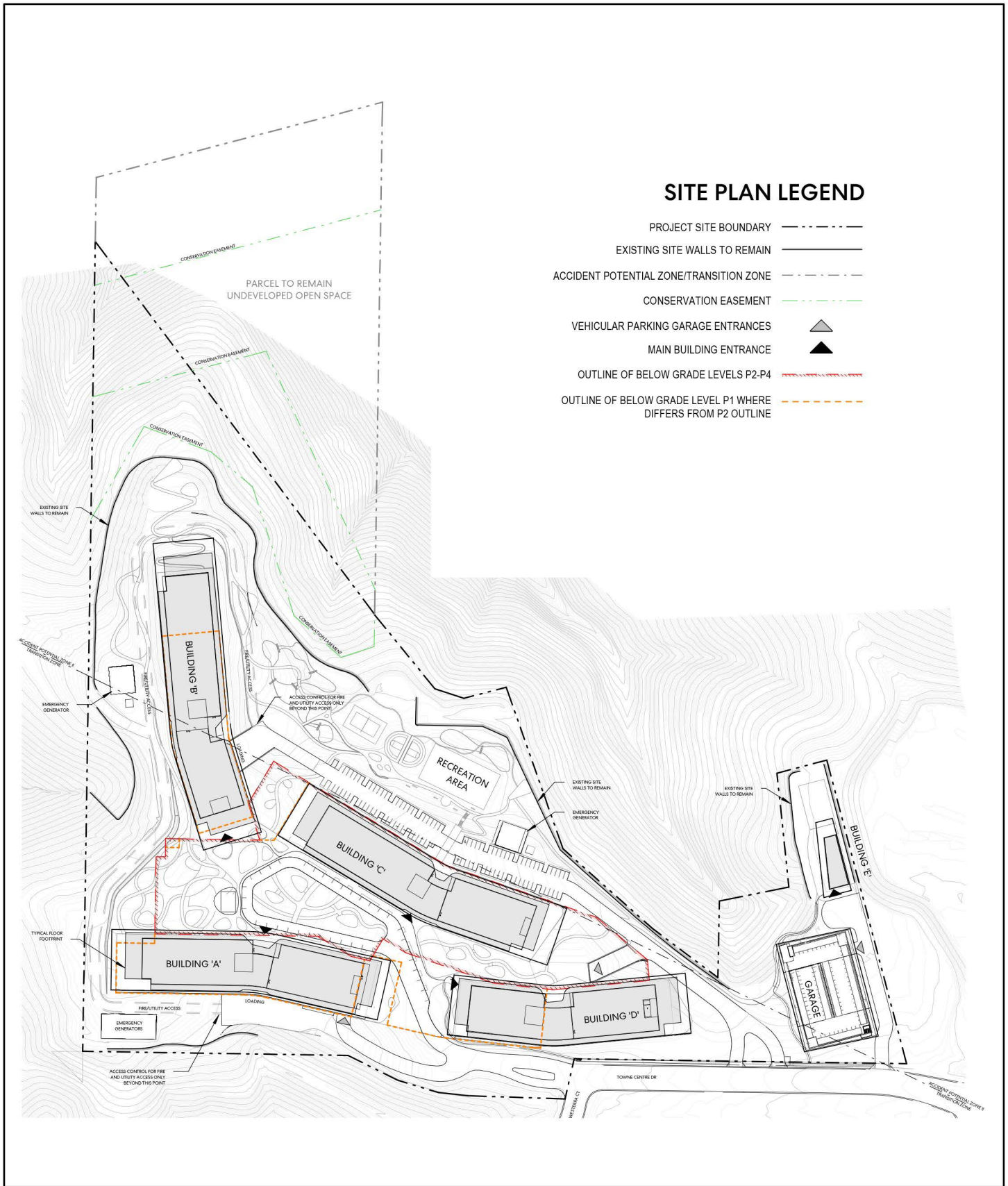


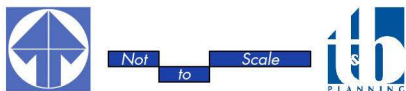
Figure 2

Aerial Photograph



Source(s): Perkins & Will (01-29-2021)

Figure 3





State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
South Coast Region
3883 Ruffin Road
San Diego, CA 92123
(858) 467-4201
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



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Rachael Ferrell
Development Services Department
City of San Diego
1222 First Avenue, MS-501
San Diego, CA 92101
DSDEAS@saniego.gov

Subject: Comments on the Notice of Preparation of a Draft Environmental Impact Report for Towne Centre View (Project), SCH #2021040044

Dear Ms. Ferrell:

The California Department of Fish and Wildlife (CDFW) received a Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) from the City of San Diego (City) for the Project pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, CDFW appreciates the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources, and holds those resources in trust by statute for all the people of the state. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802.) Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), related authorization as provided by the Fish and Game Code may be required.

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

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CDFW also administers the Natural Community Conservation Planning (NCCP) program, a California regional habitat conservation planning program. The City participates in the NCCP program by implementing its approved Multiple Species Conservation Program (MSCP) Subarea Plan (SAP). The Multi-Habitat Preserve Area (MHPA) is the area from which a final hardline reserve becomes established in the City to adequately conserve covered species pursuant to the SAP.

PROJECT DESCRIPTION SUMMARY

Proponent: BRE-BMR Towne Centre Science Park LLC

Objective: The Project proposes a Community Plan Amendment, Planned Development Permit, Site Development Permit, Tentative Map, and Street Vacation for redevelopment of a 33.5-acre site, where 26.5 acres would be developed, and 7 acres would remain undeveloped open space. The Project will demolish 199,735 square feet of existing commercial buildings and construct a five-building campus (Buildings A-E) to include scientific research and development, laboratory, technology, and office uses. The Project will also include supporting parking structures and surface parking areas, recreational facilities, amenities, and landscaping. The Project will create approximately 2,500 parking spaces in the surface parking areas and parking structures. The Project will also remove the existing terminus to Towne Centre Drive and will modify the intersection of Towne Centre Drive and Westerra Court.

Location: The Project site is currently associated with the following addresses: 9855, 9865, 9875, and 9885 Towne Centre Drive. The Project is located south of the junction between Interstates 5 and 805 in the La Jolla area of the City of San Diego.

Biological Setting: The Project site is partially developed and is surrounded by MHPA and open space which is primarily composed of Diegan coastal sage scrub and chaparral. Special status wildlife species with the potential to occur near the Project include the coastal California gnatcatcher (*Polioptila californica californica*; MSCP-covered). Special status plant species with the potential to occur near the Project site include: variegated dudleya (*Dudleya variegata*; MSCP-covered and narrow endemic species), San Diego barrel cactus (*Ferocactus viridescens*; MSCP-covered), Nuttall's scrub oak (*Quercus dumosa*; California Native Plant Society (CNPS) rare plant rank 1B.1), Campbell's liverwort (*Geothallus tuberosus*; CNPS 1B.1), and wart-stemmed ceanothus (*Ceanothus verrucosus*; CNPS 2B.2).

Timeframe: A timeframe was not provided for the Project.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the City in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct, and indirect impacts on fish and wildlife (biological) resources. Based on the potential for the Project to have a significant impact on biological resources, CDFW agrees that a DEIR is appropriate for the Project.

Covered Species and California Species of Special Concern (SSC)

1. A review of the California Natural Diversity Database (CNDDDB) indicates historic presence of MSCP-covered and narrow endemic variegated dudleya approximately 0.5 mile from the Project area. CNDDDB also identifies MSCP-covered and California Rare Plant Rank 2B.1 San

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Diego barrel cactus near the Project area. Although the Project does not propose direct impacts to the species or suitable habitat, there is potential for indirect impacts to the MHPA from unauthorized entry. Appropriate fencing and signage should be included in the Project to prevent and discourage unauthorized access to the MHPA.

2. CNDDDB includes detection of coastal California gnatcatchers in coastal sage scrub habitat approximately 1,500 feet southeast of the Project area. Due to the proximity, and presence of suitable habitat, the DEIR should include a report of recent, seasonally appropriate, focused surveys for coastal California gnatcatcher in all areas of suitable habitat within and adjacent to the Project. Focused species-specific surveys, conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required. Acceptable species-specific survey procedures are detailed in the *Coastal California Gnatcatcher (Poliophtila californica californica) Presence/Absence Survey Guidelines* (United States Fish and Wildlife Service (USFWS) 1997). If the species is detected, the DEIR should disclose potential impacts to the species and propose avoidance and mitigation measures consistent with the City's MSCP. Acceptable mitigation measures can be found in the City's *Mitigation, Monitoring and Reporting Conditions for Potential Impacts to Habitats Occupied by Sensitive Avian Species* (2002) for all Project-related activities including mitigation and brush management. These measures require breeding season protocol surveys per the USFWS guidelines, and, if the habitat within the MHPA is occupied, avoidance of the breeding season (March 1 - August 15), including any impacts from construction noise. Also, if occupied, clearing is prohibited within the MHPA during the breeding season; this includes clearing for fuel modification.
3. CNDDDB also documents the presence of Nuttall's scrub oak (CNPS 1B.1), Campbell's liverwort (CNPS 1B.1), and wart-stemmed ceanothus (CNPS 2B.2) less than 40 feet from the Project site. The DEIR should include a report of seasonally appropriate surveys in all areas with suitable habitat for sensitive plants, conducted within the last three years. If present, the DEIR should disclose potential impacts to the species as well as proposed avoidance and mitigation measures.

Project Description and Alternatives

4. An NOP does not provide sufficient detail to conduct a comprehensive analysis of the potential impacts. To facilitate meaningful review of the Project from the standpoint of the protection of plants, fish, and wildlife, CDFW recommends the following information be included in the DEIR:
 - a. the document should contain a complete discussion of the purpose and description of the Project, including all staging areas and access routes to the construction and staging areas; and,
 - b. the DEIR should include a range of feasible alternatives to ensure that alternatives to the Project are fully considered and evaluated; the alternatives should avoid or otherwise minimize impacts to sensitive biological resources.

Biological Baseline Assessment

5. CDFW recommends the DEIR provide a complete assessment of the flora and fauna within and adjacent to the Project area, with particular emphasis on identifying endangered, threatened, sensitive, and locally unique species and sensitive habitats. This should include a

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complete species compendium of the entire Project site, undertaken at the appropriate time of year. The DEIR should include the following information:

- a. CEQA Guidelines, section 15125(c), specifies that knowledge of the regional setting is critical to an assessment of environmental impacts and that special emphasis should be placed on resources that are rare or unique to the region (CEQA Guidelines, § 15125(c)). The DEIR should include measures to fully avoid and otherwise protect Sensitive Natural Communities from Project-related impacts. Project implementation may result in impacts to rare or endangered plants or plant communities that have been recorded adjacent to the Project vicinity. CDFW considers these communities as threatened habitats having both regional and local significance. Plant communities, alliances, and associations with a state-wide ranking of S1, S2, S3, and S4 should be considered sensitive and declining at the local and regional level. These ranks can be obtained by visiting <https://www.wildlife.ca.gov/Data/VegCAMP/Natural-Communities#sensitive%20natural%20communities>;
- b. a complete, recent, assessment of the biological resources associated with each habitat type on site and within adjacent areas that could also be affected by the Project. CNDDDB should be reviewed to obtain current information on any previously reported sensitive species and habitat. CDFW recommends that CNDDDB Field Survey Forms be completed and submitted to CNDDDB to document survey results. Online forms can be obtained and submitted at <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>;
- c. an inventory of rare, threatened, endangered, and other sensitive species on site and within the area of potential effect. The species inventory should include all those that meet the CEQA definition (see CEQA Guidelines, § 15380). This should include sensitive invertebrate, fish, wildlife, reptile, and amphibian species. Seasonal variations in use of the Project area should also be addressed. Focused species-specific surveys, conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required. Acceptable species-specific survey procedures should be developed in consultation with CDFW and the USFWS;
- d. CDFW generally considers biological field assessments for wildlife to be valid for a one-year period, and assessments for rare plants may be considered valid for a period of up to three years as long as there was not a prevailing drought during the time of the botanical survey. Some aspects of the proposed Project may warrant periodic updated surveys for certain sensitive taxa, particularly if build out could occur over a protracted time frame, or in phases; and,
- e. adjoining habitat areas should be included in this assessment where site activities could lead to direct or indirect impacts off site.

Biological Direct, Indirect, and Cumulative Impacts and Proposed Mitigation Measures

6. To facilitate meaningful review of the Project's potential impacts on biological resources, the DEIR should include a detailed discussion of potential impacts as well as specific measures to offset such impacts.
 - a) Indirect Impacts: a discussion of potential adverse impacts from lighting, noise, exotic species, and human activity and proposed mitigation measures to alleviate such impacts.

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- i) **Adjacent Resources:** the DEIR should include a discussion regarding indirect Project impacts on biological resources, including resources in nearby public lands, open space, adjacent natural habitats, riparian ecosystems, and any designated and/or proposed or existing reserve lands (e.g., preserve lands associated with the MHPA). Impacts on, and maintenance of, wildlife corridor/movement areas, including access to undisturbed habitats in adjacent areas, should be fully evaluated in the DEIR. The Project description should include design features to minimize impacts to the MHPA and the DEIR should include a discussion of the Project's consistency with the Land Use Adjacency Guidelines described in section 1.4.3 of the City's SAP.
 - ii) **Fuel Modification:** all fuel modification zones should be clearly identified, and the impacts assessed consistent with the City's Environmentally Sensitive Lands Regulations (City of San Diego 2018).
 - iii) **Landscaping:** the Project includes landscaped areas. Habitat loss and invasive plants are a leading cause of native biodiversity loss. CDFW recommends that the DEIR stipulate that no invasive plant material shall be used. Furthermore, CDFW recommends using native, locally appropriate plant species for landscaping on the Project site. A list of invasive/exotic plants that should be avoided as well as suggestions for suitable landscape plants can be found at the California Invasive Plant Council (CALIPC) Responsible Landscaping website (<https://www.cal-ipc.org/solutions/prevention/landscaping/>).
 - iv) **Pesticides:** if the Project plans to include outside pesticide use, please be aware of a new California law, AB 1788, which bans the use of second-generation rodenticide.
- b) **Mitigation Measures:** the DEIR should include mitigation measures for adverse Project-related impacts to sensitive plants, animals, and habitats. Mitigation measures should emphasize avoidance and reduction of Project impacts. For unavoidable impacts, on-site habitat restoration or enhancement should be discussed in detail. If on-site mitigation is not feasible or would not be biologically viable and therefore not adequately mitigate the loss of biological functions and values, off-site mitigation through habitat creation and/or acquisition and preservation in perpetuity should be addressed. Mitigation ratios should be consistent with the Land Development Code Biology Guidelines Table 3 *Upland Mitigation Ratios* (City of San Diego 2018).
- i) **Nesting Bird Protection:** to avoid impacts to nesting birds, the DEIR should require that, when biologically warranted, construction would occur outside of the peak avian breeding season which generally runs from February 1 through September 1 (as early as January 1 for some raptors). If Project construction is necessary during the bird breeding season, a qualified biologist with experience in conducting bird breeding surveys should conduct bird surveys for nesting birds, within three days prior to the work in the area, and ensure that no nesting birds in the Project area would be impacted by the Project. If an active nest is identified, a buffer shall be established between the construction activities and the nest so that nesting activities are not interrupted. CDFW generally recommends that the buffer should be a minimum width of 100 feet for most passerines, 300 feet for listed or otherwise sensitive avian species, and 500 feet for raptors. Buffers should be delineated by temporary fencing and remain in effect as long as construction is occurring or until the nest is no longer active. No Project construction shall occur within the fenced nest zone until the young have fledged, are no longer being fed by the parents, have left the nest, and will no longer be

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impacted by the Project. Reductions in the nest buffer distance may be appropriate depending on the avian species involved, ambient levels of human activity, screening vegetation, or possibly other factors.

- ii) Nest Exclusion: open horizontal pipe ends can be attractive to birds for nesting. Areas that will require on-going operational maintenance, such as emergency generators, should not include open horizontal pipe ends. Ends should be capped with suitable screens to prevent wildlife access.
 - iii) Bird Safe Architecture: further avoidance of direct impacts to birds, particularly migratory species, can be achieved through incorporation of “bird safe” elements in architectural design. Elements such as glazed windows, well-articulated building facades, and minimal nighttime lighting are encouraged to reduce collisions of migratory birds with buildings. Large flat windows, reflective glass, and transparent corners are strongly discouraged. CDFW recommends that the City follow as many of these guidelines as appropriate when considering structure design, as described in San Francisco’s Standards for Bird Safe Buildings (the document can be found online at: https://sfplanning.org/sites/default/files/documents/reports/bird_safe_bldgs/Standards%20for%20Bird%20Safe%20Buildings%20-%2011-30-11.pdf).
 - iv) Translocation: CDFW generally does not support the use of relocation, salvage, and/or transplantation as mitigation for impacts to rare, threatened, or endangered species. Studies have shown that these efforts are experimental in nature and largely unsuccessful.
- c) Cumulative Effects: a cumulative effects analysis should be developed as described under CEQA Guidelines, section 15130. General and specific plans, as well as past, present, and anticipated future projects, should be analyzed relative to the DEIR impacts on similar wildlife habitats.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a data base which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the CNDDDB. The CNDDDB field survey form can be found at the following link: http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/CNDDDB_FieldSurveyForm.pdf. The completed form can be mailed electronically to CNDDDB at the following email address: CNDDDB@wildlife.ca.gov. The types of information reported to CNDDDB can be found at the following link: http://www.dfg.ca.gov/biogeodata/cnddb/plants_and_animals.asp.

FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying Project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

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CONCLUSION

CDFW appreciates the opportunity to comment on the NOP to assist the City in identifying and mitigating Project impacts on biological resources.

Questions regarding this letter or further coordination should be directed to Elyse Levy, Senior Environmental Scientist, at Elyse.Levy@wildlife.ca.gov.

Sincerely,

DocuSigned by:



D700B4520375406...

David A. Mayer
Environmental Program Manager I
South Coast Region

ec: CDFW

Jennifer Turner, San Diego – Jennifer.Turner@wildlife.ca.gov
Jennifer Ludovissy, San Diego – Jennifer.Ludovissy@wildlife.ca.gov
Susan Howell, San Diego – Susan.Howell@wildlife.ca.gov
CEQA Program Coordinator, Sacramento – CEQACommentLetters@wildlife.ca.gov

State Clearinghouse, Sacramento – State.Clearinghouse@opr.ca.gov

USFWS

Jonathan Snyder, Jonathan_d_Snyder@fws.gov

References

AB 1788, An act to amend Section 12978.7 of the Food and Agricultural Code, relating to pesticides. Ch: 250, 09/29/2020, Available from:
https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB1788

CALIPC. 2021. Responsible Landscaping. Available from: <https://www.cal-ipc.org/solutions/prevention/landscaping/>

City of San Diego. 1997. Multiple Species Habitat Conservation Program, MSCP Plan Subarea Plan.

City of San Diego. 2002. Mitigation, Monitoring and Reporting Conditions for Potential Impacts to Habitats Occupied by Sensitive Avian Species, provided by MSCP staff.

City of San Diego. 2018. Environmentally Sensitive Lands Regulations. Chapter 14 General Regulations. Amended 2-9-2018 by O-20899 N.S.; effective 3-11-2018. Available from:
<https://docs.sandiego.gov/municode/MuniCodeChapter14/Ch14Art03Division01.pdf>

City of San Diego. 2018. Land Development Code - Biology Guidelines.

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California Department of Transportation

DISTRICT 11
4050 TAYLOR STREET, MS-240
SAN DIEGO, CA 92110
(619) 709-5152 | FAX (619) 688-4299 TTY 711
www.dot.ca.gov



Governor's Office of Planning & Research

Apr 30 2021

April 30, 2021

STATE CLEARINGHOUSE

11-SD-805
PM 25.942
Towne Centre View
NOP/SCH#2021040044

Ms. Rachel Ferrell
City of San Diego
1222 1st Avenue
San Diego, CA 92101

Dear Ms. Ferrell:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Notice of Preparation for an Environmental Impact Report for the Towne Centre View project located near Interstate 805 (I-805). The mission of Caltrans is to provide a safe and reliable transportation network that serves all people and respects the environment. The Local Development-Intergovernmental Review (LD-IGR) Program reviews land use projects and plans to ensure consistency with our mission and state planning priorities.

Caltrans has the following comments:

Traffic Impact Study

- A Vehicle Miles of Travel (VMT) based Traffic Impact Study (TIS) should be provided for this project. Please use the Governor's Office of Planning and Research Guidance to identify VMT related impacts.¹
- The TIS may also need to identify the proposed project's near-term and long-term safety or operational issues, on or adjacent any existing or proposed State facilities.
- Please include a Local Mobility Analysis (traffic operations study).

¹ California Governor's Office of Planning and Research (OPR) 2018. "Technical Advisory on Evaluating Transportation Impacts in CEQA." http://opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf

Hydrology and Drainage Studies

- Please provide hydraulics studies, drainage and grading plans to Caltrans for review.
- Provide a pre and post-development hydraulics and hydrology study. Show drainage configurations and patterns.
- Provide drainage plans and details. Include detention basin details of inlets/outlet.
- Provide a contour grading plan with legible callouts and minimal building data. Show drainage patterns.
- On all plans, show Caltrans' Right of Way (R/W).
- Early coordination with Caltrans is recommended.

Complete Streets and Mobility Network

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

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

Land Use and Smart Growth

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

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

Environmental

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

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

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

Right-of-Way

- Per Business and Profession Code 8771, perpetuation of survey monuments by a licensed land surveyor is required, if they are being destroyed by any construction.
- Any work performed within Caltrans R/W will require discretionary review and approval by Caltrans and an encroachment permit will be required for any work within the Caltrans R/W prior to construction.

Additional information regarding encroachment permits may be obtained by contacting the Caltrans Permits Office at (619) 688-6158 or by visiting the website at <https://dot.ca.gov/programs/traffic-operations/ep>. Early coordination with Caltrans is strongly advised for all encroachment permits.

Ms. Rachel Ferrell
April 30, 2021
Page 4

If you have any questions or concerns, please contact Kimberly Dodson, IGR
Coordinator, at (619) 985-1587 or by e-mail sent to Kimberly.Dodson@dot.ca.gov.

Sincerely,

Maurice A. Eaton

MAURICE EATON
Branch Chief
Local Development and Intergovernmental Review

NATIVE AMERICAN HERITAGE COMMISSION

April 5, 2021

Governor's Office of Planning & Research

Apr 09 2021

Rachael Ferrell
City of San Diego
1222 1st Avenue, MS 501
San Diego, CA 92101

STATE CLEARINGHOUSE

Re: 2021040044, Towne Center View Project, San Diego County

Dear Ms. Ferrell:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b))). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1))). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.



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VICE CHAIRPERSON
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Chumash

SECRETARY
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COMMISSIONER
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Paiute/White Mountain
Apache

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AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

- 1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:** Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
 - a.** A brief description of the project.
 - b.** The lead agency contact information.
 - c.** Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
 - d.** A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).

- 2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report:** A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subs. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1 (b)).
 - a.** For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).

- 3. Mandatory Topics of Consultation If Requested by a Tribe:** The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
 - a.** Alternatives to the project.
 - b.** Recommended mitigation measures.
 - c.** Significant effects. (Pub. Resources Code §21080.3.2 (a)).

- 4. Discretionary Topics of Consultation:** The following topics are discretionary topics of consultation:
 - a.** Type of environmental review necessary.
 - b.** Significance of the tribal cultural resources.
 - c.** Significance of the project's impacts on tribal cultural resources.
 - d.** If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).

- 5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process:** With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).

- 6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document:** If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
 - a.** Whether the proposed project has a significant impact on an identified tribal cultural resource.
 - b.** Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

- 7. Conclusion of Consultation:** Consultation with a tribe shall be considered concluded when either of the following occurs:
- a.** The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b.** A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).
- 8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document:** Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).
- 9. Required Consideration of Feasible Mitigation:** If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).
- 10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:**
- a.** Avoidance and preservation of the resources in place, including, but not limited to:
 - i.** Planning and construction to avoid the resources and protect the cultural and natural context.
 - ii.** Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - b.** Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i.** Protecting the cultural character and integrity of the resource.
 - ii.** Protecting the traditional use of the resource.
 - iii.** Protecting the confidentiality of the resource.
 - c.** Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - d.** Protecting the resource. (Pub. Resource Code §21084.3 (b)).
 - e.** Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
 - f.** Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).
- 11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource:** An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
- a.** The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
 - b.** The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c.** The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf.

Some of SB 18's provisions include:

1. **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation.** There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation:** Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>.

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
 - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
 - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address:
Andrew.Green@nahc.ca.gov.

Sincerely,



Andrew Green
Cultural Resources Analyst

cc: State Clearinghouse



San Diego County Archaeological Society, Inc.

Environmental Review Committee

13 April 2021

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

Subject: Notice of Preparation of a Draft Environmental Impact Report
Towne Centre View
Project No. 624751

Dear Ms. Ferrell:

Thank you for the Notice of Preparation for the subject project, received by this Society earlier this month.

We are pleased to note the inclusion of historical resources in the list of subject areas to be addressed in the DEIR and we look forward to reviewing it during the upcoming public comment period. To that end, please include us in the distribution of the notification of availability of the DEIR, and also the cultural resources technical report(s).

SDCAS appreciates being included in the City's environmental review process for this project.

Sincerely,


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

cc: SDCAS President
File



Friends of Rose Canyon

PO Box 221051, San Diego, CA 92192-1051

858-597-0220 * rosecanyon@san.rr.com

www.rosecanyon.org

To: DSDEAS@sandiego.gov

Rachael Ferrell

Development Services Department 1222 First Avenue, MS-501

San Diego, CA 92101

DSDEAS@sandiego.gov.

Subject: Towne Centre View/ No. 624751, Notice of Preparation

Dear Ms. Ferrell:

Friends of Rose Canyon submits the following comments on this project.

The Project proposes a c. 1 million square foot development in a five building “campus.”

The DEIR should address the following issues:

1. At presentations to the community, the developer has said the site is currently allowed 500,000 sq. feet of development in the existing University Community Plan. This should be explained.
2. The project proposes to tear down almost 200,000 sq. ft of buildings. The DEIR should describe when those were built, and why they cannot be repurposed.

3. Environmental Setting

Often EIRs are inadequate due to omissions in the description of the Project’s environmental setting. Here, the Project is proposed to double the allowed density on a finger of land on a dead end that is surrounded by MHPA. Thus, the potential for multiple direct and indirect impacts to MHPA lands and species is enormous. The site is 32.47 acres.

The surrounding MHPA lands include areas of CSS and Chaparral with high quality relatively undisturbed habitat and sensitive species. It will be important for the DEIR to provide a comprehensive description of the surrounding MHPA lands, including the sensitive and covered species that are located in those lands as well as migrating bird species that likely pass through the area. This should include species sensitive to noise from the Project (both construction and operation) and light (from construction and operation and during day and night). Nighttime

impacts should include nocturnal species and migrating birds. The description should include impacts to wildlife movement corridors, including mule deer and other covered MSCP species,

Environmental Impacts Analysis

The analysis must be guided by CEQA's fundamental purpose of "informing the public and responsible officials of the environmental consequences of their decisions before they are made." The DEIR must contain a detailed and complete analysis of the Project's impacts, not just conclusions.

Biological Resources and Wetlands

The DEIR must assess what adverse impacts the Project would have on MHPA lands, on MSCP covered species, on special status species or their habitat, or on any riparian habitat.

Light and Noise Impacts (from both construction and operation)

The DEIR must fully analyze all light and noise impacts the project will have on the MSCP lands that surround the Project site. This includes:

- Daytime and nighttime light and noise (including all outdoor lighting on the entire site and lighting from within all buildings
- Impacts on nocturnal species, including migrating birds
- Light and noise impacts from the many recreation areas adjacent to the MSCP (a sand volleyball court, a basketball court, a soccer field, an outdoor fitness area, a DG court, and a "Special Event Lawn")

What evening and nighttime uses will there be of outdoor areas?

What building lights will be on at night? Will some potentially be on all night?

How would these impacts be lessened by a Reduced Project Alternative?

Given the large size of the projects and the large amount of outdoor areas devoted to recreation that are adjacent to the MHPA, the Project should analyze the impacts from on-site recreation on the surrounding MHPA (including light and noise, day and night).

Shading impacts

The Project proposes tall buildings (up to 100' tall) in close proximity to MSCP lands.

What will the shading impacts be on the MSCP? How would these be reduced by lower buildings? By buildings moved further from the MSCP?

Other wildlife impacts

The DEIR should state that no anticoagulant rodent traps will be used on or near the Project site due to presence of birds of prey and other species in the MHPA.

Fencing around the area should keep people out of the MHPA but allow wildlife movement through it to reduce fragmentation of the MHPA.

The DEIR should address the issue of snakes and how they would be protected and not killed by tenants, employees or property managers on site. Snakes will certainly come from the MHPA onto the project site, both because the adjacent MHPA is where they live, and because they will be attracted by the irrigation and rodents on the site.

Human intrusion into the MHPA

The Project has the potential to cause MHPA impacts from people entering the MHPA by foot or bike. With such a large number of people coming to the site and with the site surrounded by MHPA lands, how will this impact be prevented?

4. Water

The Project appears to need a large amount of water, based on landscaping proposals that include large numbers of non-native trees, grass, and other landscaping. The impacts of this should be discussed: how much irrigation will all that luxuriant landscaping use, what will happen to the runoff, what impacts will there be to the surrounding MHPA lands from all the water infiltration in the soil (which is not a natural condition for the surrounding native vegetation).

The DEIR should disclose how storm water will be captured, how it will be treated, and, where it will be released given that it cannot be released into the MHPA.

Drainage from the under-building parking should go into wastewater system and not the stormwater system or MHPA.

The Project proposes a landscaping plan that includes a high percentage of non-native species, and non-native trees. The Project site is surrounded by the MHPA and San Diego's great natural biodiversity. Yet the landscaping plan proposes something akin to a tropical island. The DEIR should describe an alternative landscaping plan that incorporates a high percentage of CA native species. Native plant species are the ones our native wildlife - including native pollinators and birds - are adapted to.

5. Very High Fire Hazard Severity Zone

The Project is located in a Very High Fire Severity Zone. The DEIR must disclose the environmental impacts due to this location.

The DEIR needs to fully analyze the impacts of this location on the surrounding MHPA lands. It needs to cite the government regulations the project is subject to, and what the requirements for the Project are, current or potentially future, regarding brush management in the MHPA. The environmental impacts of any required brush clearance in the MHPA must be fully described, including impacts on MSCP covered species, the resulting increase in invasive species, erosion, and other impacts. The DEIR should disclose who would conduct that brush management and how often.

The analysis should include the distance of all buildings from the MSCP, what the requirements are given that distance, and how the requirements for any brush management in the MSCP would be reduced or eliminated by moving the buildings further from the edge of the MSCP.

The DEIR should also disclose the impacts of any project features that are intended to address the location in the high fire severity zone. Among these are the high use of water to maintain vegetation, the use of non-native plants for landscaping, or other Project features.

6. Traffic and GHG emissions: Crows vs Humans

While the City of San Diego Planning Department Map of Transit Priority Areas per SB742 shows the Project within a TPA, this map is incorrect. As the text on the map states: “In accordance with SB 743, “Transit priority area” means “an area within one-half mile of a major transit stop that is existing or planned”

While it is true the Project location is within ½ mile for a crow, it is actually on the far side of a large canyon from transit. For human beings, the Project is located 1.9 miles to the Voigt Trolley Station and 1.4 miles to the Executive Square trolley station. Thus it is nowhere near walking distance to a major transit stop. The DEIR needs to disclose that this area does not come close to meeting the definition of a Transit Priority Area (except for crows).

Parking: The Project proposes 2,723 parking stalls. The DEIR should explain how that number was arrived at and how that number is related to Vehicle use vs. Transit/Walking/Biking projected for the Project.

7. Alternatives

CEQA emphasizes that an EIR must analyze a range of reasonable alternatives to the project. The alternatives must feasibly attain most of the basic project objectives while avoiding or substantially lessening the project’s environmental impacts. CEQA guidelines state that the selection and discussion of alternatives should foster informed decision-making and informed public participations.

In this case, among the items the DEIR should consider in describing reasonable alternatives to the project would be to reduce the large amount of proposed square footage for the following:

- The project proposes a substantial amount of building square footage labeled “amenity”. This includes areas in Building A and Building C, all of Building E, and some of Building B. The total square footage that is amenities needs to be disclosed.
- In four of the five buildings, the project proposes a substantial amount of square footage as Lobby. The total square footage that is Lobby needs to be disclosed.

Reasonable alternatives should also describe the reduced impacts from the reduction in parking space needed and from the reduction in GHG emissions.

Additionally, the DEIR should consider reasonable alternatives that reduce the impacts on the MSCP by reducing the large amount of outdoor area devoted to recreation and socialization; from the reduced amount of noise, light, shading and other impacts on the MSCP.

8. Aesthetics

The DEIR must analyze the impacts of the Project on aesthetics, including scenic vistas, scenic resources, and the visual character of the area, and the introduction of light or glare. The analysis must include clear graphic showing pre- and post-Project visual conditions using an appropriate technique.

The Project must also analyze the loss of public views that is being proposed. While the project proposes to “unify the two sites”, it proposes a street vacation for a public street, thereby cutting off public access to the same spectacular vistas over MHPA lands that the Project proponent, a private company, will be using to market its site and increase its profits.

The Project proposes multiple outlook points: views to the canyon/mountain, views to the coast, views to the valley. These are touted as benefits of the Project. However, these are the views that would be cut off to the public.

The DEIR should include Alternatives that allow public access to the site in a manner that allows access to these various views (not just to the coffee shop).

LEED

The project proposes to meet minimum LEED Silver. In California, LEED Silver is pretty much the lowest level: Many State requirements are at or above LEED Silver standards.

Sincerely,

Deborah Knight

Deborah Knight
Executive Director

May 4, 2021

Rachael Ferrell

Development Services Department 1222 First Avenue, MS-501

San Diego, CA 92101

DSDEAS@sandiego.gov.

Subject: Towne Centre View/ No. 624751, Notice of Preparation

Dear Ms. Ferrell:

These comments are submitted in response to the Notice of Preparation ("NOP") of an Environmental Impact Report ("EIR") for the proposed Towne Centre View Project/No 624751 ("Project").

I write as a concerned citizen of San Diego and a resident of University City with nine years of past experience as a Board Member of the University Community Planning Group. I have been a public member of the Towne Centre View [TCV] Project Subcommittee of the UCPG. I am an urban and environmental historian. My comments reflect my own views.

These comments are based on direct familiarity with the site in addition to Project presentations made to the UCPG and the Towne Centre View Subcommittee, including Power Point slides presented by BioMed Realty Trust to the TCV Subcommittee on December 2, 2020 and April 13, 2021.

Environmental Setting:

Many EIRs are inadequate due to omissions in the description of the Project's environmental setting. The DEIR should provide a comprehensive description of the Project's study area including its scenic, biologically diverse, and culturally significant location on the Sorrento Headlands with views to the Pacific Ocean and Torrey Pines State Park. It should describe its situation in relationship to the Peñasquitos watershed, the Coastal Zone, Roselle Canyon,

and the City of San Diego Multiple Habitat Planning Area lands, which envelop the site on every side.

Roselle Canyon and the adjoining Sorrento Headlands, including the MHPA lands that surround the Project site provide habitat for numerous sensitive species and other plant and animal life. Coastal sage scrub and chaparral habitats, home to Federally Threatened and MSCP-covered Coastal California Gnatcatchers (*Poliioptila californica ssp. Californica*), and MSCP-covered Orange Throated Whiptail lizards cover surrounding canyon slopes and headlands. A rare Nuttall's Scrub Oak (*Quercus dumosa*) woodland exists on the north-facing hillsides within and adjoining the site, while a very rare succulent scrub habitat populated by MSCP-covered San Diego Barrel Cactus (*Ferocactus viridescens*) and other succulent scrub species exists on the south facing slopes adjoining the site. MSCP-covered Northern Harriers (*Circus cyaneus*) hunt across the project site, while MSCP-covered Southern Mule Deer forage on the adjacent headlands. The project site drains into Carroll Creek, which feeds fresh water into the Peñasquitos Lagoon less than two miles from the project site.

Because of importance of Roselle Canyon and the Sorrento Headlands to the human population and wildlife species in a 'global bio-diversity hotspot,' such as San Diego, the local University Community Planning Group has voted on multiple occasions since 2012 to permanently protect the adjoining city-owned lands as dedicated open space.

The Roselle Canyon/Sorrento Headlands area also boasts valuable cultural resources including the recognized Kumeyaay village site of Ystagua, which was home to native Californians for approximately 5,000 years through the arrival of the first Europeans, who visited the site with the Portola expedition in 1769.

The DEIR should evaluate the following Environmental Impacts:

A. Biological impacts:

1) MHPA and Vernal Pool Effects:

The DEIR should carefully evaluate potential impacts of the Project to biological resources on adjoining MHPA lands, including the **vernal pool** habitat on the MHPA parcel immediately to the east of the proposed parking

structure (along the east Project boundary). Project should plan to meet or exceed all MHPA adjacency guidelines.

a) Bird Strikes:

The DEIR should carefully evaluate Project alternatives designed to eliminate bird strikes.

The Project site is quite literally an 'island' in the midst of City of San Diego MHPA habitat preserve. The surrounding lands are well frequented by resident and migrant bird species, including MHPA-covered species, such as Cooper's Hawk, Northern Harrier, and California Gnatcatcher. Coastal San Diego is a critical point on the Pacific Flyway, a transcontinental pathway travelled by a billion birds annually, and which is essential to their survival. At the same time, bird strikes are the second leading cause of human induced bird mortality in North America, resulting in an estimated 300-988 million deaths in North America every year (National Audubon Society). This larger context highlights the critical importance of bird safe design, lighting, and other site features built into Project plans from the start.

The Project proposes a wall-like pattern of illuminated, glass-sheathed high-rises reaching to as much as 95' in height. The Project proposes to mass these structures on a narrow coastal headland in the midst of MHPA lands, creating the potential for a deadly gauntlet for bird species seeking to move from one section of the habitat preserve to another and through the Sorrento Valley, and the San Diego coastal region in general.

The DEIR should study alternatives to minimize the potential for deadly bird-strikes. It should pay special attention to the impacts associated with Building B, which extends on a point deep into the MHPA lands, and Building A, which closely adjoins the MHPA edge on the southwest corner of the project site.

The DEIR should carefully study alternatives including state-of-the-art bird safe design for windows, entrances, corridors and breezeways, and project lighting, among other features. The DEIR should evaluate the project including American Bird Conservancy guidelines ([American Bird Conservancy](#)) as well as the Toronto Bird Friendly Development Guidelines, which the applicant has referenced in the Project presentations.

b) MHPA effects - Lighting: In addition to studying Project alternatives designed to eliminate light hazards to bird species, the DEIR should evaluate lighting impacts, and study a site plan that avoids light overspill into MHPA.

c) MHPA effects - Recreational Impacts: The DEIR should evaluate impacts of recreational facilities – noise, human traffic, refuse, lighting - on MHPA edges. The Project should minimize human disturbance of sensitive habitat and species, including the Coastal California Gnatcatcher.

d) MHPA effects - Invasive Plants: The DEIR should thoroughly evaluate alternatives to eliminate the potential for continued harm to the MHPA due to invasive plantings.

Currently, significant numbers of invasive plant species pervade the Project site, and they are escaping into the adjoining MHPA lands. In particular, significant numbers of **Pampas Grass** clumps and stands are invading the MHPA from the Project site. Numerous other non-native and invasive trees (Tamarisk, pine species), shrubs, and ground covers (Ivy), are moving down slope from the Project site into the adjoining MHPA.

The DEIR should evaluate Project alternatives that plan for the removal of all existing invasive plants on site as well as the removal of invasive species that have moved from the site into the adjoining MHPA lands.

The DEIR should evaluate project alternatives that include 100% non-invasive landscaping (no plants on CNPS invasive plant list).

e) MHPA effects – native plants: Instead, the DEIR should evaluate landscaping alternatives that include 100 % local, native plants, and at minimum, majority native and 100% local native species within 100-feet of the MHPA edge.

Landscaping utilizing native shrubs and forbs that are common on the surrounding lands, in particular, will help to mitigate and minimize MHPA fragmentation. Local native shrubs including Lemonadeberry, Toyon, Nuttall's Scrub Oak, Laurel Sumac, Blue Elderberry, and Coast Live Oak offer evergreen foliage, low water usage, fire resistance, long-term carbon sequestration, and limited maintenance needs as well as reducing the biological impacts of the Project to the surrounding MHPA lands.

f) MHPA effects – ‘brush management’: The DEIR should evaluate the foreseeable impact of proposed 'brush management' activities on the Project site edges. In particular, the DEIR should evaluate alternatives that avoid 'brush management' impacts to sensitive species in the canyons beyond the site retaining walls.

The DEIR should, in particular, study alternatives that avoid 'brush management' activities among highly sensitive species along the northeast edge of the project site. Visual survey indicates that there are approximately 50 mature San Diego Barrel Cactus (*Ferocactus viridescens*), a covered MSCP species, on both sides of the Project border on the slope just west of building E. These plants are not only rare but resistant to fire. The project can avoid disturbance of this sensitive habitat type while maintaining wildfire protection in a single stroke.

Further, given the presence of Federal Endangered Species Act (FESA) threatened and MSCP covered coastal California gnatcatcher (*Polioptila californica californica*) and California Species of Special Concern and MSCP covered Orange-Throated Whiptail (*Aspidoscelis hyperythra*) on other portions of this same slope, the project should avoid all 'brush management' activities outside the Project retaining walls on this slope and other project edges.

In addition, the DEIR should carefully study impacts of any other proposed 'brush management' activities on the stands of rare Nuttall's Scrub Oak (CNPS rare plant list 1-B1) that adjoin the north boundary of the Project site. Harm to these rare trees should be avoided.

The DEIR should study alternatives that focus any on-site 'Brush management' activities on the removal of invasive species, many of which have been introduced by the current development maintained by the Project applicant.

g) MHPA/Biological impacts – use of anti-coagulants / poison:

The DEIR should evaluate potential impacts of rodent and pest control on adjoining sensitive species, hawks and other raptors, in particular.

Given its location in the midst of MHPA lands well frequented by hawks, including MSCP covered species, the project should commit to the stipulation that **no anticoagulant rodenticide** will be used in the Project boundaries.

h) Biological impacts - Habitat Fragmentation-Connectivity:

To avoid habitat fragmentation of the MHPA, proposed fencing around the site's canyon perimeter, including the northern exercise area should be designed to keep people out, but to allow wildlife to move through it.

The DEIR should evaluate Project alternatives that enhance or restore habitat and wildlife connectivity between the main branch of Roselle Canyon to the south and west of the project and the finger canyon to the north and east, including the planned MHPA corridor/connection between these habitat patches, which runs along the southeast edge of the Project site.

g) Biological impacts – habitat conservation and fragmentation. The DEIR should evaluate the use of a conservation easement to guide the future use and management of the parcels that are designated as 'open space' in the Project plan.

B. Hydrological Impacts: Stormwater Runoff

The DEIR should evaluate impacts of site drainage to avoid illegal discharges of water into adjoining MHPA lands and downslope creeks/lagoon.

Unfortunately, the current site maintained by the Project applicant includes **discharges of storm/wastewater** into adjoining MHPA lands, especially along the northwest edge of the Project site, where the resulting verdant foliage is visible on Google earth imagery. Sources of this water include truck washouts on the Mid-coast Trolley mustering yard. In addition, the presence of willow species high on the slope of the canyon on the north boundary of the site suggests that there is unregulated discharge or seepage into the MHPA along this edge as well.

The Project should meet all current stormwater regulations to avoid direct biological and hydrological impacts in MHPA lands in the future.

In addition, the DEIR should evaluate diverting all drainage from the under-building parking areas into the wastewater system and not into the MHPA or the stormwater system.

C. Geology / Biological impacts

The DEIR should carefully evaluate the Project site for the presence of Linda Vista formation and associated rare plant communities.

Documented presence of a recently extirpated community of the very rare endemic succulent, Short-leaved dudleya (*Dudleya brevifolia*), on a neighboring headland approximately .6 miles to the southeast, and the existence of iron concretions associated with Linda Vista formation on the soil surface adjoining the Project site warrant special care in surveying the site for rare plants.

D. Cultural impacts:

The DEIR should carefully evaluate the project site for impacts to cultural resources.

The proximity (less than .3 miles) of the Project site to the historic Kumeyaay village site of Ystagua warrant special care in ascertaining the presence and protection of Traditional Cultural Resources, Cultural Practices, and Properties.

The project developer should consider consulting with appropriate local tribal agencies to ensure appropriate care and attention to the cultural context of the Project site with much deeper and broader Indigenous perspectives and history.

DEIR should include outreach to local Tribal Nations to evaluate impacts to Traditional Cultural Resources/Properties, and to help contextualize the significance to the Kumeyaay people. recorded cultural sites, current conditions and current

E. Aesthetic impacts - Coastal Views, Vistas and Scenic Resources:

The DEIR should carefully evaluate impacts to scenic resources and public access to coastal views and vistas, including project alternatives that avoid degrading or obstructing public access to ocean vistas, scenic resources, and the visual character of the University Community.

The Project description should clearly situate the Project in relation to the Coastal Zone and associated visual and scenic resources.

The Project sits on a coastal headland, adjoining the Coastal Zone, which is visible for several miles to the North, including from Interstate 5 Southbound as it enters the City of San Diego.

In addition, the Project site includes scenic and visual resources looking out from the Sorrento Headlands into the Sorrento Valley and the Ocean, and it adjoins the only publicly accessible vista point with a view of the Ocean from the University Community east of Interstate 5 and outside the Coastal Zone.

The DEIR should study project alternatives that avoid un-mitigatable impacts to scenic views of Sorrento Valley, Ocean, and Coastal Zone from the public right of way on Towne Center Drive.

In particular, the DEIR should study project alternatives that do not include the proposed parking garage or the more easterly siting of Building D (which appears in slide 17 of the April 13 public presentation of to the UCPG Subcommittee). The proposed parking structure and, alternatively, the easterly siting of Building D will have significant visual, aesthetic, and scenic impacts by **obstructing a scenic vista of the Peñasquitos Lagoon and Ocean** - one of the few – if not the only – publicly accessible views of the Pacific Ocean in the University Community east of Interstate 5 or outside of the Coastal Zone.

The DEIR should also consider the impact to scenic views and visual resources from the south side of Towne Centre Drive to the north of Westerra Court, and it should consider alternatives that will preserve these resources and minimize these impacts.

The Project proposal to vacate a portion of the Towne Centre Drive easement will potentially cut off access to overlook/public views into Roselle Canyon at this point.

The DEIR should consider project alternatives with alternative massing, placement, and density of buildings that do not to degrade aesthetic and visual resources and scenic vistas looking northward toward the Sorrento Valley and Peñasquitos Lagoon.

The DEIR should evaluate project alternatives that enhance scenic resources in the University Community by including publicly accessible walks, trails, overlooks, and vistas designed into project.

The DEIR **should evaluate as a potential mitigation** for impacts to visual resources, public vistas and scenic views, a well-designed system of rim trails walks, overlooks and vistas on the project site that are accessible to the public while striking a balance with Project privacy goals.

Finally, the DEIR should carefully evaluate the visual impacts of the Project as a source of glare and reflection. Proposed high-rise glass structures, including Building B, which is proposed with long reflective surfaces oriented toward the east and west, and Building A, which is oriented with a long south-facing surface, are likely to produce substantial glare that may affect wildlife, residents, recreational users, and businesses at some distance from the Project site.

F. Transportation / GhG Impacts

1) Vehicle Miles Travelled, GHG

DEIR should evaluate Project impacts on traffic, VMT and Greenhouse Gasses on the basis of its **actual street distance** from public transit.

Although the Project description claims a location within a Transit Priority Area, the Project site is over 1.75 street miles from the future Voight Drive station of Blue Line trolley.

‘As-the-crow-flies’ distance from transit is not an appropriate basis for evaluation of transportation impacts, VMT measurement, or GHG impacts because the Project site is isolated from the Blue Line Station by the steep slopes and depths of Roselle Canyon.

To assure California citizens that the project meets the spirit and letter of state law designed to promote Transit Oriented Development through development in defined Transit Priority Areas, the DEIR should study Project alternatives that reflect regulations for comparable sites that are *outside* of a TPA, and at comparable distances from public transit.

Given the size, scale, and location of the Project, the DEIR should perform GHG emissions analysis including emissions associated with the construction and use of the site.

2) Transportation Impacts – Parking

DEIR should evaluate whether the site is 'over-parked' and designed to increase or induce reliance on automobile transportation.

Given its actual distance from accessible transit, the proposed Project is likely. (absent active steps) to remain reliant on automobile transportation at ratios far exceeding Climate Action Plan targets (2020 or 2035), which reflect critical state and global needs.

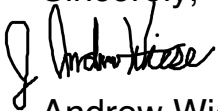
The DEIR should evaluate project designs with alternative parking ratios designed to encourage alternative (non-automobile) modes of transportation including minimum parking ratios. It should evaluate the impact of parking ratios and projected automobile reliance on VMT and GHG emissions.

In addition, the DEIR should study the option of subterranean parking to reduce building heights and to facilitate elimination of the proposed Parking Garage in the southeastern corner of the site.

The DEIR should evaluate alternatives that do not include the parking structure in the SE corner of the site but instead include an enhanced multi-modal transit hub with public access and unobstructed scenic vistas from Towne Centre Drive at that location.

Thank you for your attention.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew Wiese". The signature is written in a cursive style with a large initial "A".

Andrew Wiese, PhD
2936 Gobat Avenue
San Diego, CA, 92122

Scoping Meeting Presentation Script
Towne Centre View
April 15, 2021

HOW TO RECORD: "Insert", "Audio", and then "Record Audio" and a little box will come up with a red dot. You click the red dot and speak into your computer mic. Then hit the red dot when you are done speaking

Slide 1: Welcome to the City of San Diego's scoping meeting presentation on the Environmental Impact Report for the Towne Centre View Project.

During the current State of Emergency and in the interest of public health and safety, and in accordance with the Office of Planning and Research guidance, the City is not currently conducting in-person scoping meetings. Instead, a pre-recorded presentation is being provided.

It should be noted however that in the future, City Scoping Meetings could be conducted electronically.

Slide 2:

During this scoping meeting presentation, you will hear an overview of the environmental review process including the purpose of the scoping meeting and the public hearing process, the Towne Centre View project description, information regarding the Towne Centre View Environmental Impact Report, and ultimately how to provide input.

Slide 3:

The City's environmental review staff is required by the California Environmental Quality Act as well as the City's Municipal Code to provide the public and the decision-makers with independently prepared environmental documents which discloses potentially significant adverse environmental effects, identify possible ways to mitigate or avoid the significant effects, and describe a range of

reasonable alternatives to the project that could feasibly attain most of the basic objectives while substantially lessening a significant environmental impact.

As a part of this process, input from the public and organizations as well as tribes and agencies involved with the project is solicited at several stages. The environmental document does not recommend project approval or denial. Instead, it is an informational document meant to disclose the environmental effects of a proposed project.

Slide 4:

As shown on this slide, the periods when the public can provide input on environmental concerns are denoted by asterisks. This includes the public scoping meeting stage that started on April 5, 2021 and extends 30 days to May 5, 2021. Through this period for Notice of Preparation and scoping and during the Draft EIR public review period, the public may submit comments to the City.

Contact information and how to submit comment will be provided at the end of the presentation.

The public may again provide input during meetings held by the officially recognized planning group and during various public hearings, such as Planning Commission and City Council Hearings.

Slide 5:

Consistent with Section 21083.9 of the CEQA Statutes, a public scoping period is being conducted to solicit comments regarding the scope and analysis of the Environmental Impact Report. The Notice of Preparation distributed, includes information about the project and project location, and identifies the general topics to be addressed in the Environmental Impact Report.

The Notice of Preparation's purpose is to provide notice of the upcoming Environmental Impact Report preparation and solicit input from the public

regarding potential environmental concerns. The information received is then utilized during the preparation of the Environmental Impact Report. This notice also provides information regarding the scoping meeting.

As previously identified, due to the current State of Emergency and in the interest of public health and safety, and in accordance with the Office of Planning and Research guidance, the City is not currently conducting in-person scoping meetings. Instead, this pre-recorded presentation has been provided.

Slide 6:

City environmental staff's review of the Towne Centre View project identified the environmental issues that could be potentially significant for the project. These issues as well as those environmental issues that have been identified as effects found not to be significant based on information available at this time are shown on this slide.

Slide 7:

The Environmental Impact Report will be prepared in accordance with the City's standard format, the City's Significance Determination Thresholds as updated in November 2020, and the 2021 California Environmental Quality Act Statutes and Guidelines.

The Environmental Impact Report will provide a detailed project description and setting, disclose the project's significant effects on the environment, identify mitigation measures to avoid or reduce environmental impacts, and analyze feasible project alternatives that reduce environmental effects.

Once the Environmental Impact Report is prepared, it will be circulated for a 45-day public review period. Comments received on the draft environmental document during this time will be considered and addressed.

After public review is completed, a final Environmental Impact Report will be prepared that includes responses to the comment letters received during the public review period. The final environmental document with responses to comments will then be considered with approval of the project by City decision-makers.

Slide 8:

Now a brief overview of the Towne Centre View project itself. The project site is located in the University community within the City of San Diego.

Slide 9:

The 33.55-acre site is located at the northern terminus of Towne Centre Drive. The Project site is surrounded by open space to the north and west, and office uses to the south and east. Interstate 805 is located east of the site. The eastern portion of the Project site is currently developed with three scientific research buildings (approximately 199,735 square feet of building area). The western portion of the Project site currently serves as a staging area for the Mid-Coast Trolley construction project and is entitled for 190,000 square feet of research and development (R&D) uses.

Slide 10:

The site is designated by the General Plan as Industrial Employment and Parks, Open Space and Recreation, and is designated in the University Community Plan as Industrial and Open Space.

Slide 11:

The site is currently zoned as Industrial Park (IP-1-1) and Residential-Single Unit (RS-1-7). More specifically, the majority of the site is zoned Industrial Park (IP-1-1), which is the grey color in this graphic and the northern portion of the site that would not be developed is zoned Residential-Single Unit (RS-1-7).

Slide 12:

The purpose of the Project is to provide a scientific research and development campus in the southern portion of the project site on Parcels 2, 3, & 4 that has been previously developed or disturbed, and leave Parcel 1 in the northern portion of the site undeveloped, which encompasses about 7 acres of open space.

The Project involves redevelopment of the Project site with a five-building campus referred to as Buildings A through E, which would include scientific Research & Development, laboratory, technology, and office uses, with supporting parking structures and surface parking areas, recreational facilities, amenities, and landscaping. Buildings A through E would have a gross floor area of approximately 1 million square feet, with additional area consisting of balcony and roof deck space.

Buildings A, B and C would be 6 levels with an overall maximum building height of approximately 132 feet above existing grade. Building D would be 5 levels with an overall maximum building height of approximately 107 feet above existing grade. Building E would be 2 levels with an overall maximum building height of approximately 35 feet above existing grade. Building facades would have primarily glass and metal exterior materials, with a high degree of transparency to allow daylight into the building and views out of the building.

The Project would also include approximately 2,500 parking spaces, including surface parking areas and parking structures.

The existing terminus to Towne Centre Drive within the Project site would be removed and the intersection of Towne Centre Drive and Westerra Court would be modified, as necessary to comply with the City requirements for roadway design and emergency access. The existing sidewalk along the north side of Towne Centre Drive would be replaced.

Slide 13:

The Project site is located in the Accident Potential Zone II (APZ II), and Transition Zone (TZ) of the Marine Corps Air Station (MCAS) Miramar Airport Land Use Compatibility Plan (ALUCP).

Slide 14:

The northern parcel within the Project site and areas surrounding the Project site are within the City's Multi-Habitat Planning Area (MHPA) and would remain undeveloped.

Slide 15:

The project will require the following discretionary approvals:

- **Community Plan Amendment** to add the proposed intensity of the Project to the Development Intensity table in the Community Plan and amend corresponding maps.
- **Planned Development Permit (PDP)** to amend the existing PDPs on the Project site and to provide for any deviations necessary for creative site planning.
- **Site Development Permit** due to presence of environmentally sensitive lands and location of the site within the Airport Land Use Compatibility Overlay Zone.
- **Tentative Map** to reconfigure the existing parcels to accommodate the proposed development and for vacation of Towne Centre Drive; the northern open space parcel would not be changed.
- **Street Vacation** for a portion of Towne Centre Drive and the cul-de-sac at the terminus of Towne Centre Drive to make these areas part of the Project site.

Slide 16:

This slide provides information on how the public can submit comments on the Notice of Preparation. Please note the focus of the comments must be on the environmental effects that should be analyzed in the environmental document.

The City requests that all comments be provided electronically. Comments may either be submitted via the electronic form on the City's California Environmental Quality Act website or emailed to **DSDEAS@sandiego.gov**. However, if a hardcopy submittal is necessary, they may be mailed to the address indicated on the slide.

Please reference the project name and number, which is Towne Centre View No. 624751.

Slide 17:

The input provided will be considered by City staff for use in the scope of the Environmental Impact Report and included as part of the official administrative record for the environmental document.

Please be aware that this is just the start of the environmental review process. There will be other opportunities to provide comment on the environmental document and the project, such as during community group meetings, public review of the draft environmental document, as well as any associated public hearings.

Slide 18:

As required by the Americans with Disabilities Act, requests for scoping meeting information to be made in alternative formats, and any requests for disability-related modifications or accommodations required to facilitate meeting participation, including requests for alternatives to observing this meeting presentation and offering public comment, may be made by email to DSDEASnoticing@sandiego.gov.

This concludes the public scoping meeting and presentation for the Towne Centre View Environmental Impact Report. Thank you!