THE CITY OF SAN DIEGO

MITIGATED NEGATIVE DECLARATION

Project No. 649192
SCH No. TBD

SUBJECT: Kearny Mesa Logistics Center Project: A SITE DEVELOPMENT PERMIT (SDP) for the redevelopment of a 20.7-acre lot located at 5650 and 5670 Kearny Mesa Road (Assessor's Parcel Number [APN] 356-032-01 and -02) in the Kearny Mesa community within Council District 6. The proposed project involves the demolition of the existing three buildings totaling 80,600 square feet and the construction of one single-story building of 330,000 square feet warehouse/distribution center that would be constructed in the southwestern portions of the site. In addition to the building, the project would also include a minimum of 330 parking spaces, landscaped areas, and improvements to Magnatron Boulevard. The project site is designated Industrial and Technology Park in the Kearny Mesa Community Plan (adopted by ordinance on November 10, 2020) and is zoned IL-2-1 (Industrial Light Zone). The project site is also within the Airport Influence Area Marine Corps Air Station (MCAS) Miramar Review Area 1 and Montgomery Field Review Area 2), and the Federal Aviation Administration (FAA) Part 77 Height Notification Area.

LEGAL DESCRIPTION: A portion of Lot 78 of Rancho Mission in the City of San Diego, County of San Diego, State of California.

APPLICANT: Latitude 33 Planning and Engineering

I. PROJECT DESCRIPTION

See attached Initial Study.

II. ENVIRONMENTAL SETTING

The approximately 20.7-acre project site is located in the Kearny Mesa community of the City of San Diego (City), approximately 8 miles north of downtown San Diego and 7.5 miles east of the Pacific Ocean (see Figure 1, *Regional Location*).

The project is situated within APNs 356-032-01 and -02, located at 5670 Kearny Mesa Road at the southwest quadrant of the State Route (SR) 52/SR 163 interchange as shown on Figure 2, *Project Vicinity (Aerial Photograph)*. The project site is located at the terminus of Kearny Mesa Road, beyond which lies open space that is within the City's Vernal Pool Habitat Conservation Plan (VPHCP; City 2020) and the City's Multi-Habitat Planning Area (MHPA). Eastern portions of the project site are also located within the boundary of the City's VPHCP Hardline and the MHPA.

The project site is currently developed with three industrial buildings, ancillary structures (shipping and receiving buildings, maintenance building, detached garage, and boresight tower),[1] and an asphalt-paved surface parking lot. It also contains undeveloped land in the northeastern portion of the site. Access is provided via Kearny Mesa Road on the southwest side of the property. Adjacent uses include SR 52 to the north, light industrial land uses in single-story structures to the southwest and across SR 163, open space to the east, SR 163 to the south and east, and light industrial structures and open space to the west.

III. DETERMINATION

The City of San Diego conducted an Initial Study (IS) which determined that the proposed project could have a significant environmental effect with regard to **Biological Resources, Cultural Resources, Land Use and Planning, and Tribal Cultural Resources**. Subsequent revisions in the project proposal create the specific mitigation identified in Section V of this Mitigated Negative Declaration (MND). The project as revised now avoids or mitigates the potentially significant environmental effects previously identified, and the preparation of an Environmental Impact Report will not be required.

IV. DOCUMENTATION

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

V. MITIGATION MONITORING AND REPORTING PROGRAM:

A. GENERAL REQUIREMENTS

Plan Check Phase (prior to permit issuance)

1. Prior to the issuance of a Notice to Proceed (NTP) for a subdivision, or any construction permits, such as Demolition, Grading or Building, or beginning any construction-related activity on-site, the Development Services Department (DSD) Director's Environmental Designee (ED) shall review and approve all Construction Documents (CD) (plans, specification, details, etc.) to ensure the MMRP requirements are incorporated into the design.

2. In addition, the ED shall verify that the MMRP Conditions/Notes that apply ONLY to the construction phases of this project are included VERBATIM, under the heading, "ENVIRONMENTAL/MITIGATION REQUIREMENTS."

3. These notes must be shown within the first three (3) sheets of the construction documents in the format specified for engineering construction document templates as shown on the City website: http://www.sandiego.gov/developmentservices/industry/information/standtemp.shtml.

4. The TITLE INDEX SHEET must also show on which pages the "Environmental/Mitigation Requirements" notes are provided.

5. SURETY AND COST RECOVERY. The DSD Director or City Manager may require appropriate surety instruments or bonds from private Permit. Holders to ensure the long-term performance or implementation of required mitigation measures or programs. The City is authorized to recover its

[1] A boresight tower is a directional antenna used for telecommunication and radar engineering.

cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.

Post Plan Check (After permit issuance/Prior to start of construction)

6. PRE-CONSTRUCTION MEETING is required ten (10) working days prior to beginning any work on this project. The Permit Holder/Owner is responsible to arrange and perform this meeting by contacting the City Resident Engineer (RE) of the Field Engineering Division and City staff from Mitigation Monitoring Coordination (MMC). Attendees must also include the Permit Holder's Representative(s), Job Site Superintendent, and the following consultants:

    - Qualified biologist
    - Qualified archaeologist and Native American monitor

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

    CONTACT INFORMATION:

    a. The primary point of contact is the RE at the Field Engineering Division – 858-627-3200.

    b. For clarification of environmental requirements, applicant is also required to call RE and MMC at 858-627-3360.

7. MMRP COMPLIANCE. This Project, Project Tracking System (PTS) Number 649192 and/or Environmental Document Number 649192, shall conform to the mitigation requirements contained in the associated Environmental Document and implemented to the satisfaction of the DSD's Environmental Designee (MMC) and the City Engineer (RE). The requirements may not be reduced or changed but may be annotated (i.e., to explain when and how compliance is being met and location of verifying proof, etc.). Additional clarifying information may also be added to other relevant plan sheets and/or specifications as appropriate (i.e., specific locations, times of monitoring, methodology, etc.

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

8. OTHER AGENCY REQUIREMENTS: Evidence of compliance with all other agency requirements or permits shall be submitted to the RE and MMC for review and acceptance prior to the beginning of work or within one week of the Permit Holder obtaining documentation of those permits or requirements. Evidence shall include copies of permits, letters of resolution or other documentation issued by the responsible agency: ***None required.***

9. MONITORING EXHIBITS: All consultants are required to submit to RE and MMC, a monitoring exhibit on a 11x17 reduction of the appropriate construction plan, such as site plan, grading, landscape, etc., marked to clearly show the specific areas including the LIMIT OF WORK, scope of that discipline's work, and notes indicating when in the construction schedule that work will be

performed. When necessary for clarification, a detailed methodology of how the work will be performed shall be included.

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

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

DOCUMENT SUBMITTAL/INSPECTION CHECKLIST

Issue Area	Document Submittal	Associated Inspection/ Approvals/Notes
General	Consultant qualification letters	Prior to preconstruction meeting
General	Consultant construction monitoring exhibits	Prior to preconstruction meeting
Biological Resources (construction noise)	Acoustical analysis (if construction commences during the avian breeding season and adjacent habitat is occupied by gnatcatcher)	Prior to construction
Biological Resources	Monitoring reports	Following construction monitoring
Cultural Resources/Tribal Cultural Resources	Monitoring Reports	Following construction monitoring

B. SPECIFIC MMRP ISSUE AREA CONDITIONS REQUIREMENTS

BIO-1 Biological Resources-Upland Habitat : Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, the owner/permittee shall mitigate for direct impacts to 0.8 acres of Tier II Baccharis scrub (including disturbed), 1.2 acres of Tier II Diegan coastal sage scrub (including disturbed), 0.2 acres of Tier IIIA chamise chaparral and 0.1 acres of Tier IIIB non-native grassland, all located outside of the MHPA. Mitigation shall be provided in accordance with ratios provided in Table 3 of the City's Biology Guidelines (2018) for an anticipated mitigation obligation of 2.15 acres. Mitigation shall consist of payment into the City's Habitat Acquisition Fund for direct impacts to 2.15 acres of Tier II, Tier IIIA and Tier IIIB habitat.

BIO-2 Biological Resource Protection During Construction: Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and

Building Plans/Permits, the Environmental Designee shall verify that the following project requirements are shown on the construction plans:

- **Prior to Construction**

    - **Biologist Verification –** The owner/permittee shall provide a letter to the City's Mitigation Monitoring Coordination (MMC) section stating that a Project Biologist (Qualified Biologist) as defined in the City of San Diego's Biological Guidelines (2012), has been retained to implement the project's biological monitoring program. The letter shall include the names and contact information of all persons involved in the biological monitoring of the project.

    - **Preconstruction Meeting –** The Qualified Biologist shall attend the preconstruction meeting, discuss the project's biological monitoring program, and arrange to perform any follow up mitigation measures and reporting including site-specific monitoring, restoration or revegetation, and additional fauna/flora surveys/salvage.

    - **Biological Documents –** The Qualified Biologist shall submit all required documentation to MMC verifying that any special mitigation reports including but not limited to, maps, plans, surveys, survey timelines, or buffers are completed or scheduled per City Biology Guidelines, Multiple Species Conservation Program (MSCP), Environmentally Sensitive Lands Ordinance (ESL), project permit conditions; California Environmental Quality Act (CEQA); endangered species acts (ESAs); and/or other local, state or federal requirements.

    - **Biological Construction Mitigation/Monitoring Exhibit –** The Qualified Biologist shall present a Biological Construction Mitigation/Monitoring Exhibit (BCME) which includes the biological documents in C above. In addition, include: restoration/ revegetation plans, plant salvage/relocation requirements (e.g., coastal cactus wren plant salvage, burrowing owl exclusions, etc.), avian or other wildlife surveys/survey schedules (including general avian nesting and USFWS protocol), timing of surveys, wetland buffers, avian construction avoidance areas/noise buffers/ barriers, other impact avoidance areas, and any subsequent requirements determined by the Qualified Biologist and the City ADD/MMC. The BCME shall include a site plan, written and graphic depiction of the project's biological mitigation/monitoring program, and a schedule. Prior to the issuance of grading permits, the BCME shall be approved by MMC and referenced in the construction documents.

    - **Avian Protection Requirements –** To avoid any direct impacts to any species identified as a listed, candidate, sensitive, or special status species in the MSCP, removal of habitat that supports active nests in the proposed area of disturbance shall occur outside of the breeding season for these species (February 1 to September 15). If removal of habitat in the proposed area of disturbance must occur during the breeding season, the Qualified Biologist shall conduct a pre-construction survey to determine the presence or absence of nesting birds on the proposed area of disturbance. The pre-construction survey shall be conducted within 10 calendar days prior to the start of construction activities (including removal of vegetation). The applicant shall submit the results of the pre-construction survey to City DSD for review and approval prior to initiating any construction activities. If nesting birds are detected, a letter report in conformance with the City's Biology Guidelines (i.e., appropriate follow up surveys, monitoring schedules, construction, and

noise barriers/buffers, etc.) shall be prepared and include proposed measures to be implemented to ensure that take of birds or eggs or disturbance of breeding activities is avoided. The report or mitigation plan shall be submitted to the City for review and approval and implemented to the satisfaction of the City. The City's MMC Section and Biologist shall verify and approve that all measures identified in the report are in place prior to and/or during construction.

- **Resource Delineation –** Prior to construction activities, the Qualified Biologist shall supervise the placement of orange construction fencing or equivalent along the limits of disturbance adjacent to sensitive biological habitats and verify compliance with any other project conditions as shown on the BCME. This phase shall include flagging plant specimens and delimiting buffers to protect sensitive biological resources (e.g., habitats/flora & fauna species, including nesting birds) during construction. Appropriate steps/care should be taken to minimize attraction of nest predators to the site.

- **Education –** Prior to commencement of construction activities, the Qualified Biologist shall meet with the owner/permittee or designee and the construction crew and conduct an on-site educational session regarding the need to avoid impacts outside of the approved construction area and to protect sensitive flora and fauna (e.g., explain the avian and wetland buffers, flag system for removal of invasive species or retention of sensitive plants, and clarify acceptable access routes/methods and staging areas, etc.).

- **During Construction**

  - **Monitoring –** All construction (including access/staging areas) shall be restricted to areas previously identified, proposed for development/staging, or previously disturbed as shown on "Exhibit A" and/or the BCME. The Qualified Biologist shall monitor construction activities as needed to ensure that construction activities do not encroach into biologically sensitive areas, or cause other similar damage, and that the work plan has been amended to accommodate any sensitive species located during the pre-construction surveys. In addition, the Qualified Biologist shall document field activity via the Consultant Site Visit Record (CSVR). The CSVR shall be emailed to MMC on the 1st day of monitoring, the 1st week of each month, the last day of monitoring, and immediately in the case of any undocumented condition or discovery.

  - **Subsequent Resource Identification –** The Qualified Biologist shall note/act to prevent any new disturbances to habitat, flora, and/or fauna onsite (e.g., flag plant specimens for avoidance during access, etc.). If active nests or other previously unknown sensitive resources are detected, all project activities that directly impact the resource shall be delayed until species specific local, state, or federal regulations have been determined and applied by the Qualified Biologist.

- **Post Construction Measures**

  - In the event that impacts exceed previously allowed amounts, additional impacts shall be mitigated in accordance with City Biology Guidelines, ESL and MSCP, State CEQA, and other applicable local, state, and federal law. The Qualified Biologist shall submit a final BCME/report to the satisfaction of the City ADD/MMC within 30 days of construction completion.

CUL-1 Historical Resources (Archaeology) and Tribal Cultural Resources: All grubbing and clearing activities and initial ground disturbing activities within the undeveloped portion of the property associated with the project shall complete the following:

- **Prior to Permit Issuance**
    - Entitlements Plan Check
        - Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or a Notice to Proceed for Subdivisions, but prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Archaeological Monitoring and Native American monitoring have been noted on the applicable construction documents through the plan check process.
    - Submit Letters of Qualification to ADD
        - The applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the archaeological monitoring program, as defined in the City of San Diego Historical Resources Guidelines (HRG). If applicable, individuals involved in the archaeological monitoring program must have completed the 40-hour HAZWOPER training with certification documentation.
        - MMC shall provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the archaeological monitoring of the project meet the qualifications established in the HRG.
        - Prior to the start of work, the applicant shall obtain written approval from MMC for any personnel changes associated with the monitoring program.
- **Prior to Start of Construction**
    - Verification of Records Search
        - The PI shall provide verification to MMC that a site-specific records search (1/4-mile radius) has been completed. Verification includes but is not limited to a copy of a confirmation letter from South Coastal Information Center, or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
        - The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.
        - The PI may submit a detailed letter to MMC requesting a reduction to the 1/4 mile radius.

- Principal Investigator Shall Attend Preconstruction Meetings
    - Prior to beginning any work that requires monitoring; the Applicant shall arrange a Preconstruction Meeting that shall include the PI, Native American consultant/monitor (where Native American resources may be impacted), Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified Archaeologist and Native American Monitor shall attend any grading/excavation related Preconstruction Meetings to make comments and/or suggestions concerning the Archaeological Monitoring program with the Construction Manager and/or Grading Contractor.
    - If the PI is unable to attend the Preconstruction Meeting, the Applicant shall schedule a focused Preconstruction Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.
- Identify Areas to be Monitored
    - Prior to the start of any work that requires monitoring, the PI shall submit an Archaeological Monitoring Exhibit (AME) (with verification that the AME has been reviewed and approved by the Native American consultant/monitor when Native American resources may be impacted) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits.
    - The AME shall be based on the results of a site-specific records search as well as information regarding existing known soil conditions (native or formation).
- When Monitoring Will Occur
    - Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
    - The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate site conditions such as depth of excavation and/or site graded to bedrock, etc., which may reduce or increase the potential for resources to be present.

- **During Construction**
    - Monitor(s) Shall be Present During Grading/Excavation/Trenching
        - The Archaeological Monitor shall be present full-time during all soil disturbing and grading/excavation/trenching activities which could result in impacts to archaeological resources as identified on the AME. The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities such as in the case of a potential safety concern within the area being

monitored. In certain circumstances OSHA safety requirements may necessitate modification of the AME.

- The Native American consultant/monitor shall determine the extent of their presence during soil disturbing and grading/excavation/trenching activities based on the AME and provide that information to the PI and MMC. If prehistoric resources are encountered during the Native American consultant/monitor's absence, work shall stop and the Discovery Notification Process detailed in Section III.B-C and IV.A-D shall commence.

- The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as modern disturbance post-dating the previous grading/trenching activities, presence of fossil formations, or when native soils are encountered that may reduce or increase the potential for resources to be present.

- The archaeological and Native American consultant/monitor shall document field activity via the Consultant Site Visit Record (CSVR). The CSVR's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (Notification of Monitoring Completion), and in the case of ANY discoveries. The RE shall forward copies to MMC.

- Discovery Notification Process

  - In the event of a discovery, the Archaeological Monitor shall direct the contractor to temporarily divert all soil disturbing activities, including but not limited to digging, trenching, excavating, or grading activities in the area of discovery and in the area reasonably suspected to overlay adjacent resources and immediately notify the RE or BI, as appropriate.

  - The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.

  - The PI shall immediately notify MMC by phone of the discovery and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.

  - No soil shall be exported off-site until a determination can be made regarding the significance of the resource specifically if Native American resources are encountered.

- Determination of Significance

  - The PI and Native American consultant/monitor, where Native American resources are discovered shall evaluate the significance of the resource. If Human Remains are involved, follow protocol in Section IV below.

    a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required.

b. If the resource is significant, the PI shall submit an Archaeological Data Recovery Program (ADRP) which has been reviewed by the Native American consultant/monitor, and obtain written approval from MMC. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume. Note: If a unique archaeological site is also an historical resource as defined in CEQA, then the limits on the amount(s) that a project applicant may be required to pay to cover mitigation costs as indicated in CEQA Section 21083.2 shall not apply.

c. If the resource is not significant, the PI shall submit a letter to MMC indicating that artifacts will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that that no further work is required.

- **Discovery of Human Remains**

  If human remains are discovered, work shall halt in that area and no soil shall be exported off-site until a determination can be made regarding the provenance of the human remains; and the following procedures as set forth in CEQA Section 15064.5(e), the California Public Resources Code (Sec. 5097.98) and State Health and Safety Code (Sec. 7050.5) shall be undertaken:

  - Notification

    – Archaeological Monitor shall notify the RE or BI as appropriate, MMC, and the PI, if the Monitor is not qualified as a PI. MMC will notify the appropriate Senior Planner in the Environmental Analysis Section (EAS) of the Development Services Department to assist with the discovery notification process.

    – The PI shall notify the Medical Examiner after consultation with the RE, either in person or via telephone.

  - Isolate discovery site

    – Work shall be directed away from the location of the discovery and any nearby area reasonably suspected to overlay adjacent human remains until a determination can be made by the Medical Examiner in consultation with the PI concerning the provenance of the remains.

    – The Medical Examiner, in consultation with the PI, will determine the need for a field examination to determine the provenance.

    – If a field examination is not warranted, the Medical Examiner will determine with input from the PI, if the remains are or are most likely to be of Native American origin.

  - If Human Remains are determined to be Native American

    – The Medical Examiner will notify the Native American Heritage Commission (NAHC) within 24 hours. By law, ONLY the Medical Examiner can make this call.

- NAHC will immediately identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information.

- The MLD will contact the PI within 24 hours or sooner after the Medical Examiner has completed coordination, to begin the consultation process in accordance with CEQA Section 15064.5(e), the California Public Resources and Health & Safety Codes.

- The MLD will have 48 hours to make recommendations to the property owner or representative, for the treatment or disposition with proper dignity, of the human remains and associated grave goods.

- Disposition of Native American Human Remains will be determined between the MLD and the PI, and, if:

    a. The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 48 hours after being granted access to the site, OR;

    b. The landowner or authorized representative rejects the recommendation of the MLD and mediation in accordance with PRC 5097.94 (k) by the NAHC fails to provide measures acceptable to the landowner, the landowner shall reinter the human remains and items associated with Native American human remains with appropriate dignity on the property in a location not subject to further and future subsurface disturbance, THEN

a. To protect these sites, the landowner shall do one or more of the following:

    1. Record the site with the NAHC;

    2. Record an open space or conservation easement; or

    3. Record a document with the County. The document shall be titled:

        "Notice of Reinterment of Native American Remains" and shall include a legal description of the property, the name of the property owner, and the owner's acknowledged signature, in addition to any other information required by PRC 5097.98. The document shall be indexed as a notice under the name of the owner.

- **Night and/or Weekend Work**

    - If night and/or weekend work is included in the contract

        - When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the Preconstruction meeting.

        - The following procedures shall be followed.

            a. No Discoveries: In the event that no discoveries were encountered during night and/or weekend work, the PI shall record the information on the CSVR and submit to MMC via fax by 8:00 a.m. of the next business day.

b. Discoveries: All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction, and IV – Discovery of Human Remains. Discovery of human remains shall always be treated as a significant discovery.

c. Potentially Significant Discoveries: If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction and IV-Discovery of Human Remains shall be followed.

d. The PI shall immediately contact MMC, or by 8:00 a.m. of the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.

- If night and/or weekend work becomes necessary during the course of construction:
  - The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
  - The RE, or BI, as appropriate, shall notify MMC immediately.
  - All other procedures described above shall apply, as appropriate.

- **Post Construction**
  - Preparation and Submittal of Draft Monitoring Report
    - The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Historical Resources Guidelines (Appendix C/D) which describes the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring. It should be noted that if the PI is unable to submit the Draft Monitoring Report within the allotted 90-day timeframe resulting from delays with analysis, special study results or other complex issues, a schedule shall be submitted to MMC establishing agreed due dates and the provision for submittal of monthly status reports until this measure can be met.

a. For significant archaeological resources encountered during monitoring, the Archaeological Data Recovery Program shall be included in the Draft Monitoring Report.

b. Recording Sites with State of California Department of Parks and Recreation

1. The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) any significant or potentially significant resources encountered during the Archaeological Monitoring Program in accordance with the City's

Historical Resources Guidelines, and submittal of such forms to the South Coastal Information Center with the Final Monitoring Report.

2. MMC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.

3. The PI shall submit revised Draft Monitoring Report to MMC for approval.

4. MMC shall provide written verification to the PI of the approved report.

5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.

- Handling of Artifacts

  - The PI shall be responsible for ensuring that all cultural remains collected are cleaned and catalogued.

  - The PI shall be responsible for ensuring that all artifacts are analyzed to identify function and chronology as they relate to the history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate.

  - The cost for curation is the responsibility of the property owner.

- Curation of artifacts: Accession Agreement and Acceptance Verification

  - The PI shall be responsible for ensuring that all artifacts associated with the survey, testing and/or data recovery for this project are permanently curated with an appropriate institution. This shall be completed in consultation with MMC and the Native American representative, as applicable.

  - The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.

  - When applicable to the situation, the PI shall include written verification from the Native American consultant/monitor indicating that Native American resources were treated in accordance with state law and/or applicable agreements. If the resources were reinterred, verification shall be provided to show what protective measures were taken to ensure no further disturbance occurs in accordance with Section IV – Discovery of Human Remains, Subsection 5.

- Final Monitoring Report(s)

  - The PI shall submit one copy of the approved Final Monitoring Report to the RE or BI as appropriate, and one copy to MMC (even if negative), within 90 days after notification from MMC that the draft report has been approved.

  - The RE shall, in no case, issue the Notice of Completion and/or release of the Performance Bond for grading until receiving a copy of the approved Final

Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

LU-1 Exterior-to-Interior Noise Analysis. Prior to the issuance of building permits, the project applicant shall perform an exterior-to-interior analysis for all mezzanine office spaces. The exterior-to- interior analysis shall demonstrate that interior noise levels do exceed 50 CNEL.

The information in the analysis shall include wall heights and lengths, room volumes, window, and door tables typical for a building plan, as well as information on any other openings in the building shell. With this specific building plan information, the analysis shall determine the predicted interior noise levels for the planned office spaces. If predicted noise levels are found to exceed 50 CNEL, within the office spaces, the analysis shall identify architectural materials or techniques that could be included to reduce noise levels to 50 CNEL in office spaces. Standard measures such as glazing with appropriate Sound Transmission Class (STC) ratings, as well as walls with appropriate STC ratings, should be considered. Final plans shall demonstrate that interior noise levels do not exceed 50 CNEL for proposed office spaces.

VI. PUBLIC REVIEW DISTRIBUTION

Draft copies or notice of this Mitigated Negative Declaration have been distributed to:

Federal Government
U.S. Army Corps of Engineers
U.S. Environmental Protection Agency
U.S. Fish & Wildlife Service

State of California
State Clearinghouse
California Department of Fish and Wildlife

City of San Diego
Mayor's Office (91)
Councilmember Cate, District 6 (MS 10A)
Development Services Department
- Jeff Szymanski, EAS
- Kyle Goosens, LDR Planning Review
- Noha Abdelmottaleb, LDR Engineering
- Jacobe Washburn, Geology
- Vanessa Kohakura, Landscaping
- Derrick Johnson, DPM
- Ismail Elhamad, Transportation and Stormwater Department
- Gary Nguyen, Public Utilities Department

Planning Department
- Scott Mercer, Public Facilities Planning
- Shannon Mulderig, Long Range Planning
- Dan Monroe, MSCP

Environmental Services Department
- Lisa Wood

Fire and Life Safety Services (79)

Library Department - Government Documents (81)
Central Library (81A)
Serra Mesa Library
City Attorney (93C)

Other Organizations, Groups, and Interested Individuals
Kearny Mesa Community Planning
Sierra Club (165)
San Diego Audubon Society (167)
California Native Plant Society (170)
Engendered Habitat League (182a)
Carmen Lucas (206)
South Coastal Information Center (210)
San Diego Archaeological Center (212)
San Diego Natural History Museum (213)
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)
Native American Heritage Commission (222)
Kumeyaay Cultural Heritage Preservation (223)
Kumeyaay Cultural Repatriation Committee (225)
Native American Distribution – Public Notice Map Only (225A-S)

VII. RESULTS OF PUBLIC REVIEW

( ) No comments were received during the public input period.

( ) Comments were received but did not address the accuracy or completeness of the draft environmental document. No response is necessary and the letters are incorporated herein.

( ) Comments addressing the accuracy or completeness of the draft environmental document were received during the public input period. The letters and responses are incorporated herein.

Copies of the draft Mitigated Negative Declaration, the Mitigation, Monitoring and Reporting Program and any Initial Study material are available in the office of the Development Services Department for review, or for purchase at the cost of reproduction.

Jeff Szymanski, Senior Planner
Development Services Department

2/2/2021
Date of Draft Report

Date of Final Report

Attachments: Initial Study Checklist
Figure 1 – Regional Location
Figure 2 – Project Vicinity (Aerial Photograph)
Figure 3 – Existing Conditions
Figure 4 – Site Plan
Figure 5 – Site Elevations

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INITIAL STUDY CHECKLIST

1. Project title/Project number: Kearny Mesa Logistics Center Project / 649192

2. Lead agency name and address: City of San Diego, 1222 First Avenue, MS-501, San Diego, California, 92101

3. Contact person and phone number: Jeff Szymanski/ (619) 235-5200

4. Project location: 5670 Kearny Mesa Road, San Diego, California 92111

5. Project Applicant/Sponsor's name and address: Latitude 33 Planning and Engineering, 9968 Hilbert Street, 2nd Floor, San Diego CA 92131

6. Community Plan designation: Industrial and Technology Park

7. Zoning: IL-2-1 (Industrial Light Zone)

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

   The proposed project consists of the redevelopment of the current Cubic property located at 5670 Kearny Mesa Road in the Kearny Mesa community of the City of San Diego. Presently the site is comprised of two parcels, Parcel 1, which supports the developed portions of the site, with the three existing industrial and automotive-related buildings, ancillary structures, and parking lot and Parcel 2, which remains undeveloped and supports vernal pool habitat (Figure 3, *Existing Conditions*). The proposed project involves the demolition of the existing three buildings, ancillary, structures, and parking lot and the construction of an approximately 330,000-square foot (SF) industrial/logistics building that would be constructed in the southern and western portions of the site (Figure 4, *Site Plan*). The proposed building would not exceed 50 feet in height and would be constructed in a single phase as a warehouse/distribution building. The proposed building would be type III B construction and would consist primarily of painted concrete tilt-up construction with smooth wall panels and steel sub frame, open steel web joint, and a panelized wood roof structure. Special design elements include accent color paint, wall plane offsets and large blue glass window walls, metal panel cladded canopies, and skylights. The building also includes approximately 34,580 SF of accessory mezzanine space (see Figure 5, *Site Elevations*).

   In addition to the building, the project would also include approximately 330 surface parking spaces and 71,863 SF of ornamental landscaped areas on Parcel 1. The proposed landscaping would consist of low-maintenance, drought-tolerant shrubs, succulents, and ornamental grasses, in addition to trees that would provide shade for the parking areas. The existing vernal pool habitat in the eastern portion of the site would be preserved.

   The project would also consist of off-site road improvements along Magnatron Boulevard located west of the site. The project would construct a curb and gutter along both sides of the road, in addition to a non-contiguous sidewalk and landscaping on the east side of the road.

The portion of the project site where the building would be located would be graded in preparation for project construction. Grading quantities are estimated at 23,700 cubic yards (cy) of cut, 16,700 cy of fill, and 7,000 cy of export.

Additionally, the project would incorporate the following project design features (PDFs) related to transportation that would reduce the project's VMT per employee to less than the threshold indicated in Section XVI, *Transportation/Traffic*, of this IS/MND. The PDFs would be incorporated into the project's conditions of approval.

PDF-1 The project will construct sidewalks along the project frontage on Kearny Mesa Road to improve connectivity to the commercial uses in the vicinity and will also provide pedestrian pathways to access the site from public roadways. Kearny Mesa Road is identified as a connector pedestrian route with moderate to high vehicular traffic and lower pedestrian levels. Thus, more basic treatments such as a landscaped buffer between the sidewalk and roadway are suggested, along with mandatory features such as ADA-compliant curb ramps.

PDF-2 The project will construct sidewalks along the project frontage on Magnatron Boulevard to improve connectivity to the commercial uses in the project vicinity and will also provide pedestrian pathways to access the site from public roadways. Magnatron Boulevard is not classified as one of the three pedestrian route types defined by the City of San Diego Pedestrian Master Plan. Thus, a basic sidewalk with mandatory ADA-compliant features is suggested.

PDF-3 The project proponent will provide a 5-foot decomposed granite (DG) path by removing some trees and relocating chain link fencing along the approximately 200-foot section just south of Magnatron Boulevard to encourage pedestrian activity along Kearny Mesa Road connecting from the existing sidewalk in the south to the parking areas north of Magnatron Boulevard. Although no sidewalk is provided north of Magnatron Boulevard, pedestrians can use the landscaped setback from the roadway or the existing property parking lot to ultimately reach the sidewalks proposed on the project frontage.

Alternatively, if the DG trail is found to be infeasible, the project shall provide an approximate 6- to 8-foot-wide shoulder buffer with edge striping on the west side. A 12-foot southbound travel lane will be maintained.

PDF-4 The project will provide a bike share/micro mobility fleet for its employees. The provision of this active transportation amenity can help reduce trips made by car during the day. Clairemont Mesa Boulevard provides access to banks, restaurants, cafes, breweries, etc. all within a bikeable distance from the project site. Notably, there currently are no dedicated bike lanes on Clairemont Mesa Boulevard in the immediate vicinity of the project other than through the SR 163/Clairemont Mesa Boulevard interchange. However, a connection to proposed facilities including a Class IV cycle track on the Clairemont Mesa Boulevard corridor and a Class I multi-use path on Kearny Mesa Road south of Clairemont Mesa Boulevard are planned.

PDF-5 The project will provide signage at the intersection of Clairemont Mesa Boulevard/ Kearny Mesa Road indicating to cyclists and drivers that cyclists are allowed to travel straight through the intersection using a right-turn or left-turn lane where there is no separate bike lane, consistent with California Assembly Bill No. 1266. This improvement would enhance the safety of cyclists by matching street design with the already practiced behavior of cyclists at signalized intersections.

PDF-6 California Air Pollution Control Officers (CAPCOA) Trip Reduction Technique (TRT)-14: The project shall implement market rate and/or above market rate pricing to provide a price signal for employees to consider alternative modes for their work commute (this is a Climate Action Plan (CAP) consistency checklist item).

PDF-7 CAPCOA TRT-7: The project shall promote the use of the bike share/micro mobility fleet, encourage walking to the nearby eatery and gym, inform employees of the Price Workplace Parking program, and educate employees of the non-single occupant vehicle transportation options in the area through participation in SANDAG's iCommute Transportation Demand Management (TDM) program. In order to realize the VMT reduction associated with this PDF, the TDM Plan shall be marketed to new and existing employees through a website maintained by the employer, monthly email newsletter blasts, promotional materials made publicly visible in common areas, and through an information packet that will accompany new hire documentation (this is a CAP consistency checklist item).

PDF-8 As part of the TDM Plan, the project shall dedicate an employee within the company to the role of "Transportation Coordinator (TC)." The TC would be responsible for monitoring the commute VMT reduction measures offered through the TDM Plan. The duties that would be performed by the TC would include:

- Informing new and existing employees of the various alternative transportation modes available in the area, including transit, biking, walking, and use of the bike share/micro mobility fleet.
- Being the liaison between the company and the parking management company, assuming an outside source is used to manage the price workplace parking program.
- Preparing promotional materials and new hire information packets regarding measures outlined in the TDM Plan.
- Monitoring the TDM Plan to ensure a smooth running of the plan.

Prior to issuance of the first building permit, the Owner/Permitee shall assure the improvements at the intersection of Clairemont Mesa Boulevard and Kearny Mesa Road, to extend the left turn pocket striping of the inner left turn lane immediately adjacent to the southbound through. The left turn pocket extension would be 160 feet. The project also shall improve signal timing and coordination between the intersection and the southbound ramps to address queuing in the westbound right turn lane, satisfactory to the City Engineer.

Prior to issuance of the first building permit, the Owner/Permitee shall assure the improvements at the intersection of Clairemont Mesa Boulevard and SR 163 Southbound Ramps, to improve signal timing and coordination between this intersection and the adjacent City-operated intersection of Kearny Mesa Road to address queuing in the eastbound right turn lane, satisfactory to the City Engineer and Caltrans.

9. Surrounding land uses and setting:

The 20.7-acre project site is comprised of APNs 356-032-01 and -02, located off Kearny Mesa Road in the Kearny Mesa Community Planning area. The site is currently developed with three buildings,

ancillary support structures, and an associated asphalt parking lot. The three buildings are used for industrial and automotive purposes by the Cubic Corporation. Vernal pools, designated as an environmentally sensitive area, are located within the eastern portion of the site on land that is within the City's VPHCP Hardline and MHPA. Adjacent land uses include industrial buildings and open space to the west, SR 52 to the north, SR 163 to the south and east, and Kearny Mesa Road to the east of the project site. The on-site vernal pool habitat extends eastward offsite. Topographically, the site is generally sloped from east to west, with the highest elevations occurring in the furthest east portion of the property at 426 feet above mean sea level and the lowest elevations occurring in the furthest northwest portion at roughly 400 feet above mean sea level.

The parcel has an Industrial and Technology Park land use designation in the Kearny Mesa Community Plan and is zoned IL-2-1 (Industrial Light Zone). The project site is within the Airport Influence Area (AIA) Review Area 1 and the Federal Aviation Administration (FAA) Part 77 Height Notification Area for MCAS Miramar (San Diego County ALUC 2011). Additionally, the project site is within the AIA Review Area 2 and the FAA Part 77 Height Notification Area for Montgomery Field (San Diego County ALUC 2010).

The project site is situated along the edge of an urbanized setting of similar uses (light industrial and business park) with open space occurring to the north. The site is currently served by existing public services and utilities.

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):

    The City is the project Lead Agency under CEQA. In its role as Lead Agency, the City is responsible for ensuring the adequacy of this IS/MND. Implementation of the proposed project does not require that the City obtain any discretionary approvals, permits, licenses, certifications, or other entitlements from various state and local agencies.

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

    The NAHC indicated in a response dated September 24, 2019 that the search of their Sacred Lands Files was completed for the project with positive results. The NAHC indicated that the Viejas Band of Kumeyaay Indians (Viejas) should be contacted for more information. Letters were sent on December 17, 2019 to Native American representatives and interested parties identified by the NAHC, including Viejas representatives. Two responses have been received to date. The San Pasqual Band of Mission Indians responded in a letter dated December 27, 2019 that the project is situated within the boundaries of the territory that the tribe considers its Traditional Use Area. While they defer to the wishes of tribes in closer proximity to the project area, they would like to reserve comment if the other deferred tribes do not respond in a timely manner. In an email dated February 25, 2020, Viejas responded that they have reviewed the proposed project and have determined that the project site has cultural significance or ties to Viejas. They request that a Kumeyaay Cultural Monitor be on site for ground-disturbing activities and to inform them of any new developments such as inadvertent discovery of cultural artifacts, cremation sites, or human remains. No requests for consultation have been received. See Section XVII, Tribal Cultural Resources of the Environmental Initial Study Checklist for more detail.

Furthermore, in accordance with the requirements of Assembly Bill (AB) 52, the City of San Diego sent notifications to two Native American Tribes traditionally and culturally affiliated with the project area. Notification letters were sent to both the Iipay Nation of Santa Ysabel and the Jamul Indian Village on June 15, 2020. Please see Section XVII of the Initial Study for further discussion.

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

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

☐ Aesthetics	☐ Agriculture and Forestry Resources	☐ Air Quality
☒ Biological Resources	☒ Cultural Resources	
☐ Geology and Soils	☐ Greenhouse Gas Emissions	☐ Hazards and Hazardous Materials
☐ Hydrology and Water Quality	☒ Land Use and Planning	☐ Mineral Resources
☐ Noise	☐ Population and Housing	☐ Public Services
☐ Recreation	☐ Transportation/Traffic	☒ Tribal Cultural Resources
☐ Utilities and Service Systems		☒ Mandatory Findings of Significance

DETERMINATION

(To be completed by Lead Agency)

On the basis of this initial evaluation:

☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (a) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (b) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required.

☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or (MITIGATED) NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or (MITIGATED) NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact answer should be explained where it is based on project specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis.)

2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4. "Negative Declaration: Less Than Significant with Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).

5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or (mitigated) negative declaration. *Section 15063(c)(3)(D).* In this case, a brief discussion should identify the following:

    a. Earlier Analysis Used. Identify and state where they are available for review.

    b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

    c. Mitigation Measures. For effects that are "Less Than Significant With Mitigation Measures Incorporated," describe the mitigation measures that were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9. The explanation of each issue should identify:

    a. The significance criteria or threshold, if any, used to evaluate each question;

    b. Where applicable, the City of San Diego's CEQA Significance Determination Thresholds (Thresholds) (City 2016) are identified and used to evaluate project impacts; and

    c. The mitigation measure identified, if any, to reduce the impact to less than significant.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

I. AESTHETICS

– Except as provided in Public Resources Code Section 21099, would the project:

a)	Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐

Pursuant to the City's Thresholds, projects that block public views from designated open space areas, roads, or scenic vistas to significant visual landmarks may result in significant impacts.

A scenic vista is generally defined as a public viewpoint that provides expansive or notable views of a highly valued landscape and are typically identified in planning documents, such as a community plan, but can also include locally known areas or locations where high-quality public views are available. The project site is within the planning boundaries of the Kearny Mesa Community Plan. According to the Kearny Mesa Community Plan Update, there are multiple scenic viewsheds located within the planning area. However, the scenic viewsheds are limited to the southeast corner of the planning area, located approximately three miles south of the project site. At this distance, the project would have no impact on the scenic viewsheds. The City of San Diego General Plan identifies SR 52, located along the northern boundary of the project site, as a public vantage point; however, due to the raised landscaped berm aligning the portion of SR 52 that is adjacent to the project site's northern boundary, the majority of the project site cannot be seen from SR 52. Only the existing tower structure in the northern portion of the site is visible from SR 52. The proposed industrial building would be one story at a height up to 50 feet. Due to intervening topography, the new building would not be highly visible from SR 52 and would not block public scenic views from the identified public vantage point. Accordingly, the proposed building would not have a substantial adverse effect on a scenic vista. Therefore, impacts would be less than significant.

b)	Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒

As noted above. pursuant to the City's Thresholds, projects that block public views from designated open space areas, roads, or scenic vistas to significant visual landmarks may result in significant impacts. State Scenic Highways are considered scenic vistas due to the visual attributes and resources that comprise their designation.

The project site and surrounding area are situated near the interchange of SR 52 and SR 163 and land uses are characterized as primarily light industrial that are housed in single story structures with minimal ornamental landscaping and associated surface parking. The project site is currently developed with three buildings used for industrial or automotive purposes and an asphalt parking lot, all of which would be demolished prior to project construction. The onsite structures were evaluated for historical significance, and as identified in Section V, Cultural Resources of this IS/MND and Appendix D, the onsite structures are not historically significant. Undeveloped land uses that support non-native grassland with patches of coastal sage scrub and chamise chaparral habitat are located to the southeast and west of the project site. MCAS Miramar is north of the project site. The Kearny Mesa Community Plan does not identify any natural scenic resources within or surrounding the project site. However, a portion of SR 52 (between Santo Road and Mast Boulevard) approximately five miles to the east of the site is a designated State Scenic Highway; the portion of SR 52 which borders the northern project boundary is listed as eligible but not officially designated as a State Scenic Highway.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

The project would allow for the development of 330,000 SF of warehouse/distribution land uses and surface parking. Construction of the project would not result in the physical loss, isolation, or degradation of a community identification symbol or landmark, as none are identified by the Kearny Mesa Community Plan as occurring in the project vicinity. As discussed under item I(a) above, due to the existing landscaped berm, most of the project site is not visible from SR 52. Given that the proposed structure would be single story, similar to the existing on-site buildings and would not exceed a height of 50 feet, proposed project elements would not be highly visible from SR 52. Further, this portion of SR 52 is not a designated State Scenic Highway. Therefore, the project would not substantially damage or block views of scenic resources, including those along a State Scenic Highway. No impacts would occur.

c)	Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐

According to the City's Thresholds projects that severely contrast with the surrounding neighborhood character may result in a significant impact. To meet this threshold one or more of the following conditions must apply:

According to the Kearny Mesa Community Plan, the project site and its surroundings are currently classified as Industrial and Technology Park land use and zoned as Industrial Light Zone. The area largely consists of commercial and industrial buildings to the south, and SR 52 and military uses to the north. The site itself is mostly developed with three buildings used for industrial or automotive purposes and an asphalt parking lot. Implementation of the project involves the construction of a single industrial building, which is consistent with the Industrial and Technology Park land use designation and Industrial Light zoning. The proposed building would not exceed a height of 50 feet, which is consistent with the Industrial Light zoning requirements and is not substantially taller than most existing structures in the area. Additionally, no contrasting architectural features or visual elements are proposed.

Presently, the project site supports minimal landscaping; public vantage points along Kearny Mesa Road and Magnatron Boulevard do not support any landscaped frontages. Conversely, as identified in the project's landscape plan, the project would include a series of street trees along Kearny Mesa Road, Magnatron Boulevard, and the project's property line to the south and west as well as transition trees that will provide a visual buffer between the developed portion of the site on Parcel 1 and Parcel 2, which will remain undeveloped and protected under the site-specific Vernal Pool Management and Monitoring Plan (VPMMP) (see Section IV, Biological Resources). This would be a notable increase in the amount of landscaping visible from public spaces and would serve to soften the project's hardscape features.

The project, therefore, would be visually compatible with the existing character in terms of development patterns, building forms, and bulk and scale. Specifically, similar to the other surrounding structures, the project site would be a single level warehouse style building. Moreover, the inclusion of street trees that will provide a visual buffer between the project site and the surrounding development and public vantage points from Kearny Mesa Road and Magnetron Boulevard . Consequently, the project would not substantially degrade the visual character and quality of the site or the surrounding area. Impacts would be less than significant.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

According to the City's Thresholds, a project may have a significant light and glare impact if a project would be moderate to large in scale with more than 50 percent of any single elevation of a building's exterior built with a material with a light reflectivity greater than 30 percent (see Land Development Code Section 142.0730(a)), and the project is adjacent to a major public roadway or public area; or the project would shed substantial light onto adjacent, light-sensitive property or land use, or would emit a substantial amount of ambient light into the nighttime sky.

Lighting

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

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

Currently, the on-site land uses include security lighting, and there is nearby street lighting for SR 163. The project would include lighting typical of light industrial uses; such lighting would not create a new source of substantial light that would adversely affect daytime or nighttime views in the area. Lighting would be regulated by compliance with Section 142.0740 of the City of San Diego Land Development Code.

Overall, no substantial sources of lighting would be generated during construction, as construction activities would occur during daylight hours. Furthermore, the contribution of light emitted from the project site would not be substantial as all permanent exterior lighting would be required to comply with the City lighting regulations. The project site is in an area that is surrounded by similar light industrial land uses that are not light sensitive and all lighting would be directed towards the project site and not towards nearby major public roadways. Some light would emanate towards Kearny Mesa Road as to provide adequate lighting to provide safe egress and ingress during nighttime hours, but not beyond lighting regulations. Thus impacts would be less than significant.

Glare

The proposed project is not a large-scale development and the proposed building would not have facades that are greater than 50 percent of any elevation containing light reflective materials. In particular, the building design would consist primarily of painted concrete wall and a panelized wood roof structure, which would not create substantial daytime glare. The project would incorporate glass on the building exterior to serve as windows for the office portions of the building, but the amount of glass would be minimal. Additionally, glass material having a light reflectivity greater than 30 percent would not be incorporated into the project's exterior; the project would be consistent with Section 142.07.40 (Light Regulations) and 142.0730 (Glare) of the Land Development Code. Moreover, those areas that would provide glass material would not result in the reflection of natural or artificial light off of the glass such

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

that a safety impact to motorists on surrounding roadways would occur. Impacts would be less than significant.

As such, the project would not create a new source of substantial light or glare that would adversely affect day or nighttime views in the area; impacts would be less than significant.

II. AGRICULTURAL AND FOREST RESOURCES

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

– Would the project:

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

Agricultural land is rated according to soil quality and irrigation status; the best quality land is called Prime Farmland. Unique farmland is land, other than prime farmland, that has combined conditions to produce sustained high quality and high yields of specialty crops. Farmland of Statewide Importance may include tracts of land that have been designated for agriculture by State law. In some areas that are not identified as having national or statewide importance, land is considered to be Farmland of Local Importance. The Farmland Mapping and Monitoring Program (FMMP) maintained by the California Department of Conservation (CDC) is the responsible state agency for overseeing the farmland classification. In addition, the City's Thresholds state that in relation to converting designated farmland, a determination of substantial amount cannot be based on any one numerical criterion (i.e., one acre), but rather on the economic viability of the area proposed to be converted. Another factor to be considered is the location of the area proposed for conversion.

According to the CDC's California Important Farmland Finder (CDC 2016), the project site is classified as Urban and Built-Up Land (land that is developed with urban uses of less than 40 acres and surrounded by developed uses) and does not contain any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Agricultural land is not present on the site or in the general vicinity. As a result, the project would not result in the conversion of such lands to non-agricultural use. No impacts would occur.

b)	Conflict with existing zoning for agricultural use, or a Williamson Act Contract?	☐	☐	☐	☒

The Williamson Act, also known as the California Land Conservation Act of 1965, enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use; in return, landowners receive property tax assessments which are much lower than normal because they are based upon farming and open space uses as opposed to full market value. The Williamson Act is only applicable to parcels within an established

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

agricultural preserve consisting of at least 20 acres of Prime Farmland, or at least 40 acres of land not designated as Prime Farmland. The Williamson Act is designed to prevent the premature and unnecessary conversion of open space lands and agricultural areas to urban uses.

As stated in item II(a), the project site is located in an area classified by the CDC as Urban and Built-Up Land where neither farmland nor agricultural resources are present. The project site is zoned as IL-2-1 indicating that the desired land uses are light industrial and those compatible with light industrial. Additionally, the project site is not encumbered by a Williamson Act Contract and would not affect any properties zoned for agricultural use or affected by a Williamson Act Contract, as there are none within the project vicinity. No impacts would occur.

c)	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 1220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	☐	☐	☐	☒

Public Resources Code Section 12220(g) defines "forest land" as land that can support 10 percent native cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. Based on this definition, no forest land occurs within or adjacent to the project site. Moreover, there is no land zoned as forest land or timberland that exists within the project site or within its vicinity. There are scattered trees throughout the site; however, there are no concentration of trees within the site that would constitute a forest. Therefore, the project would not conflict with existing zoning for or cause a rezoning of forest land, timberland, or timberland zoned Timberland Production. No impacts would occur.

d)	Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒

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

e)	Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

Refer to II(a) through II(d), above. No existing agricultural or forest land uses are located in the proximity of the project site. Therefore, the project would not involve changes in the existing environment that could result in the conversion of farmland or forest land into non-agricultural or non-forest use. No impacts would occur.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

– Would the project:

a)	Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐

According to the City's Thresholds, a project may have a significant air quality impact if it could conflict with or obstruct implementation of the applicable air quality plan.

HELIX conducted an Air Quality Technical Report for the proposed project to analyze potential project related to air quality (HELIX 2020a). As discussed in the technical report, the project site is located within the San Diego Air Basin (SDAB), which is governed by the San Diego Air Pollution Control District (SDAPCD). The SDAPCD develops and administers local regulations for stationary air pollutant sources within the SDAB, and also develops plans and programs to meet attainment requirements for both federal and state ambient air quality standards (National Ambient Air Quality Standards [NAAQS] and California Ambient Air Quality Standards [CAAQS], respectively). The SDAPCD and the San Diego Association of Governments (SANDAG) are responsible for developing and implementing the clean air plan for attainment and maintenance of the Ambient Air Quality Standards (AAQS) in the SDAB. The regional air quality plan for San Diego County is SDAPCD's *2020 Plan for Attaining the National Ambient Air Quality Standards for Ozone in San Diego County* (Attainment Plan; SDAPCD 2020)The Attainment Plan outlines the SDAPCD's plans and control measures designed to attain the state air quality standards, including applicable portions of the California State Implementation Plan (SIP).

The two principal criteria for conformance to the Attainment Plan are (1) whether the project would result in an increase in the frequency or severity of existing air quality violations, cause or contribute to new violations, or delay timely attainment of air quality standards, and (2) whether the project would exceed the assumptions in the Attainment Plan.

The project would not result in an increase in population or substantial if any employment in the City. As described in response to item III b., below, the project's construction activities would not result in emissions of criteria pollutants and precursors in excess of the City's screening thresholds. Long-term operation of the project would include PDFs that enhance and encourage the use of alternative transportation, such as providing bike and/or micro mobility fleet for its employees and by improving project connectivity through sidewalk, trail, and other pedestrian improvements within the project area.

The proposed project includes the construction of a warehouse/distribution facility and does not have a residential component. The project site is designated Industrial and Technology Park in the Kearny Mesa Community Plan and is zoned Industrial Light. The project would be consistent with the project site land use designation and zoning. Therefore, the growth of employment in the City as a result of the project would be consistent with the growth anticipated in the City General Plan and the Kearny Mesa Community Plan and would be consistent with the assumptions used to develop the Attainment Plan. As such, the project would not conflict with or obstruct implementation of the Attainment Plan or applicable portions of the SIP. Impacts would be less than significant.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐

The City's Thresholds state that a significant impact may occur if a project violates any air quality standard or contribute substantially to an existing or projected air quality violation.

Implementation of the project would generate criteria pollutants and ozone precursors in the short-term during construction and the long-term during operation. To determine whether a project would result in emissions that would violate any air quality standard or contribute substantially to an existing or projected air quality violation, emissions associated with the improvement projects included in the proposed airport plan were evaluated based on the quantitative emission thresholds established by the SDAPCD, as shown in Table 1, *Screening-Level Thresholds for Air Quality Impact Analysis*.

Table 1
SCREENING-LEVEL THRESHOLDS FOR AIR QUALITY IMPACT ANALYSIS

Construction Emissions			
Pollutant	**Pounds per Day**		
Respirable Particulate Matter (PM_{10})	100		
Fine Particulate Matter ($PM_{2.5}$)	55		
Oxides of Nitrogen (NO_X)	250		
Oxides of Sulfur (SO_X)	250		
Carbon Monoxide (CO)	550		
Volatile Organic Compounds (VOCs)	137		
Operational Emissions			
Pollutant	**Pounds per Hour**	**Pounds per Day**	**Tons per Year**
Respirable Particulate Matter (PM_{10})	---	100	15
Fine Particulate Matter ($PM_{2.5}$)	---	55	10
Oxides of Nitrogen (NO_X)	25	250	40
Oxides of Sulfur (SO_X)	25	250	40
Carbon Monoxide (CO)	100	550	100
Lead and Lead Compounds	---	3.2	0.6
Volatile Organic Compounds (VOC)	---	137	15
Toxic Air Contaminant Emissions			
Excess Cancer Risk	1 in 1 million 10 in 1 million with T-BACT		
Non-Cancer Hazard	1.0		

Source: HELIX 2020a
T-BACT = Toxics-Best Available Control Technology

Short-Term (Construction) Emissions

Project construction activities would result in emissions of fugitive dust from demolition and site grading activities, heavy construction equipment exhaust, and vehicle trips associated with workers commuting to and from the site and trucks hauling materials. The estimated maximum daily construction emissions of criteria pollutants and ozone precursors are shown in Table 2, *Construction Emissions*. The emissions estimates assume compliance with the SDAPCD Rule 55 via watering exposed areas a minimum of twice

per day. The CalEEMod output files are included in the Air Quality Technical Report prepared for the project.

Table 2
CONSTRUCTION EMISSIONS

Phase	Pollutant Emissions (pounds per day)					
	VOC	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Demolition	4.4	71.2	32.2	0.2	6.1	2.6
Site Preparation	4.2	50.2	24.1	0.1	11.0	6.6
Grading/Underground Utilities	5.1	61.9	38.8	0.1	7.0	3.9
Building Construction	3.3	29.1	26.5	0.1	4.0	1.7
Architectural Coating	72.7	1.7	3.2	0.0	0.5	0.2
Paving	2.3	13.0	15.0	0.0	0.8	0.7
Maximum Daily Emissions[1,2]	**76.0**	**71.2**	**38.8**	**0.2**	**11.0**	**6.6**
Screening Threshold	*137*	*250*	*550*	*250*	*100*	*55*
Exceed SDAPCD Threshold?	***No***	***No***	***No***	***No***	***No***	***No***

Source: HELIX 2020a

[1] Totals may not sum due to rounding.

[2] The maximum daily VOC emissions are the sum of emissions during Building Construction and Architectural Coatings, which would occur concurrently.

VOC = volatile organic compound; NO_X -= nitrogen oxides; CO = carbon monoxide; SO_X = sulfur oxides; PM_{10} = particulate matter 10 microns or less in diameter; $PM_{2.5}$ = particulate matter 2.5 microns or less in diameter

As shown in Table 2, emissions of criteria pollutants and precursors related to project construction would be below the SDAPCD screening thresholds.

Long-Term (Operational) Emissions

Long-term operation of the project would result in emissions of criteria pollutants and ozone precursors from: consumer projects; landscape equipment; painting for maintenance; vehicle trips to and from the project site; and the use of natural gas for building heating and hot water. The project's estimated long-term operational emissions and net long-term emissions (project emissions minus existing land use emissions) are shown in Table 3, *Net Operational Emissions*.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

Table 3
NET OPERATIONAL EMISSIONS

Source	Pollutant Emissions					
	VOC	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Daily Emissions (pounds per day)						
Area	8.1	<0.1	<0.1	<0.1	<0.1	<0.1
Energy	<0.1	0.3	0.3	<0.1	<0.1	<0.1
Mobile	3.4	51.4	37.0	0.2	13.2	3.7
Total Project Emissions[1]	11.5	51.7	37.4	0.2	13.2	3.8
Less Existing Use Emissions	(-3.1)	(-5.0)	(-12.8)	(-<0.1)	(-3.9)	(-1.0)
Net Project Emissions[1]	**8.4**	**46.7**	**24.6**	**0.2**	**9.3**	**2.8**
SDAPCD Daily Thresholds	*137*	*250*	*550*	*250*	*100*	*55*
Exceed Daily Threshold?	***No***	***No***	***No***	***No***	***No***	***No***
Annual Emissions (tons per year)						
Area	1.4	<0.1	<0.1	<0.1	<0.1	<0.1
Energy	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1
Mobile	0.6	9.4	6.6	<0.1	2.3	0.7
Total Project Emissions[1]	2.1	9.5	6.7	<0.1	2.3	0.7
Less Existing Use Emissions	(-0.6)	(-0.9)	(-2.3)	(-<0.1)	(-0.7)	(-0.2)
Net Project Emissions[1]	**1.5**	**8.6**	**4.4**	**<0.1**	**1.6**	**0.5**
SDAPCD Annual Thresholds	*15*	*40*	*100*	*40*	*15*	*10*
Exceed Annual Threshold?	***No***	***No***	***No***	***No***	***No***	***No***

Source: HELIX 2020a

[1] Totals may not sum due to rounding.

As shown in Table 3, the project's total long-term emissions and net long-term emissions of criteria pollutants and precursors would not exceed the SDAPCD daily or annual screening thresholds. Therefore, the project would not violate any air quality standard or contribute substantially to an existing or project air quality violation. Impacts would be less than significant.

c)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☒	☐

The City's Thresholds state that a project may have a potentially significant air quality impact if it could result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including release of emissions which exceed quantitative thresholds for ozone precursors).

By its very nature, air pollution is largely a cumulative impact. The nonattainment status of regional pollutants is a result of past and present development within the SDAB. The region is a federal and/or state nonattainment area for PM_{10}, $PM_{2.5}$, and ozone. Construction and operation of the project would contribute particulate matter and the ozone precursors VOCs and NO_X to the area. As described in III(b) above, emissions generated during construction and operation would not result in the violation any air quality standard or contribute substantially to an existing or projected air quality violation. Criteria pollutant and precursor pollutant emissions generated during project construction and operation

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

activities would not exceed the SDAPCD screening thresholds. Therefore, emissions of criteria pollutants and precursors related to implementation of the project would not be cumulatively considerable. Impacts would be less than significant.

d)	Create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐

The City's Thresholds state that for a project proposing placement of sensitive receptors near an existing odor source, a significant odor impact will be identified if the project site is closer to the odor source than any existing sensitive receptor where there has been more than one confirmed or three confirmed complaints per year (averaged over a three- week period) about the odor source. Moreover, for projects proposing placement of sensitive receptors near a source of odors where there are currently no nearby existing receptors, the determination of significance should be based on the distance and frequency at which odor complaints from the public have occurred in the vicinity of a similar odor source at another location.

Determining the significance of potential odor impacts should be based on what is known about the quantity of the odor compound(s) that would result from the project's proposed use(s), the types of neighboring uses potentially affected, the distance(s) between the project's point source(s) and the neighboring uses such as sensitive receptors, and the resultant concentration(s) at the receptors.

According to the SCAQMD CEQA Air Quality Handbook, land uses associated with odor complaints include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting activities, refineries, landfills, dairies, and fiberglass molding operations (SCAQMD 1993). The project, involving a warehouse/logistics center development, would not include any of these uses nor are there any of these land uses in the project vicinity. Emissions from construction equipment, such as diesel exhaust, and VOCs from architectural coatings and paving activities may generate odors; however, these odors would be temporary, intermittent, and not expected to affect a substantial number of people. Additionally, noxious odors would be confined to the immediate vicinity of construction equipment. By the time such emissions reach any sensitive receptor sites, they would be diluted to well below any level of air quality concern. Furthermore, short-term construction-related odors are expected to cease upon the drying or hardening of the odor-producing materials.

Long-term operation of the project could be an occasional minor source of some odors including from vehicle exhaust and solid waste collection. However, implementation of the project would not substantially change emissions of odors compared to operation of the existing businesses on the project site. Therefore, operation of the project would not create objectionable odors affecting a substantial number of people. Moreover, the project site is within an area developed with similar light industrial land uses, which are not sensitive receptors. Impacts would be less than significant.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES				
– Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☒	☐	☐

The City's Thresholds state that significance of impacts to biological resources are assessed by City staff through the CEQA review process and through review of the project's consistency with the Environmentally Sensitive Lands (ESL) regulations, the Biology Guidelines (2018) and with the City's MSCP Subarea Plan (1997). Before a determination of the significance of an impact can be made, the presence and nature of the biological resources must be established. The City has established a two-step process that: (1) provides guidance to determine the extent of biological resources and values present on the site; and (2) based on the findings of Step 1, if significant biological resources are present, then a survey to determine the nature and extent of the biological resources on the site is warranted.

HELIX conducted a Biological Technical Report (BTR; HELIX 2020b) and a site-specific Vernal Pool Management and Monitoring Plan (VPMMP; HELIX 2020c) for the proposed project. The BTR prepared for the proposed project included a literature review, general biological survey, rare plant surveys, and a jurisdictional delineation. Several special status plant and animal species were observed in the study area during biological surveys. The proposed project has been specifically designed to occur within existing developed and disturbed areas associated with previous development. However, portions of the proposed project footprint, including off-site impacts associated with the extension of Magnatron Boulevard, would impact sensitive uplands habitats where special status plant and animal species have been detected or have potential to occur. Potential project effects on special status plant and animal species are described below.

Special Status Plant Species

Three special status plant species were observed within the study area: graceful tarplant (*Holocarpha virgata* ssp. *elongata*), Nuttall's scrub oak (*Quercus dumosa*), and ashy spike-moss (*Selaginella cinerascens*). None of these are federally or State listed species, City narrow endemic plant species, or covered under the City's Subarea MSCP Plan or VPHCP. Generally, impacts to plant species with a California Rare Plant Rank (CRPR) of 1 or 2, as designated by the California Native Plant Society (CNPS), can be considered potentially significant. CRPR 3 and 4 species are relatively widespread and impacts to such species would not substantially reduce their populations in the region and are not typically significant. Nuttall's scrub oak has a CRPR of 1B.1, ashy spike-moss has a CRPR of 4.1, and graceful tarplant has a CRPR of 4.2.

A total of 42 Nuttall's scrub oak shrubs were observed within study area during the project survey. Thirty-six of those shrubs were observed within the northwestern, southwestern, and eastern portions of the project site and an additional 5 shrubs were observed to the east of the site to the north of Magnatron Boulevard. The proposed project would result in impacts to a total of 23 Nuttall's scrub oak shrubs consisting of 20 shrubs within the project site and 3 off-site. The project would avoid impacts to the remaining 19 scrub oak shrubs with 12 of those shrubs located within the VPHCP Hardline area. Nuttall's scrub oak within the study area is part of a larger population that occurs within the surrounding area and

does not represent a geographically isolated or significant population. The species occurs to the west of the site within City-owned lands and to the north within MCAS Miramar. Project impacts to individual Nuttall's scrub oak shrubs would not jeopardize the continued viability of scrub oak within the region as the species would continue to persist both within the project site and within surrounding public lands. Furthermore, the 12 Nuttall's scrub oak shrubs present within the VPHCP Hardline area will be preserved and managed in perpetuity as part of the proposed project. Therefore, impacts to Nuttall's scrub oak are less than significant and no mitigation is required.

Ashy spike-moss and graceful tarplant were identified within the undeveloped eastern portions of the property both within and outside of the proposed impact footprint. A total of 16 small patches of ashy spike-moss were observed of which eight would be impacted. The remaining eight patches of ashy spike-moss would be avoided and further preserved within the VPHCP Hardline area. Two patches of graceful tarplant totaling approximately 134 individuals were observed. The project would result in impacts to one of these patches consisting of approximately four individuals. The larger patch of graceful tarplant totaling approximately 130 individuals would be avoided by the proposed project and further preserved within the VPHCP Hardline area. Impacts to both ashy spike-moss and graceful tarplant are less than significant based on the species' relatively low sensitivity and numerous recorded occurrences within the project vicinity, indicating that the species' population is relatively stable in the region. As CRPR 4.1 and 4.2 plants, respectfully, these species have been assigned to a watch list for plants of reported limited distribution and moderate degree and immediacy of threat by the CNPS. The impacted individuals are not part of a population at the periphery of the species' range, located in an area where the taxon is especially uncommon, or occurring on unusual substrates. There are numerous documented occurrences of both species throughout the surrounding area indicating that the project site does not represent a geographically significant population. Lastly, existing populations of both species are located within the VPHCP Hardline area which will be preserved and managed in perpetuity as part of the proposed project. Therefore, impacts to ashy spike-moss and graceful tarplant are less than significant and no mitigation is required.

In additional to the observed species, the federal and state listed endangered San Diego mesa mint and federal and state listed endangered San Diego button-celery have reportedly been previously documented within several of the vernal pools located in the eastern portion of the project site within the VPHCP Hardline area. Vernal pools within the VPHCP Hardline area are associated with the U 19 (Cubic) vernal pool complex as designated in the City's VPHCP and City's overall VPMMP (2017). In addition to being federal and state listed species, both species are covered under the City's VPHCP. The proposed project would avoid impacts to vernal pool habitat located within the eastern portion of the project site and within the VPHCP Hardline boundary. No other vernal pools, basins, or other suitable ponded areas with potential to support these species were observed within this project site outside of the VPHCP Hardline area. The VPHCP Hardline area will be preserved and managed in perpetuity in accordance with the project's site-specific VPMMP (HELIX 2020c) that was prepared pursuant to the requirements of the City's VPHCP (City 2020) and City's overall VPMMP (City 2017). The site-specific VPMMP (HELIX 2020c) details the long-term management, monitoring, and reporting directives for the project's biological open space/preserve and implements the Vernal Pool Complex Evaluation and Management Recommendations specified for the U 19 vernal pool complex as stated in the City's overall VPMMP (City 2017). Therefore, no impacts would occur to San Diego mesa mint, San Diego button-celery, or other vernal pool species with potential to occur on-site and no mitigation is required.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

Special Status Animal Species

No special status animal species were observed within the project site itself during biological surveys. However, U.S. Fish and Wildlife Service (USFWS)-designated critical habitat for the San Diego fairy shrimp (*Branchinecta sandiegonensis*) occurs within the eastern portion of the site and the species has reportedly been previously documented within several of the U 19 vernal pool complex pools. Fairy shrimp of the genus Branchinecta were observed within four of the eastern vernal pools, though the individuals were not identified to the species level. Additionally, one special status animal species, coastal California gnatcatcher (*Polioptila californica californica*), was observed off site to the north in August 2019. The potential effects of the project on these species are discussed below.

San Diego Fairy Shrimp

San Diego fairy shrimp is a federal listed endangered species and covered under the City's VPHCP (2020). The species has reportedly been previously documented within several of the vernal pool complex pools and unidentified fairy shrimp were observed within four of the pools in March 2020; however, the proposed project will avoid impacts to vernal pool habitat located within the eastern portion of the project site and within the VPHCP Hardline boundary. No other vernal pools, basins, or other suitable ponded areas with potential to support the species were observed within this project site outside of the VPHCP Hardline area. The VPHCP Hardline area will be preserved and managed in perpetuity in accordance with the project's site-specific VPMMP (HELIX 2020c) that was prepared pursuant to the requirements of the City's VPHCP (2020) and City's overall VPMMP (2017). Therefore, no impact would occur to San Diego fairy shrimp and no mitigation would be required.

USFWS-designated critical habitat for San Diego fairy shrimp occurs within the project site; however, the portions of the critical habitat overlay that would be impacted by the project were confirmed to lack the primary constituent elements (PCEs) of the species' critical habitat. The impacted areas support sloping land characterized by upland habitat types and disturbed land. No adverse modification to USFWS-designated critical habitat would occur because no vernal pools or vernal pool indicator species occur within the area to be impacted. The elevational contour data and conditions observed during the project's biological surveys conducted to date suggest that suitable habitat for San Diego fairy shrimp does not occur in the portion of the designated critical habitat west of the VPHCP Hardline boundary that would be impacted. Furthermore, the impact area is isolated from any vernal pool watershed area, lacks all three PCEs defined by the USFWS for San Diego fairy shrimp critical habitat, and lacks optimal conditions for the creation of new vernal pools and introduction of VPHCP covered species. Therefore, proposed impacts would not have an adverse effect on designated critical habitat for the San Diego fairy shrimp and no mitigation is required.

Coastal California Gnatcatcher

The coastal California gnatcatcher is a federally threatened species and covered species under the MSCP. Two adult gnatcatcher and one juvenile were observed foraging off site (i.e., outside of the project site) along the south facing hillside just north of the site. Potentially suitable Diegan coastal sage scrub habitat for the species occurs within the eastern portion of the site and to the west of the site north of Magnatron Boulevard. The project would impact a total of 2.0 acres of potential gnatcatcher habitat consisting of Baccharis scrub and Diegan coastal sage scrub. Project direct impacts on potential gnatcatcher habitat are restricted to take authorized areas outside of the MHPA and are covered activities under the MSCP;

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

therefore, project impacts to potential coastal California gnatcatcher habitat are considered less than significant.

b)	Have a substantial adverse effect on any riparian habitat or other community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☒	☐	☐

The proposed project would result in direct impacts 2.3 acres of sensitive vegetation communities as follows: 0.8 acres of Tier II baccharis scrub (including disturbed), 1.2 acres of Tier II Diegan coastal sage scrub (including disturbed), 0.2 acres of Tier IIIA chamise chaparral, and 0.1 acre of Tier IIIB non-native grassland. Impacts to these communities would be considered significant and require mitigation. Implementation of mitigation measure BIO-1, which requires the contribution to the City's Habitat Acquisition Fund (HAF) in accordance with ratios stated in Table 3 of the City's Biology Guidelines (2018), would reduce impacts to below a level of significance.

The project site is predominately characterized (62.6 percent) by disturbed and developed lands and surrounded by existing development. Undeveloped lands and sensitive vegetation communities within the project site total 7.77 acres (37.4 percent), representing a small, isolated area bordered by the SR 52 to the north and SR 163 to the east. The proposed project has been designed to avoid areas of higher biological value including sensitive wetland and vernal pool resources which would be further preserved within the project's biological open space/preserve and managed in perpetuity in accordance with the project's site-specific VPMMP (HELIX 2020c). The project would impact 2.3 acres of sensitive vegetation consisting of disturbed coastal sage scrub, a small stand of chamise chaparral, and non-native grassland which are located outside of MHPA/VPHCP Hardline and do not contain long-term conservation value for special status species and sensitive biological resources. As such, the project would meet the City's intended use for the HAF as impacts to sensitive vegetation communities would be less than 5 acres representing a small, isolated site that does not contain long-term conservation value. A small section of railroad track associated with previous site uses occurs within the eastern portion of the site and extends into the VPHCP Hardline area. The portion of the track that is located within the project footprint would be removed, but the portion that bisects the project's wetland buffer and VPHCP Hardline area would remain in place to prevent unnecessary disturbance and impacts to City ESL wetlands and sensitive biological resources located within these areas. The continued presence of the railroad track within the project's biological open space/preserve would not impact the long-term conservation viability of vernal resources present within the area. The track is nonoperational and does not bisect any of the mapped vernal pools. Removal of the track would result in a higher level of disturbance and impact to vernal pool resources, wetland resources, and other sensitive biological resources compared to leaving the tracks in place.

Project impacts on sensitive natural communities are summarized below within Table 4, *Vegetation Communities/Land Cover Type Impacts*.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

Table 4
VEGETATION COMMUNITIES/LAND COVER TYPE IMPACTS

Vegetation Community/ Land Cover Type	MSCP Tier[1]	Impacts[2] (acres)[3]			Mitigation Ratio[4]	Required Mitigation
		On-site	Off-site	Total		
Wetland Habitat						
Southern Willow Scrub (63320)	N/A	--	--	--	--	0
Herbaceous Wetland (52510)	N/A	--	--	--	--	0
Disturbed Wetland (11200)	N/A	--	--	--	--	0
Wetland Subtotal		***0.00***	***0.00***	***0.00***	***--***	***0***
Sensitive Upland Habitat						
Baccharis Scrub (32530)	II	0.5	<0.1	0.5	1:1	0.5
Baccharis Scrub – Disturbed (32530)	II	0.1	0.2	0.3	1:1	0.3
Diegan Coastal Sage Scrub (32500)	II	1.1	--	1.1	1:1	1.1
Diegan Coastal Sage Scrub – Disturbed (32500)	II	0.1	--	0.1	1:1	0.1
Tier II Subtotal		***1.8***	***0.2***	***2.0***	***--***	***2.0***
Chamise Chaparral (37200)	IIIA	0.2	--	0.2	0.5:1	0.1
Non-native Grassland (42200)	IIIB	0.1	<0.1	0.1	0.5:1	0.05
Tier III Subtotal		***0.3***	***<0.1***	***0.3***	***--***	***0.15***
Sensitive Upland Subtotal		***2.1***	***0.2***	***2.3***	***--***	***2.15***
Non-Sensitive Upland Habitat						
Eucalyptus Woodland (79100)	IV	0.1	<0.1	0.1	--	0
Non-native Vegetation (11000)	IV	0.1	<0.1	0.1	--	0
Disturbed Habitat (11300)	IV	2.5	--	2.5	--	0
Developed (12000)	IV	10.3	0.5	10.8	--	0
Non-Sensitive Upland Subtotal		***13.0***	***0.5***	***13.5***	***--***	***0***
TOTAL		**15.1**	**0.7**	**15.8**	**--**	**2.15**

[1] Tiers refer to City MSCP Subarea Plan habitat classification system.
[2] Temporary and permanent impacts combined. All impacts occur outside of the MHPA/VPHCP Hardline.
[3] Acreages rounded to the nearest 0.1 acre for uplands and 0.01 acre for wetlands; total reflects rounding.
[4] Mitigation ratios per City Biology Guidelines and all mitigation is inside the MHPA utilizing the HAF.

Project construction would occur immediately adjacent to sensitive riparian and upland habitat and MHPA consisting of the VPHCP Hardline area. Inadvertent intrusion into these adjacent areas by construction vehicles, equipment, and personnel could result in additional impacts. Implementation of mitigation measure BIO-2, which require biological monitoring during construction activities and post-project reporting, would ensure that inadvertent impacts to sensitive habitats located immediately adjacent to construction work areas are avoided. Additionally, the project would implement the avoidance and minimization measures listed in Section 5.2.1 of the City's VPHCP (2020), in addition to the MHPA's land use adjacency guidelines as conditions of project approval.

BIO-1 Biological Resources-Upland Habitat: Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, the owner/permittee shall mitigate for direct impacts to 0.8 acres of Tier II Baccharis scrub (including disturbed), 1.2 acres of Tier II Diegan coastal sage scrub (including disturbed), 0.2 acre of Tier IIIA chamise chaparral and 0.1 acres of Tier IIIB non-native grassland, all located outside of the MHPA. Mitigation shall be provided in accordance with ratios stated in Table 3 of the City's Biology Guidelines (2018), for an anticipated mitigation obligation of 2.15 acres. Mitigation shall

consist of payment into the City's Habitat Acquisition Fund for direct impacts to 2.15 acres of Tier II, Tier IIIA and Tier IIIB habitat.

BIO-2 Biological Resource Protection During Construction: Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, the Environmental Designee shall verify that the following project requirements are shown on the construction plans:

- **Prior to Construction**

  - **Biologist Verification –** The owner/permittee shall provide a letter to the City's Mitigation Monitoring Coordination (MMC) section stating that a Project Biologist (Qualified Biologist) as defined in the City of San Diego's Biological Guidelines (2012), has been retained to implement the project's biological monitoring program. The letter shall include the names and contact information of all persons involved in the biological monitoring of the project.

  - **Preconstruction Meeting –** The Qualified Biologist shall attend the preconstruction meeting, discuss the project's biological monitoring program, and arrange to perform any follow up mitigation measures and reporting including site-specific monitoring, restoration or revegetation, and additional fauna/flora surveys/salvage.

  - **Biological Documents –** The Qualified Biologist shall submit all required documentation to MMC verifying that any special mitigation reports including but not limited to, maps, plans, surveys, survey timelines, or buffers are completed or scheduled per City Biology Guidelines, Multiple Species Conservation Program (MSCP), ESL, project permit conditions; California Environmental Quality Act (CEQA); endangered species acts (ESAs); and/or other local, state or federal requirements.

  - **Biological Construction Mitigation/Monitoring Exhibit –** The Qualified Biologist shall present a Biological Construction Mitigation/Monitoring Exhibit (BCME) which includes the biological documents in C above. In addition, include: restoration/ revegetation plans, plant salvage/relocation requirements (e.g., coastal cactus wren plant salvage, burrowing owl exclusions, etc.), avian or other wildlife surveys/survey schedules (including general avian nesting and USFWS protocol), timing of surveys, wetland buffers, avian construction avoidance areas/noise buffers/barriers, other impact avoidance areas, and any subsequent requirements determined by the Qualified Biologist and the City ADD/MMC. The BCME shall include a site plan, written and graphic depiction of the project's biological mitigation/monitoring program, and a schedule. Prior to the issuance of grading permits, the BCME shall be approved by MMC and referenced in the construction documents.

  - **Avian Protection Requirements –** To avoid any direct impacts to any species identified as a listed, candidate, sensitive, or special status species in the MSCP, removal of habitat that supports active nests in the proposed area of disturbance shall occur outside of the breeding season for these species (February 1 to September 15). If removal of habitat in the proposed area of disturbance must occur during the breeding season, the Qualified Biologist shall conduct a pre-construction survey to determine the presence or absence of

nesting birds on the proposed area of disturbance. The pre-construction survey shall be conducted within 10 calendar days prior to the start of construction activities (including removal of vegetation). The applicant shall submit the results of the pre-construction survey to City DSD for review and approval prior to initiating any construction activities. If nesting birds are detected, a letter report in conformance with the City's Biology Guidelines (i.e., appropriate follow up surveys, monitoring schedules, construction, and noise barriers/buffers, etc.) shall be prepared and include proposed measures to be implemented to ensure that take of birds or eggs or disturbance of breeding activities is avoided. The report or mitigation plan shall be submitted to the City for review and approval and implemented to the satisfaction of the City. The City's MMC Section and Biologist shall verify and approve that all measures identified in the report are in place prior to and/or during construction.

- **Resource Delineation –** Prior to construction activities, the Qualified Biologist shall supervise the placement of orange construction fencing or equivalent along the limits of disturbance adjacent to sensitive biological habitats and verify compliance with any other project conditions as shown on the BCME. This phase shall include flagging plant specimens and delimiting buffers to protect sensitive biological resources (e.g., habitats/flora & fauna species, including nesting birds) during construction. Appropriate steps/care should be taken to minimize attraction of nest predators to the site.

- **Education –** Prior to commencement of construction activities, the Qualified Biologist shall meet with the owner/permittee or designee and the construction crew and conduct an on-site educational session regarding the need to avoid impacts outside of the approved construction area and to protect sensitive flora and fauna (e.g., explain the avian and wetland buffers, flag system for removal of invasive species or retention of sensitive plants, and clarify acceptable access routes/methods and staging areas, etc.).

- **During Construction**

  - **Monitoring –** All construction (including access/staging areas) shall be restricted to areas previously identified, proposed for development/staging, or previously disturbed as shown on "Exhibit A" and/or the BCME. The Qualified Biologist shall monitor construction activities as needed to ensure that construction activities do not encroach into biologically sensitive areas, or cause other similar damage, and that the work plan has been amended to accommodate any sensitive species located during the pre-construction surveys. In addition, the Qualified Biologist shall document field activity via the Consultant Site Visit Record (CSVR). The CSVR shall be e-mailed to MMC on the 1st day of monitoring, the 1st week of each month, the last day of monitoring, and immediately in the case of any undocumented condition or discovery.

  - **Subsequent Resource Identification –** The Qualified Biologist shall note/act to prevent any new disturbances to habitat, flora, and/or fauna onsite (e.g., flag plant specimens for avoidance during access, etc.). If active nests or other previously unknown sensitive resources are detected, all project activities that directly impact the resource shall be delayed until species specific local, state, or federal regulations have been determined and applied by the Qualified Biologist.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

- **Post Construction Measures**

    - In the event that impacts exceed previously allowed amounts, additional impacts shall be mitigated in accordance with City Biology Guidelines, ESL and MSCP, State CEQA, and other applicable local, state, and federal law. The Qualified Biologist shall submit a final BCME/report to the satisfaction of the City ADD/MMC within 30 days of construction completion.

c)	Have a substantial adverse effect on federally protected wetlands as defined by section 404 of the Clean Water Act (including but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒

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

Portions of the project impact footprint occur directly adjacent to wetland and riparian habitat, jurisdictional resource areas, and City ESL wetlands. As discussed above, mitigation measure BIO-2 includes resource delineation prior to construction and biological monitoring during construction, which would be used to identify and protect sensitive biological resources during project implementation, including waterways, wetlands, and riparian habitat subject to USACE, RWQCB, and/or CDFW jurisdiction. Therefore, implementation of mitigation measure BIO-2 would ensure that inadvertent impacts to jurisdictional wetlands and waterways, and City ESL wetlands, located immediately adjacent to construction work areas are avoided.

<u>City ESL Wetlands and Wetland Buffers</u>

In accordance with City Biology Guidelines (2018), the project would avoid impacts to City ESL wetlands including vernal pools and associated vernal pool watershed. In addition to impact avoidance of wetland resources, City Biology Guidelines and ESL Regulations also require a wetland buffer be maintained around all wetlands to protect the functions and values of the wetland. The functions and values of the on-site wetlands are limited based on the proximity of these areas to current development, previous development and disturbance activities within the project site, prevalence of non-native vegetation, and lack of habitat suitable to support special status plant and animal species found within the region.

The small patches of herbaceous wetlands present along the site's northern boundary are located within a shallow gullied area at the bottom of the hillside separating the project site from the SR 52. Runoff from the adjacent slopes and eastern drainage ditch sheet flow towards this gullied area where waters either infiltrate into the soil or slowly flow to the west. Dominant vegetation within these small, fragmented wetland patches consist of low-growing annuals such as mariposa rush (*Juncus dubius*), tall flatsedge (*Cyperus eragrostis*), sand spikerush (*Eleocharis montevidensis*), and annual beard grass (*Polypogon monspeliensis*). No special status plant or animal species were observed in these areas and suitable habitat required by species known to occur within the project vicinity is either not present or too small in size to provide suitable live-in habitat. These areas contain limited wetland functions such as survey water conveyance, absorption of slow-moving waters, and ground water recharge. Wetland buffer widths along

the northern boundary of the project adjacent to the herbaceous wetland patches average approximately 20 feet, ranging from approximately 13 feet to 26 feet. The wetland buffer area would be planted with native species and placed within the project's biological open space/preserve and managed in perpetuity in accordance with the project's site-specific VPMMP (HELIX 2020c). The wetland buffer would reduce physical disturbances to the herbaceous wetlands from adjacent construction activities and future commercial operations of the development, and provide transitional habitat between the proposed development and herbaceous wetland habitat. Existing topography and hydrology patterns would be maintained.

The man-made drainage ditch in the eastern portion of the project site was constructed as part of the previous Cubic development. Its primary purpose is to collect and convey stormwater runoff from the exiting Cubic property parking lot to undeveloped lands in the northern portion of the site. After review of information collected in the field and from historical imagery and as-built drawings, it is evident that there would not be a surface drainage feature at the location of the present-day drainage ditch had it not been for the existing developments on the property and man-made activities. Pursuant to the City's Biology Guidelines (2018) and ESL regulations, artificially created wetlands in historically non-wetland areas do not qualify City ESL wetlands. Therefore, the drainage ditch does not constitute wetlands defined under the City's Biology Guidelines and ESL regulations. However, the project would still avoid this feature and provide an appropriate wetland buffer commensurate with the feature's limited functions and values.

Vegetation within the drainage ditch consists of disturbed wetland and streambed habitat dominated by herbaceous non-native and invasive plant species such as annual beard grass, grass poly (*Lythrum hyssopifolia*), stinkwort (*Dittrichia graveolens*), and lotus sweetjuice (*Glinus lotoides*). No special status plant or animal species were observed within the drainage ditch and habitat to support species known to occur within the project vicinity is either absent or highly disturbed and degraded. Existing functions and values of the drainage ditch are limited to surface water conveyance of stormwater runoff from developed areas and is not associated with pre-existing or natural drainage patterns. The wetland buffer width along the eastern project boundary averages 17 feet, ranging from 5 to 25 feet. The wetland buffer area would be planted with native species and placed within the project's biological open space/preserve and managed in perpetuity in accordance with the project's site-specific VPMMP (HELIX 2020c). The wetland buffer would reduce physical disturbances to the drainage ditch from adjacent construction activities and future commercial operations of the development and provide transitional habitat between the proposed development and development lands further east.

Vernal pool habitat within the eastern portion of the site will be preserved within the VPHCP Hardline area which has been designed to include sufficient watershed and upland buffer area to protect the natural hydrological flows into the associated vernal pools. The VPHCP Hardline area would be preserved and managed in perpetuity in accordance with the project's site-specific VPMPP (HELIX 2020c) that was prepared pursuant to the requirements of the City's VPHCP (2020) and City's overall VPMMP (2017). Therefore, the project maintains and protects the wetland buffers surrounding the project's vernal pool complex and vernal pool watershed. Additionally, the project would implement the avoidance and minimization measures listed in Section 5.2.1 of the City's VPHCP (2020) as conditions of project approval.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐

The project site is generally surrounded by existing development, and as such, does not by itself function as and does not contribute to any wildlife corridors or linkages, or native wildlife nursery sites. Furthermore, the site is separated from open space areas to the north by SR 52 thereby severing connectivity to larger blocks of contiguous habitat located within MCAS Miramar. The project, therefore, would not impede the movement of any native, resident, or migratory fish or wildlife species; interfere with established native, resident, or migratory wildlife corridors, including linkages identified in the MSCP Plan; and would not impede the use of native wildlife nursery sites. Impacts would be less than significant.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐

The project is consistent with the City's Biology Guidelines (2018) and ESL Regulations; no conflict with local policies or ordinances protecting biological resources would occur.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☒	☐	☐

The project would conform with the adopted City MSCP Subarea Plan (1997) and VPHCP (2020). The City's MSCP Subarea Plan addresses the impacts to preserve areas from adjacent development in Section 1.4.3, Land Use Adjacency Guidelines (LUAGs). The LUAGs provide requirements for land uses adjacent to the habitat preserve in order to minimize indirect impacts from drainage, toxics, lighting, noise, barriers, invasive species, brush management, and grading to the sensitive resources contained therein. The project site is located adjacent the VPHCP Hardline which is part of the City's MHPA. The project's consistency with the City's LUAGs is summarized below:

Drainage

- *All new and proposed parking lots and developed areas in and adjacent to the preserve must not drain directly into the MHPA*.

  The proposed project would primarily occur within the existing development and disturbed areas. Runoff from new and proposed parking lots and developed areas would be directed into the project's on-site water quality treatment facilities and would not drain directly into the MHPA.

- *All developed and paved areas must prevent the release of toxins, chemicals, petroleum products, exotic plant materials, and other elements that might degrade or harm the natural environment or ecosystem processes within the MHPA*.

  Best Management Practices (BMPs) would be implemented during project construction to control runoff, erosion, and contaminants, as necessary, in order to prevent the release of toxins, chemicals, petroleum products, exotic plant materials, and other elements that might be contained within

stormwater. The BMP program will meet applicable requirements of the State Water Resources Control Board and the City's Municipal Code and Storm Water Standards Manual. Exotic plant materials are further restricted from the project's landscaping, thereby preventing the introduction of a new sources of exotics at the project site.

Toxins

- *Land uses, such as recreation and agriculture, that use chemicals or generate by-products such as manure, that are potentially toxic or impactive to wildlife, sensitive species, habitat, or water quality need to incorporate measures to reduce impacts caused by the application and/or drainage of such materials into the MHPA.*

  The proposed project does not involve agriculture or creation of recreational areas such as playing fields or any other uses that would introduce toxins, chemicals, or by-products.

Lighting

- *Lighting of all developed adjacent areas should be directed away from the MHPA. Where necessary, development should provide adequate shielding with non-invasive plant materials (preferably native), berming, and/or other methods to protect the MHPA and sensitive species from night lighting.*

  Project lighting would be shielded and directed away from the MHPA/VPHCP Hardline area to protect resources in the MHPA from artificial night lighting. Additionally, hardscaping and native vegetation comprised of lemonade berry (*Rhus integrifolia*), or similar taller native shrub species, would be installed at the edge of the parking lot directly adjacent to the VPHCP Hardline area to prevent car headlights from shining directly into the MHPA/VPHCP Hardline area.

Noise

- *Uses in or adjacent to the MHPA should be designed to minimize noise impacts. Berms or walls should be constructed adjacent to commercial areas, recreational areas, and any other use that may introduce noises that could impact or interfere with wildlife use of the MHPA.*

  The project site is characterized by existing commercial development that is bordered by heavily trafficked highways (SR 52 and SR 163). The existing ambient noise from regular vehicle traffic is constant and relatively high from these uses. The proposed project would retain similar vehicular uses as compared to the existing commercial uses. Increased activity is expected by large trucks and equipment use; however, these uses are not expected to result in an adverse noise impact on wildlife use of the MHPA/VPHCP Hardline area considering the site's adjacency with the highways.

- *Excessively noisy uses or activities adjacent to breeding areas must incorporate noise reduction measures and be curtailed during the breeding season of sensitive species.*

  If unmitigated and implemented during certain times of the year, temporary noise generated from such sources as grubbing, earthwork, and construction could adversely and temporarily impact local wildlife potentially present within the adjacent MHPA/VPHCP Hardline areas. Such impacts could occur the coastal California gnatcatcher if the activities are implemented during the gnatcatcher breeding season (which is defined by the City as March 1 to August 15). As a condition of project

approval, preconstruction surveys for California gnatcatcher would be required to determine species presence/absence if construction were to occur during the gnatcatcher breeding season. If surveys are not conducted, presence of the species would be assumed and the implementation of noise attenuation and biological monitoring would be required during the gnatcatcher breeding season if construction would generate noise levels higher than 60 dBA or ambient (whichever is higher).

Barriers

- *New development adjacent to the MHPA may be required to provide barriers (e.g., non-invasive vegetation, rocks/boulders, fences, walls, and/or signage) along the MHPA boundaries to direct public access to appropriate locations and reduce domestic animal predation.*

  The project does not propose new development within the MHPA/VPHCP Hardline area. Perimeter fencing would be installed at the edges of the VPHCP Hardline preserve area pursuant the project's site-specific VPMMP (HELIX 2020c) to direct public access to appropriate locations and prevent unauthorized access into the preserve. Preserve fencing would consist of 3-strand smooth wire, split rail, or similar fencing that allows for wildlife passage.

Invasive Plant Species

- *No invasive non-native plant species shall be introduced into areas adjacent to the MHPA.*

  BMPs during construction would include measures to avoid introduction of invasive plants into construction areas by equipment. Proposed landscaping associated with the project would not include plant species identified as invasive by the California Invasive Plant Council. Landscaping and plantings proposed adjacent to the MHPA/VPHCP Hardline area would consist of native plant species and strictly prohibit the use of invasive, non-native plant species.

Brush Management

- *New residential development located adjacent to and topographically above the MHPA (e.g., along canyon edges) must be set back from slope edges to incorporate Zone 1 brush management areas on the development pad and outside of the MHPA. Zones 2 and 3 will be combined into one zone (Zone 2) and may be located in the MHPA upon granting of an easement to the City (or other acceptable agency) except where narrow wildlife corridors require it to be located outside of the MHPA.*

  The project brush management zones would not extend beyond the project's permanent footprint, do not encroach into the MHPA/VPHCP Hardline area, and would not result in any additional impacts to biological resources.

Grading/Land Development

- *Manufactured slopes associated with site development shall be included within the development footprint for projects within or adjacent to the MHPA.*

  All manufactured slopes are located within the development footprint and do not occur within the MHPA/VPHCP Hardline area.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

The City's VPHCP address impacts to conserved vernal pools from adjacent development in Section 5.2.1, Avoidance and Minimization Measures. These measures provide requirements for land uses adjacent to the VPHCP Hardline (and MHPA) in order to minimize indirect impacts to the VPHCP covered species contained therein. The project involves the redevelopment of an existing cubic property which occurs adjacent to the VPHCP Hardline and represents expansion of the City's MHPA. The project's consistency with the VPHCP avoidance and minimization measures is summarized below:

- *Measure 1 – Development adjacent to the MHPA shall slope away from avoided pools.*

  The proposed development would be constructed to slope away from the VPHCP Hardline to ensure that runoff form the project does not flow into the pools. The U 19 (Cubic) vernal pool complex and associated vernal pool watershed is confined to the northern and eastern portions of the project site and are hydrologically separate from the proposed development. Furthermore, the VPHCP Hardline was designed to include sufficient watershed and upland buffer area to protect the natural hydrological flows into the associated vernal pools.

- *Measure 2 – Temporary fencing with silt fencing shall be required.*

  The project's construction limits would be demarcated with construction and silt fencing to ensure inadvertent impacts to the MHPA/VPHCP Hardline area located adjacent to construction work areas are avoided. Final construction plans and the BCME would include photographs that show the fenced limits of impact and all areas of vernal pools to be avoided.

- *Measure 3 – Impacts from fugitive dust would be avoided and minimized through watering and other appropriate measures.*

  Impacts from fugitive dust during construction grading would be avoided and minimized through routine watering with a watering truck or other appropriate measures that are standard construction practices.

- *Measure 4 – A qualified biologist approved by the City shall be on site during project construction activities to help ensure compliance with all mitigation measures identified in the CEQA environmental document. The biologist shall be knowledgeable of vernal pool species biology and ecology and will perform the duties detailed in Section 5.2.1 of the VPHCP.*

  A Qualified Biologist knowledgeable of vernal pool species biology and ecology and approved by the City would monitor construction and oversee compliance with all mitigation measures and project conditions. As a condition of project approval, construction activities adjacent to the VPHCP Hardline area will incorporate additional monitoring measures, as appropriate, consistent with those detailed in Section 5.2.1 of the VPHCP including, but not limited to, verification that construction activities do not exceed the authorized work limits and that good housekeeping is adhered to during construction. The Qualified Biologist should have the authority to halt construction activities and will report any non-compliance to the City. Reporting should be submitted to the City during project construction and a final report should be prepared following completion of construction that documents the project's general compliance with conservation measures.

- *Measure 5 – All activities, vehicles, equipment, and construction materials shall be strictly limited to the fenced project footprint and the project shall be kept clean of trash and debris.*

Construction activities, staging areas, and equipment would be limited to the fenced project limits. A Qualified Biologist would monitor construction activities and project compliance with all mitigation measures including removal of trash and debris.

- *Measure 6 – Equipment maintenance, staging, and disposal of fuel, oil coolant shall occur outside of wetlands, and within designated areas in the fenced project impact limits only.*

  Designated equipment staging/maintenance/fueling/ etc. shall be demarcated on the final construction plans. Additionally, a Qualified Biologist would monitor project compliance regarding equipment.

- *Measure 7 – Grading activities immediately adjacent to vernal pools shall be timed to avoid wet weather to minimize potential impacts (e.g., siltation) to the vernal pools*.

  The project avoids the VPHCP Hardline area and vernal pools contained within; therefore, no construction activities would not occur adjacent to vernal pools or associated vernal pool watershed. Nevertheless, the project shall implement a BMP program during construction to control runoff, erosion, and contaminants, as necessary. BMPs, including silt fencing, would be installed to prevent the spread of silt from the construction areas into adjacent vernal pools. Additionally, a Qualified Biologist would monitor construction activities and ensure project compliance with all mitigation measures.

- *Measure 8 – Topsoil shall be salvaged from impacted pools supporting listed fairy shrimp and be consistent with approved restoration plan requirements.*

  No vernal pools would be impacted by the proposed project; therefore, no mitigation or vernal pool habitat restoration is required or proposed by the project.

- *Measure 9 – Permanent protective fencing shall be installed along any interface with developed and preserved areas. Fencing shall be shown on the development plans. Signage for the biological conservation easement area shall be posted and maintained at conspicuous locations.*

  Permanent protective fencing and signage would be installed along the at the edges of the VPHCP Hardline preserve area pursuant the project's site-specific VPMMP (HELIX 2020c) to direct public access to appropriate locations and prevent unauthorized access into the preserve. The location of the preserve fencing shall be shown on final construction plans. Preserve fencing would consist of 3-strand smooth wire, split rail, or similar fencing that allows for wildlife passage.

In addition to project consistency with the MSCP LUAGs and VPHCP avoidance and minimization measures, the VPHCP Hardline would be preserved and managed in perpetuity in accordance with the site-specific VPMMP (HELIX 2020c) that was prepared pursuant the City's VPHCP and City's overall VPMMP (2017). The site-specific VPMMP (HELIX 2020c) details the long-term management, monitoring, and reporting directives for the project's biological open space/preserve and implements the Vernal Pool Complex Evaluation and Management Recommendations specified for the U 19 vernal pool complex as stated in the City's overall VPMMP (City 2017). No other adopted HCP, RMP, Special Area Management Plan, Watershed Plan, or other regional planning efforts are applicable to the project.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

As stated in item IV(a) above, the project may result in potential significant impacts to special status species and sensitive vegetation communities, and City ESL areas. Implementation of mitigation measures BIO-1 and BIO-2 would ensure project consistency with the adopted City MSCP Subarea Plan (1997), VPHCP (2020), and Land Development Manual Biology Guidelines (2018).

V. CULTURAL RESOURCES

– Would the project:

a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☐	☐	☒	☐

According to the City's Thresholds, for the purposes of CEQA, a significant historic resource is one which qualifies for the California Register of Historical Resources or is listed in a local historic register or deemed significant in a historical resource survey, as provided under Section 5024.1(g) of the Public Resources Code. A resource that is not listed in, or determined to be eligible for listing in, the California Register of Historical Resources, not included in a local register of historic resources, or not deemed significant in a historical resource survey may nonetheless be historically significant for purposes of CEQA.

The City's determination of significance of impacts on historical resources is based on the criteria found in Section 15064.5 of the State CEQA Guidelines. For additional information, see the City's Historical Resources Guidelines. The determination of significance for historic buildings, structures, objects, and landscapes is based on age, location, context, association with an important person or event, uniqueness, and integrity.

HELIX prepared an Archaeological Resources Report Form for the proposed project to analyze potential project impacts to cultural resources (HELIX 2020d). The Archaeological Resources Report Form included a records search, a Sacred Lands File search, Native American outreach, a review of historic maps and aerial photographs, and a field survey with a Kumeyaay Native American monitor. The records search conducted by the South Coastal Information Center (SCIC) on September 11, 2019 indicated that 10 cultural resources have been previously recorded within a one-mile of the project Area of Potential Effect (APE), which consists of the project site. The previously recorded cultural resources include a historic building of unknown age; a building complex whose original initial construction began in the 1950s; a historic segment of Murphy Canyon Road; five prehistoric archaeological sites; and two prehistoric isolated artifacts. None of these recorded cultural resources are located within the project site.

On September 11, 2019, a HELIX archaeologist and a representative of the Iipay Nation of Santa Ysabel band of Kumeyaay served as a Native American monitor conducted a field investigation of the project site, which included an intensive pedestrian survey of the site. Visibility was limited during the survey due to dense grasses and weeds present on portions of the site. Evidence of past disturbance was observed in the undeveloped area and included a berm along the northern edge of the undeveloped area, chunks of asphalt near the center of the undeveloped area, and a modern concrete culvert. In addition, two rail lines exist within the property; one transects the center of the undeveloped portion of the property in the east to west direction, while the other is piled up in the northwest portion of the site and covered in vegetation. Neither of the rail lines are currently in use. Also observed were two modern manholes, both located in the southern portion of the undeveloped area; one appeared to be related to the sewer, the other was of indeterminant function.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

Historical land uses within the project site itself include development of the Cubic property in the late 1950s, and continual operation of the buildings and businesses. However, in 2017 an environmental review was conducted in support of a permit for minor on-site improvements, and the Historic Resources Board (HRB) determined that the property did not require a historic study. The HRB determination is valid for five years, which would extend through October 11, 2022 for the property. As such, the existing on-site buildings, as well as the associated features, such as the rail lines, are not considered to be significant historical resources. Therefore, the project would not cause significant impacts related to historical resources, and impacts would be less than significant.

b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐

The City's determination of significance of impacts on unique archaeological resources is based on the criteria found in Section 15064.5 of the State CEQA Guidelines. The City's Thresholds state that an archaeological site must consist of at least three associated artifacts/ecofacts (within a 40-square meter area) or a single feature. Archaeological sites containing only a surface component are generally considered not significant, unless demonstrated otherwise. (Testing is required to document the absence of subsurface deposit.) Such site types may include isolated finds, bedrock milling stations, sparse lithic scatters, and shellfish processing stations. All other archaeological sites are considered potentially significant. The determination of significance is based on a number of factors specific to a particular site, including site size, type, and integrity; presence or absence of a subsurface deposit, soil stratigraphy, features, diagnostics, and datable material; artifact and ecofact density; assemblage complexity; cultural affiliation; association with an important person or event; and ethnic importance. A site will be considered to possess ethnic significance if it is associated with a burial or cemetery; religious, social, or traditional activities of a discrete ethnic population; an important person or event as defined by a discrete ethnic population; or the belief system of a discrete ethnic population.

As stated above, the records search conducted by the SCIC indicated that 10 cultural resources have been previously recorded within a one mile of the project APE, including a historic building of unknown age; a building complex whose original initial construction began in the 1950s; a historic segment of Murphy Canyon Road; five prehistoric archaeological sites; and two prehistoric isolated artifacts. None of the listed cultural resources are located within the project site. Furthermore, the field investigation of the project site did not result in the identification of any cultural material in the APE. However, a Sacred Lands File search for the project APE completed by the Native American Heritage Commission (NAHC) yielded positive results. Letters were sent on December 17, 2019 to Native American representatives and interested parties identified by the NAHC. The San Pasqual Band of Mission Indians responded in a letter dated December 27, 2019 that the project is situated within the boundaries of the territory that the tribe considers its Traditional Use Area. In an email dated February 25, 2020, the Viejas Band of Kumeyaay Indians responded that they have reviewed the proposed project and have determined that the project site has cultural significance or ties to Viejas and request that a Kumeyaay Cultural Monitor be on site for ground-disturbing activities and to inform them of any new developments such as inadvertent discovery of cultural artifacts, cremation sites, or human remains.

Although there are no known cultural resources present on the site, there is potential to discover previously unknown cultural resources during project construction due to the cultural sensitivity of the project region, the positive Sacred Land Files results, and the responses to the letters sent to the contracts

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

listed by the NAHC. As such, potential impacts to cultural impacts may occur. However, implementation of mitigation measure CUL-1 would reduce impacts to less than significant level.

CUL-1 (Archaeology) and Tribal Cultural Resources: All grubbing and clearing activities and initial ground disturbing activities within the undeveloped portion of the property associated with the project shall complete the following:

- **Prior to Permit Issuance**
    - Entitlements Plan Check
        - Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/ Permits or a Notice to Proceed for Subdivisions, but prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Archaeological Monitoring and Native American monitoring have been noted on the applicable construction documents through the plan check process.
    - Submit Letters of Qualification to ADD
        - The applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the archaeological monitoring program, as defined in the City of San Diego Historical Resources Guidelines (HRG). If applicable, individuals involved in the archaeological monitoring program must have completed the 40-hour HAZWOPER training with certification documentation.
        - MMC shall provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the archaeological monitoring of the project meet the qualifications established in the HRG.
        - Prior to the start of work, the applicant shall obtain written approval from MMC for any personnel changes associated with the monitoring program.
- **Prior to Start of Construction**
    - Verification of Records Search
        - The PI shall provide verification to MMC that a site-specific records search (1/4-mile radius) has been completed. Verification includes but is not limited to a copy of a confirmation letter from South Coastal Information Center, or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
        - The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.

- The PI may submit a detailed letter to MMC requesting a reduction to the 1/4-mile radius.

o Principal Investigator Shall Attend Preconstruction Meetings

- Prior to beginning any work that requires monitoring; the Applicant shall arrange a Preconstruction Meeting that shall include the PI, Native American consultant/monitor (where Native American resources may be impacted), Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified Archaeologist and Native American Monitor shall attend any grading/excavation related Preconstruction Meetings to make comments and/or suggestions concerning the Archaeological Monitoring program with the Construction Manager and/or Grading Contractor.

- If the PI is unable to attend the Preconstruction Meeting, the Applicant shall schedule a focused Preconstruction Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.

o Identify Areas to be Monitored

- Prior to the start of any work that requires monitoring, the PI shall submit an Archaeological Monitoring Exhibit (AME) (with verification that the AME has been reviewed and approved by the Native American consultant/monitor when Native American resources may be impacted) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits.

- The AME shall be based on the results of a site-specific records search as well as information regarding existing known soil conditions (native or formation).

o When Monitoring Will Occur

- Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.

- The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate site conditions such as depth of excavation and/or site graded to bedrock, etc., which may reduce or increase the potential for resources to be present.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

- **During Construction**

  - Monitor(s) Shall be Present During Grading/Excavation/Trenching

    - The Archaeological Monitor shall be present full-time during all soil disturbing and grading/excavation/trenching activities which could result in impacts to archaeological resources as identified on the AME. The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances OSHA safety requirements may necessitate modification of the AME.

    - The Native American consultant/monitor shall determine the extent of their presence during soil disturbing and grading/excavation/trenching activities based on the AME and provide that information to the PI and MMC. If prehistoric resources are encountered during the Native American consultant/monitor's absence, work shall stop and the Discovery Notification Process detailed in Section III.B-C and IV.A-D shall commence.

    - The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as modern disturbance post-dating the previous grading/trenching activities, presence of fossil formations, or when native soils are encountered that may reduce or increase the potential for resources to be present.

    - The archaeological and Native American consultant/monitor shall document field activity via the Consultant Site Visit Record (CSVR). The CSVR's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (Notification of Monitoring Completion), and in the case of ANY discoveries. The RE shall forward copies to MMC.

  - Discovery Notification Process

    - In the event of a discovery, the Archaeological Monitor shall direct the contractor to temporarily divert all soil disturbing activities, including but not limited to digging, trenching, excavating, or grading activities in the area of discovery and in the area reasonably suspected to overlay adjacent resources and immediately notify the RE or BI, as appropriate.

    - The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.

    - The PI shall immediately notify MMC by phone of the discovery and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.

    - No soil shall be exported off-site until a determination can be made regarding the significance of the resource specifically if Native American resources are encountered.

- Determination of Significance

  – The PI and Native American consultant/monitor, where Native American resources are discovered shall evaluate the significance of the resource. If Human Remains are involved, follow protocol in Section IV below.

    a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required.

    b. If the resource is significant, the PI shall submit an Archaeological Data Recovery Program (ADRP) which has been reviewed by the Native American consultant/monitor, and obtain written approval from MMC. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume. Note: If a unique archaeological site is also an historical resource as defined in CEQA, then the limits on the amount(s) that a project applicant may be required to pay to cover mitigation costs as indicated in CEQA Section 21083.2 shall not apply.

    c. If the resource is not significant, the PI shall submit a letter to MMC indicating that artifacts will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that that no further work is required.

- **Discovery of Human Remains**

  If human remains are discovered, work shall halt in that area and no soil shall be exported off-site until a determination can be made regarding the provenance of the human remains; and the following procedures as set forth in CEQA Section 15064.5(e), the California Public Resources Code (Sec. 5097.98) and State Health and Safety Code (Sec. 7050.5) shall be undertaken:

  - Notification

    – Archaeological Monitor shall notify the RE or BI as appropriate, MMC, and the PI, if the Monitor is not qualified as a PI. MMC will notify the appropriate Senior Planner in the Environmental Analysis Section (EAS) of the Development Services Department to assist with the discovery notification process.

    – The PI shall notify the Medical Examiner after consultation with the RE, either in person or via telephone.

  - Isolate discovery site

    – Work shall be directed away from the location of the discovery and any nearby area reasonably suspected to overlay adjacent human remains until a determination can be made by the Medical Examiner in consultation with the PI concerning the provenance of the remains.

- The Medical Examiner, in consultation with the PI, will determine the need for a field examination to determine the provenance.

- If a field examination is not warranted, the Medical Examiner will determine with input from the PI, if the remains are or are most likely to be of Native American origin.

o If Human Remains are determined to be Native American

- The Medical Examiner will notify the NAHC within 24 hours. By law, ONLY the Medical Examiner can make this call.

- NAHC will immediately identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information.

- The MLD will contact the PI within 24 hours or sooner after the Medical Examiner has completed coordination, to begin the consultation process in accordance with CEQA Section 15064.5(e), the California Public Resources and Health & Safety Codes.

- The MLD will have 48 hours to make recommendations to the property owner or representative, for the treatment or disposition with proper dignity, of the human remains and associated grave goods.

- Disposition of Native American Human Remains will be determined between the MLD and the PI, and, if:

  a. The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 48 hours after being granted access to the site, OR;

  b. The landowner or authorized representative rejects the recommendation of the MLD and mediation in accordance with PRC 5097.94 (k) by the NAHC fails to provide measures acceptable to the landowner, the landowner shall reinter the human remains and items associated with Native American human remains with appropriate dignity on the property in a location not subject to further and future subsurface disturbance, THEN

c. To protect these sites, the landowner shall do one or more of the following:

   4. Record the site with the NAHC;

   5. Record an open space or conservation easement; or

   6. Record a document with the County. The document shall be titled:

      "Notice of Reinterment of Native American Remains" and shall include a legal description of the property, the name of the property owner, and the owner's acknowledged signature, in addition to any other

information required by PRC 5097.98. The document shall be indexed as a notice under the name of the owner.

- **Night and/or Weekend Work**
  - If night and/or weekend work is included in the contract
    - When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the Preconstruction meeting.
    - The following procedures shall be followed.
      a. No Discoveries: In the event that no discoveries were encountered during night and/or weekend work, the PI shall record the information on the CSVR and submit to MMC via fax by 8:00 a.m. of the next business day.
      b. Discoveries: All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction, and IV – Discovery of Human Remains. Discovery of human remains shall always be treated as a significant discovery.
      c. Potentially Significant Discoveries: If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction and IV-Discovery of Human Remains shall be followed.
      d. The PI shall immediately contact MMC, or by 8:00 a.m. of the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.
  - If night and/or weekend work becomes necessary during the course of construction:
    - The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
    - The RE, or BI, as appropriate, shall notify MMC immediately.
    - All other procedures described above shall apply, as appropriate.
- **Post Construction**
  - Preparation and Submittal of Draft Monitoring Report
    - The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Historical Resources Guidelines (Appendix C/D) which describes the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring. It should be noted that if the PI is unable to submit the Draft Monitoring Report within the

allotted 90-day timeframe resulting from delays with analysis, special study results or other complex issues, a schedule shall be submitted to MMC establishing agreed due dates and the provision for submittal of monthly status reports until this measure can be met.

a. For significant archaeological resources encountered during monitoring, the Archaeological Data Recovery Program shall be included in the Draft Monitoring Report.

b. Recording Sites with State of California Department of Parks and Recreation.

1. The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) any significant or potentially significant resources encountered during the Archaeological Monitoring Program in accordance with the City's Historical Resources Guidelines, and submittal of such forms to the South Coastal Information Center with the Final Monitoring Report.

2. MMC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.

3. The PI shall submit revised Draft Monitoring Report to MMC for approval.

4. MMC shall provide written verification to the PI of the approved report.

5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.

- Handling of Artifacts
  - The PI shall be responsible for ensuring that all cultural remains collected are cleaned and catalogued.
  - The PI shall be responsible for ensuring that all artifacts are analyzed to identify function and chronology as they relate to the history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate.
  - The cost for curation is the responsibility of the property owner.
- Curation of artifacts: Accession Agreement and Acceptance Verification
  - The PI shall be responsible for ensuring that all artifacts associated with the survey, testing and/or data recovery for this project are permanently curated with an appropriate institution. This shall be completed in consultation with MMC and the Native American representative, as applicable.
  - The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

- When applicable to the situation, the PI shall include written verification from the Native American consultant/monitor indicating that Native American resources were treated in accordance with state law and/or applicable agreements. If the resources were reinterred, verification shall be provided to show what protective measures were taken to ensure no further disturbance occurs in accordance with Section IV – Discovery of Human Remains, Subsection 5.

- Final Monitoring Report(s)

  - The PI shall submit one copy of the approved Final Monitoring Report to the RE or BI as appropriate, and one copy to MMC (even if negative), within 90 days after notification from MMC that the draft report has been approved.

  - The RE shall, in no case, issue the Notice of Completion and/or release of the Performance Bond for grading until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

It is noted that the undeveloped portion of the site in lot 2 that contained dense vegetation that obscured the ground during the pedestrian survey would remain undeveloped, as such no cultural resources impacts would occur in this portion of the project site.

c)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐

The project site Is underlain by the Linda Vista geological formation, which has a moderate sensitivity rating for paleontological resources. In accordance with the City's Thresholds, a significant Impact could occur in formations with a moderate sensitivity rating if grading would exceed 2,000 cy and at a depth of 10 feet or more. While project grading would exceed 2,000 cy, excavation would not exceed a depth beyond 6 feet. Therefore, the project would not exceed the threshold. Impacts to unique paleontological or geological features would be less than significant.

d)	Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☐	☒	☐

The project site is not located within or near a formal cemetery and is not known to be located on a burial ground. Much of the project site is developed, and it is highly unlikely the proposed project would disturb any human remains during construction. However, although there is no evidence to suggest the presence of human remains, in the unlikely event that human remains are encountered during ground-disturbing activities, all work shall cease, and the county coroner shall be contacted, per the California Public Resources Code (Section 5097.98) and State Health and Safety Code (Section 7050.5). Should the remains be identified as Native American, the NAHC shall be contacted within 48 hours to provide a most-likely descendant to determine appropriate actions. Therefore, impacts related to human remains would be less than significant.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

VI. GEOLOGY AND SOILS

– Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☒	☐

Seismically induced surface or ground rupture occurs when movement on a fault deep within the earth breaks through to the surface as a result of seismic activity. Fault rupture almost always follows pre-existing faults, which are zones of weakness. Sudden displacements are more damaging to structures because they are accompanied by shaking. Under the Alquist-Priolo Earthquake Fault Zoning Act (A-P Act), which was passed in 1972, the California State Geologist identifies areas in the State that are at risk from surface fault rupture. The A-P Act's main purpose is to prevent the construction of buildings used for human occupancy on the surface trace of active faults. That requires the State Geologist to establish regulatory zones, known as Alquist-Priolo Earthquake Fault Zones, around the surface traces of active faults and to issue appropriate maps that identify these zones.

GEOCON prepared a Preliminary Geotechnical Investigation for the proposed project (GEOCON 2019). According to the project preliminary geotechnical investigation, no known active faults have been mapped at or near the project site. Per the City's Seismic Safety Study, the project site is located within Geologic Hazard Categories 51 and 52, which are classified as being of nominal risk and low risk, respectively. Additionally, the project site is not located within a currently established Alquist-Priolo Earthquake Fault Zone. The closest known active surface faults are the Newport-Inglewood and Rose Canyon faults each located approximately five miles west of the site. Therefore, the risk associated with ground rupture hazard is low. However, the proposed building would be required to be constructed in accordance with the applicable California Building Code (CBC) guidelines that would reduce impacts to people or structures due to local seismic events to an acceptable level of risk. Therefore, impacts would be less than significant.

ii) Strong seismic ground shaking?	☐	☐	☒	☐

The project site, like most of southern California, is within a seismically active area and, therefore, can be subject to strong seismic ground motion. There are six known active faults within 50 miles of the project site, including the Newport-Inglewood and Rose Canyon faults, approximately 5 miles west of the site. The Newport-Inglewood and Rose Canyon faults would be the primary source of earthquake ground motion, having maximum earthquake magnitudes of 7.5 and 6.9, respectively. Given the proximity to these faults and the maximum magnitudes, strong seismic ground shaking would likely occur during an earthquake event along these faults. The project would comply with the seismic design parameters outlined in the CBC, which provide requirements for earthquake safety based on factors such as occupancy type, the types of soils onsite, and the probable strength of ground motion. Compliance with construction and building safety standards would be required prior to building permit approval, which would reduce potential impacts associated with strong seismic ground shaking at the project site to an acceptable level of risk. Impacts would be less than significant.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐

Liquefaction is a soil phenomenon in which water-saturated soils lose strength when subject to the forces of intense and prolonged ground shaking. Liquefaction generally occurs in areas where four criteria are met: (1) the site is subject to seismic activity, (2) on-site soil consists of cohesionless soil or silt and clay with low plasticity, (3) groundwater is encountered within 50 feet of the surface, and (4) soil relative densities are less than 70 percent. Within the project site, the potential for liquefaction or other seismic-related ground failure is considered to be low, due to the lack of permanent shallow groundwater and the dense nature of the materials beneath the site. Additionally, the City's General Plan Figure PF-9 (Geo-technical and Relative Risk Areas) identifies the project site as within an area of nominal to low geotechnical risk (City 2018). Construction associated with the project would be required to comply with applicable CBC guidelines that would reduce impacts to people or structures to an acceptable level of risk. Therefore, impacts would be less than significant.

iv) Landslides?	☐	☐	☒	☐

As part of the Preliminary Geotechnical Investigation, GEOCON performed a site reconnaissance. The site reconnaissance in addition to a review of available geologic literature and geotechnical reports for the site vicinity indicate that there are no landslides present on the property or at a location that could impact the site. As noted, the site is not identified as being within an area of geotechnical risk (City 2018). Project design would be required to comply with applicable CBC guidelines that would reduce impacts to people or structures to an acceptable level of risk. Therefore, impacts would be less than significant.

b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐

Given the history of ground disturbance across the site from past development activities, it is unlikely that any natural topsoil remains in the upper soil layers. Yet, the proposed development would include grading activities that would remove existing ground cover and disturb exposed soils. These disturbed soils could be exposed to wind and rain, thus potentially resulting in soil erosion. The project would require a National Pollutant Discharge Elimination System (NPDES) Construction General Permit and be required to submit a Notice of Intent to the RWQCB for the preparation a Stormwater Pollution Prevention Plan (SWPPP). Generally, a SWPPP demonstrates how water quality during and post construction would be maintained in accordance with mandated objectives. Often this is achieved by employing BMPs (see Section X, *Hydrology and Water Quality*). Many BMPs serve a dual purpose or protecting water quality and reducing soil erosion and loss of topsoil. Prior to the issuance of an encroachment permit, the City requires that an applicant demonstrates proof of coverage under the NPDES Construction General Permit and a complete SWPPP.

Grading activities within the site would also be required to comply with the City's Grading Ordinance as well as the Storm Water Standards, which would further ensure soil erosion and topsoil loss is minimized. Therefore, the project would not result in substantial soils erosion or loss of topsoil and impacts would be less than significant.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	☐	☐	☒	☐

The proposed project would not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project. As discussed in VI(a)(iii) and VI(a)(iv), the project site is not likely to be subject to landslides, and the potential for liquefaction is low. Further, the geotechnical investigation conducted by GEOCON determined that the risk associated with ground subsidence hazard is low due to the site's subsurface soil conditions. The project would be constructed consistent with proper engineering design, in accordance with the CBC. Integration of appropriate engineering design measures and standard construction practices are verified prior to the issuance of building permits. Through this process, project design is required to demonstrate that potential impacts from geologic hazards would be reduced to an acceptable level of risk. As such impacts would be less than significant.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☒	☐

GEOCON determined that the on-site soils are a combination of non-expansive and expansive as defined by the CBC and possess a low to medium expansion potential. The recommendations included in the Preliminary Geotechnical Investigation (GEOCON 2019), that are designed to meet the CBC standards, have been incorporated into the project as design features, including those that reduce the expansion potential of the on-site soils (see recommendations 6.3.6, 6.3.7, 6.5.16, 6.5.24, and 6.5.26 of the Preliminary Geotechnical Investigation). Therefore, through project design, impacts would be reduced to a level that is less than significant.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒

The project does not propose the use of septic tanks or alternative wastewater disposal systems; the project site would be served by the existing public sewer system. Therefore, no impacts with regard to the capability of soils to adequately support the use of septic tanks or alternative wastewater disposal systems would occur.

VII. GREENHOUSE GAS EMISSIONS

– Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐

The City's Thresholds state that the method for determining significance depends on whether the action requires plan- or policy-level or project-level environmental analysis. For plan- and policy-level environmental documents, the Planning Department has prepared a Memorandum, CAP Consistency for Plan- and Policy-Level Documents, to provide guidance on significance determination as it relates to all

five strategies of the CAP. For project-level environmental documents, significance is determined through the CAP Consistency Checklist.

Climate Action Plan

The City adopted the CAP in December 2015 (City 2015). With implementation of the CAP, the City aims to reduce emissions 40 percent below the baseline to approximately 7.8 million metric tons (MMT) of carbon dioxide equivalent (CO_2e) by 2030, and 50 percent below the baseline to approximately 6.5 MMT CO_2e by 2035. The City has identified the following five CAP strategies to reduce greenhouse gas (GHG) emissions to achieve the 2020 and 2035 targets: (1) energy- and water-efficient buildings; (2) clean and renewable energy; (3) bicycling, walking, transit, and land use; (4) zero waste (gas and waste management); and (5) climate resiliency.

CAP Consistency Checklist

The City's CAP Consistency Checklist, adopted July 12, 2016 (most recently revised June 2017), is the primary document used by the City to ensure project-by-project consistency with the underlying assumptions in the CAP and thereby to ensure that the City would achieve the emission reduction targets identified in its CAP. The CAP Consistency Checklist includes a three-step process to determine if the project would result in a GHG impact. Step 1 consists of an evaluation to determine the project's consistency with existing General Plan, Community Plan, and zoning designations for the site. Step 2 consists of an evaluation of the project's design features compliance with the CAP strategies. Step 3 is only applicable if a project is not consistent with the land use and/or zone, but is also in a transit priority area to allow for more intensive development than assumed in the CAP.

HELIX completed a CAP Checklist for the proposed project (HELIX 2020e). Under Step 1 of the CAP Consistency Checklist, the project is consistent with the existing General Plan and Community Plan designations for the site. The project site has a land use designation of Industrial and Technology Park in the Kearny Mesa Community Plan and is zoned as Light Industrial. The surrounding areas are also designated as Industrial and Technology Park. The project proposes the construction of an industrial building, which is consistent with the Industrial and Technology Park land use designation and the Light Industrial zoning designation. Therefore, the project is consistent with the growth projections and land use assumptions used in the CAP.

Furthermore, completion of Step 2 of the CAP Consistency Checklist demonstrates that the project would be consistent with applicable strategies and actions for reducing GHG emissions. This includes project features consistent with the energy and water efficient buildings strategy, as well as bicycling, walking, transit, and land use strategy. The project's landscape plan, which includes a series of street and perimeter trees (for a total of 253 trees) additionally assist in reducing GHG impacts. Planting trees will sequester CO_2 and is considered to result in a one-time carbon-stock change. Trees sequester on average 35.4 kilograms of CO_2 per year while they are actively growing (CAPCOA 2017). This would result in approximately 9 metric tons of CO_2 being sequestered per year. These project features would be assured as a condition of project approval. Thus, the project is consistent with the CAP. Step 3 of the CAP Consistency Checklist would not be applicable, as the project is not proposing a land use plan amendment or a rezone.

Therefore, the project would be consistent with the CAP and would result in a less than significant impact on the environment with respect to GHG emissions.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

The project would not conflict with an applicable plan, policy, or regulation adopted for the purposes of reducing GHG emissions. The project is consistent with the existing General Plan and Community Plan Checklist for the project, the project is consistent with the applicable strategies and actions of the CAP. Therefore, the project is consistent with the assumptions for relevant CAP strategies toward achieving the identified GHG reduction targets. Impacts would be less than significant.

VIII. HAZARDS AND HAZARDOUS MATERIALS

– Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐

The City's Thresholds states that significant impacts may occur if a project proposes the handling, storage, and treatment of hazardous materials.

Materials and waste are generally considered hazardous if they are poisonous (toxicity), can be ignited by open flame (ignitability), corrode other materials (corrosivity), or react violently, explode, or generate vapors when mixed with water (reactivity). The term "hazardous material" is defined in the State Health and Safety Code (Chapter 6.95, Section 25501[o]) as any material that, because of quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment. Hazardous waste is defined as any hazardous material that is abandoned, discarded, or recycled, as defined in the State Health and Safety Code (Chapter 6.95, Section 25125). The transportation, use, and disposal of hazardous materials, as well as the potential releases of hazardous materials to the environment, are closely regulated through many state and federal laws.

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

The project involves the construction of an industrial building. The building would be used for warehouse/distribution purposes, but the specific tenants are currently unknown. There is potential for the future operation of the proposed building to transport, use, or dispose of hazardous materials typical of warehouse or distribution buildings; however, building tenants would be required to comply with applicable federal, state, and local regulations related to the use and transport of hazardous materials, which would minimize potential impacts related to hazardous materials. Therefore, the project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. Impacts would be less than significant.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐

The City's Thresholds state that project sites on or near known contamination sources and/ or that meet one or more of the following criteria may result in a significant impact if:

- A project is located within 1,000 feet of a known contamination site;
- A project is located within 2,000 feet of a known "border zone property" (also known as a "Superfund" site) or a hazardous waste property subject to corrective action pursuant to the Health and Safety Code;
- The project has a closed Department of Environmental Health (DEH) site file;
- A project is located in Centre City San Diego, Barrio Logan, or other areas known or suspected to contain contamination sites;
- A project is located on or near an active or former landfill;
- A project is located on properties historically developed with industrial or commercial uses which involved dewatering (the removal of groundwater during excavation), in conjunction with major excavation in an area with high groundwater;
- A project is located in a designated airport influence area and where the FAA has reached a determination of "hazard" through FAA Form 7460-1, "Notice of Proposed Construction or Alteration" , inconsistent with an Airport's Land Use Compatibility Plan (ALUCP), within the boundaries of an Airport Land Use Plan (ALP), or two nautical miles of a public or public use airport; or
- A project is located on a site presently or previously used for agricultural purposes.

As with most construction, there is the possibility of accidental release of hazardous substances during typical construction activities. Specifically, site development would involve a range of activities that would include the use of common hazardous materials, substances, or chemicals such as fuels, oils, lubricants, paints, and solvents. Construction activities would be short-term, and the use of these materials would cease once construction is complete. The hazardous substances used during construction would be required to comply with existing federal, state, and local regulations regarding the use and disposal of these materials. In the event of an accidental release during construction, containment and clean up would be in accordance with existing applicable regulatory requirements.

The project site does not meet any of the criteria outlined in the City's Thresholds stated above. In particular, as discussed in response to item VIII(d) below, the project is not listed on any environmental databases that would indicate that it is a known contamination site, such as a Superfund site, former landfill, or has a closed DEH file. Further, the project site has not historically been used for groundwater extraction or agricultural purposes and it is not deemed to be within a FAA hazard area. As discussed below, the environmental database review did identify properties within 1,000 feet of the project site;

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

however, they do not represent a recognized environmental concern in relation to hazards and hazardous materials.

As identified in VIII(a), the future project tenants of the proposed industrial building are currently unknown. However, given the types of land uses allowed under the Industrial and Technology Park land use designation and Light Industrial zoning designation, it is likely that future uses may include the use or transport of hazardous materials. However, compliance with applicable federal, state, and local regulations regarding the use and transport of hazardous materials would ensure that potential impacts to the public or the environment through reasonably foreseeable accident conditions related to hazardous materials would be less than significant.

c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒

The City's Thresholds states that significant impacts may occur if a project proposes the handling, storage, and treatment of hazardous materials.

There are no existing or proposed schools within one-quarter mile of the project site. The nearest school is National University, which is approximately 0.7 mile southeast of the site. The nearest public school for children under the age of 18 is Serra High School, located approximately 2 miles southeast of the project site. Therefore, the project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of a school. No impacts would occur.

d)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒

See VIII(b) above for applicable City Threshold related to listed hazardous materials sites. Government Code 65962.5 stipulates that the Department of Toxic Substances Control (DTSC), the Department of Health Services (DHS), the State Water Resources Control Board (SWRCB), and any local enforcement agency, as designated by Section 18051, Title 14 of the California Code of Regulations (CCR), identify and update annually a list of sites that have been reported to have certain types of contamination. The SWRCB GeoTracker database and the DTSC EnviroStor database provide information on hazardous materials sites. GeoTracker is a database and geographic information system (GIS) that provides online access to environmental data. It tracks regulatory data about leaking underground storage tanks (LUSTs), Department of Defense, Spills-Leaks- Investigations-Cleanups, and landfill sites. EnviroStor is an online database search and GIS tool for identifying sites that have known contamination or sites where there may be reasons to investigate further. It also identifies facilities that are authorized to treat, store, dispose, or transfer hazardous waste.

A search of the SWRCB GeoTracker database and the DTSC EnviroStor database was completed for the project site pursuant to Government Code Section 65962.5. The project site was not listed on either of the hazardous materials databases. For purposes of public disclosure, it is noted that there are properties within 1,000 feet of the project that are listed on both databases. United Rentals, an equipment rental agency located approximately 330 feet south of the project site, had two listings on the SWRCB

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

GeoTracker database for a LUST. The case was opened in 1990 and was completed and closed in 1993. The United Rentals listings were the only listings on the SWRCB GeoTracker database within 1,000 feet of the project site. Qualex, a business formerly located approximately 850 feet east of the project site, was the only site listed on the DTSC EnviroStor database within 1,000 feet of the project site. The listing type is classified as a tiered permit and has a status of inactive and in need of an evaluation. There are no past uses that caused contamination or potential contaminants of concern listed for the site.

There would not be a significant hazard to the public or the environment related to listings on hazardous materials sites because the project site does not have any listings, and the listings within 1,000 feet of the site do not include active spills. The project site is not listed on any database compiled pursuant to Government Code Section 65962.5 and thus, no impact would occur.

e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☒	☐

The City's Thresholds state that a project may result in a significant impact if it is located in a designated airport influence area and where the FAA has reached a determination of "hazard" through FAA Form 7460-1, "Notice of Proposed Construction or Alteration" , inconsistent with an ALUCP, within the boundaries of an ALP, or two nautical miles of a public or public use airport.

The basic function of ALUCPs is to promote compatibility between airports and the land uses that surround them to the extent that these areas are not already devoted to incompatible uses. With limited exception, California law requires preparation of an ALUCP for each public-use and military airport in the state. Most counties have established an Airport Land Use Commission (ALUC), as provided for by law, to prepare compatibility plans for the airports in that county and to review land use plans and development proposals, as well as certain airport development plans, for consistency with the compatibility plans. In San Diego County, the ALUC function rests with the San Diego County Regional Airport Authority (SDCRAA), as provided in Section 21670.3 of the California Public Utilities Code.

The project site is within the Airport Influence Area (AIA) Review Area 1 and the FAA Part 77 Height Notification Area for MCAS Miramar (San Diego County ALUC 2011). Additionally, the project site is within the AIA Review Area 2 and the FAA Part 77 Height Notification Area for Montgomery Field (San Diego County ALUC 2010). Therefore, the project would require review by the ALUC prior to construction However, the project site is located outside of the Accident Potential Zones (APZ) I and II for both MCAS Miramar and Montgomery Field; however, it is located within the Transition Zone associated with MCAS Miramar. The Transition Zone does not place limitations on retail, commercial, office, and industrial uses. Further, the project is a single-story structure and lighting, which would be for security and directed downward toward the site land uses, would be in accordance with Section 142.0740 of the City of San Diego Land Development Code, that restricts light trespass. Thus, the height of the structure and any nighttime lighting would not create a safety hazard in relation to airport activities. As such, the project would not result in a safety hazard for people residing or working in the project area. Impacts would be less than significant.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒

The project is not within the vicinity of a private airstrip. No impacts would occur.

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐

The City is a participating entity in the Multi-hazard Mitigation Plan (County 2010), which is generally intended to provide compliance with regulatory requirements associated with emergency response efforts. As part of this effort, the City's Office of Emergency Services oversees emergency preparedness and response services for disaster-related measures. For emergency evacuation, the City identifies I-15, SR 52, SR 163, and I-805 as emergency evacuation routes in the vicinity of the project site. The project would not involve any activities that would impair the use of these routes.

Locally, the project site would be accessed via Kearny Mesa Road. During construction of the project, heavy construction vehicles could interfere with emergency response to the site or emergency evacuation procedures in the event of an emergency (e.g., vehicles traveling behind the slow-moving truck). However, such delays would be brief and infrequent because there are no hospitals or fire stations located near the project site. As such, the project's potential to cause delays for emergency vehicles is similar to that of other projects. Post construction, the project would not result in disruptions to the operation of Kearny Mesa Road.

The project proposes off-site roadway improvements to Magnatron Boulevard, which would have the potential to result in partial or full lane closures during construction. However, Magnatron Boulevard has limited accessibility, does not provide through access (i.e., dead ends as a cul-de-sac), and does not serve as a designated emergency evacuation road. Furthermore, in the event of an evacuation, Kearny Mesa Road would be the primary evacuation road for the project site and immediately adjacent properties. Therefore, the roadway improvements would not substantially impair emergency evacuation, and the project's construction-related impacts would be less than significant.

h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☒	☐

The potential for wildland fires represents a hazard, particularly on undeveloped properties or where development exists adjacent to open space or within proximity to wildland fuels. State law requires that all local jurisdictions identify Very High Fire Hazard Severity Zones (VHFHSZ) within their areas of responsibility (California Government Code Sections 51175–51189). These maps, which are prepared by the City in collaboration with the California Department of Forestry and Fire Protection (CAL FIRE) determine fire hazards zones based on vegetation density, slope severity, and other relevant factors that contribute to fire severity.

According to the Official Very High Fire Hazard Severity Zone Map adopted by the City's Fire-Rescue Department for the project area, the project site is located within a VHFHSZ (City of San Diego

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

Fire-Rescue Department 2009). The proposed project would comply with the wildland fire risk reduction and prevention guidelines in the City of San Diego General Plan and the California Fire Code, in addition to adopting the latest CBC standards to minimize impacts related to wildland fires. Compliance with applicable codes would reduce impacts associated with wildland fires. Specifically, these standards include vegetative (brush) management, in accordance with Municipal Code Subsection 142.0142 (Landscape Regulations) such as selective removal/thinning and fire-resistant plantings to create appropriate buffer zones around development (if applicable), as well as incorporating applicable fire-related design elements, including fire-resistant building materials, fire/ember/smoke barriers, automatic alarm and sprinkler systems, and provision of adequate fire flow and emergency access. Therefore, the project is not anticipated to expose people or structures to a significant risk of loss, injury, or death involving wildland fires. Impacts would be less than significant.

IX. HYDROLOGY AND WATER QUALITY

– Would the project:

a)	Violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐

Latitude 33 Planning & Engineering prepared a Preliminary Drainage Study for the project (Latitude 33 2020). Potential impacts to existing water quality standards associated with the project would include minimal short-term construction-related erosion/sedimentation and long-term operational storm water discharge. The project would be subject to the requirements of San Diego Municipal Code (SDMC) Section 43.03 and Municipal Storm Water Permit Order No. R9-2013-0001 as amended by R9-2015-0001 and R9-2015-0100, as identified in the City's 2018 update to the City Storm Water Manual and Storm Water Requirements Applicability Checklist. The project Storm Water Quality Management Plan (SWQMP) prepared by Latitude 33 Planning & Engineering identifies, source control, site design, pollutant control BMPs, and HMP control measures required to meet the City of San Diego Strom Water Standards. Source Control BMPs include prevention of illicit discharge into the MS4, storm drain stenciling/signage, and protection of trash areas from rainfall, run-on, runoff, and wind dispersal, Site design features include maintaining natural drainage pathways and hydrologic features, conserving natural areas, soils and vegetation, minimizing impervious area, minimizing soil compaction, runoff collection, and landscaping with native/drought tolerant species. Pollutant Control BMPs are proposed as compact biofiltration units which act as multi-stage storm water treatment and ensure downstream water quality is maintained. Hydromodification BMPs proposed for the project site consist of structural underground vaults outfitted with weirs and low-flow orifices in order to simulate pre-development conditions of the site. The project would be required to comply with the NPDES Construction General Permit and submit a SWPPP that outlines the intended practices to reduce pollutants in the stormwater to the maximum extent practicable during construction. The SWPPP must include erosion-control and sediment-control BMPs. Additionally, the SWPPP is also required to contain waste management and non-stormwater control BMPs that reduce the potential for construction-related stormwater pollutants. Typical construction-related BMPs might include temporary soil stabilization (e.g., straw mulch, wood mulch, drainage swales), temporary sediment control (e.g., silt fence, sediment track, fiber rolls, sandbag barrier), de-watering, vehicle equipment maintenance and cleaning, and tire cleaning. Adherence with the standards would ensure that water quality standards are not violated and also preclude a cumulatively considerable contribution to water quality; therefore, a less than significant impact would result.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☒	☐

The City's Thresholds state there may be significant impacts on hydrologic conditions and well-water supplies if a project would result in decreased aquifer recharge because the area available for aquifer recharge is reduced. In addition, if a project would result in extraction of water from an aquifer, impacts on hydrologic conditions would be significant if there would be a net deficit in the aquifer volume or a reduction in the local groundwater table. Lastly, projects which would create over 1.0 acres of impermeable hardscape in areas utilizing well-water and projects which would install groundwater extraction wells may result in significant impacts.

There is no groundwater production occurring at the project site; therefore, there would be no disruption to any existing groundwater production.

The project would generate a demand for water for drinking, janitorial services, and irrigation. This demand would be similar to the existing light industrial land uses that currently operate on the project site. The project would connect to the City's municipal system, which purchases water from the San Diego County Water Authority, the regional wholesale water provider. In all, groundwater comprises a very small portion of the SDCWA water portfolio (five percent). In addition, according to the City of San Diego Urban Water Management Plan (UWMP) (2016), the City's water system delivers recycled water for non-potable water uses, such as irrigation. Thus, any water demand that could potentially effect groundwater would be limited to the potable uses. Additionally, the UWMP serves as a planning tool to document existing and future water demands, identifying any deficiencies and surpluses in relation to planning projections. The City's General Plan land use designations work in concert with the UWMP in accurately forecasting water demands. As the proposed project is consistent with the General Plan land uses for the site, the water demands have been accounted for in the UWMP. Thus, since the project would have a similar demand for water as the existing land uses and that the proposed land uses are accounted for in the UWMP the project's water demand would not substantially deplete groundwater supplies.

Additionally, as part of the response to the 2014 Sustainable Groundwater Management Act, the legislation that provides the framework for sustainable management of groundwater supplies by local authorities. Local agencies are tasked to form local groundwater sustainability agencies (GSAs) and develop groundwater sustainability plans. To date no plan has been adopted for the San Diego River Valley groundwater basin; however, the Department of Water Resources has not declared the basin or any of its sub-basins as being in critical condition,

In relation to impervious surfaces that could interfere with groundwater recharge, the project would occur within the footprint of the existing developed portion of the site and the undeveloped 5.42 acres in the eastern portion of the site would remain undeveloped allowing for any recharge to continue. Further, although the proposed project would require some grading, it does not include any cuts deeper than 6 feet; geologic borings drilled to a depth of 16 feet did not encounter groundwater. Thus, project-related

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

excavation would not be at depths deep enough to encounter or interfere with groundwater as none was encountered up to 16 feet.

Therefore, since grading and excavations at the site would not be to a depth to interfere with groundwater, in addition to the fact that the proposed land uses would have a similar demand for potable water as the existing land uses and that there would be no net increase in impervious surfaces, impacts would be less than significant in relation to groundwater supplies and recharge.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☒	☐

The City's Thresholds state that projects that would result in substantial changes to stream-flow velocities or quantities may result in a significant impact. Significant impacts may also occur to downstream properties and/or environmental resources if drainage patterns are changed.

The existing vernal pool habitat located in the northeast portion of the project site (lot 2) would be preserved, so the existing drainage pattern in this area would not change. The remaining portion of the project site currently drains to the north and northwest where it ultimately discharges over natural terrain or through a 48-inch culvert at the north extent of Magnatron Boulevard to a stream located west of the site. The neighboring stream confluences with San Clemente Canyon approximately 1.95 miles northwest of the site before discharging into Mission Bay. The existing condition of the site generates a peak flow of 50.83 cfs. Drainage at the project site would not substantially change with implementation of the proposed project; however, runoff would increase with project implementation due to proposed paving associated with the project, including areas on-site that are currently graded but not paved and the extension of Magnatron Boulevard. The results of the modeling prepared for the Drainage Study, indicated runoff would increase by 0.57 cubic feet per second (cfs) over existing conditions for a total peak flow of 51.40 cfs (Latitude 33 2020). Still, runoff from the development would be piped towards the northwest corner of the project to a storage vault system which would provide detention for hydromodification requirements and would accommodate the increased runoff generated by the developed site, mitigating the peak flow back to the 50.83 cfs in the existing condition. The storage vault system would be equipped with an internal weir to allow high-volume flows to bypass internally. Runoff generated by the proposed improvements to Magnatron Boulevard would be routed to a multi-stage storm water treatment system and would be treated prior to connecting to the existing curb inlet and converging with the runoff in the 48-inch culvert. Project drainage would then drain similar to existing conditions; the increase in runoff would not be directed toward the undeveloped areas where erosion and siltation could occur. Further, the project incorporates native and drought tolerant plant species to provide ornamental landscaping, which negates the use of frequent and high volume irrigation that would contribute to siltation . Thus, although grading would be required for the project, BMPs would be implemented in accordance with the project SWPPP during construction activities to ensure that substantial erosion or siltation on or off-site would not occur. Moreover, operational impacts would be minimized through the use of native and drought tolerant landscaping. Impacts would be less than significant.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?	☐	☐	☒	☐

The City's Thresholds state that Significant impacts may occur to downstream properties and/or environmental resources if drainage patterns are changed and that if a project would result in increased flooding on- or off-site, there may be significant impacts on upstream or downstream properties and to environmental resources.

The project would not substantially alter the existing drainage pattern of the site or the area. Per the project Drainage Study (Latitude 33 2020), the project would increase the peak runoff in a 100-year storm by 0.57 cfs compared to the existing condition; however, the project would accommodate the increase in flow by incorporating approximately 58,590 cubic feet of detention storage. Additionally, the project would incorporate flow control BMPs to minimize impacts. Therefore, the project would not substantially increase the rate or amount of surface runoff in a manner which would result in flood on- or off-site. Impacts would be less than significant.

e) Create or contribute runoff water, which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐

Refer to response IX(d) above. The project would not exceed the capacity of the existing or planned storm water drainage system. The existing condition of the site generates a peak flow of 50.83 cfs Although the project would result in increased runoff, amounting to a peak flow of 51.40 cfs, due to the addition of paved surfaces (including on-site areas that are currently graded but not paved and the extension of Magnatron Boulevard); the increase in runoff generated by the project would be sufficiently mitigated through the implementation of detention storage as a project design feature, which also addresses hydromodification requirements. Therefore, the project would not exceed the capacity of the existing storm drain system, with a mitigated peak flow of 50.83 cfs, matching the existing flow. Potential release of sediment or other pollutants into surface water drainages downstream from the site would be avoided by implementation of BMPs required by City regulations, in compliance with SDRWQCB requirements to implement the federal Clean Water Act. Proper irrigation and landscaping would ensure that runoff would be controlled and unpolluted. Impacts would be less than significant.

f) Otherwise substantially degrade water quality?	☐	☐	☒	☐

Refer to responses IX(a), (c), (d), and (e). Compared to existing conditions, the project would increase the peak runoff in a 100-year storm by 0.57 cfs compared to the existing condition; however, the project would accommodate the increase in flow by incorporating approximately 58,590 cubic feet of detention storage. Additionally, the project would incorporate flow control BMPs to minimize impacts. Therefore, no significant surface water quality degradation is expected to result from the proposed activity. Impacts would be less than significant.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒

The City's Thresholds state that a project may have significant impacts if the project would impose flood hazards on other properties or if a project proposes to develop wholly or partially within the 100-year floodplain identified in the Federal Emergency Management Agency (FEMA) maps.

According to the FEMA flood insurance rate map of the project site (FIRM 06073C1610G), the project site is located within an area of minimal flood hazard (FEMA 2012). Additionally, according to the City of San Diego General Plan Figure CE-5, Flood Hazard Areas, the project site is not within a mapped floodplain. Therefore, flooding would not be a significant issue at the project site, and implementation of the project would not impede or redirect flood flows. No impacts would occur.

h) Place within a 100-year flood hazard area, structures that would impede or redirect flood flows?	☐	☐	☐	☒

The City's Thresholds state that a project may have significant impacts if the project would impose flood hazards on other properties or if a project proposes to develop wholly or partially within the 100-year floodplain identified in the FEMA maps.

The project's drainage plan as discussed in response to item IX (e) above, the detention storage adequately addresses project drainage and runoff would not be directed offsite. In addition, the City of San Diego General Plan Figure CE-5, Flood Hazard Areas, does not identify the project site as being within a 100-year flood hazard area. No impacts would occur.

X. LAND USE AND PLANNING

– Would the project:

a) Physically divide an established community?	☐	☐	☐	☒

The physical division of an established community typically refers to the construction of a linear feature, such as an interstate highway or railroad tracks, or removal of a means of access, such as a local road or bridge that would impact mobility within an existing community or between a community and outlying area. The project site is within an urban area developed with primarily industrial and commercial uses. The project consists of construction of an industrial building, which would not divide the existing community as the project site is currently occupied with three buildings used for industrial and automotive uses and an asphalt paved parking lot. No changes to land uses would occur with the proposed project. No new roadways, roadway extensions, or other features that would introduce a physical barrier within the community are proposed. Therefore, the project would not physically divide an established community and no impacts would occur.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☒	☐	☐

The City's Thresholds state that land use impacts would occur if a project would be inconsistent or conflict with the environmental goals, objectives, or guidelines of a community or general plan, an adopted land use designation or intensity.

The project site has a land use designation of Industrial and Technology Park in the Kearny Mesa Community Plan and is zoned as Light Industrial (City 2020, 2010). The surrounding areas are also designated as Industrial and Technology Park or for Military use. The project proposes the construction of an industrial building, which does not conflict with the Industrial and Technology Park land use designation, nor the Light Industrial zoning designation.

As discussed throughout this document (Sections I through XIX), the project would have the potential to violate certain standards, including environmental goals, objectives, or guidelines such as those set forth in the other General Plan Elements. The General Plan Elements along with various plans such as the City's Biology Guidelines (2018), ESL regulations, adopted City MSCP Subarea Plan (1997), and VPHCP (2020) contain regulations, goals, policies, and strategies that are intended to avoid or mitigate environmental effects. However, it is noted that the project is consistent with the City's Land Development Code Biology Guidelines and ESL Regulations; no conflict with local policies or ordinances protecting biological resources would occur Further, with the mitigation measures identified in this document (BIO-1 and BIO-2, CUL-1 and LU-1), required adherence to the City's Storm Water Manual, including the implementation of a SWPPP and associated BMPs, and the CBC serve to avoid and mitigate the project's environmental effects.

The project would also have the potential to be inconsistent with land use – noise compatibility guidelines in the Noise Element of the General Plan related to noise levels experienced by the project. During project operation, the project's proposed warehouse and office land use would be compatible if exterior noise levels from traffic do not exceed the City's Noise Element conditionally compatible exterior standard of 75 CNEL or interior standard of 50 CNEL for commercial service. The proposed site plan does not include outdoor use areas (such as patios or picnic areas) and therefore it is assumed that workers would not be exposed to the exterior noise levels for an extended period of time. Therefore, the project would be compatible with the City's exterior noise standards.

The project does, however, have the potential to exceed the interior standard of 50 CNEL for commercial service. Traditional architectural materials typically attenuate noise levels by 15 CNEL. Therefore, if the traffic noise level at the exterior of the office space exceeds 65 CNEL, the interior noise levels would exceed the interior standard of 50 CNEL. As discussed in Section XII, the exterior of project office areas facing Kearny Mesa Road would exceed 70 CNEL. Therefore, the project would not be compatible with the City's interior noise standard of 50 CNEL for commercial land uses using traditional architectural materials, and a potentially significant impact would occur. Mitigation measure LU-1 would reduce impacts to a less than significant level.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

LU-1 Exterior-to-Interior Noise Analysis. Prior to the issuance of building permits, the project applicant shall perform an exterior-to-interior analysis for all mezzanine office spaces. The exterior-to-interior analysis shall demonstrate that interior noise levels do not exceed 50 CNEL within the office spaces.

The information in the analysis shall include wall heights and lengths, room volumes, window, and door tables typical for a building plan, as well as information on any other openings in the building shell. With this specific building plan information, the analysis shall determine the predicted interior noise levels for the planned office spaces. If predicted noise levels are found to exceed 50 CNEL, within the office spaces, the analysis shall identify architectural materials or techniques that could be included to reduce noise levels to 50 CNEL in office spaces. Standard measures such as glazing with appropriate STC ratings, as well as walls with appropriate STC ratings, should be considered. Final plans shall demonstrate that interior noise levels do not exceed 50 CNEL for proposed office spaces.

c)	Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒

Refer to IV(e) and (f). The City is a participant in the MSCP, a comprehensive, long-term habitat conservation program designed to provide permit issuance authority for take of covered species to the local regulatory agencies. The MSCP is implemented in the City through the City's MSCP Subarea Plan (1997). The VPHCP (2020) is compatible with the MSCP and covers vernal pool habitats and associated species in the City. The project would conform to the City's MSCP Subarea Plan and VPHCP as discussed under Biological Resources (IV[f]). The project would also implement the MSCP LUAGs (Section 1.4.3) and VPHCP avoidance and minimization measures (Section 5.2.1) as conditions of project approval. Furthermore, the VPHCP Hardline would be preserved and managed in perpetuity in accordance with the site-specific VPMMP (HELIX 2020c) prepared pursuant the City's VPHCP and City's overall VPMMP (2017). The site-specific VPMMP (HELIX 2020c) details the long-term management, monitoring, and reporting directives for the project's biological open space/preserve and implements the Vernal Pool Complex Evaluation and Management Recommendations specified for the U 19 vernal pool complex as stated in the City's overall VPMMP (City 2017). No other adopted HCP, RMP, Special Area Management Plan, Watershed Plan, or other regional planning efforts are applicable to the project.

XI. MINERAL RESOURCES

– Would the project:

a)	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒

The City's Thresholds state that if a project is within a Mineral Resource Zone (MRZ) 2, significant impacts must be determined in consultation with City staff considering if the site is large enough to allow for economically feasible aggregate mining of if the site is too small for economically feasible resource extractions, if the project would preclude mining adjacent to or surrounding the site. Additionally, a project may result in a significant impact if an economically feasible mineral extraction operation is the site's current use, and the site is not exhausted.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

According to the Conservation Element of the City's General Plan, most of the project site is classified as MRZ 3, with a small portion in the northern end of the site being classified as MRZ 2. MRZ 3 is defined as an area containing mineral deposits whose significance cannot be evaluated from available data, while MRZ 2 is defined as an area where adequate information indicates that significant mineral deposits are present or where it is judged that there is a high likelihood for their presence. However, there are no known mineral resources of value located on the project site. The project site is not currently being utilized for mineral extraction and does not contain any known mineral resources that would be of value to the region. Further, the site is zoned and planned for industrial uses and not extractive uses. Additionally, any mineral extraction would be limited to lot 1, as lot 2 contains vernal pool habitat that is to be preserved under the management considerations contained in the VPMP and would not be available for any future extraction. Thus, limiting the land available for extraction and thereby economic feasibility. Further, the proximity of the vernal pool habitat would also likely constrain any feasible mineral extraction activities. Thus, the generally urbanized and developed nature of the site and vicinity would preclude the extraction of any such resources. As such, no impacts would occur.

b)	Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	☐	☐	☐	☒

Refer to XI(a), above. The project area is not used for mineral extraction and is not known as a locally important mineral resource recovery site. Further, the project area is not delineated on any plan for mineral resource recovery uses. As such, no impacts would occur.

XII. NOISE

– Would the project result in:

a)	Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐

The City's Thresholds identify that a significant impact would occur if:

- Traffic generated noise would result in noise levels that exceed a 45 A-weighted decibel (dBA) Community Noise Equivalent Level (CNEL) interior of 65 dB(A) CNEL exterior for single- and multi-family land uses, 75 dB(A) exterior for office, churches, and professional uses, and 75 dBA exterior for commercial land uses.

- Noise levels at the property line exceed the City's Noise Ordinance Standards. Additionally, Temporary construction noise which exceeds 75 dB(A) L_{EQ} at a sensitive receptor would be considered significant.

- Temporary construction noise exceeds 75 dB(A) L_{EQ} at a sensitive receptor. Construction noise levels measured at or beyond the property lines of any property zoned residential shall not exceed an average sound level greater than 75-decibels (dB) during the 12-hour period from 7:00 a.m. to 7:00 p.m. In addition, construction activity is prohibited between the hours of

7:00 p.m. of any day and 7:00 a.m. of the following day, or on legal holidays as specified in Section 21.04 of the San Diego Municipal Code, with exception of Columbus Day and Washington's Birthday, or on Sundays, that would create disturbing, excessive, or offensive noise unless a permit has been applied for and granted beforehand by the Noise Abatement and Control Administrator, in conformance with San Diego Municipal Code Section 59.5.0404.

- Noise levels during the breeding season for the California gnatcatcher, least Bell's vireo, southern willow flycatcher, least tern, cactus wren, tricolored blackbird or western snowy plover would exceed 60 dB(A) or existing ambient noise level if above 60 dB(A).

Construction Equipment Noise

HELIX conducted an Acoustical Technical Report for the proposed project to analyze potential project impacts related to noise (HELIX 2020f). As discussed in the Acoustical Technical Report, the most substantial noise increases from construction activities that may affect off-site uses would occur during demolition. Demolition of the existing buildings would occur within 1,500 feet (0.3 mile) of the nearest noise sensitive land use (NSLU) property line (the Ramada Hotel) to the southwest. The loudest construction activity during demolition would be from the potential use of jackhammer and/or concrete saw to demolish part of the concrete buildings. A jackhammer and concrete saw would be expected to be used intermittently for approximately 20 percent of the workday and would not be in operation simultaneously. At a distance of 1,500 feet, a jackhammer would generate a noise level of 52.4 dBA L_{EQ} and a concrete saw would generate a noise level of 53 dBA L_{EQ} (12 hour). During demolition, a dozer in conjunction with a loader and a dump truck, would be used to demolish or grade material and to load debris for removal. A dozer, loader, and dump truck could be used concurrently approximately 40 percent of the workday and would produce a combined 50.8 dBA L_{EQ} (12 hour) at 1,500 feet. Therefore, project construction equipment used during demolition would not exceed the City Noise Ordinance construction threshold of 75 dBA L_{EQ} (12 hour) at the property line of a hotel or commercially zoned property. The model outputs are provided in Appendix C of the Acoustical Technical Report.

Based on the project's architectural plans, grading is anticipated to require 23,700 cy of cut and 16,700 cy of fill, for a net export of 7,000 cy to be exported offsite (Latitude 33 Planning & Engineering 2020). Mass grading activities would occur approximately 1,500 feet (0.3 mile) from the nearest off-site NSLU (the Ramada Hotel). For modeling of mass excavation, it was assumed that three scrapers would be used simultaneously. The scrapers would be in operation for 40 percent of a typical construction hour. It was conservatively assumed that these pieces of equipment would be in operation simultaneously at the same location. At 1,500 feet, the three scrapers would generate a noise level of 54 dBA L_{EQ} (12 hour). Therefore, the use of construction equipment during over-excavation and mass excavation activities would not exceed the City Noise Ordinance construction threshold of 75 dBA L_{EQ} (12 hour).

As other project construction activities would be expected to use less intensive equipment, project construction noise would comply with the City Noise Ordinance and temporary increases in ambient noise levels from construction activity would be less than significant.

Construction Traffic Noise

Construction would generate vehicular traffic in the form of worker vehicles and material import and export trucks. Vehicles associated with project construction would utilize Kearny Mesa Road to access the site. According to the traffic count data, Kearny Mesa Road has an existing volume of 4,796 ADT (Linscott,

Law & Greenspan Engineers [LLG] 2020a). A general rule of thumb is that a doubling of ADT would cause a doubling in noise (a 3 dBA increase), which would be considered a significant increase. Although the specific number of construction-related trips is unknown at this time, it is reasonably assumed that project construction would not generate vehicle trips that would result in a doubling of existing traffic volumes. Therefore, noise impacts resulting from temporary increases in ambient noise levels from construction traffic would be less than significant.

Indirect Construction Noise Impacts on Sensitive Species

The project site is located within the City's MSCP Subarea Plan and the eastern portion of the site occurs within the boundaries of the City's VPHCP, which is included as part of the City's MHPA. As discussed in Item IV(a), project direct impacts on potential gnatcatcher habitat are restricted to areas outside of the MHPA and are covered activities under the MSCP.

Indirect impacts to preserve areas from adjacent development are addressed in Section 1.4.3, LUAGs, of the City's MSCP Subarea Plan. The LUAGs provide requirements for land uses adjacent to the habitat preserve in order to minimize indirect impacts, including noise, to the sensitive resources contained therein. The project would implement the MHPA LUAGs including preconstruction surveys for California gnatcatcher, and noise control measures to attenuate construction noise levels if the species is found to be present and construction is conducted during the breeding season of the California gnatcatcher, as conditions of project approval.

Operational Noise

The City Noise Ordinance (SDMC Section 59.5.0401) sets limits for noise generation, as measured at the property line. For the project's land use, the applicable noise standard would be 75 dBA L_{EQ}.

Operational noise would be generated by heating, ventilation, and air conditioning (HVAC) units. Each of the three mezzanine office spaces was assumed to use three 10-ton rooftop mounted packaged HVAC units and the warehouse spaces were assumed to not have HVAC units. A typical rooftop commercial HVAC unit (Carrier Centurion Model 50 PG03-12 with a sound rating of 80 dBA sound power) was analyzed for building operation noise. Given the building height, parapet walls around the roof of the building, and the distance of approximately 125 feet to the property line to the southwest, the noise level measured at the property line from the combined operation of three 10-ton HVAC units located on the roof on the closest mezzanine office space would be 29 dBA L_{EQ}, which would not exceed the 75 dBA L_{EQ} threshold in the City's Municipal Code for industrial zoned properties such as the proposed project and existing surrounding land uses. Therefore, noise impacts related to HVAC units would be less than significant.

The project would include 64 truck loading docks. The primary noise associated with loading dock activity is backup alarms (also called a "reverse signal alarm"). According to the Local Mobility Analysis, there would be 202 peak-hour trips entering the project site (LLG 2020a), and the Institute of Transportation Engineers (ITE) warehouse truck trip study estimates that 32.2 percent of the trips would be trucks (ITE 2016). Assuming half of the trucks would be equipped with backup alarms and half of the trucks would use the southwest side loading docks, the estimated peak hour backup alarm events near the project southwest property line would be 16. Assuming each event averages 30 seconds, the one-hour L_{EQ} at the property line would be 66.2 dBA. This would not exceed City Municipal Code standard of 75 dBA

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

L_{EQ} for noise measured at an industrial zoned property line. Noise impacts from the project's loading dock would be less than significant.

To generate a noticeable increase in noise levels, traffic volumes generated by a project would generally have to double existing conditions, or result in an increase of 3 CNEL. A direct significant impact would occur at the nearest off-site NSLUs if noise levels exceed 75 CNEL at the receptors or if the receptors experience a noise increase of 3 CNEL or greater. As discussed in the Acoustical Assessment, the project's maximum contribution to traffic noise would be 0.8 CNEL and would not exceed 3 CNEL along any roadway segment, nor would it cause an increase in traffic noise that would expose off-site exterior use areas to levels in excess of 75 CNEL. Therefore, off-site exterior building-related operational noise impacts would be less than significant.

For off-site transient lodging land uses, the interior noise threshold is 45 CNEL and for commercial-retail land uses the interior noise threshold is 50 CNEL. As typical architectural materials are expected to attenuate noise levels by 15 dBA, if the project increases traffic noise levels above 60 CNEL at off-site hotel building facades, a potentially significant interior impact would occur. If noise levels already exceed 60 CNEL, a potentially significant impact would occur if the project's contribution would be 3 dBA or greater. Currently, existing noise levels without the project already exceed 60 CNEL for all receiver locations. The maximum increase in noise levels from project-added traffic would be 0.8 CNEL and would not exceed 3 CNEL at any receiver location. Therefore, project-generated transportation noise would not cause significant direct impacts related to interior noise.

b)	Generation of excessive ground borne vibration or ground borne noise levels?	☐	☐	☒	☐

A significant vibration impact would occur if the project would subject vibration-sensitive land uses to construction-related groundborne vibration that exceeds the severe vibration annoyance potential criteria for human receptors, as specified by the Caltrans Transportation and Construction Vibration Guidance Manual , of 0.4 inch per second peak particle velocity (PPV), and 0.5 inch per second PPV for damage to structures for continuous/frequent intermittent construction sources (such as impact pile drivers, vibratory pile drivers, and vibratory compaction equipment). Construction activities known to generate excessive ground-borne vibration, such as pile driving, would not be conducted by the project. A possible source of vibration during general project construction activities would be a vibratory roller. A vibratory roller would create approximately 0.210 inch per second PPV at 25 feet. A 0.210 inch per second PPV vibration level would equal 0.046 inch per second PPV at a distance of 100 feet.[2] This would be lower than what is considered a "strongly perceptible" impact for humans of 0.1 inch per second PPV, and lower than the structural damage impact threshold that would affect older residential structures of 0.5 inch per second PPV. Therefore, although a vibratory roller may be perceptible to nearby human receptors, temporary impacts associated with the roller (and other potential equipment) would be less than significant.

Land uses that may generate substantial operational vibration include heavy industrial or mining operations that would require the use of vibratory equipment. While the specific tenants are not known at this time, light industrial land uses do not include equipment that would generate substantial vibration. Therefore, operational vibration impacts would be less than significant.

[2] Equipment PPV = Reference PPV * $(25/D)^n$ (in/sec), where Reference PPV is PPV at 25 feet, D is distance from equipment to the receiver in feet, and n = 1.1 (the value related to the attenuation rate through the ground); formula from Caltrans 2013b.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐

Refer to response XI(a). The project would not result in a significant permanent noise increase. Impacts would be less than significant.

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above existing without the project?	☐	☐	☒	☐

Refer to response XI(a). The project would not result in a significant temporary or periodic noise increase. Impacts would be less than significant.

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

The project site is located within the 60 and 65 CNEL contours associated with MCAS Miramar. Therefore, aircraft noise levels from MCAS Miramar would be approximately 60 to 65 CNEL at the project site, which is not considered excessive. Additionally, the project site is not within the noise contours for Montgomery Gibbs Executive Airport. Therefore, the project would not expose people residing or working in the area to excessive noise levels. Impacts would be less than significant.

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

The project is not located within the vicinity of a private airstrip. No impacts would occur.

XIII. POPULATION AND HOUSING

– Would the project:

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

The proposed project does not include housing that would directly induce population growth. The project would provide employment opportunities through the development of 330,000 SF of industrial land uses. As discussed, the future tenants are unknown, so it is too speculative to provide an estimate on the number of new employment opportunities that would be introduced and if those opportunities would be at a magnitude to induce the relocation of employees to the area. It is possible that some of the project's future tenants would have a percentage of employees relocate to the area, but such numbers would not be substantial so as to adversely affect existing and future housing stock in the community. According to

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

estimates by the San Diego Association of Governments, the Kearny Mesa area had a 4.4 percent housing vacancy rate in 2018, and is projected to have a vacancy rate of 5.0 percent in 2035 and continue to remain fairly stable near that rate for the planning horizon of 2050. Thus, any incremental population growth as a result of project-related employment opportunities could be accommodated by the current and future housing stock. Therefore, impacts would be less than significant.

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

The project site currently supports three structures that are used for automotive and light industrial purposes that would be demolished to accommodate the proposed project. Thus, the proposed project would not displace existing housing, necessitating the construction of replacement housing elsewhere. Moreover, the project site is not designated or zoned for residential land uses and therefore, project implementation would not remove land assigned for this purpose thereby indirectly resulting in the need for housing elsewhere. Therefore, no impacts would occur.

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Refer to XII(a) above. No impacts would occur.

XIV. PUBLIC SERVICES

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i) Fire protection	☐	☐	☒	☐

The City's Thresholds state that a project could result in significant fire protection services if it is located in a brush fire hazard area, hillside, or an area with inadequate fire hydrant services or street access; it involves the use, manufacture or storage of toxic, readily-combustible, or otherwise hazardous materials; its location would provide for adequate San Diego Fire Department (SDFD) access as determined by Fire and Life Safety staff to be in conformance with the California Fire Code and Fire and Hazard Prevention Services Policy A-00-1; and if it would substantially affect Fire-Rescue response times (i.e., increase the existing response times in the project area).

The project site is currently developed and located in a developed area where fire protection services are already provided. The San Diego Fire-Rescue Department (SDFD provides fire protection services in the project area. Currently the project site supports automotive and light industrial land uses that like most land uses, may during the lifespan of the uses require a need for fire protection services.

SDFD Station 28 serves the project site, including the current on-site uses. As with the existing uses, there may be occurrences or events where paramedics or other fire protection personnel would be needed to provide services at the site. However, the project would be constructed per applicable California Building and Fire codes and would comply with City and SDFD requirements per the SDMC (Chapter 5, Article 5) and standard City procedures. These include: SDFD approval of development plans (fire hydrant spacing, emergency vehicle access, and brush management), access to fire hydrants, and inspection of facilities

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

prior to operation. Development would also comply with SDMC regulations specific to wildfire resistant construction and development in areas near natural vegetation (Chapter 14, Article 5). Construction and operation of the project and would adhere to applicable regulatory requirements, including adequate fire flow, ongoing maintenance of defensible space, and use of fire/wildfire resistance construction.

Therefore, the project would not adversely affect existing levels of fire protection services to the area, substantially increase the need for new fire department staff or new facilities, or require the construction of new or expanded governmental facilities. Impacts to fire protection would be less than significant.

ii)	Police protection	☐	☐	☒	☐

The project site is currently developed and located in a developed area where police protection services are already provided. The San Diego Police Department provides law enforcement services in the project area. The proposed project involves the construction of an industrial building that would replace existing industrial buildings within an area with existing industrial and commercial uses. The project would not adversely affect existing levels of police protection services to the area and would not require the construction of new or expanded governmental facilities. Impacts to police protection would be less than significant.

iii)	Schools	☐	☐	☐	☒

The project involves the construction of an industrial building and would not include construction of future housing or induce growth that could increase demand for schools in the area. No impacts would occur.

iv)	Parks	☐	☐	☐	☒

The project involves the construction of an industrial building and would not induce growth that would require alteration to existing parks or the construction of a new park. Additionally, the project does not have a population-based park requirement due to proposed land use. No impacts would occur.

v)	Other public facilities	☐	☐	☐	☒

The project site is located in a developed area where public services are already provided. The project would not adversely affect existing levels of facilities to the area and would not require the construction of new or expanded governmental facilities. No impacts to other public facilities would occur.

XV. RECREATION

a)	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐

The project consists of construction of an industrial building would not induce growth that would substantially increase the use of existing neighborhood or regional parks or other recreational facilities. The project is not anticipated to result in the use of available parks or facilities such that substantial

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

deterioration occurs, or that would require the construction or expansion of recreational facilities to satisfy demand. Therefore, impacts would be less than significant.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

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

XVI. TRANSPORTATION/TRAFFIC

– Would the project or plan/policy:

a) Conflict with an adopted program, plan, ordinance, or policy addressing the transportation system, including transit, roadways, bicycle, and pedestrian facilities.	☐	☐	☒	☐

LLG conducted a VMT based Transportation Impact Assessment (TIA) for the proposed project to analyze potential project impacts related to transportation (LLG 2020b). The TIA analyzed potential conflicts with applicable transportation plans and policies, including the City of San Diego Pedestrian Master Plan, General Plan Mobility Element, City of San Diego Bicycle Master Plan, and SANDAG San Diego Regional Bike Plan. Although the project would lead to a slight increase in traffic and may interfere with bicycle and pedestrian connectivity, the project would not conflict with an applicable program, plan, ordinance, or policy through the incorporation of PDFs, which would be made conditions of the Site Development Permit (see response to item XVI b) below). Further, the project would provide 330 parking spaces, in compliance with the City's Municipal Code (one space per 1,000 feet for warehouse use in the IL 2-1 zone).

Additionally, LLG prepared a Local Mobility Analysis for the proposed project (LLG 2020a) to determine whether the project would require traffic improvements per the City's September 2020 Transportation Study Manual. According to the Local Mobility Analysis, project implementation would cause queuing deficiencies at the Clairemont Mesa Boulevard/Kearny Mesa Road intersection and the Clairemont Mesa Boulevard/SR 163 Southbound Ramps intersection.

The project would include the following improvements as part of the project to address project effects at the two intersections:

Prior to issuance of the first building permit, the Owner/Permitee shall assure the improvements at the intersection of Clairemont Mesa Boulevard and Kearny Mesa Road, to extend the left turn pocket striping of the inner left turn lane immediately adjacent to the southbound through. The left turn pocket extension would be 160 feet. The project also shall improve signal timing and coordination between the intersection and the southbound ramps to address queuing in the westbound right turn lane, satisfactory to the City Engineer.

Prior to issuance of the first building permit, the Owner/Permitee shall assure the improvements at the intersection of Clairemont Mesa Boulevard and SR 163 Southbound Ramps, to improve signal timing and coordination between this intersection and the adjacent City-operated intersection of

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

Kearny Mesa Road to address queuing in the eastbound right turn lane, satisfactory to the City Engineer and Caltrans.

The Local Mobility Analysis prepared for the project also evaluated pedestrian and bicycle conditions near the project site with project implementation. The project would include PDFs that would provide for improved bicycle and pedestrian facilities and multi-modal connectivity within the project area (see response to item XVI b) below). These pedestrian and bicycle improvements would ensure compliance with applicable plans and policies. For example, ADA-compliant sidewalks would be constructed along the project frontage on Kearny Mesa Road and Magnatron Boulevard. The sidewalk improvements would also improve accessibility to transit stations. Additionally, the project would provide a bikeshare/micromobility fleet for its employees.

Thus, the project would not conflict with an adopted program, plan, ordinance, or policy addressing the transportation system, including transit, roadways, bicycle, and pedestrian facilities. Impacts are less than significant.

b)	Would the project or plan/policy result in VMT exceeding thresholds identified in the City of San Diego Transportation Study Manual.	☐	☐	☒	☐

To satisfy the CEQA guidelines updated after the passage of SB 743, the potential transportation impacts of the proposed project are based on VMT. Public Resources Code section 20199, enacted pursuant to SB 743, identifies VMT as an appropriate metric for measuring transportation impacts along with the elimination of auto delay/LOS for CEQA purposes statewide.

Thus, in compliance with SB 743, the TIA evaluated the project's potential vehicular impacts by conducting a VMT analysis per the City's Transportation Study Manual (TSM) (September 2020). It was determined that the appropriate project-specific screening thresholds for an industrial project are the following:

The transportation impact is less than significant if it satisfies any one of the following criteria:

- The project's average employee VMT per employee is below the San Diego average regional employee VMT per employee.

The employee VMT per employee and the project's employee VMT is not below the average regional VMT per employee. Specifically, the project's census tract 2016 VMT per employee is 28.3 and the 2016 baseline regional average employee VMT per employee is 27.2, equating to an approximately 104 percent of the regional average and above the threshold. However, as project features that would be assured through permit conditions of approval, the project applicant would incorporate PDF-1 through PDF-8 into the project design which would reduce VMT below the threshold of 27.2. These PDFs are assigned as either an active transportation PDF or a commute reduction PDF and are listed below, and in Table 5, *Project PDF Reduction Strategy Results*. Further Table 5 shows the percent reduction associated with for both categories of PDFs. As such, impacts related to VMT would be less than significant.

PDF-1 The project will construct sidewalks along the project frontage on Kearny Mesa Road to improve connectivity to the commercial uses in the vicinity and will also provide pedestrian pathways to access the site from public roadways. Kearny Mesa Road is identified as a connector pedestrian route with moderate to high vehicular traffic and lower pedestrian levels. Thus, more basic

treatments such as a landscaped buffer between the sidewalk and roadway are suggested, along with mandatory features such as ADA-compliant curb ramps.

PDF-2 The project will construct sidewalks along the project frontage on Magnatron Boulevard to improve connectivity to the commercial uses in the project vicinity and will also provide pedestrian pathways to access the site from public roadways. Magnatron Boulevard is not classified as one of the three pedestrian route types defined by the City of San Diego Pedestrian Master Plan. Thus, a basic sidewalk with mandatory ADA-compliant features is suggested.

PDF-3 The project proponent will provide a 5-foot DG path by removing some trees and relocating chain link fencing along the approximately 200-foot section just south of Magnatron Boulevard to encourage pedestrian activity along Kearny Mesa Road connecting from the existing sidewalk in the south to the parking areas north of Magnatron Boulevard. Although no sidewalk is provided north of Magnatron Boulevard, pedestrians can use the landscaped setback from the roadway or the existing property parking lot to ultimately reach the sidewalks proposed on the project frontage.

Alternatively, if the DG trail is found to be infeasible, the project shall provide an approximate 6- to 8-foot-wide shoulder buffer with edge striping on the west side. A 12-foot southbound travel lane will be maintained.

PDF-4 The project will provide a bike share/micro mobility fleet for its employees. The provision of this active transportation amenity can help reduce trips made by car during the day. Clairemont Mesa Boulevard provides access to banks, restaurants, cafes, breweries, etc. all within a bikeable distance from the project site. Notably, there currently are no dedicated bike lanes on Clairemont Mesa Boulevard in the immediate vicinity of the project other than through the SR 163/Clairemont Mesa Boulevard interchange. However, a connection to proposed facilities including a Class IV cycle track on the Clairemont Mesa Boulevard corridor and a Class I multi-use path on Kearny Mesa Road south of Clairemont Mesa Boulevard are planned. PDF-4 is being provided as a CAP Consistency Checklist requirement.

PDF-5 The project will provide signage at the intersection of Clairemont Mesa Boulevard/ Kearny Mesa Road indicating to cyclists and drivers that cyclists are allowed to travel straight through the intersection using a right-turn or left-turn lane where there is no separate bike lane, consistent with California Assembly Bill No. 1266. This improvement would enhance the safety of cyclists by matching street design with the already practiced behavior of cyclists at signalized intersections.

PDF-6 **CAPCOA TRT-14:** The project shall implement market rate and/or above market rate pricing to provide a price signal for employees to consider alternative modes for their work commute (this is a CAP consistency checklist item).

PDF-7 **CAPCOA TRT-7:** The project shall promote the use of the bike share/micro mobility fleet, encourage walking to the nearby eatery and gym, inform employees of the Price Workplace Parking program, and educate employees of the non-single occupant vehicle transportation options in the area through participation in SANDAG's iCommute TDM program. In order to realize the VMT reduction associated with this PDF, the TDM Plan shall be marketed to new and existing employees through a website maintained by the employer, monthly email newsletter

blasts, promotional materials made publicly visible in common areas, and through an information packet that would accompany new hire documentation (this is a CAP consistency checklist item).

PDF-8 As part of the TDM Plan, the project shall dedicate an employee within the company to the role of "Transportation Coordinator (TC)." The TC would be responsible for monitoring the commute VMT reduction measures offered through the TDM Plan. The duties that would be performed by the TC would include:

- Informing new and existing employees of the various alternative transportation modes available in the area, including transit, biking, walking, and use of the bike share/micro mobility fleet.
- Being the liaison between the company and the parking management company, assuming an outside source is used to manage the price workplace parking program.
- Preparing promotional materials and new hire information packets regarding measures outlined in the TDM Plan.
- Monitoring the TDM Plan to ensure a smooth running of the plan.

Table 5
PROJECT PDF REDUCTION STRATEGY RESULTS

Reduction Strategy	Range of Effectiveness	VMT Reduction	Categorical VMT Reduction	Combined VMT Reduction	Results
Project Design Features					
Active Transportation PDF					
Provide Pedestrian Network Improvements (PDF-1 through PDF-3)	0.5-2.0%	1.0%	1.2%	4.97%	–
Bike Share/Micro mobility Fleet (PDF 4. PDF 5, and PDF-8)	0.2-0.4%	0.2%	1.2%	4.97%	–
Commute Trip Reduction PDF					
Implement Commute Trip Reduction Marketing (PDF-7)	0.8-4.0%	2.0%	3.81%	4.97%	–
Priced Workplace Parking (PDF-6)	0.1-19.7%	1.85%	3.81%	4.97%	–
Project Employee VMT per Employee (pre-PDF)					**28.3**
Project Employee VMT per Employee (post-PDF) (28.3 x [1-4.97%])					**26.9**

1. Regional VMT per Employee obtained from the SANDAG SB 743 Screening Map Series 14 Year 2016 VMT per Employee.
2. Project VMT per Employee obtained from the SANDAG SB 743 Screening Map Series 14 Year 2016 VMT per Employee for Census Tract 85.11.
3. Reduction results based on methodology from *Quantifying Greenhouse Gas Mitigation Measures* (CAPCOA 2010) consistent with City of San Diego September 2020 *TSM – Appendix E*.
4. TRT-series measures apply to commute VMT, which is estimated at 50 percent of the overall Project Employee VMT.
5. The project's total VMT Reduction is 4.97 percent. Each VMT reduction measure's percent reduction is combined multiplicatively to get the project's total VMT Reduction. As discussed in Chapter 6 of the CAPCOA report and *Appendix E* of the September 2020 City *TSM*, the equation is as follows:
   Combined Total Reduction = 1 - [(1-A) x (1-B) x (1-C) x …]; A,B,C, = each measure's percent reduction

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐

There would be no hazardous design features or incompatible uses introduced as a result of the project. The project has been designed consistent with the City's engineering standards. Construction would take place both in the lot where the proposed building would be located and within a portion of Magnatron Boulevard during proposed roadway improvements. However, following project completion, Magnatron Boulevard would function similar to existing conditions. Construction equipment would be stored at the project site temporarily during the construction period but would be secured when not in use so as not to pose a hazard to the surrounding area. As such, the proposed project would not substantially increase hazards due to a geometric design feature or incompatible uses, and impacts would be less than significant.

e) Result in inadequate emergency access?	☐	☐	☒	☐

The project site would be accessed via Kearny Mesa Road and Magnatron Boulevard. Project-related traffic would not cause a significant increase in congestion on local roadways., Construction associated with the roadway improvements may result in segments of Magnatron Boulevard being narrowed for through traffic. However, the project would ensure that access for emergency vehicles would be maintained through required implementation of a traffic management plan. Operation of the proposed project would not result in significant traffic in and out of the project site such that it would interfere with emergency response access. The project has been designed consistent with the City's engineering standards. Additionally, the project has been reviewed by the Fire-Rescue Department to ensure proper circulation on and off the site for emergency services vehicles. The project would not result in inadequate emergency access.

XVII. TRIBAL CULTURAL RESOURCES

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

a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or	☐	☒	☐	☐

As detailed in Section V(b) of this IS/MND, the project region is known to have cultural significance for the Kumeyaay and Mission people. The SCIC records search indicated that 10 cultural resources have been recorded within one mile of the project APE; however, none of the resources are located within the project site. Furthermore, no cultural resources were identified within the project area during the field investigation of the site.

A Sacred Lands File search for the project APE completed by the NAHC yielded positive results. Letters regarding the project were sent on December 17, 2019 to Native American contacts listed by the NAHC. The San Pasqual Band of Mission Indians responded in a letter dated December 27, 2019 that the project is situated within the boundaries of the territory that the tribe considers its Traditional Use Area. In an email dated February 25, 2020, Viejas responded that they have reviewed the proposed project and have

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

determined that the project site has cultural significance or ties to Viejas. Additionally, due the positive Sacred Lands File search results and the cultural sensitivity of the region, potential impacts to tribal cultural resources may occur if the undeveloped portion of the project site was to be disturbed. The Kumeyaay Cultural Monitor requested be on site for ground-disturbing activities in the undeveloped portions of the APE and to inform them of any new developments such as inadvertent discovery of cultural artifacts, cremation sites, or human remains. Due to the cultural sensitivity of the project region, the positive Sacred Land Files results, and the responses to the letters sent to the contracts listed by the NAHC, there is potential to discover previously unknown cultural resources during project construction. As such, potential impacts to tribal cultural impacts may occur. However, implementation of mitigation measure CUL-1, discussed in item V(b), would reduce impacts to less than significant level.

Furthermore, in accordance with the requirements of Assembly Bill (AB) 52, The City of San Diego sent notification to two Native American Tribes traditionally and culturally affiliated with the project area. The Iipay Nation of Santa Ysabel and the Jamul Indian Village responded within the 30-day period and both expressed satisfaction with the City's requirement to include archaeological and Native American monitor in case buried resources in the form of Tribal Cultural Resources are discovered during construction of the project.

b)	A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☒	☐	☐

Refer to XVIII(a) above. Impacts would be less than significant with implementation of mitigation measure CUL-1.

XVIII. UTILITIES AND SERVICE SYSTEMS

– Would the project:

a)	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☒	☐

The project would connect to the local wastewater system. While the specific site tenants are not known, site land uses would remain as light industrial and the proposed square footage is similar to the existing amount of building space. Thus, development of the project site would generate a similar volume of wastewater flow, compared to existing conditions. Wastewater facilities used by the project would be operated in accordance with the applicable wastewater treatment requirements of the RWQCB. Treatment of effluent from the site is anticipated to be routine and is not expected to exceed the wastewater treatment requirements of the RWQCB. Existing sewer infrastructure exists within roadways surrounding the project site and has adequate capacity to serve the project. Impacts related to wastewater treatment requirements would be less than significant.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Require or result in the construction of new water or wastewater treatment or storm water treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐

Refer to XVIII(a), above. Water service is provided by the Public Utilities Department. Construction of the project would not substantially increase the demand for water or wastewater treatment services, and as such, would not trigger the need for new water or wastewater treatment facilities or the expansion of those facilities. Adequate services are available to serve the project. Impacts would be less than significant.

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐

The proposed project would include construction of an on-site drainage system to collect and convey site runoff to the City's municipal storm drain system. No off-site drainage facilities are proposed. The project-related storm drain facilities are evaluated in the context of the project as a whole and would not result in any impacts not already addressed in this IS/MND. Therefore, this impact would be less than significant. The project would not exceed the capacity of the City's existing storm water drainage system and would not require the expansion of the system. Impacts would be less than significant.

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☒	☐

The project does not meet the thresholds requiring the need for the project to prepare a water supply assessment. The existing project site currently receives water service from the City, and adequate services are available to serve the project without requiring new or expanded entitlements. As required under the Urban Water Management Planning Act and the California Water Code, the City of San Diego prepared the 2015 UWMP that examines the reliability of the water supply during normal, dry, and multiple drought years and provides a foundation for water supply planning. The analysis conducted for the UWMP concluded that under all scenarios that the combination of wholesale water and water supplies will be sufficient to meet water demands. Further, to formulate the forecast demands that are used in determining the sufficiency of water supply in future years, the UWMP relies in part on land use development in accordance with general land use plans. The proposed project is consistent with the City's General Plan and the Kearny Mesa Community Plan. As such, adequate water supplies would be available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years. Impacts would be less than significant.

e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐

The City has determined that is has adequate wastewater treatment capacity to serve the project. Refer to XVIII(a), above. The existing facilities available to serve the project site were determined to be acceptable;

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

in addition, the treatment facility has remaining capacity. Therefore, no new facilities would be needed to serve the project. Subsequently, the project would not adversely affect existing wastewater treatment services and adequate services are available to serve the project without requiring new or expanded entitlements. The project would result in less than significant impacts with respect to wastewater treatment capacity.

f)	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☒	☐

The City's thresholds state that construction/demolition/renovation projects meeting or exceeding the following thresholds are considered to have potentially significant impact based on solid waste generation estimates and require the preparation of a waste management plan:

Cumulative Impacts

- Projects that include the construction, demolition, and/or renovation of 40,000 square feet or more of building space may generate approximately 60 tons of waste or more, and are considered to have cumulative impacts on solid waste facilities.

Direct Impacts

- Projects that include the construction, demolition, or renovation of 1,000,000 square feet or more of building space may generate approximately 1,500 tons of waste or more and are considered to have direct impacts on solid waste facilities.

Additionally, for projects over 1,000,000 square feet, a significant direct and cumulative solid waste impact would result if the compliance with the City's ordinances and the Waste Management Plan fail to reduce the impacts of such projects to below a level of significance and/or if a Waste Management Plan for the project is not prepared and conceptually approved by the Environmental Services Department prior to distribution of the draft environmental document for public review.

A Waste Management Plan (WMP) was prepared for the project to analyze potential impacts related to generation of solid waste during project pre-construction site preparation, construction, and operation (HELIX 2020g). Pre-construction waste would be generated through the demolition of the existing three buildings, the removal of demolition, activities site grading, and clearing and grubbing. Demolition of the existing buildings is estimated to generate approximately 36,854 cy, or 30,956 tons, of waste. The project would remove approximately 295,100 SF of asphalt/concrete, totaling approximately 5,238 tons. Grading would involve 23,700 cy of cut and 16,700 cy of fill for a net export of 7,000 cy, or 9,100 tons, of wet earth. The amount of vegetation being removed is minimal and would be fully recycled at the Miramar Greenery; therefore, clearing, and grubbing material was not included in the analysis. Collectively, the pre-construction activities would generate 45,293 tons of waste; 41,593 tons would be diverted from Miramar Landfill and 3,701 tons would be disposed.

The majority of the waste generated during project construction would include metals, concrete/asphalt, wood, brick/masonry, drywall, carpet/carpet padding, mixed debris, and trash. Minimal amounts of other wastes, including corrugated cardboard, industrial plastics, and Styrofoam would be generated as well, but the amounts would be marginal and therefore are not included in the analysis. Construction of the

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

proposed project building is anticipated to generate 396 tons of waste; 330.7 tons would be diverted from Miramar Landfill and 35.3 tons would be disposed.

Under existing conditions, it is estimated that the three buildings currently on the project site generate 609 tons of solid waste per year of operation; approximately 243 tons are diverted from Miramar Landfill and 365 tons are disposed. The proposed project is estimated to generate 1,947 tons of solid waste per year; 779 tons would be diverted from Miramar Landfill and 1,168 tons would be disposed. Based on the difference between the existing buildings' waste generation and the proposed building's waste generation, the project would result in a net increase of 1,338 tons of waste. Of this, 803 tons would be disposed, and 535 tons would be diverted from the landfill.

The proposed project would implement waste reduction, recycling, and diversion measures for pre-construction, construction, and operation of the proposed project. Such measures include, but are not limited to, designating a solid waste management coordinator, conducting daily site inspections by the contractor, regular removal of waste materials, and the identification, separation, and diversion of recyclable and reusable materials. Additionally, the proposed project would provide at least 1,267 SF of trash and recycling storage space, per the City Storage Ordinance. By incorporating the waste reduction, recycling, and diversion measures outlined in the project's WMP, the project would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. Impacts would be less than significant.

g)	Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☒	☐

Refer to XVIII(f), above. By incorporating the waste reduction, recycling, and diversion measures outlined in the project's WMP, the project would comply with federal, state, and local management and reduction statutes and regulations related to solid waste, including but not limited to the State of California Integrated Waste management Act, the City of San Diego's CEQA Significance Determination Thresholds, and the City of San Diego's Refuse and Recyclable Materials Storage Ordinance. Impacts would be less than significant.

XIX. MANDATORY FINDINGS OF SIGNIFICANCE

a)	Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐

Potentially significant impacts to the environment resulting from the proposed project have been identified for the areas of biological resources and cultural resources**.** The project would not substantially degrade the quality of the environment, cause fish or wildlife populations to drop below self-sustaining levels or threaten to eliminate a plant or animal community. The project has the potential to cause direct and indirect impacts to sensitive vegetation communities, including to on-site sensitive vegetation and adjacent sensitive wetland and upland habitat. Impacts would be reduced to below a level of significance

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

through the implementation of mitigation measures BIO-1 and BIO-2. Additionally, the project would implement the avoidance and minimization measures listed in Section 5.2.1 of the City's VPHCP (2020), in addition to the City's MSCP Subarea Area Plan (1997) LUAGs as conditions of project approval.

The project is not expected to impact resources related to major periods of California history or prehistory. Based on the cultural sensitivity of the project region, however, the project would have the potential to impact unknown subsurface cultural and tribal cultural resources if the undeveloped portion of the project site would be disturbed. However, with implementation of mitigation measure CUL-1, impacts to cultural resources and tribal cultural resources would be less than significant.

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

Cumulative environmental impacts are those impacts that by themselves are not significant, but when considered with impacts occurring from other projects in the vicinity would result in a cumulative impact. Related projects considered to have the potential of creating cumulative impacts in association with the project consist of projects that are reasonably foreseeable and that would be constructed or operated during the life of the project. The project would be in a developed area that is largely built out. No other construction projects are anticipated in the immediate area of the project.

As discussed under III(c), criteria pollutant and precursor pollutant emissions generated during project construction and operation activities would not exceed the SDAPCD screening thresholds and emissions of criteria pollutants and precursors related to implementation of the project would not be cumulatively considerable. Similarly, the project would have a less than significant impact in relation to GHG, which is inherently discussed in terms of cumulative impacts. Impacts related to biological resources could occur in The project mitigation measures (BIO-1 and BIO-2), include payment into the Habitat Acquisition Fund. This fund is used to acquire, maintain, and administer projects related to the preservation of sensitive biological resources. As such, the project contributes to the acquisition and preservation of larger swaths of land in contrast to the project's disturbance of 2.6 acres of sensitive habitat that do not have long term conservation value. Therefore, with the payment and eventual preservation of habitat, the project would not contribute to any cumulative impacts. Additionally, mitigation for the California gnatcatcher is in relation to any activities that occur within 500 feet of suitable gnatcatcher habitat located within the MHPA/VPHCP Hardline area during the gnatcatcher breeding season. Any potential impacts would be temporary and thereby not contributing to a permanent cumulative impact. Mitigation measures reduce impacts to less than significant.

The Archeological Report prepared for the project did not identify any known resources (HELIX 2020d). However, impacts related to cultural resources were conservatively determined to be potentially significant if, yet unknown and unanticipated resources are unearthed during clearing and grading activities. With implementation of CUL-1, impacts related to cultural resources would be less than significant, and the project would not result in a cumulatively considerable impact to cultural resources.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

Land use impacts may occur in relation to conformance with the General Plan. The land use conformance issues related to noise are restricted to future onsite structures and do not contribute to an overall impact that would be considered cumulative. Other land use impacts related to consistency with plans and policies are addressed through mitigation for individual resources.

Lastly, implementing TDMs reduces the project-related VMT impacts, similarly other cumulatively related projects would be required to reduce any VMT impacts.

Other future projects within the surrounding area would be required to comply with applicable local, state, and federal regulations to reduce potential impacts to less than significant, or to the extent possible. As such, the project is not anticipated to contribute to potentially significant cumulative environmental impacts. Project cumulative impacts would be less than significant.

c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

The air quality analysis summarized in Section III, Air Quality of this IS/MND identified that the Project would have less than significant impacts in relation to toxic air contaminants and other air quality health concerns. Other issue areas that could potentially create substantial adverse effects on human beings such as hazardous materials or waste, risk of fire or floods, and construction and operational noise were also determined to be less than significant. Thus, as evidenced by the Initial Study Checklist, no other substantial adverse effects on human beings, either indirectly or directly, would occur because of project implementation and therefore, impacts are less than significant.

INITIAL STUDY CHECKLIST
REFERENCES

I. Aesthetics / Neighborhood Character

☒ City of San Diego General Plan
☒ Community Plan: Kearny Mesa Community Plan
☒ Other: California State Scenic Highway Mapping System

II. Agricultural Resources & Forest Resources

☐ City of San Diego General Plan
☐ U.S. Department of Agriculture, Soil Survey - San Diego Area, California, Part I and II, 1973
☐ California Agricultural Land Evaluation and Site Assessment Model (1997)
☐ Site Specific Report:
☒ Other:
California Department of Conservation. 2016. California Important Farmland Finder.

III. Air Quality

☒ City of San Diego General Plan
☐ California Clean Air Act Guidelines (Indirect Source Control Programs) 1990
☒ Regional Air Quality Strategies (RAQS) - APCD
☒ Site Specific Report:
Air Quality Technical Report, prepared by HELIX Environmental Planning, Inc., July 2020a.
☒ Other:
South Coast Air Quality Management District (SCAQMD). 1993. CEQA Air Quality Handbook.
San Diego Air Pollution Control District (SDAPCD). 2020. 2020 Plan for Attaining the National Ambient Air Quality Standards for Ozone in San Diego County. October

IV. Biology

☒ City of San Diego, Multiple Species Conservation Program (MSCP), Subarea Plan, 1997
☐ City of San Diego, MSCP, "Vegetation Communities with Sensitive Species and Vernal Pools" Maps, 1996
☒ City of San Diego, MSCP, "Multiple Habitat Planning Area" maps, 1997
☐ Community Plan – Kearny Mesa Community Plan
☐ California Department of Fish and Game, California Natural Diversity Database, "State and Federally-listed Endangered, Threatened, and Rare Plants of California," January 2001
☐ California Department of Fish and Game, California Natural Diversity Database, "State and Federally-listed Endangered and Threatened Animals of California, "January 2001
☐ City of San Diego Land Development Code Biology Guidelines
☒ Site Specific Report:
Kearny Mesa Logistics Biological Technical Report, prepared by HELIX Environmental Planning, Inc., June 2020b.
Kearny Mesa Logistics Vernal Pool Management and Monitoring Plan, prepared by HELIX Environmental Planning, Inc., June 2020c.
☒ Other:
VPHCP, prepared by City of San Diego, 2020.
VPMMP, prepared by City of San Diego, 2017.

V. Cultural Resources (includes Historical Resources)

☐ City of San Diego Historical Resources Guidelines
☐ City of San Diego Archaeology Library
☐ Historical Resources Board List
☐ Community Historical Survey
☒ Site Specific Report:
Kearny Mesa Logistics Archaeological Resources Report Form, prepared by HELIX Environmental Planning, Inc., April 2020d
☐ Other:

VI. Geology/Soils

☒ City of San Diego General Plan
☐ City of San Diego Seismic Safety Study
☐ U.S. Department of Agriculture Soil Survey - San Diego Area, California, Part I and II, December 1973 and Part III, 1975
☒ Site Specific Report:
Preliminary Geotechnical Investigation, prepared by GEOCON, Revised May 2019

VII. Greenhouse Gas Emissions

☒ Site Specific Report:
Climate Action Plan Consistency Checklist, prepared by the City of San Diego. July 2020e.

VIII. Hazards and Hazardous Materials

☒ City of San Diego General Plan
☐ San Diego County Hazardous Materials Environmental Assessment Listing
☐ San Diego County Hazardous Materials Management Division
☐ FAA Determination
☐ State Assessment and Mitigation, Unauthorized Release Listing, Public Use Authorized
☒ Airport Land Use Compatibility Plan – MCAS Miramar; Montgomery Field
☐ Site Specific Report:
☒ Other:
ALUCP for Montgomery Field, prepared by ALUC 2010.
City of San Diego Fire-Rescue Department. 2009. Official Very High Fire Hazard Severity Zone Map. Grid Tile: 28. February 24.
County of San Diego, Multi-Hazard Mitigation Plan 2010.

IX. Hydrology/Drainage

☒ City of San Diego General Plan
☒ Flood Insurance Rate Map (FIRM)
☐ Federal Emergency Management Agency (FEMA), National Flood Insurance Program-Flood Boundary and Floodway Map
☐ Clean Water Act Section 303(b) list, http://www.swrcb.ca.gov/tmdl/303d_lists.html
☒ Site Specific Report:
Preliminary Drainage Study for Kearny Mesa Logistics Center, prepared by Latitude 33 Planning & Engineering, January 2020
☒ UWMP, prepared by City of San Diego Public Utilities Department, 2016.

X. Land Use and Planning

- ☒ City of San Diego General Plan
- ☒ Community Plan: Kearny Mesa
- ☐ Airport Land Use Compatibility Plan
- ☒ City of San Diego Zoning Maps
- ☐ FAA Determination:
- ☐ Other Plans:

XI. Mineral Resources

- ☒ City of San Diego General Plan
- ☐ California Department of Conservation - Division of Mines and Geology, Mineral Land Classification
- ☐ Division of Mines and Geology, Special Report 153 - Significant Resources Maps
- ☒ City of San Diego General Plan: Conservation Element
- ☐ Site Specific Report:

XII. Noise

- ☒ City of San Diego General Plan
- ☒ Community Plan: Uptown
- ☒ San Diego International Airport - Lindbergh Field CNEL Maps
- ☐ Brown Field Airport Master Plan CNEL Maps
- ☒ Montgomery Field CNEL Maps
- ☐ San Diego Association of Governments - San Diego Regional Average Weekday Traffic Volumes
- ☐ San Diego Metropolitan Area Average Weekday Traffic Volume Maps, SANDAG
- ☒ Site Specific Reports:
  - Acoustical Technical Report, prepared by HELIX Environmental Planning, Inc., July 2020f
  - High-cube Warehouse Vehicle Trip Generation Analysis, prepared by Institute of Transportation Engineers (ITE), October 2016.

XIII. Paleontological Resources

- ☒ City of San Diego Paleontological Guidelines
- ☐ Deméré, Thomas A., and Stephen L. Walsh, "Paleontological Resources City of San Diego," Department of Paleontology San Diego Natural History Museum, 1996
- ☐ Kennedy, Michael P., and Gary L. Peterson, "Geology of the San Diego Metropolitan Area, California. Del Mar, La Jolla, Point Loma, La Mesa, Poway, and SW 1/4 Escondido 7 1/2 Minute Quadrangles," *California Division of Mines and Geology Bulletin* 200, Sacramento, 1975
- ☐ Kennedy, Michael P., and Siang S. Tan, "Geology of National City, Imperial Beach and Otay Mesa Quadrangles, Southern San Diego Metropolitan Area, California," Map Sheet 29, 1977
- ☒ Site Specific Report:
  - Preliminary Geotechnical Investigation, prepared by GEOCON, Revised May 2019

XIV. Population / Housing

- ☐ City of San Diego General Plan
- ☐ Community Plan
- ☐ Series 11/Series 12 Population Forecasts, SANDAG
- ☒ Other:
  - Series 13 Regional Growth Forecast, SANDAG

XV. Public Services

☐ City of San Diego General Plan
☐ Community Plan

XVI. Recreational Resources

☐ City of San Diego General Plan
☐ Community Plan
☐ Department of Park and Recreation
☐ City of San Diego - San Diego Regional Bicycling Map
☐ Additional Resources:

XVII. Transportation / Circulation

☒ City of San Diego General Plan
☒ Community Plan: Kearny Mesa Community Plan Update
☐ San Diego Metropolitan Area Average Weekday Traffic Volume Maps, SANDAG
☒ San Diego Region Weekday Traffic Volumes, SANDAG
☒ Site Specific Report:

Local Mobility Analysis Kearny Mesa Logistics, prepared by Linscott, Law & Greenspan Engineering, December 2020a.

Transportation Impact Analysis Kearny Mesa Logistics, prepared by Linscott, Law, & Greenspan Engineering, December 2020b.

☒ Other:

Quantifying Greenhouse Gas Mitigation Measures: A Resource for Local Government to Assess Emission Reductions from Greenhouse Gas Mitigation Measures, prepared by CAPCOA, August 2010.

XVIII. Utilities

☒ City of San Diego General Plan
☒ Site Specific Report:

Kearny Mesa Logistics Center Project Draft Waste Management Plan, prepared by HELIX Environmental Planning, Inc., April 2020g.

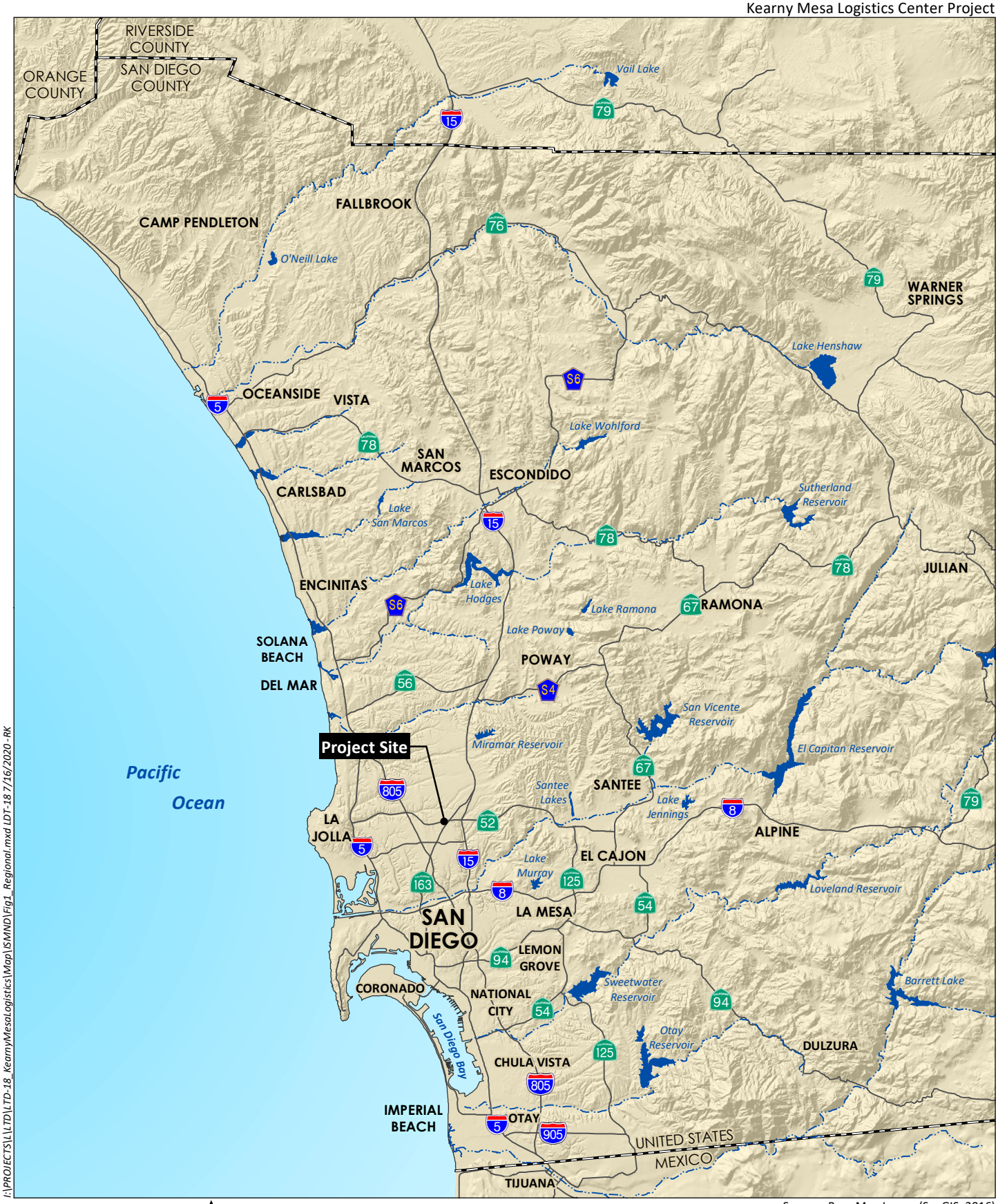
☒ UWMP, prepared by City of San Diego Public Utilities Department, 2016.

XIX. Water Conservation

☐ Sunset Magazine, *New Western Garden Book*, Rev. ed. Menlo Park, CA: Sunset Magazine

XX. Water Quality

☐ Clean Water Act Section 303(b) list, http://www.swrcb.ca.gov/tmdl/303d_lists.html.
☐ Site Specific Report:



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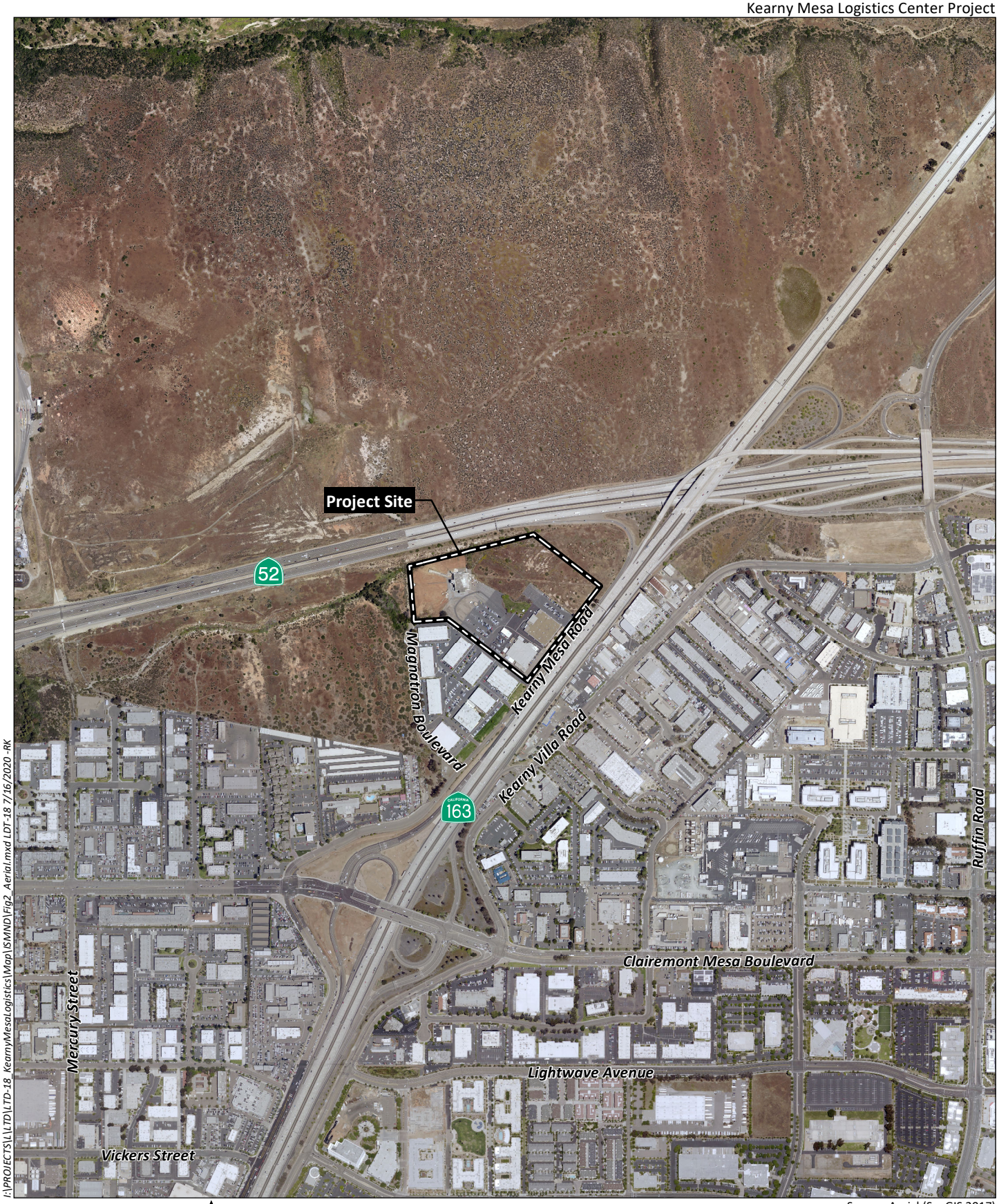
0 8 Miles

Source: Base Map Layers (SanGIS, 2016)

HELIX Environmental Planning

Regional Location

Figure 1



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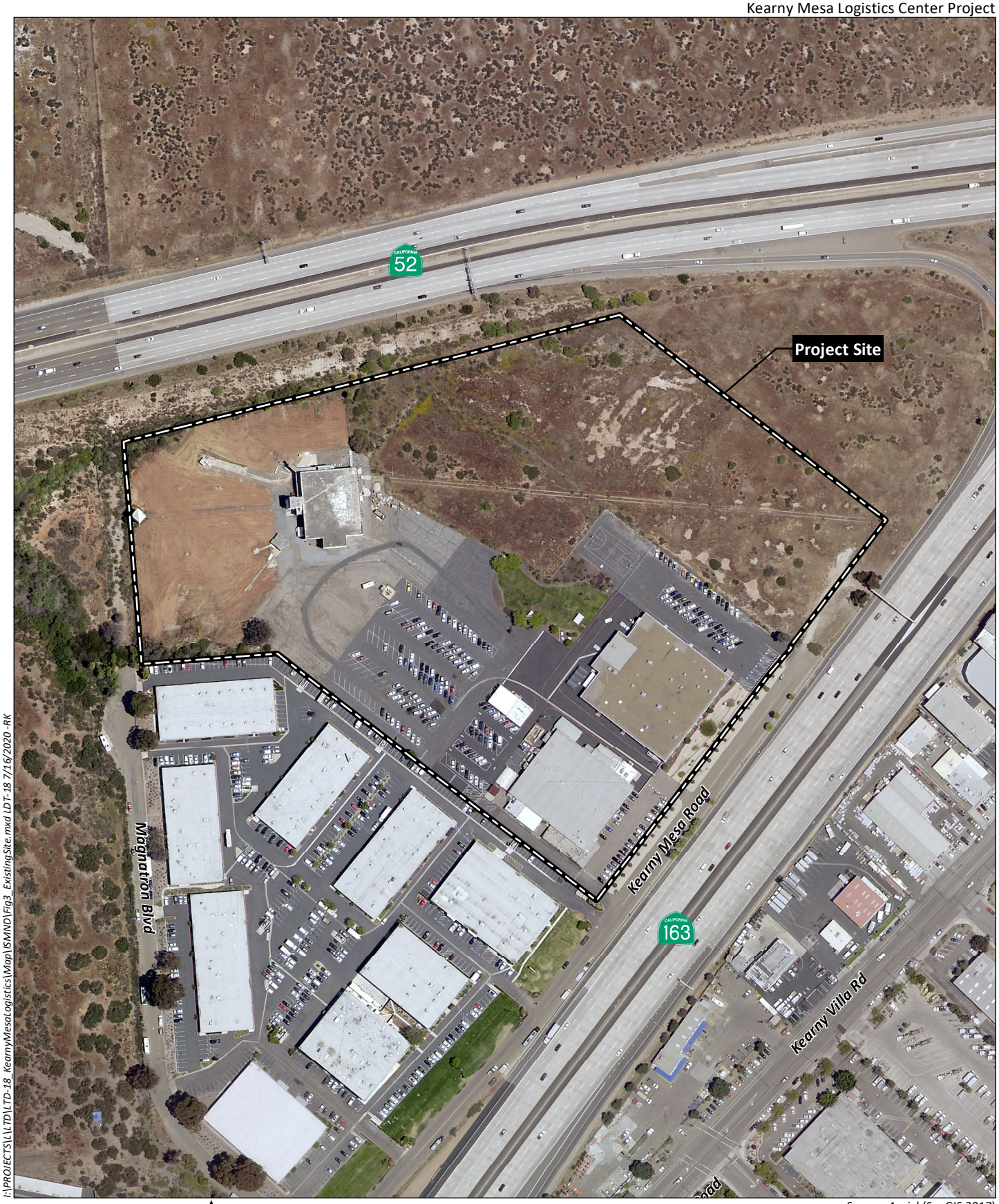
0 1,000 Feet

Source: Aerial (SanGIS 2017)

HELIX Environmental Planning

Project Vicinity (Aerial Photo)

Figure 2



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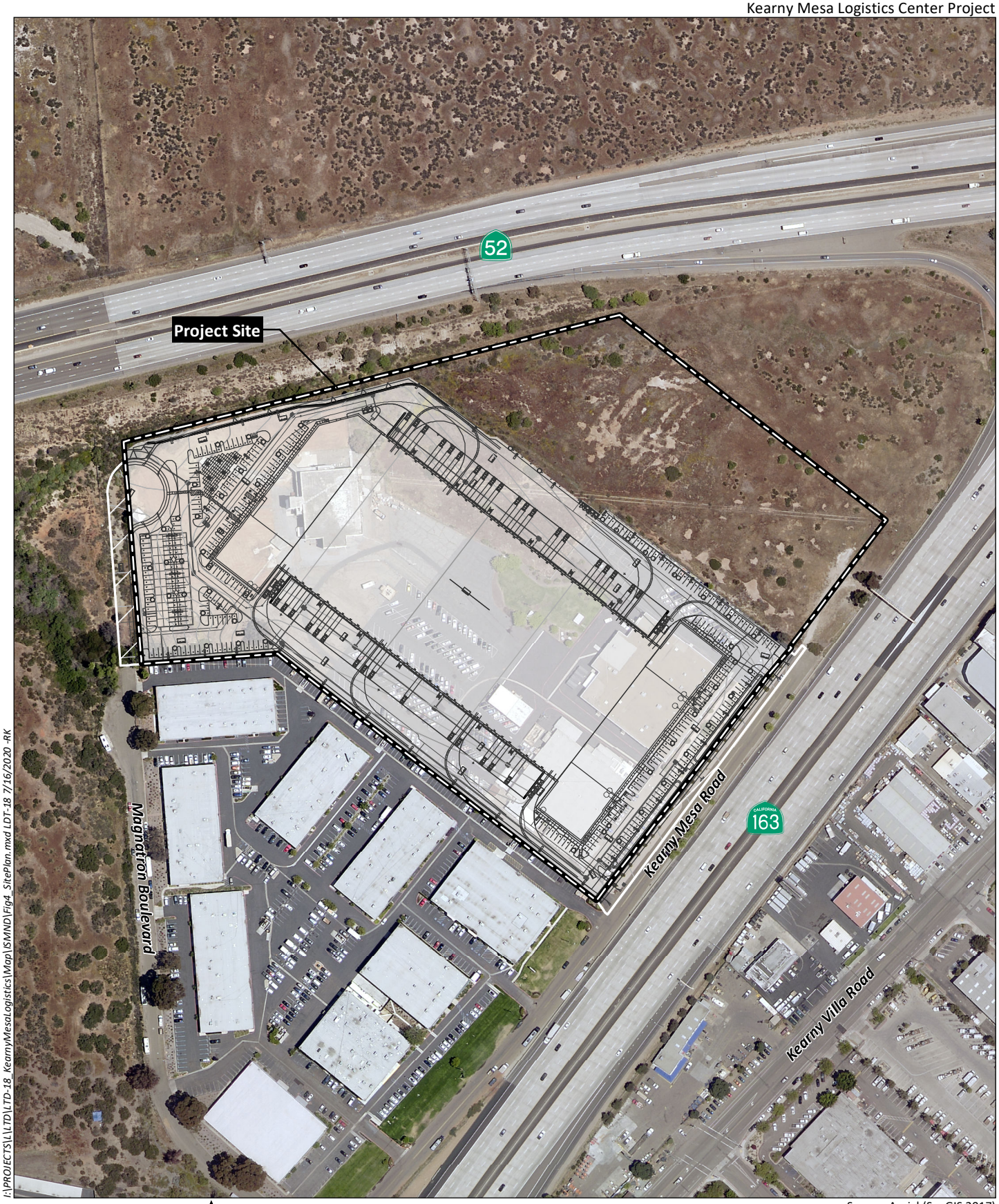
0 250 Feet

Source: Aerial (SanGIS 2017)

HELIX Environmental Planning

Existing Conditions

Figure 3



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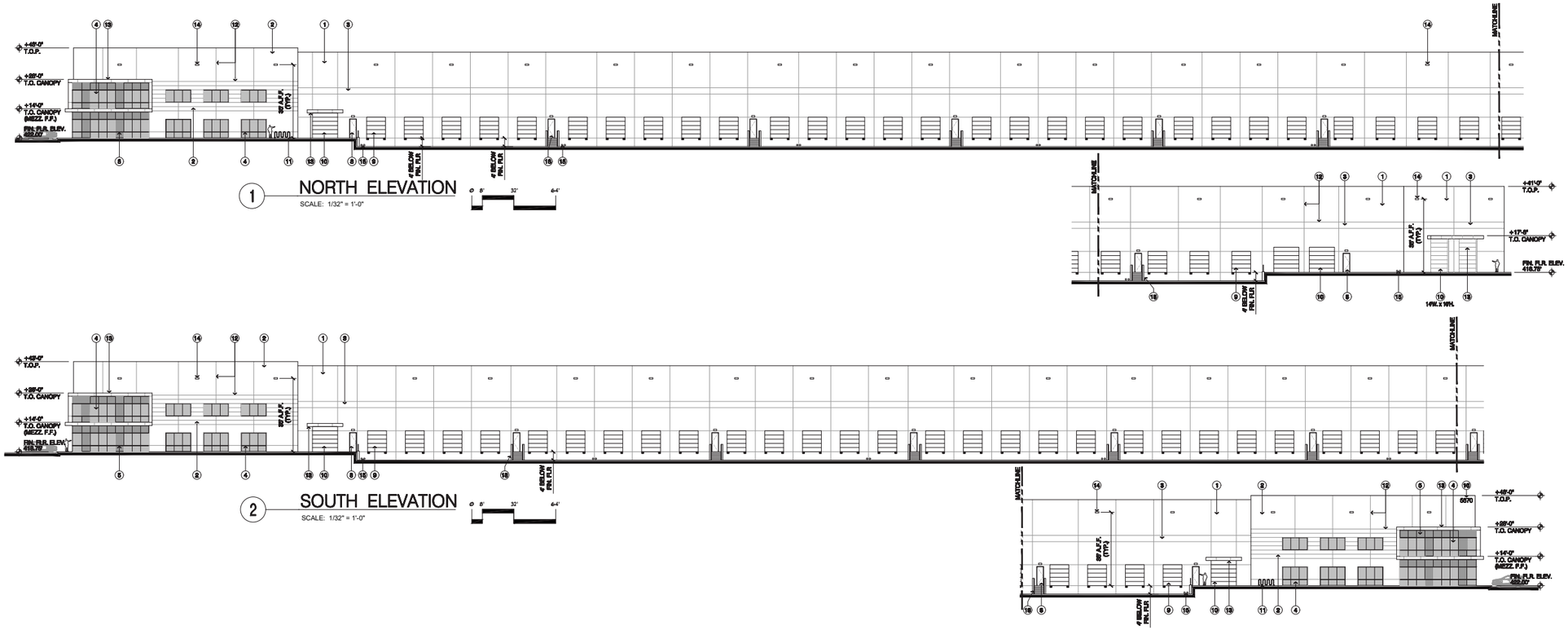
0 250 Feet

Source: Aerial (SanGIS 2017)

HELIX Environmental Planning

Site Plan

Figure 4



1 NORTH ELEVATION
SCALE: 1/32" = 1'-0"

2 SOUTH ELEVATION
SCALE: 1/32" = 1'-0"

3 EAST ELEVATION
SCALE: 1/32" = 1'-0"

4 WEST ELEVATION
SCALE: 1/32" = 1'-0"

5 TYP. RETURN PANEL AT GRADE-LEVEL DOCKS

FINISH / MATERIALS LEGEND

1. PAINTED CONCRETE TILT-UP PANEL
   FIELD COLOR - 'SNOWFALL', SHERWIN WILLIAMS #6000
2. PAINTED CONCRETE TILT-UP PANEL
   ACCENT COLOR - 'TIN LIZZIE', SHERWIN WILLIAMS #9163
3. PAINTED CONCRETE TILT-UP PANEL
   ACCENT COLOR - 'GRIZZLE GRAY', SHERWIN WILLIAMS #7068
4. CLEAR ANODIZED ALUMINUM STOREFRONT SYSTEM w/ 1" INSULATED GLAZING, COLOR 'BLUE' - PACIFICA GLASS + SOLARBAN 60
5. CLEAR ANODIZED ALUMINUM STOREFRONT SYSTEM w/ 1" INSULATED SPANDREL GLAZING, COLOR 'BLUE' - OPACI-COAT-300, #6-3130 OCEAN CRUISE, VITRO CLEAR
6. CLEAR ANODIZED ALUMINUM CLERESTORY WINDOW w/ 1" INSULATED GLAZING, COLOR 'BLUE' - PACIFICA GLASS + SOLARBAN 60
7. 3'x9' ALUMINUM / GLASS STOREFRONT DOOR TO MATCH SURROUNDING STOREFRONT SPECS.
8. 3'x8' PAINTED METAL MAN-DOOR TO MATCH SURROUNDING WALL PAINT COLOR
9. 10'x10' PAINTED SECTIONAL LOADING DOCK DOORS TO MATCH SURROUNDING WALL FIELD PAINT COLOR
10. 12'x12' (U.O.N.) PAINTED GROUND-LEVEL ROLL-UP LOADING DOCK DOOR TO MATCH SURROUNDING WALL FIELD PAINT COLOR
11. BIKE RACKS - PAINTED TO MATCH ADJACENT WALL PANEL COLOR, 6-BIKE CAPACITY
12. 3/4-IN. HORIZ. & VERT. V-GROOVE REVEALS IN CONC. PANEL, PAINTED TO MATCH SURROUNDING WALL COLOR
13. METAL PANEL CLADDED CANOPY - COLOR: 'GALAXY SILVER', DURANAR SUNSTORM #UC106683F
14. WALL SCONCE LIGHT FIXTURES
15. ROOF DRAIN & OVERFLOW DRAIN w/ PAINTED COW'S TONGUES - DAYLIGHT ONTO GRADE
16. PROPOSED BUILDING ADDRESS SIGNAGE PER CITY OF SAN DIEGO & FIRE MARSHALL REQUIREMENTS
17. PROPOSED GAS METER LOCATION
18. EXTERIOR CONC. LOADING DOCK STAIRS w/ PAINTED METAL HANDRAILS
19. PAINTED STUCCO OVER MTL. STUD FRAMING ACCENT COLOR - 'TIN LIZZIE', SHERWIN WILLIAMS #9163 W/ PAINTED METAL PARAPET CAP TO MATCH STUCCO COLOR
20. 2'x8' AIR INTAKE WALL LOUVER - PAINTED TO MATCH SURROUNDING WALL COLOR

Source: SCA 2020