

APPENDIX A
NOTICE OF PREPARATION (NOP) AND INITIAL STUDY;
[REVISED] NOP AND INITIAL STUDY

**NOTICE OF PREPARATION OF
DRAFT ENVIRONMENTAL IMPACT REPORT; INITIAL STUDY
SAN DIEGO STATE UNIVERSITY
2007 CAMPUS MASTER PLAN REVISION**

Prepared for:
**The Trustees of the
California State University**
400 Golden Shore
Long Beach, California 90802

Prepared by:
San Diego State University
Facilities Planning, Design and Construction
5500 Campanile Drive
San Diego, California 92182-1624

February 2, 2007

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Gregory J. Smith, Recorder/County Clerk

FEB 05 2007

BY A. Consul

NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT

To: State of California
Office of Planning and Research
State Clearinghouse
1400 Tenth Street
Sacramento, California 95812

From: Lauren Cooper, Associate Director
Facilities Planning, Design and Construction
Business and Financial Affairs
San Diego State University
5500 Campanile Drive
San Diego, California 92182-1624

Notice: The Board of Trustees of the California State University will be the Lead Agency with respect to preparation of a draft Environmental Impact Report ("EIR") for the proposed project identified below. We need to know the views of your agency regarding the scope and content or the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency may need to use the EIR when considering permits or other project approvals. The failure of an agency to respond to this notice, or otherwise object to the conclusions made in the accompanying Initial Study, may prevent that agency from later asserting that issues excluded by the Initial Study should have been included in the Draft EIR.

A description of the proposed project, the project location and the probable environmental effects are contained in the Initial Study, which follows this Notice.

Due to the time limits mandated by state law, your response must be sent at the earliest possible date, but not later than 30 days after receipt of this Notice. Please send your written response to: Lauren Cooper, Associate Director, Facilities Planning, Design and Construction, San Diego State University, 5500 Campanile Drive, San Diego, California 92182-1624. We will also need the name of the contact person in your agency.

Project Title: San Diego State University ("SDSU") 2007 Campus Master Plan Revision

Location: San Diego State University Campus and adjacent areas, San Diego, California

Public Information/Scoping Meeting: SDSU will hold a public information/scoping meeting to discuss the proposed project, and to obtain information regarding the content and scope of the Draft EIR. This scoping meeting will take place on Wednesday, February 21, 2007, from 6:30 p.m. – 8:30 p.m., at the Aztec Athletics Center Auditorium on the SDSU Campus. Free parking will be available in SDSU Parking Structure 5, located on the corner of Montezuma Road and 55th Street. The Auditorium is located on 55th Street, just north of the Parking Structure. All public agencies, organizations and interested parties are encouraged to attend and participate at this meeting. The failure of any public agency, organization or interested party to attend this scoping meeting may prevent that agency, organization or party from later asserting that issues excluded by the Initial Study should have been included in the Draft EIR.

Distribution List: A list of the federal, state and local agencies, organizations, and individuals to whom this Notice has been distributed is provided at Section 7.0 of the attached Initial Study.

INITIAL STUDY

1.0 INTRODUCTION

In September 2005, the Board of Trustees of the California State University ("CSU") approved the SDSU 2005 Campus Master Plan Revision, and certified the EIR prepared for the project as adequate under the California Environmental Quality Act, Public Resources Code §§21000, *et seq.* ("CEQA"), and its implementing state guidelines, 14 Cal.Code Regs. §§15000, *et seq.* ("CEQA Guidelines"). The following month, lawsuits were filed in San Diego Superior Court challenging the adequacy of the EIR. One of the issues raised in the lawsuits was whether CSU was responsible for the mitigation of significant impacts to off-campus roadways that would be caused by the project. In July 2006, the California Supreme Court ruled against CSU on this point in *City of Marina v. Board of Trustees of The California State University* (2006) 39 Cal.4th 341. As a result of the California Supreme Court's decision, CSU set aside its approval of the 2005 Campus Master Plan Revision project, and its related certification of the 2005 EIR.

CSU now proposes the 2007 Campus Master Plan Revision project ("proposed project"), which, as described below, incorporates certain components from the 2005 Campus Master Plan Revision project, deletes certain other components, and adds certain other components. This Initial Study has been prepared by SDSU, Facilities Planning, Design and Construction, to address the potential environmental effects associated with the proposed project. The proposed project is located on the SDSU campus and areas immediately adjacent to the campus in San Diego, California. The Lead Agency for the proposed project is the Board of Trustees of the California State University.

The purpose of this Initial Study is to provide information to use as the basis for determining whether to prepare an EIR or a negative declaration in compliance with CEQA and the CEQA Guidelines. If an EIR is determined to be required, this Initial Study will assist in preparing the EIR by, among other things: (a) focusing the EIR on the environmental effects determined potentially to be significant; (b) identifying the effects determined not to be significant; and (c) explaining the reasons for determining that potentially significant effects would not be significant. This Initial Study has been prepared in accordance with the provisions of CEQA and the CEQA Guidelines. Specifically, this Initial Study is intended to satisfy the "content" requirements of CEQA Guidelines §§15063(d)(1)-(6).

1.1 PROJECT TITLE

SDSU 2007 Campus Master Plan Revision

1.2 LEAD AGENCY NAME AND ADDRESS

Board of Trustees of the California State University
P.O. Box 3502
Seal Beach, California 90740-7502
(213) 986-9495

1.3 CONTACT PERSON AND PHONE NUMBER

Lauren Cooper
Associate Director of Facilities Planning, Design and Construction
Business and Financial Affairs
San Diego State University
5500 Campanile Drive
San Diego, California 92182-1624
(619) 594-5224

1.4 PROJECT LOCATION

San Diego State University Campus and adjacent area
San Diego, California

1.5 PROJECT SPONSOR'S NAME AND ADDRESS

San Diego State University
Facilities Planning, Design and Construction
Business and Financial Affairs
5500 Campanile Drive
San Diego, California 92182-1624

1.6 GENERAL PLAN/COMMUNITY PLAN DESIGNATION/ZONING

General Plan: Institutional
Community Plan: University Campus, Park
Zoning: Institutional/University Campus and Park/RI-5000

1.7 PROJECT DESCRIPTION

1.7.1 Local and Regional Setting

The project site is located on the SDSU campus, in the City of San Diego, approximately eight miles east of downtown. (See, **Figure 1, Regional Map.**) As shown on **Figure 2, Vicinity Map**, the general boundaries of the SDSU campus are Montezuma Road to the south, East Campus Drive to the east, 55th Street/Remington Road to the west, and Adobe Falls Road/Del Cerro Boulevard (lying north of Interstate-8 ("I-8")) to the north.

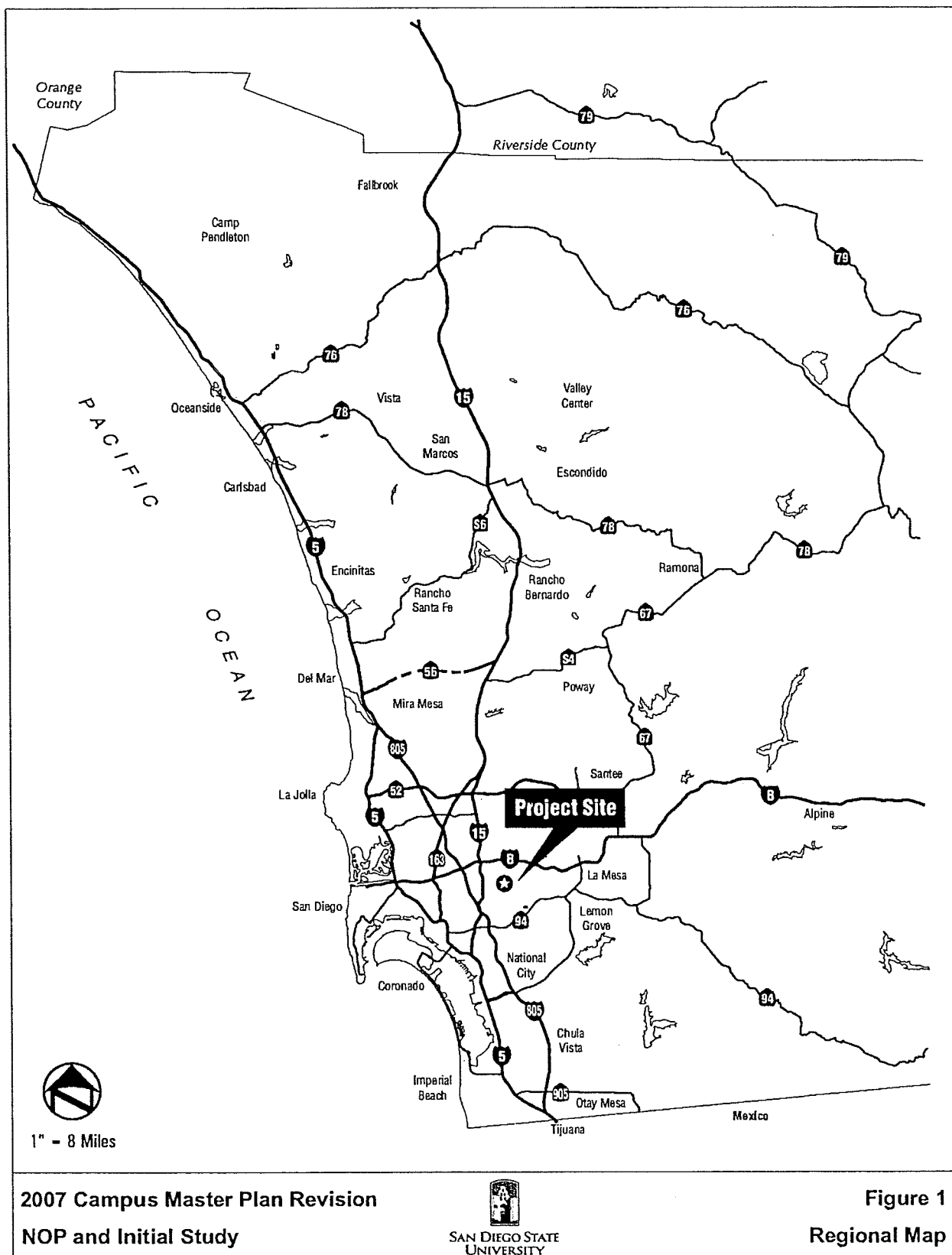
The SDSU campus is situated on approximately 280 acres of slightly undulating mesas, which are intersected by steep canyons. The campus setting is largely urban in nature, with the exception of the undeveloped Adobe Falls area lying north of I-8, and is comprised, primarily, of campus buildings interspersed with open space amenities.

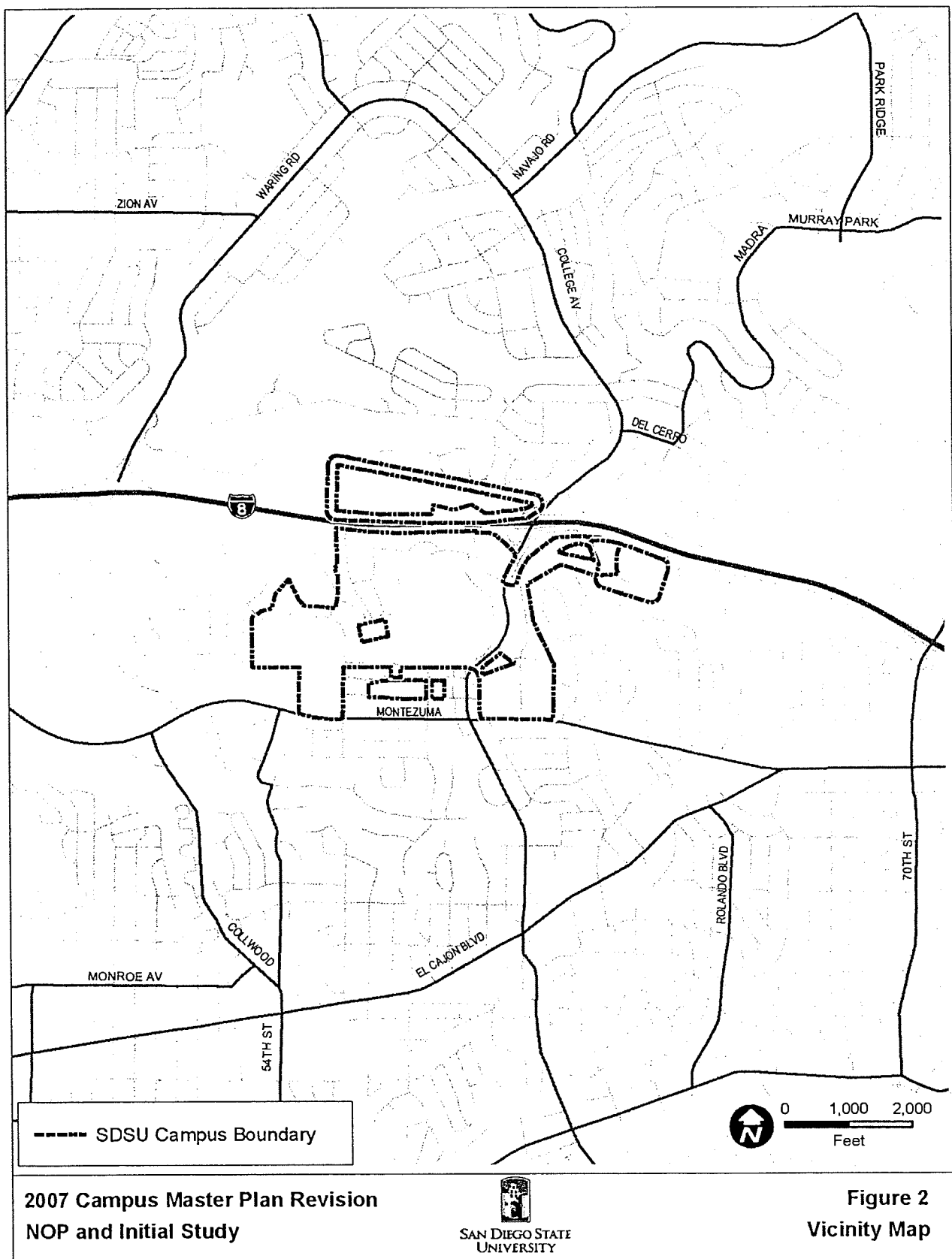
The SDSU campus is located within the College Area and Navajo Community Planning Areas of the City of San Diego. **Figure 3, College Area and Navajo Communities**, shows the

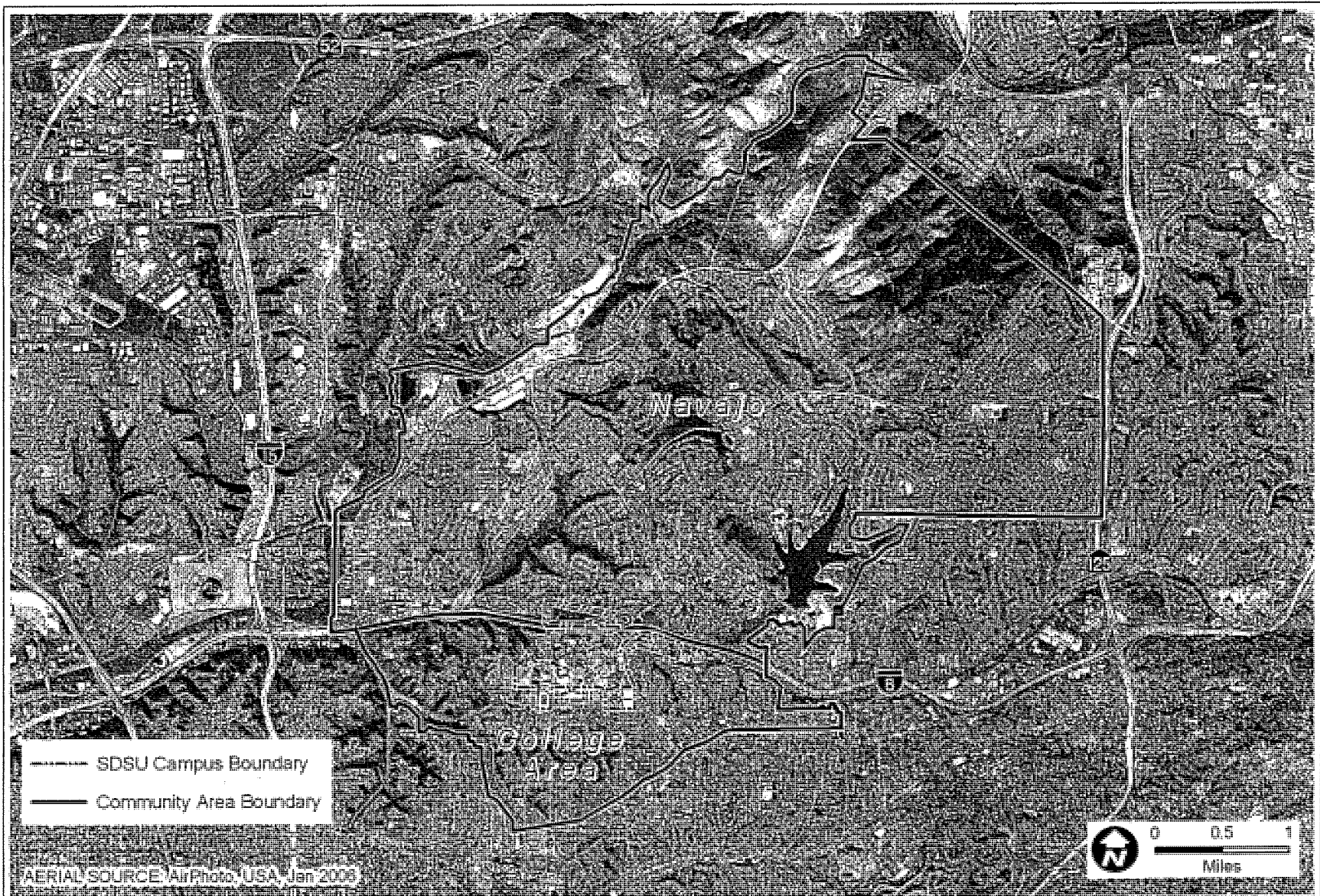
general boundaries of the College Area and Navajo Communities in relation to the SDSU campus. The College Area Community Plan and Navajo Community Plan, which are both components of the City of San Diego General Plan, designate the main campus as "University Campus or Redevelopment Project Area" and "Park," respectively. SDSU, which is state-owned property, is not subject to planning and zoning laws, zoning ordinances or local general or community plans of the City of San Diego, or any other local jurisdiction. In the event SDSU ever discontinued its use as a campus site, future non-university uses would be subject to the land use jurisdiction and permitting procedures of the City of San Diego.

A portion of the proposed project area lies within the Alvarado Road Sub-Area of the College Area Community Redevelopment Project adopted by the Redevelopment Agency of the City of San Diego on November 30, 1993. Under the Redevelopment Project, development of the Alvarado Road Sub-Area would include University-serving office, and research and development uses. The Third Implementation Plan for the College Area Community Redevelopment Project (2004-2009) sets forth the specific projects planned for the project area within the College Area Community through the year 2009. The Third Implementation Plan contemplates development of Phase I of the Alvarado Sub-Area in Fiscal Year 2006. The Redevelopment Agency does not anticipate tax increment from the Alvarado Road Sub-Area given its University-serving nature.

For further information regarding the College Area Community Redevelopment Project, please refer to the Third Five-year Implementation Plan (2004-2009) adopted by the Redevelopment Agency of the City of San Diego on September 7, 2004. A copy of this document is available for public review at SDSU, Facilities Planning, Design and Construction, 5500 Campanile Drive, San Diego, California, contact person Lauren Cooper at (619) 594-5224.







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Figure 3
College Area and Navajo Communities

1.7.2 Description Of Proposed Project

The proposed project is the adoption and subsequent implementation of the SDSU 2007 Campus Master Plan Revision. The Master Plan Revision will enable SDSU to meet projected increases in student demand for higher education, as well as further enhance SDSU's status as a premier undergraduate, graduate and research university. The proposed project will provide a framework for implementing SDSU's goals and programs for the campus by identifying needed buildings, facilities, improvements and services to support campus growth and development from the current SDSU enrollment of 25,000 full-time equivalent students ("FTES") to a new Campus Master Plan enrollment of 35,000 FTES by the 2024/25 academic year.

To accommodate the projected student increase, the proposed project involves the development of classroom, housing and student support facilities on approximately 55 acres of land located on the SDSU main campus and adjacent to it. (*See, Figure 4, Proposed Campus Master Plan.*) As depicted on Figure 4, the proposed project consists of the following five development components:

I. Adobe Falls Faculty/Staff Housing – This project component, which would be developed in two phases, consists of the development of faculty and staff housing on a site approximately 33 acres in size located north of I-8. The development would consist of an Upper Village and a Lower Village, and would include up to 370 housing units for University faculty and staff residences upon full buildout. This project component also would include a swimming pool, a 3,600 gross square foot ("GSF") community center, and recreation areas for resident use only. The Upper Village portion of the site would be developed in Phase 1, in the near-term following project approval, and would include 50-70 housing units. The Lower Village, which would be developed long-term, would include between 250 and 300 housing units. The total number of housing units ultimately to be developed on the site is dependent in part upon available access routes and associated vehicle carrying capacities.

II. Alvarado Campus - This project component, which includes an expansion of the current Campus Master Plan northeastern boundary to incorporate additional property, consists of the multi-phase development of approximately 612,000 GSF of academic/research/medical space, and a 552,000 GSF vehicle parking structure, in the northeastern portion of campus, as follows:

Phase 1 - D Lot: (i) Demolition of the existing structure at 6361 Alvarado Court (12,155 GSF); and (ii) the development of a new 5-story, 110,000 GSF building for academic uses;

Phase 2 - D Lot: Development of: (i) a 5-story, 85,000 GSF building to house mixed office/research and development uses displaced in subsequent phases from the Alvarado Core Site; and, (ii) a 5-story, 85,000 GSF building, 70,000 GSF to house existing medical/office tenants displaced in subsequent phases from the Alvarado Core Site, and 15,000 GSF to house mixed office/research and development uses displaced in subsequent phases from Alvarado Core Site;

Subsequent Phase/s - Alvarado Core Site: (i) Demolition of 5 existing office buildings [6475, 6495 and 6505 Alvarado Road; 6310 and 6330 Alvarado Court] totaling 116,523 GSF; (ii) the development of three 4/5-story, 100,000 GSF buildings, and one 4/5 story, 32,385 GSF building for academic uses; and (iii) the development of a 6/7-story 552,000 GSF parking structure for 1840 vehicles with 191 additional surface and existing parking spaces.

III. Alvarado Hotel – This project component, which would be constructed in the near-term following project approval, consists of the development of a 60,000 GSF, six-story building with up to 120 hotel rooms and studio suites, located on approximately 2 acres of existing Lot C, immediately north of Villa Alvarado Hall. The hotel, which would be owned by Aztec Shops and operated in cooperation with the SDSU School of Hotel and Tourism Management, will contain a small meeting room, exercise room, board room, business center, and hospitality suite.

IV. Student Housing - This project component, which would be developed in two phases, includes the demolition of two existing student housing structures and the construction of three new housing structures, ultimately resulting in a net increase of 1400 new student housing beds on campus:

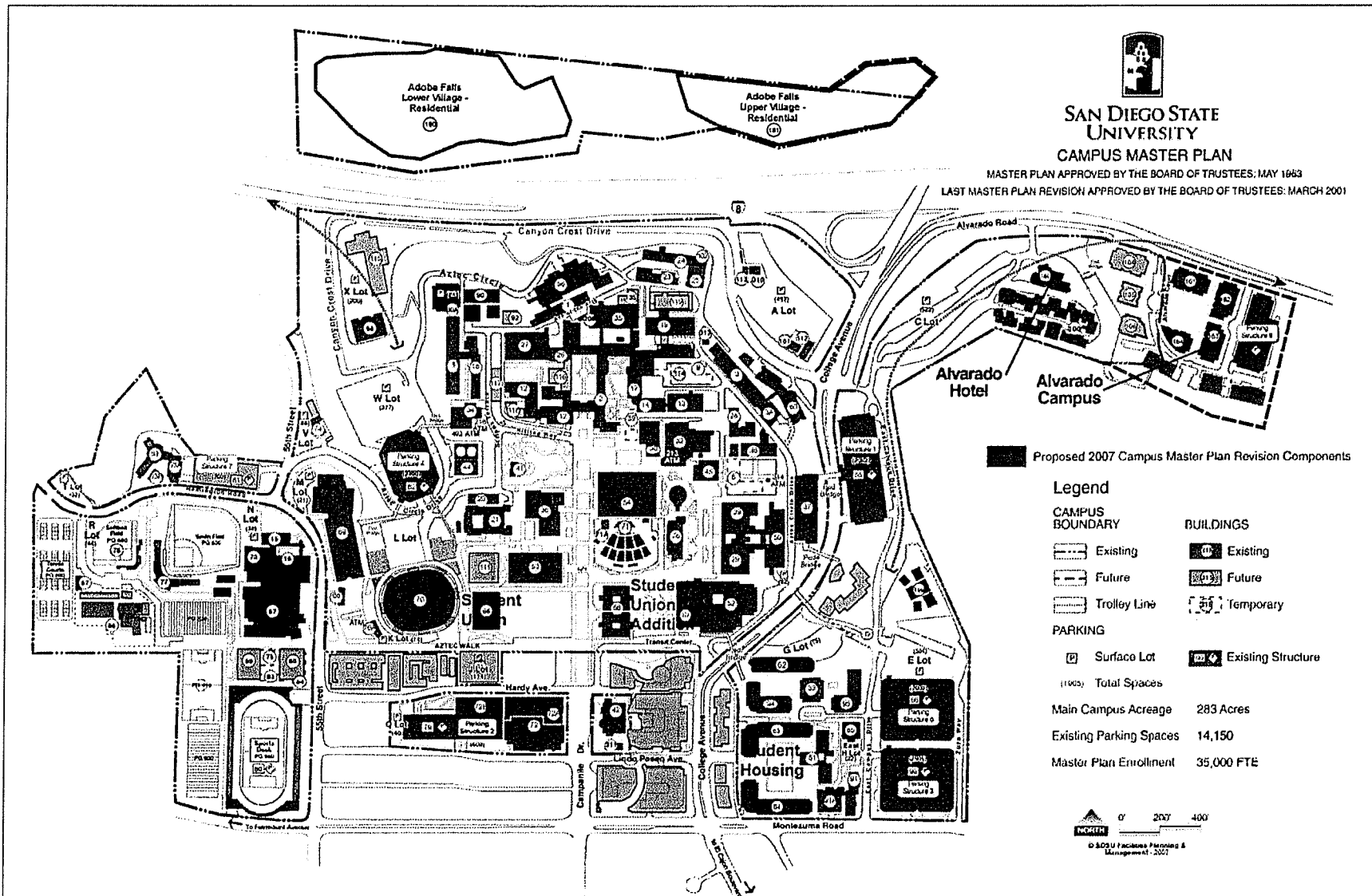
Phase 1 - G Lot Residence Hall: Near-term construction of a 10-story, 255,000 GSF Type-1 (reinforced concrete) structure to house 600 student beds, and the reconfiguration of existing G parking lot, which would result in a 50% reduction in available parking spaces;

Student and Residential Life Administration Building: Near-term construction of a 2-story, 15,000 GSF Student and Residential Life Administration ("SRLA") building to replace the existing structure that would be demolished in Phase 2.

Phase 2 - SRLA/Olmeca/Maya Residence Hall Demolition/Construction: Intermediate-term demolition of existing Olmeca Residence Hall (Bldg. No. 47; 39,000 GSF) and Maya Residence Hall (Bldg. No. 46; 39,000 GSF), each containing 300 beds, and the demolition of the existing SRLA building (Bldg. No. 40; 7,000 GSF), followed by the construction of two 9-story, 300,000 GSF Type-1 structures, each containing 700 beds, to be constructed on the site of the former Olmeca and Maya Residence Halls.

V. Student Union - This project component, which would be constructed in the near-term following project approval, consists of: (i) the development of a new 70,000 GSF 3-story building on approximately one-half acre located east of Cox Arena (site of existing tennis courts) to be used for meeting/conference space, office space, food services and retail services; and (ii) the renovation of the existing Aztec Center, including up to a 30,000 GSF expansion, to include social space, recreation facilities, student organization offices, food services and retail services.

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2007 Campus Master Plan Revision
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Figure 4
Proposed Campus Master Plan

The Student Housing, Student Union, and Alvarado Hotel project components each will be analyzed at a project-level of environmental review such that no further CEQA review will be required prior to project construction. Phase 1 of the Adobe Falls and Alvarado Campus project components will be analyzed at the project-level as well, while Phase 2 of each of these two project components will be analyzed at the program-level. (See, CEQA Guidelines §15168.) The D Lot portion of the Alvarado Campus component was analyzed previously at the program-level as part of the EIR for the SDSU Campus Master Plan 2000 project (SCH No. 2000051026).

The following table depicts the existing campus land use, the existing campus master planned use, and the level of analysis to be undertaken in the EIR for each of the five project components:

**Table 1.0-1
Proposed Project Components**

Component Name	Existing Land Use	Existing Campus Master Plan Use	Level of Analysis
Alvarado Campus	(i) D Parking Lot (SDSU-owned land) (ii) Alvarado Core Site - Medical office park (SDSU Foundation-owned land)	(i) East Campus Development Area (ii) None	(i) Project /Program (ii) Program
Adobe Falls Faculty/Staff Housing	(i) Upper Village - Undeveloped land (ii) Lower Village – Undeveloped land	(i) Not designated (ii) Not designated	(i) Project (ii) Program
Student Housing	(i) G Lot Residence Hall and Student and Residential Life Administration Building - G Parking Lot (ii) Olmeca/Maya Reconstruction – Student housing	(i) G Lot (ii) Student Housing	(i) Project (ii) Project
Student Union	Undeveloped Land/Aztec Center	Undeveloped Land/Aztec Center	Project
Alvarado Hotel	C Lot	C Lot	Project

Note: The eastern portion of the Alvarado Campus is situated on property owned by the SDSU Foundation. The Alvarado Campus land is designated "Redevelopment Project Area" on the City of San Diego College Area Community Plan Planned Land Use Map.

2.0 OTHER AGENCIES WHOSE APPROVAL MAY BE REQUIRED

The Board of Trustees of the California State University is the Lead Agency for the proposed 2007 Campus Master Plan Revision project. Other known public agencies whose approval may be required as a prerequisite to future construction and/or implementation of the proposed project include:

- U.S. Army Corps of Engineers (Clean Water Act Section 404 permit, if necessary);

- U.S. Department of the Interior, Fish and Wildlife Service (Section 7 or 10 take permit of the Endangered Species Act, if necessary);
- California Department of Fish and Game (permits pursuant to Section 1603 and/or 2081 of the Fish and Game Code, if necessary);
- California Department of Transportation (right-of-way permits relating to transportation improvements construction, if necessary);
- State Historic Preservation Office (for approval of federally funded projects affecting significant archaeological and historical resources, if necessary);
- Division of the State Architect (handicap facilities compliance);
- State Fire Marshal (approval of facility fire safety review);
- San Diego Regional Water Quality Control Board (National Pollution Discharge Elimination System (NPDES) permits and Clean Water Act Section 401 water quality certification, if necessary);
- San Diego Air Pollution Control Board (authority to construct and/or permits to operate, if necessary);
- City of San Diego (permits for construction within City right-of-way, if necessary); and
- Water, wastewater and sanitation special district approval, if necessary.

3.0 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

- ☒ Aesthetics/Visual Quality
- ☒ Biological Resources
- ☒ Geology/Soils
- ☒ Noise
- ☒ Public Services
- ☒ Transportation/Circulation
- ☐ Agricultural Resources
- ☒ Cultural Resources
- ☒ Hazards
- ☒ Parking

- ☒ Recreation
- ☒ Utilities and Service Systems
- ☒ Air Quality
- ☒ Energy and Mineral Resources
- ☒ Land Use and Planning
- ☒ Population and Housing
- ☒ Mandatory Findings of Significance
- ☒ Water Quality/Hydrology

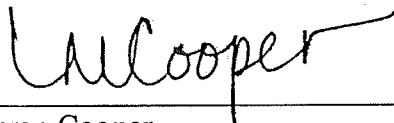
4.0 DETERMINATION

On the basis of this evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on the attached sheet have been added to the project. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☒ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a significant effect(s) on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a “potentially significant impact” or “potentially significant unless mitigated.” An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

- ☐ I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards; and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project.

By:



Lauren Cooper,
Associate Director of Facilities Planning, Design and Construction
San Diego State University

5.0 INITIAL STUDY CHECKLIST

The following is a brief explanation of each environmental topic addressed in the Initial Study Checklist. It should be noted that these discussions are intended to provide conclusions to questions outlined in the Initial Study Checklist, Appendix G to the CEQA Guidelines. As described in the project description section above, the project would entail modifications to several campus facilities or areas. In accordance with Section 15063(d) of the CEQA Guidelines, the following checklist was prepared to identify the potential environmental effects of the proposed project. After each environmental topic is assessed, a brief discussion of the basis for the assessment is also provided below.

Issues (and supporting Information Sources)	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
AESTHETICS / VISUAL QUALITY: Would the proposed project:				
(a) Have a substantial adverse effect on a scenic vista?		✓		
(b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				✓
(c) Substantially degrade the existing visual character or quality of the site and its surroundings?		✓		
(d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?		✓		

DISCUSSION: *Construction of the Alvarado Campus, Alvarado Hotel, Student Union and Student Residence Hall Expansion would alter the existing visual character of several areas throughout the main campus. Construction of the Adobe Falls Faculty/Staff Housing complex would alter the appearance of the existing undeveloped site to a residential land use. Changes in land use, such as construction of a building in a location previously occupied by a parking lot, would also have the potential to alter visual quality or campus community character. The effects of exterior lighting on any buildings proposed for construction or renovation also would have the potential to alter visual quality or campus community character. It is not anticipated that the proposed project would significantly affect a public scenic vista or impact a state scenic highway. A separate visual resources/community character technical report will be prepared in conjunction with the Draft EIR.*

Issues (and supporting Information Sources)	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
AGRICULTURE RESOURCES: Would the proposed 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?				✓
(b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				✓
(c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				✓

DISCUSSION: *There are no agricultural resources located on the SDSU campus or adjacent land that would be impacted by implementation of the proposed project. Therefore, impacts to agricultural resources are not anticipated to occur as a result of the proposed project.*

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
AIR QUALITY: Would the proposed project:				
(a) Conflict with or obstruct implementation of the applicable air quality plan?		✓		
(b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	✓			
(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)?	✓			
(d) Expose sensitive receptors to substantial pollutant concentrations?		✓		
(e) Create objectionable odors affecting a substantial number of people?				✓

DISCUSSION: *SDSU is located within the San Diego Air Basin, which currently is designated by the California Air Resources Board as state non-attainment for ozone (O₃) and particulate matter (PM-10). Under federal standards, the Basin is a basic non-attainment area for ozone, and a maintenance area for carbon monoxide (CO). Ozone is the principle air quality problem in San Diego County, although carbon monoxide is also a growing problem as a result of increased vehicle emissions. Implementation of various elements of the 2007 Campus Master Plan Revision would result in increased vehicle traffic, which consequently would result in increased emissions of criteria pollutants from mobile sources. These emissions may result in potentially significant impacts to air quality. Additional development on the SDSU campus, combined with known and reasonably foreseeable growth in the region, could result in cumulatively considerable emissions of non-attainment pollutants. Analysis of the proposed project's potential air quality impacts and related mitigation measures will be provided.*

Issues (and supporting Information Sources)	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
BIOLOGICAL RESOURCES: Would the proposed 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 Game or U.S. Fish and Wildlife Service?		✓		
(b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		✓		
(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, <i>etc.</i>) through direct removal, filling, hydrological interruption, or other means?		✓		
(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?			✓	
(e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			✓	
(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?			✓	

DISCUSSION: *The Adobe Falls site is situated near, or in some cases at, the bottom of a canyon area and supports coastal sage scrub and riparian vegetation. Construction of the Adobe Falls Faculty/Staff Housing complex potentially could impact these habitat areas. Construction of the*

Alvarado Campus and Alvarado Hotel also potentially could impact Alvarado Creek riparian areas. A biological resources technical report will evaluate the direct, indirect and cumulative effects to biological resources, including sensitive habitats and wildlife species, due to the construction of housing units, classrooms, auxiliary structures and roadways. In addition, the biological resources technical report will delineate the project components' relationship to the City of San Diego's Multiple Species Conservation Program Sub-Area Plan. Aside from the project components listed above, it is anticipated that the other project components will be located within developed campus areas. Therefore, no impact to sensitive plant or animal species or sensitive habitat would occur within these proposed project areas.

Issues (and supporting Information Sources)	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
CULTURAL RESOURCES: Would the proposed project:				
(a) Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines §15064.5?		✓		
(b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?		✓		
(c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		✓		
(d) Disturb any human remains, including those interred outside of formal cemeteries?		✓		

DISCUSSION: *Development of the Adobe Falls Faculty/Staff Housing complex and Student Residence Hall Expansion project components may impact existing cultural resources. The nature of these resources, and their importance in California history, will be analyzed fully as part of the EIR analysis. A cultural resources technical report will be prepared that will inventory existing historical, archaeological and paleontological resources for each project component and determine if any existing cultural resources have the potential to be altered or damaged by implementation of the proposed project.*

Issues (and supporting Information Sources)	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
GEOLOGY AND SOILS: Would the proposed project:				
(a) Expose people or structures to potential substantial adverse effects, including the risk or 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?				
(ii) Strong seismic ground shaking?				
(iii) Seismic-related ground failure, including liquefaction?				
(iv) Landslides?				
(b) Result in substantial soil erosion or the loss of topsoil?		✓		
(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?		✓		
(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?		✓		
(e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewer are not available for the disposal of wastewater?				✓

DISCUSSION: *Ultimate construction of each of the project components will require that earthwork be completed. Therefore, a geotechnical investigation will be performed. Although the project site is not specifically located in an Alquist-Priolo Earthquake Fault Zone, as mapped by the State Geologist, seismicity of the existing project area is influenced by both local and regional fault systems. The nearest fault, with the potential for a 7.0 magnitude earthquake, is located in Rose Canyon, approximately 6 miles from campus. Because SDSU is located within seismically active southern California, the area could be subject to severe ground shaking during a major earthquake. In general, the area north of I-8 is mapped as a "Sub-*

Area/Zone 4-1," which is the area "generally located outside the boundaries of definite mapped landslides but contains observable unstable slopes underlain by both weak materials... and adverse geologic structure" (Tan, 1995). The EIR's geotechnical analysis will include a survey of the Adobe Falls Faculty/Staff Housing site and an analysis of potential landslide risk.

Issues (and supporting Information Sources)	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
HAZARDS AND HAZARDOUS MATERIALS: Would the proposed project:				
(a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?		✓		
(b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			✓	
(c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school?			✓	
(d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment?			✓	
(e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of the public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				✓
(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?				✓
(g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				✓
(h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildland are adjacent to urbanized areas or where residences are intermixed with wildlands?				✓

DISCUSSION: *The Alvarado Campus component of the proposed project includes research and development facilities, which could entail the routine transport, use or disposal of hazardous materials on the University grounds or in the surrounding community. However, compliance with all applicable health and safety requirements would decrease potential hazards associated with implementation of the proposed project. Chemicals necessary for operation of the science and research facilities would be handled by qualified University personnel. All storage of chemicals would be in compliance with applicable health and safety requirements. Project implementation would not involve impacts to either the SDSU community or outside citizens involved in air traffic due to the absence of any nearby airport.*

Demolition of Maya and Olmeca Residence Halls and the existing Student and Residential Life Administration building may result in the release of contaminated materials such as asbestos, etc. A Phase I Environmental Assessment will be conducted to fully analyze potential impacts associated with the demolition of existing structures.

Issues (and supporting Information Sources)	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
HYDROLOGY AND WATER QUALITY: Would the proposed project:				
(a) Violate any water quality standards or waste discharge requirements?			✓	
(b) Substantially deplete 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)?				✓
(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?		✓		
(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?		✓		
(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?		✓		
(f) Otherwise substantially degrade water quality?			✓	
(g) Place housing within a 100-year flood hazard areas as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?		✓		
(h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?		✓		

Issues (and supporting Information Sources)	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
(i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?			✓	
(j) Inundation by seiche, tsunami or mudflow?			✓	

DISCUSSION: *All project components, except the Adobe Falls Faculty/Staff Housing development, would be located in the existing developed campus area or developed areas immediately adjacent to campus. Development in these areas would be designed so run-off would be collected and discharged to the existing storm drain system. Development of the Adobe Falls Faculty/Staff Housing parcel would involve grading of undeveloped land near Alvarado Creek and potentially would alter existing drainage patterns. A hydrology/water quality technical report will be prepared for the Draft EIR that will evaluate the impacts of the proposed improvements on surface water quality and ground water hydrology and provide mitigation as appropriate. Impacts to SDSU facilities, local storm drain systems and adjacent land uses as a result of flooding and run-off will be evaluated.*

Issues (and supporting Information Sources)	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
LAND USE PLANNING: Would the project:				
(a) Physically divide an established community?				✓
(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 mitigation an environmental effect?	✓			
(c) Conflict with any applicable habitat conservation plan or natural community conservation plan?			✓	

DISCUSSION: Each component of the proposed project generally would be consistent with adopted General Plan/Community Plan Planned Land Use Maps and the College Area Redevelopment Plan. However, the Navajo Community Plan designates the Adobe Falls site for "park" uses. While the proposed project includes open space land, which is consistent with the overall Community Plan designation, the development of housing units on the site would not be consistent with the "park" designation. The Alvarado Campus component of the proposed project, which is located in the College Area Community Redevelopment Plan, is consistent with that Plan's designation of the site for University-related office and research and development uses, and the number of square feet ultimately to be developed on the site. An existing land use, planned land use and applicable policy and guideline analysis will be prepared for the EIR, taking into consideration SDSU's state agency status and the appropriate application of local land use planning under the circumstances. The proposed project would not alter the physical arrangement of the campus community. Structures planned to undergo renovation, redesign or demolition and replacement with new structures, such as the Alvarado Campus area, may alter the existing character of the campus relative to the surrounding campus community.

Issues (and supporting Information Sources)	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
MINERAL RESOURCES: Would the proposed 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?			✓	
(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?			✓	

DISCUSSION: *All project elements, except the Adobe Falls Faculty/Staff Housing component, are located within MRZ-2 Zones, as indicated on the State of California Department of Conservation Division of Mines and Geology Special Report 153 (Mineral Land Classification: Aggregate Materials in the Western San Diego County Production-Consumption Region). MRZ-2 Zones are defined as areas where adequate information indicates that significant mineral deposits are present or where it is judged that a high likelihood for their presence exists. However, because the project components within MRZ-2 Zones are to be located within currently developed areas, the proposed project would not result in the loss of availability of existing, usable mineral resources.*

The Adobe Falls Faculty/Staff Housing site is located within a MRZ-3 Zone, which is defined as an area containing mineral deposits the significance of which cannot be evaluated from available data. A site-specific mineral resource technical study will be prepared for the Draft EIR that will assess, as appropriate, the extent of mineral resources at the Adobe Falls site.

The City of San Diego General Plan contains existing condition language relating to minerals rather than specific mapped zones or avoidance/conservation guidelines. The College Area and Navajo Community Plans do not include mineral resource zone overlays or avoidance directives. While SDSU's status as a state agency does not necessitate compliance with local plans or policies including mineral resource protection guidelines, the project would not be inconsistent with local policies in the General Plan or community plans that pertain to mineral protection.

Issues (and supporting Information Sources)	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
NOISE: Would the proposed project result in:				
(a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?		✓		
(b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			✓	
(c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?		✓		
(d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?		✓		
(e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				✓
(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?				✓

DISCUSSION: *Possible increases in existing noise levels would be associated with certain aspects of the proposed project, including the introduction of urban uses into an undeveloped area and alterations in traffic patterns that would occur with implementation of the proposed project. The noise analysis will evaluate the effects of facility operations and altered traffic patterns on nearby sensitive receptors and will document any substantial increases to existing ambient or community noise equivalent levels that would occur. The analysis will also document impacts related to construction activities. SDSU is not located within the vicinity of any airport; therefore, this consideration will not be discussed in the noise analysis.*

Issues (and supporting Information Sources)	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
POPULATION AND HOUSING: Would the proposed 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)?	✓			
(b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?			✓	
(c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				✓

DISCUSSION: *In response to projected population growth in the San Diego Region and California in general, the proposed project will increase the present SDSU enrollment limitation from 25,000 full-time equivalent students ("FTES") to 35,000 FTES, an enrollment number that is expected to be reached in 2024-25. This increase in student population would result in related increases in faculty and staff, and the need for increased physical instruction, living and auxiliary space. The analysis of these issues will include a discussion of how the project would impact existing population numbers in the local community and potential impacts on housing supply that subsequently may result. The demolition of Olmeca and Maya Residence Halls would not occur until construction of the new 600-bed facility is complete. Therefore, any impacts associated with the loss of Olmeca and Maya student housing facilities would be less than significant.*

Issues (and supporting Information Sources)	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
PUBLIC SERVICES: Would the proposed project:				
(a) 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?		✓		
(ii) Police protection?		✓		
(iii) Schools?			✓	
(iv) Parks?		✓		
(v) Other public facilities?		✓		

DISCUSSION: *While most University-related public services are provided by SDSU itself, a discussion of each project component's impact on existing police, fire, school, parks and library facilities will be included in the Draft EIR. The EIR will evaluate whether implementation of the proposed project would increase demand for these public services, and compare the increased demand with existing and planned equipment and staffing levels. The environmental impacts of any potential capacity shortage will be evaluated in the EIR.*

Issues (and supporting Information Sources)	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
RECREATION:				
(a) Would the proposed 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?			✓	
(b) Does the proposed project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?		✓		

DISCUSSION: *The Adobe Falls Faculty/Staff Housing project component would include a private swimming pool, community center and recreation area for use by the faculty/staff residents. These recreational facilities would be adequate to service the new University-associated residents in the Adobe Falls Faculty/Staff Housing area. Additionally, the Student Union component of the project includes additional indoor recreational facilities to serve students, and the Student Housing component includes additional outdoor and indoor recreational spaces also to serve the students. Therefore, the project is not expected to substantially increase the use of existing recreational facilities resulting in accelerated deterioration. The construction of these recreational facilities, however, may result in potentially significant impacts unless mitigated.*

Separately, the proposed increase in student enrollment and the campus population is expected to result in additional demand for on-campus recreational space, and which may impact indirectly the recreational capacity of nearby parks. The environmental impacts of any potential capacity shortage will be evaluated in the EIR.

Issues (and supporting Information Sources)	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
TRANSPORTATION / TRAFFIC: Would the proposed project:				
(a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	✓			
(b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion/management agency for designated roads or highways?	✓			
(c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				✓
(d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			✓	
(e) Result in inadequate emergency access?		✓		
(f) Result in inadequate parking capacity?		✓		
(g) Conflict with adopted policies, plans or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?			✓	

DISCUSSION: *A traffic and parking assessment will be prepared for the proposed project in conjunction with the Draft EIR. The traffic analysis will determine how much new traffic will be generated due to the project components. The traffic analysis also will determine the potential shift in traffic volumes and patterns that would occur with implementation of the proposed project. In addition, the traffic analysis will determine the project's potential impacts on key intersections and street segments and any recommended mitigation. The analysis also will determine the project's necessary fair-share contribution to off-site roadway mitigation improvements, consistent with the recent California Supreme Court decision in City of Marina v. Board of Trustees of California State University. In addition, as part of the EIR, a feasibility analysis of alternate access routes to/from the proposed Adobe Falls Faculty/Staff Housing will be conducted. The parking analysis will assess the project's impact on existing parking facilities on campus.*

Issues (and supporting Information Sources)	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
UTILITIES AND SERVICE SYSTEMS: Would the proposed project:				
(a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			✓	
(b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environment effects?		✓		
(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 effect?		✓		
(d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlement needed?		✓		
(e) Result in a determination by the wastewater treatment provider which serves or may serve the project?		✓		
(f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?		✓		
(g) Comply with federal, state and local statutes and regulations related to solid waste?			✓	

DISCUSSION: *New facilities proposed in connection with the proposed project would necessitate public services such as electricity, natural gas, communication systems, water, sewer and storm drainage. With the exception of the Adobe Falls Faculty/Staff Housing and Alvarado Campus project components, electric, heating and air conditioning required for all project components would be generated onsite at the SDSU Cogeneration Plant and Chilling Facility. This facility was designed to serve additional uses, such as those proposed. Therefore, capacity shortfalls are not anticipated. The public services needs of each project component will be analyzed in the Draft EIR. Existing facility and service capacity will be outlined and potential impacts characterized.*

Issues (and supporting Information Sources)	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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MANDATORY FINDINGS OF SIGNIFICANCE:

- (a) Does the proposed 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? ✓
- (b) Does the proposed project have impacts that are individually limited, but cumulatively considerable? ✓
- (c) Does the proposed project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? ✓

DISCUSSION: *The areas planned for development generally do not support substantial populations of rare, threatened or endangered plant or animal species or sensitive plant communities. The Adobe Falls Faculty/Staff Housing site may support threatened or endangered species, though not in substantial numbers, as evidenced by the site's absence from the Multiple Habitat Preservation Area ("MHPA"). For these reasons, the proposed project is not anticipated to have the potential to: (1) substantially reduce the habitat of a fish or wildlife species; (2) cause a fish or wildlife population to drop below self-sustaining levels; (3) threaten to eliminate a plant or animal community; or (4) reduce the number or restrict the range of a rare or endangered plant or animal. A biological resources technical report will be prepared to fully address these issues.*

The Adobe Falls Faculty/Staff Housing development and Student Residence Hall Expansion project components potentially could impact cultural resources. The nature of these resources, and their importance in California history, will be analyzed fully as part of the EIR analysis.

A cumulative impacts analysis will be conducted for each environmental topic area discussed in depth in the EIR. The cumulative analysis will address issues such as air quality and traffic, which will focus on the project's transportation and circulation impacts when combined with existing and planned future traffic increases within the College and Navajo areas. Potentially significant cumulative impacts may result.

6.0 PUBLIC INFORMATION MEETING

To assist in determining the scope of the Draft EIR for the proposed project, SDSU will hold a public information meeting regarding both the proposed project and the scope and content of the Draft EIR. The scoping meeting will be held on Thursday, February 22, 2007, at 6:30 p.m. at the Casa Real at Aztec Center on the SDSU Campus. Paid parking will be available in SDSU Parking Structure 6 and the Five Star parking lot at the corner of Linda Paseo and College Avenue. All public agencies, organizations and interested parties are encouraged to attend and participate at this meeting.

7.0 DISTRIBUTION LIST

This Initial Study and Notice of Preparation of the Draft EIR for the proposed SDSU 2007 Campus Master Plan Revision project was distributed to the following public agencies, organizations and other interested parties:

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Department of the Army
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DECLARATION OF SERVICE BY MAIL

I am a resident of the County of San Diego; I am over the age of 18 years and not a party to this matter. My business address is: 1525 Faraday Avenue, Suite 150, Carlsbad, California, 92008.

On February 2, 2007, I served the attached document: NOTICE OF PREPARATION OF DRAFT ENVIRONMENTAL IMPACT REPORT; INITIAL STUDY – SAN DIEGO STATE UNIVERSITY 2007 CAMPUS MASTER PLAN REVISION, by placing true copies thereof, enclosed in a sealed envelope, addressed as follows:

SEE ATTACHMENT A

I placed said envelopes with Golden State Overnight, each marked "Guaranteed Priority Overnight Delivery."

Pursuant to these practices, with which I am readily familiar, the sealed and addressed envelopes are deposited in the ordinary course of business with Golden State Overnight at 1525 Faraday Avenue, Suite 150, Carlsbad, California 92008. On the same date, they are collected and processed by Golden State Overnight.

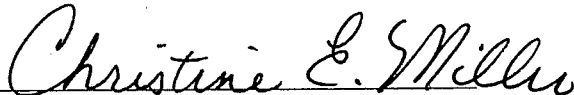
I further served the attached document by placing a true copy thereof, enclosed in a sealed envelope, with First Class/Certified Mail/Return Receipt Requested postage thereon fully prepaid, in the United States mail at Carlsbad, California, addressed as follows:

SEE ATTACHMENT B

I am "readily familiar" with the firm's practice for the collection and processing of correspondence for mailing. It is deposited with U.S. Postal Service on the same day in the ordinary course of business. I am aware that service is presumed invalid if postal cancellation date or postage meter date is more than one day after the date of deposit for mailing in the affidavit.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on February 2, 2007, in Carlsbad, California.


Christine E. Miller

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Stuart R. and Yoelles Josephs 6408 Crystallaire Drive San Diego, CA 92120-3834	Dolores & Ron Thiel 6212 Capri Drive San Diego, CA 92120
Kathy Fennell 6003 Adobe Falls Road San Diego, CA 92120	Sheryl Schultz-Rose 5779 Theta Place San Diego, CA 92120
Lynn A. Wink 5823 Adobe Falls Road San Diego, CA 92120	Evelyn Brent 6029 Lamont Drive San Diego, CA 92120
Judi Hopps, CACC 5041 Tierra Baja Way San Diego, CA 92115	Evelyn Cooperman Silver Gate Publications 7579 Rowena Street San Diego, CA 92119
Walter and Jacqueline Bochenek 5873 Madra Avenue San Diego, CA 92120	John Adamske, CACC 5105 Remington Road San Diego, CA 92115
Mrs. Betty Lyberg 6174 Camino Rico San Diego, CA 92120-3118	Morton and Naomi Hirshman 5855 Madra Avenue San Diego, CA 92120
Juan A. Martinez/Jacqueline Kenworthy-Martinez 5786 Adobe Falls Road San Diego, CA 92120	Rosemary Shosn 5611 Raymar Avenue San Diego, CA 92120
Abe Kassam and Paula Kassam, Trustees PAK Properties Trust 5942 Madra Avenue San Diego, CA 92120	Audrey de la Houssaye 5681 Del Cerro Boulevard San Diego, CA 92120
David & Barbara Oliver 54091 Del Cerro Boulevard San Diego, CA 92120	Josh Weiselberg 5494 Reservoir Drive, #C-19 San Diego, CA 92120
Fred & Michele Casey 5811 Adobe Falls Road San Diego, CA 92120	Steve Barlow 5130 68 th Street San Diego, CA 92115

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Warren Clement 6054 College Avenue San Diego, CA 92120	Louise Ray 2404 Pomo Avenue San Diego, CA 92104
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Glen & Shirley Marcus 5640 Arno Drive San Diego, CA 92120	Don & Maxine Amundson 6143 Arno Drive San Diego, California 92120
Amye & Mae Cubberley-Thomas 6107 Arno Drive San Diego, CA 92120	Craig & Angie Fisher 5605 Adobe Falls Place San Diego, CA 92120
Elein S. Racine 5922 Eldergardens Street San Diego, CA 92120	Nancy Sussman, Esq. 5667 Raymar Avenue San Diego, CA 92120
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Ray Fluta LCDR U.S. Navy, Ret 5581A Adobe Falls Road San Diego, CA 92120	Marcus Overton 5518 Adobe Falls Road San Diego, CA 92120
S. Akotles 6130 Romany Drive San Diego, CA 92120-4610	David and Barbara Oliver 5401 Del Cerro Blvd. San Diego, CA 92120
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John Hale, P.E. 5871 Adobe Falls Road San Diego, CA 92120	Helen Norman 6148 Arno Drive San Diego, CA 92120
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Troy L. Smith 5824 Malvern Ct. San Diego, CA 92120	Jerry Satuloff 5581-C Adobe Falls Road San Diego, CA 92120
Susan Thomas 6154 Arno Drive San Diego, CA 92120	James and Patricia Call 6285 Rockhurst Drive San Diego, CA 92120
Sharon Carter 5926 Madra Avenue San Diego, CA 92120	Scott Flaming 6128 Lourdes Terrace San Diego, CA 92120
Jeffrey and Marilyn Hinck 5664 Del Cerro Blvd. San Diego, CA 92120	Don Macdonald 6274 Rockhurst Drive San Diego, CA 92120
Randy and Toni Chase 5758 Malvern Court San Diego, CA 92120	Richard H. McAlter 5661-D Adobe Falls Road San Diego, CA 92120
Warren B. Treisman 6398 Del Cerro Blvd., Ste. 5 San Diego, CA 92120	Nancy A. Marlin, Provost San Diego State University 5500 Campanile Drive San Diego, CA 92182-8010
Jacqueline Osborne 5797 Adobe Falls Road San Diego, CA 92120	Milo and Jeanette Peterson 5737-A Adobe Falls Road San Diego, CA 92110

Robert G. Stewart 6337 Dwane Avenue San Diego, CA 92120	Joyce Pepper and Paul Bragoli 5956 Adobe Falls Road San Diego, CA 92120
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Emma Lou Beecroft 6286 Lambda Drive San Diego, CA 92190-4606	David Jespersen 6219 Rockhurst Drive San Diego, CA 92120
Judith Mansfield 6555 Norman Lane San Diego, CA 92120	John M. Stevenson 6210 Camino Corto San Diego, CA 92120
Estelle Greenstein 6235 Rockhurst Drive San Diego, CA 92120	Edward and Barbara Underwood 5995 Del Cerro Blvd. San Diego, CA 92120
Sally Ellis, CACC 5511 Drover Drive San Diego, CA 92115	Charles Maze, CACC 4677 El Cerrito Drive San Diego, CA 92115
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Dorothy Millbern 5463 Fremontia Lane San Diego, CA 92115	The Carolyn M. Holmer Trust US Bank, H. Eugene Swantz, Jr. Joan Rapp, Co-Trustees Re: 6367 Alvarado Court 400 Prospect Street La Jolla, CA 92037



SAN DIEGO STATE
UNIVERSITY

Facilities Planning,
Design and Construction
Business and Financial Affairs
5500 Campanile Drive
San Diego CA 92182 · 1624
Tel: 619 · 594 · 9224
Fax: 619 · 594 · 4500

FILED
Gregory J. Smith, Recorder/County Clerk

February 8, 2007

FEB 15 2007

A. Consul

BY _____ DEPUTY

Re: SDSU Scoping Meeting - February 21, 2007

Dear Recipient,

On Wednesday, February 21, 2007, at 6:30 p.m., San Diego State University ("SDSU") will hold a Scoping Meeting to discuss the proposed 2007 SDSU Campus Master Plan Revision, and to obtain information regarding the content and scope of the draft environmental impact report to be prepared for the project.

Please note that the Notice of Preparation of Draft Environmental Impact Report; Initial Study, dated February 2, 2007, *incorrectly* reported at page 36 that the Scoping Meeting would be held Thursday, February 22, 2007, at 6:30 p.m. at the Casa Real at Aztec Center.

THE CORRECT DATE, TIME AND LOCATION FOR THE SDSU SCOPING MEETING ARE AS FOLLOWS:

**SDSU Scoping Meeting
Wednesday, February 21, 2007
6:30 p.m. - 8:30 p.m.
Aztec Athletics Center Auditorium, SDSU Campus**

Please see the enclosed Notice of Scoping Meeting for further information regarding the meeting.

We look forward to seeing you Wednesday, February 21, 2007, at 6:30 p.m.

San Diego State University

Enclosure

FILED IN THE OFFICE OF THE COUNTY CLERK
San Diego County on FEB 15 2007
Posted FEB 15 2007 Removed _____
Returned to agency on _____
Deputy A. Consul



SAN DIEGO STATE
UNIVERSITY

NOTICE OF SCOPING MEETING

Project Title: San Diego State University 2007 Campus Master Plan Revision

Lead Agency: The Board of Trustees of the California State University

Project Sponsor: San Diego State University, Facilities Planning, Design and Construction
5500 Campanile Drive, San Diego, California 92182-1624

The Board of Trustees of the California State University has conducted an Initial Study for the proposed adoption and subsequent implementation of the San Diego State University ("SDSU") 2007 Campus Master Plan Revision ("proposed project") and has determined that an Environmental Impact Report ("EIR") will be prepared for the proposed project. The 2007 Campus Master Plan Revision will enable SDSU to meet projected increases in student demand for higher education, as well as further enhance SDSU's status as a premier undergraduate, graduate and research university. The proposed project will provide a framework for implementing SDSU's goals and programs for the campus by identifying needed buildings, facilities, improvements and services to support campus growth and development from the current SDSU enrollment of 25,000 full-time equivalent students ("FTES") to a new Campus Master Plan enrollment of 35,000 FTES by the 2024/25 academic year. To accommodate the projected student increase, the proposed project involves the near-term and long-term development of classroom, student and faculty/staff housing, and student support facilities on approximately 55 acres of land located within the SDSU central campus, Alvarado and Adobe Falls areas.

SCOPING MEETING

SDSU will hold a public information/scoping meeting to discuss the proposed project, and to obtain information regarding the content and scope of the Draft EIR. This scoping meeting will take place on **Wednesday, February 21, 2007, from 6:30 p.m. – 8:30 p.m., at the Aztec Athletics Center Auditorium** on the SDSU Campus. [Note: A previously reported meeting date of February 22 is incorrect.] Free parking will be available in SDSU Parking Structure 5, located on the corner of Montezuma Road and 55th Street. The Auditorium is located on 55th Street, just north of the Parking Structure. All public agencies, organizations and interested parties are encouraged to attend and participate at this meeting. The failure of any public agency, organization or interested party to attend this scoping meeting may prevent that agency, organization or party from later asserting that certain issues should have been included in the Draft EIR.

A copy of the Notice of Preparation/Initial Study prepared in connection with the proposed project is available for review at www.sdsu.edu/masterplan. For additional information regarding the SDSU 2007 Campus Master Plan Revision, please see www.sdsu.edu/masterplan, or phone Lauren Cooper at 619-594-6619.

RECEIVED FEB 23 2007

Notice of Scoping Meeting
Notice Mailing Date: February 8, 2007



SAN DIEGO STATE
UNIVERSITY

NOTICE OF SCOPING MEETING

Project Title: San Diego State University 2007 Campus Master Plan Revision

Lead Agency: The Board of Trustees of the California State University

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Notice of Scoping Meeting
Notice Mailing Date: February 8, 2007

Affidavit of Publication

GATZKE, DILLON & BALANCE LLP

ATTN: MICHAEL HABERKORN

1525 FARADAY AVENUE, STE. 150

CARLSBAD, CA 92008

STATE OF CALIFORNIA} ss.
County of San Diego}

The Undersigned, declares under penalty of perjury under the laws of the State of California: That....She is a resident of the County of San Diego. THAT....She is and at all times herein mentioned was a citizen of the United States, over the age of twenty-one years, and thatShe is not a party to, nor interested in the above entitled matter; thatShe is..... Chief Clerk for the publisher of

The San Diego Union-Tribune
a newspaper of general circulation, printed and published daily in the City of San Diego, County of San Diego, and which newspaper is published for the dissemination of local news and intelligence of a general character, and which newspaper at all the times herein mentioned had and still has a bona fide subscription list of paying subscribers, and which newspaper has been established, printed and published at regular intervals in the said City of San Diego, County of San Diego, for a period exceeding one year next preceding the date of publication of the notice hereinafter referred to, and which newspaper is not devoted to nor published for the interests, entertainment or instruction of a particular class, profession, trade, calling, race, or denomination, or any number of same; that the notice of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following date, to-wit:

FEBRUARY 9, 2007

Gwendolyn Watson
Chief Clerk for the Publisher

Affidavit of Publication of

Legal Classified Advertisement

Ad # 2077255

Ordered by: MICHAEL HABERKORN

NOTICE OF SCOPING MEETING

Project Title:
San Diego
State University
2007 Campus Master
Plan Revision

Lead Agency:
The Board of Trustees
of the California
State University

Project Sponsor:
San Diego State
University,
Facilities Planning,
Design and
Construction
5500 Campanile
Drive,
San Diego,
California 92182-1624

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SCOPING MEETING:
SDSU will hold a public information/scoping meeting to discuss the proposed project, and to obtain information regarding the content and scope of the Draft EIR. This scoping meeting will take place on Wednesday, February 21, 2007, from 8:30 a.m. to 8:30 p.m., at the Aztec Athletics Center Auditorium on the SDSU Campus. Free parking will be available in SDSU Parking Structure 5, located on the corner of Montezuma Road and 55th Street. The Auditorium is located on 55th Street, just north of the Parking Structure. All public agencies, organizations and interested parties are encouraged to attend and participate at this meeting. The failure of any public agency, organization or party from later asserting that certain issues should have been included in the Draft EIR.

A copy of the Notice of Preparation/Initial Study prepared in connection with the proposed project is available for review at the offices of SDSU Facilities Planning, Design and Construction, 5500 Campanile Drive, San Diego, California, during regular business hours. For additional information regarding the SDSU 2007 Campus Master Plan Revision, please see:
www.sdsu.edu/masterplan
or phone: Lauren Cooper at 619-594-6619.

SIGN-IN SHEET
SDSU 2007 Campus Master Plan Revision
EIR Scoping Meeting
February 21, 2007

	NAME	ADDRESS
1	Rosemary Ghosn	5611 Rayman Ave - 92120 Del Cerro
2	Donna Stone	6212 Copie Dr. 92120
3	Ron Thiel	6212 Copie Dr. 92120
4	Chris Garcia	City of La Mesa 9130 Allison Ave 91914
5	Guy SWANAGH	4310 LANDIS SD CA 92125 (SPPD)
6	BRANT + BARK. HARRY	5577 CANCASTER DR SD CA 92120
7	Stephanie Nehmers	
8	Jeff + Marilyn Hinck	5664 Del Cerro Blvd SD CA 92120
9	Phil Pryde	7784 Cedar Lake Ave SD 92119
10	AUDREY COLEMAN	5778 LYDEN WAY, SD, CA 92120
11	Bob CASTANEDA	5667 Adobe Falls Rd #C, SD, 92120
12	Ann Cortrell	5111 Manhasset Dr. SD 92115
13	Robert + Donald Eidemiller	5328 Hewlett Dr. SD. 92115
14	Doug Case	5444 Reservoir Dr. #20 SD 92120
15	Jerry Finstad	6180 Chusmark Ave 92120

SDSU 2007 Campus Master Plan Revision

EIR Scoping Meeting

February 21, 2007

	NAME	ADDRESS
16	JOE Colmire	5577A ADOBE FALLS RD
17	Anita Colmire	5563-B Adobe Falls Rd
18	Ruth Smith	4966 Rockford Dr.
19	Devore Smith	11
20	Charles Maze	4677 El Cerro Dr SD CA 92115
21	JOHN GRAY III	5787 ADOBE FALLS ROAD, SD 92120
22	DAVID OLIVER	5401 Del Cerro Blvd - S.D 92120
23	Sue + Tom FINCH	5841 LANCE ST. SD 92120
24	Walter Mitte	5940 Adobe Falls Rd 92120
25	Armin Kuhlman	5069 Catoctin Dr. 92115
26		
27		
28		
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30		
31		
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SIGN-IN SHEET

SDSU 2007 Campus Master Plan Revision

EIR Scoping Meeting

February 21, 2007

	NAME	ADDRESS
1	Sam Hodyson	8685 Rio San Diego Dr. Apt # 4143
2	Sherry Sander	200 Camino de la Arroyo
3	Jim Call	6285 Rockhurst Dr
4	HENRY BERTRAM	BOX 15222 S.D. 92115
5	STEVE GILBERT	5832 LANCASTER DR SD 92120-4533
6	MARILYN TOM	6184 ARNO DR SD 92120-
7	WALT TOM	" " " "
8	Suzanne Schumacher	6160 Arno Dr SD 92120
9	MARSHA EISEMAN	6166 ARNO DR. SD 92120
10	Dolores Torik	5631 "C" Adobe Falls Rd S.D. 92120
11	JoBeth Wright	5631 "D" Adobe Falls Rd. SD. 92120
12	JERRY SATULOFF	5581-C ADOBE FALLS RD S.D. 92120
13	BOB & MARY MEDERICK	5862 LANCASTER DR S.D. 92120
14	MARVIANNE GREENE, DEPUTY CITY ATT	1200 3rd AVE STE 1500 SD CA 92102, OFFICES OF THE CITY ATTORNEY OF SD
15	Michael McSwaney	5817 ADOLES ST SD 92120 DEL CENNO ACTION COUNCIL

**SDSU 2007 Campus Master Plan Revision
EIR Scoping Meeting
February 21, 2007**

	NAME	ADDRESS
16	Valentino Sepaty	7144 Broadway, Lehigh Grove, CA 91945
17	Rosary Nepi	5105 Walsh Wy 92115
18	Fred Hornbeck	4385-93 Nobel Dr. S.D. 92122
19	Andy Pendoley	7380 Park Ridge Blvd, #224, San Diego 92120
20	Pamela Gray	5787 Adobe Falls Rd SD. 92120
21	Barbara Oliver	5401 Del Cerro Blvd 92120
22	Tom Scott	SDSU
23	Agatha Graney	6142 Arno Dr 92120
24	Hanns Koenig	555 Alvarado Rd SD
25	Don Amundson	"
26	Don Amundson	6143 Arno Dr - 92120
27	Maxine Amundson	6143 Arno Dr. 92120
28	Anne Brunkow	5658 Raymar 92120
29	Natasha Martinez	2855 Castlewood Ct CV 91915
30	Doug & Bev Livingston	6264 Lambda Dr. SD 92120
31	Rhea Lubner	5069 Catocin Dr. SD 92115
32	Miriam Johnson	6067 Bounty St., SD 92120

SDSU 2007 Campus Master Plan Revision

EIR Scoping Meeting

February 21, 2007

	NAME	ADDRESS
33	Danna Duncan	5804 Kent Pl. SD 92170
34	Martin Montezano	5545 AZTEC WALK, 92115.
35	Toby HARTMAN	5637 Adobe Falls Rd 92120
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2007 CAMPUS MASTER PLAN REVISION PROJECT

EIR SCOPING MEETING

SDSU

WEDNESDAY, FEBRUARY 21, 2007

6:30 P.M.

REPORTER'S TRANSCRIPT OF PROCEEDINGS



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1 SAN DIEGO, CALIFORNIA

2 FEBRUARY 21, 2007

3 MR. COLLINS: Good evening, ladies and
4 gentlemen. Thank you for attending the EIR Scoping
5 meeting for
6 San Diego State University 2007 Campus Master Plan.
7 My name is Steven Collins. I am the Director of
8 Government Community Relations here at San Diego
9 State, and I will serve as your moderator of
10 tonight's meeting.

11 We are here tonight because SDSU is seeking
12 approval for a revision to its existing Campus Master
13 Plan. This plan will help SDSU continue to meet the
14 demand for higher education. It includes the
15 academic facilities, student services, and housing
16 that will help us accommodate future generations of
17 students. We have recently begun the environmental
18 review process for this plan by issuing a notice of
19 preparation for the environmental impact report or
20 EIR.

21 The notice of preparation for the EIR was
22 issued on February 2nd. It includes information that
23 will be used as the basis for determining an area of
24 potential environmental impact. There is a 30-day
25 public comment period on the notice of preparation.

1 We are seeking your comments on issues that need to
2 be addressed in the EIR. You may submit comments in
3 writing to SDSU, or you can offer verbal comments at
4 tonight's meeting.

5 If you would like to comment at this
6 meeting, please fill out a speaker slip. We will
7 collect the slips and call the names from the slips
8 received. You will notice a microphone on the left
9 side of the auditorium. To make sure we have time to
10 hear all of your comments tonight, I will call out
11 names of the first three speakers. Please line up
12 behind the microphone and be prepared to speak after
13 the speaker before you is done.

14 I will continue to call names of the
15 speakers who will be on deck as other speakers are
16 finished. Each speaker will have one opportunity to
17 speak. And we ask that you limit your comments to
18 two minutes in length. I will be timing the speakers
19 to ensure that everyone who would like to speak has
20 the opportunity to do so. If you aren't able to
21 finish your comments within the allotted time, we
22 invite you to submit additional comments in writing.

23 Tonight is an opportunity for us to hear
24 from individuals, so we ask that there be no
25 organized presentations and that you do not

1 relinquish your time to others to speak. This will
2 ensure that we have the opportunity to hear from all
3 who would like to comment this evening. We ask that
4 you keep your comments relevant to the topic of
5 issues to be addressed in the EIR.

6 We have a court reporter recording all
7 comments this evening. So when it is your turn to
8 speak, please state your name, spell your last name,
9 and state your address for the record before making
10 your comments.

11 Before we get started this evening I would
12 like to make a few introductions and give a brief
13 overview of SDSU's impact and the need for the Master
14 Plan. Tony Fulton is here, director of SDSU's
15 Facilities Planning, Design, and Construction, will
16 provide a summary of the proposed plan in just a few
17 moments. With Tony are Lauren Cooper and
18 Celeste Manouas also from the Facilities Planning
19 Department and Construction Department. Would you
20 raise your hands? These ladies over here.

21 Jack Beresford is here. Jack, in the back
22 of the room. Jack is Assistant Vice President for
23 Marketing Communications. I saw someone else here.
24 Dean -- yes. I know you.

25 MR. SCOTT: Former Dean.

1 MR. COLLINS: Former Dean.

2 Vice President Tom Scott is here from the
3 SDSU Research Foundation. And finally
4 Fred Hornbeck, the chair of SDSU's Faculty Senate, is
5 here with us tonight. Fred, I understand you have a
6 few comments.

7 MR. HORNBECK: I will be happy to say all
8 of them.

9 MR. COLLINS: Well, come on then.

10 MR. HORNBECK: Thank you, Steve.

11 I arrived on the campus in 1968. I have
12 been -- I am currently chair -- professor of
13 psychology and chair of the Senate. I previously
14 served as chair of our Campus Development Committee,
15 served on that committee for many years. I have been
16 engaged in a material way as a faculty participant in
17 the shared governments of the university and the
18 Research Foundation throughout my career. So some of
19 you may have seen me before, not recently, but in the
20 past at CACC meetings and elsewhere.

21 We need to expand. The mandate was from
22 the Board of Trustees of the California State
23 University System. Our college population is
24 expanding. San Diego State is a wonderful place. I
25 am happy to be affiliated with it. I have enjoyed my

1 career, and I would like to see us have the capacity
2 to serve more students and to serve them well. The
3 faculty and staff administration of San Diego State
4 seek to provide excellence in education. I believe
5 we do so, and we would like to continue doing so.
6 And we would like to continue to shoulder our share
7 of responsibility for educating young folks of
8 California.

9 MR. COLLINS: Thank you, Dr. Hornbeck.

10 SDSU has been serving the higher education
11 of the San Diego region for over 110 years. It is
12 the largest university in San Diego County and the
13 fifth largest in the state. We award upwards of
14 8,000 degrees each year, producing leaders in a
15 variety of industries.

16 SDSU graduates make up two-thirds of the
17 region's teachers, the majority of the region's
18 nurses with bachelor's degrees, and half the region's
19 engineers. All told, SDSU generates an annual
20 economic impact of \$3.5 billion to the San Diego
21 economy.

22 Community service is an important component
23 of the SDSU experience. Our students contribute more
24 than 3 million hours each year for community service
25 in programs such as the City Heights Educational

1 Collaborative, the SDSU Sweetwater Compact for
2 Success, and Nurses Now.

3 Increasing access to quality higher
4 education is one of the most important challenges
5 facing San Diego today. Our region's industries are
6 requiring a more educated workforce, and the demand
7 for higher education continues to grow. The CSU
8 Board of Trustees has decided that no new campuses
9 will be built. So it is up to the existing campuses
10 to meet the increasing demand for higher education in
11 the region and the state.

12 The Campus Master Plan serves as the
13 blueprint for the growth and development of the
14 campus for the next 20 years. Because SDSU is
15 reaching the limit of the current Master Plan, we are
16 seeking a revision to ensure that we can continue to
17 fulfill our mission of ensuring access to a
18 university education for all qualified students who
19 seek it.

20 With that, let me introduce my brother from
21 another mother, Tony Fulton, director of SDSU's
22 Facility and Planning Design Construction, who will
23 talk you through the components of the Master Plan.
24 Tony.

25 MR. FULTON: Thank you, Steven.

1 As some of you know, we went through this
2 process several years ago of updating our Master
3 Plan. And that plan was approved by our Board of
4 Trustees in September 2005. Since that time the
5 California Supreme Court issued a ruling in the case
6 of the City of Marina versus the CSU Board of
7 Trustees which resulted in the need for CSU to
8 decertify the Master Plan for San Diego State and set
9 aside its approval. Because the need for the Campus
10 Master Plan revision remains, we have revised that
11 plan to reflect current circumstances, and are now
12 preparing a new EIR.

13 Let me tell you a little bit about the City
14 of Marina decision. The City of Marina decision
15 requires the CSU to seek funding for its fair share
16 of costs for off-site infrastructure improvements
17 needed as a result of the university's development.
18 This decision not only applies to the entire CSU
19 system, but it applies to community colleges, UC, and
20 other state agencies.

21 We are currently working with the City of
22 San Diego to discuss what that fair share mitigation
23 obligation ought to be as a result of our campus
24 Master Plan. Once our fair share is determined, we
25 will need to make a funding request to the

1 legislature of the State of California. The
2 legislature is not, at this point, dealing with it.
3 It is brand new to them as well. So we can
4 anticipate that there will be a lot of mutual
5 lobbying of the legislature in order to fulfill the
6 requirements of the Master Plan. Necessary
7 mitigations for these off-site impacts and SDSU's
8 fair share, however, will be addressed in the EIR;
9 and there will be a fair share obligation discovery.

10 The 2007 Campus Master Plan revision is a
11 comprehensive plan that will help us accommodate and
12 house more students on campus. It incorporates
13 increased academic space, increased student housing
14 and services, and faculty and staff housing for our
15 faculty and staff.

16 Because SDSU has reached its current
17 enrollment ceiling of 25,000 FTE, full-time
18 equivalent students, we are seeking to increase that
19 enrollment capacity to 35,000. The demand for
20 admission to San Diego State continues to grow. We
21 received a record 57,600 applications for 9,000
22 available spots for fall of 2007. This is fully a
23 9 percent increase from last year. Increasing our
24 enrollment capacity will allow San Diego State to
25 continue to produce the qualified graduates that help

1 fuel San Diego's workforce, a very important
2 imperative for us.

3 The Master Plan proposes now, as opposed to
4 the last time, housing for an additional 1,400
5 student beds on campus. This is an increase of
6 approximately 40 percent of the current number of
7 beds we currently have on campus. Because of the
8 uncertainty of a redevelopment project adjacent to
9 the campus, the Master Plan includes a significant
10 increase in the number of beds on campus in order to
11 ensure that student housing is provided in a timely
12 manner. This last fall we had a waiting list for
13 student housing of well over 600 beds before we had
14 to cut it off, primarily because we don't have enough
15 housing. We need to build it now.

16 In an effort to become a more residential
17 campus our goal is -- still remains to house
18 25 percent of our students either on campus or within
19 one mile of campus in university-affiliated housing
20 or nearby apartment complexes. Additionally, we are
21 talking with private developers about constructing
22 student housing around trolley stations. So that
23 students have convenient access to campus without a
24 car.

25 The trolley has already been a tremendous

1 impact and success at San Diego State. More than
2 4,000 trolley passes have been sold to students, and
3 traffic around the campus has decreased despite an
4 increase in enrollment.

5 New classroom and sports facilities for the
6 university will need to be also provided, and we plan
7 on housing those at our Alvarado Campus on land that
8 is currently owned by our San Diego State Research
9 Foundation. Approximately 715,000 square feet of
10 space will house new facilities for the colleges of
11 education, engineering, health and human services,
12 and the sciences. A parking structure with 1,800
13 cars is also part of that plan to support that
14 expansion of that location. Our plans for this site
15 are consistent with plans that were previously
16 proposed in the college community redevelopment plan,
17 exactly the same number of square footage.

18 In the Adobe Falls area, exactly north of
19 I8 in Del Cerro, this was proposed as the site for
20 high quality, affordable faculty and staff housing.
21 San Diego's housing costs are some of the highest in
22 the nation, and this is impacting the university's
23 ability to recruit and maintain outstanding faculty
24 and staff. Providing a more affordable housing
25 option close to campus will help San Diego State with

1 its recruitment and retention efforts for faculty and
2 staff.

3 In 2005, a conceptual plan was developed
4 that included up to 540 units for this site. As a
5 result of further study, the number of units proposed
6 has been reduced from the original plan. We are now
7 proposing up to 370 units of development on the site,
8 no more than 70 units for what we call the upper
9 village area, and no more than 300 units for the
10 lower village area.

11 We have begun discussions with leaders in
12 the Del Cerro community about this proposal and hope
13 to work closely with them in the coming weeks to
14 refine and discuss the details of this project. EIR
15 for this project will analyze the upper village at
16 the project level, meaning that following project
17 approval by the Board of Trustees and certification
18 of the EIR, no further environmental review will be
19 necessary.

20 The lower village, however, will be
21 analyzed at the program level. Very conceptual,
22 it will require further public and environmental
23 review and a subsequent action by the Board of
24 Trustees before anything can be constructed in this
25 area.

1 It is important to note, if approved, this
2 project will be phased over several years. We do not
3 intend to build 370 units all at once. As part of
4 the environmental analysis for Adobe Falls a
5 feasibility analysis of alternate access routes will
6 be conducted. As SDSU agreed to do in discussions
7 with the community in the previous EIR, we will do
8 that analysis and do it more thoroughly. The project
9 will incorporate public trails that will allow
10 neighbors access to the falls and open space area.
11 The native habitat and the wet lands will also be
12 preserved and enhanced as part of the project.

13 In our previous Master Plan we proposed a
14 site for a student union building. The students have
15 now voted to build that structure and are waiting for
16 this Master Plan to be endorsed so that they can
17 begin the design and construction of that facility.
18 A new student building has been proposed now adjacent
19 to the east area of Cox Arena, and that will be
20 coupled with the renovation to the existing
21 Aztec Center and will provide all additional space
22 for meetings, food, and retail services, recreational
23 amenities, and student organizational office. They
24 have recently approved to build this facility and
25 instituted a fee to build this facility. So we are

1 waiting for this Master Plan to be approved to go
2 ahead with that.

3 Lastly, the Alvarado Hotel was proposed the
4 last time. It is still there proposed for
5 120 rooms with studio suites that will provide nearby
6 accommodations for guests of the university, visiting
7 scholars, and conference attendees. It will also
8 provide internships for students in SDSU's hotel and
9 tourism management program.

10 We have listed here the areas of study
11 which will be studied in the EIR. These are areas
12 which will address and analyze potential impacts that
13 are the result of these projects in the campus's
14 expansion. We have a handout available which
15 describes each of these study areas in more detail.
16 If you will notice, the preparation discusses these
17 areas; and this is the subject of your comments this
18 evening, to let us know if there are areas that we
19 have not studied.

20 Throughout the review process of the Campus
21 Master Plan Revision we will be meeting with a number
22 of stakeholders that have interest in the plan. We
23 will be working with community groups, our neighbors,
24 regional organizations, and public agencies.
25 Comments on the NLP will be accepted through March

1 the 7th. We anticipate that the draft EIR will be
2 available for public review and comment in April of
3 this year and that the plan will be presented to the
4 Board of Trustees at the meeting on September 18th
5 and 19th of this fall.

6 If you would like some more information
7 after tonight's meeting, please visit the project
8 website at www.sdsu.edu/masterplan or call my office,
9 Facilities Planning, Design and Construction,
10 619-594-5224, and we can provide you with
11 information.

12 After the meeting, we will be very happy to
13 be out here in the lobby to answer any casual
14 questions that you have, but if there are answers
15 that you want publicly recorded, you need to follow
16 the procedures that Steven outlined and speak them so
17 that we can formally answer them in writing or
18 address them through the EIR process. With that I
19 will turn it back over to Steven who can help
20 facilitate your comments this evening.

21 MR. COLLINS: Thank you, Tony.

22 I will begin by calling the first three
23 speakers. Please line up behind the microphone on
24 the left side of the auditorium. After each speaker
25 is done, I will call the next speaker on deck who can

1 join the other speakers waiting for their turn to
2 comment. Our first speaker tonight is
3 Michael McSweeney, Jim Call, Steve Gilbert. You have
4 two minutes, please.

5 MR. MCSWEENEY: Thank you, Steven. My
6 question is how does SDSU go about projecting the
7 increase in enrollment? And the reason for my
8 question is eight years ago the San Diego Unified
9 School District expected enrollment to surge. And
10 part of the bond measure, and the reason for passing
11 it, was the increase in students to the district.
12 Where eight years later instead of the surge, we are
13 now 40,000 students less. So I was just wondering
14 what your methodology is and how you go about
15 determining that surge. Because you have to plan so
16 far into the future, what happens if that surge isn't
17 what you planned for?

18 MR. COLLINS: Thank you, Mike. Jim Call,
19 Steve Gilbert, and Cory Harp.

20 MR. CALL: Hi. My concern is with the
21 Adobe Falls project --

22 MR. COLLINS: Spell your last name, please.

23 MR. CALL: C-a-l-l.

24 -- is with the Adobe Falls project. In the
25 last study I believe you did your traffic study in

1 the summertime when the schools were out. So I would
2 like some confirmation that you actually will do your
3 studies when all of the schools are in.

4 Also, in the last proposal I believe you
5 had retired facilities -- or facilities for the
6 retired faculty. And based on your presentation
7 tonight, I don't understand how retired faculty will
8 help you teach additional students at San Diego
9 State. So I would like clarification that there
10 won't be any retired faculty facilities at the
11 location.

12 And also, when you are looking at
13 alternatives for the traffic, I would like to know
14 that you are looking at all alternatives, including a
15 bridge over the 8 or a tunnel under it, and also
16 access on the west side of your location to Waring
17 Road and that you are going to look for the optimal
18 solution, not just the most expeditious and cheapest
19 solution to solve that traffic problem. Thank you.

20 MR. COLLINS: Steve Gilbert is not here.
21 Cory Harp.

22 MR. SHARP: It's Sharp.

23 MR. COLLINS: Sharp?

24 MR. SHARP: Sharp.

25 MR. COLLINS: Okay. If you will give us

1 your address, please.

2 MR. SHARP: 5637 Adobe Falls Place.

3 MR. COLLINS: Joe Colmie, Anita Colby,
4 Dr. Norman Mann.

5 MR. SHARP: Can I get the hands of all the
6 Del Cerro residents that are here tonight? All
7 right. My name is Cory Sharp. I am the founder of
8 the save Del Cerro.com website. I was also the chair
9 of the Save Del Cerro Committee -- former save
10 Del Cerro chair.

11 I have spent numerous hours -- I have spent
12 about nine months -- numerous hours meeting with
13 politicians and lawyers and SDSU staff. Though I am
14 not an expert, I have got a pretty good idea of what
15 is going to happen and what we are about to encounter
16 here.

17 From the beginning SDSU has always shown an
18 arrogance as a state-sponsored organization.
19 It is obvious by this new Master Plan that they plan
20 to destroy our community. The last Master Plan
21 caused SDSU to be publicly humiliated and
22 embarrassed, both within the San Diego community and
23 within the trustees.

24 To help solve this problem SDSU has hired a
25 political consultant at \$10,000 a month on the

1 taxpayer dime to help navigate the political waters
2 and to help the community and sway public opinion.
3 Both SDSU and our politicians were caught off guard
4 and not prepared to handle the outrage that came out
5 of Del Cerro.

6 I want to be very clear with this next
7 statement: SDSU will not be embarrassed again. They
8 have a game plan. It is well played out. It is well
9 funded, and they will not lose again. With this new
10 and improved Master Plan, the politicians will have
11 no choice but to jump aboard. So we have lost that
12 avenue. The cards are not stacked in our favor. We
13 have many hurdles to overcome. We might have won the
14 battle last -- with the last lawsuit, but the war is
15 far from being over.

16 MR. COLLINS: Thank you, Mr. Sharp.

17 MR. SHARP: It is my humble opinion that
18 this meeting does not -- do nothing but help our
19 cause in any way because SDSU has already decided
20 that they are not going to -- that they are going to
21 destroy our community. It is also my opinion that
22 this meeting only helps SDSU and their attorneys to
23 better understand how to fight Del Cerro residents.

24 As far as I am concerned this meeting is
25 over. Because no matter what we say here tonight, it

1 will not change one thing in this Master Plan.

2 MR. COLLINS: Mr. Sharp --

3 MR. SHARP: Now is the time to come
4 together as a community. I respectfully ask that you
5 now join me outside, and trust together that we can
6 save our community. Thank you.

7 MR. COLMIE: Joe Colmie, C-o-l-m-i-e.
8 5667A Adobe Falls Road. I reside in a condo complex
9 entitled Smoketree Adobe Falls.

10 My one comment -- and after looking at the
11 pictures, I am not so sure how applicable it is, but
12 from my reading it seemed to be that you plan
13 single-family housing in the upper village and the
14 multiple-story housing in the lower village. And we
15 would ask that you construct as much single-family
16 housing in the lower village as possible. Our condo
17 complex borders the north and west borders of your --
18 the Adobe Falls area. And so we would like to
19 minimize noise that would probably come from
20 multi-story buildings.

21 The other comment I would like to make is
22 in relation to what was previously said. Running a
23 road through our place in order to support the
24 Adobe Falls building is absolutely unacceptable. All
25 our roads there are private roads. They are not

1 designed to be public streets.

2 MR. COLLINS: Thank you, sir.

3 THE PUBLIC: Could you turn that other mic
4 up so we can hear them better?

5 MR. COLLINS: Agatha Grainey.

6 MS. COLBY: Anita Colby. 5563B Adobe Falls
7 Road. I am concerned about the -- I am concerned
8 about the cumulative traffic impact regarding Del
9 Cerro residents access to Alvarado Hospital. It is
10 not really covered in the NLP. Under "hazards" it
11 says that there is no impact. And then understand
12 public service access -- the hospital access isn't
13 listed. Specifically, for example, I am concerned
14 that if I get stung by a bee and I use my epi pad and
15 I have 20 minutes to get to the hospital, can I still
16 make it? I can make it in 10 now, and I would like
17 to see what the cumulative impact of what the traffic
18 is going to be.

19 MR. COLLINS: Marcia Eiseman.

20 MR. MANN: I am Dr. Norman Mann, M-a double
21 n. 5056 54th Street San Diego, just south of
22 Montezuma.

23 Number one is I don't see why San Diego
24 State has to expand. You have San Marcos. We have
25 plenty of room in the South Bay area which would

1 facilitate another university. I am very proud to be
2 near San Diego State because I use the gym facilities
3 and love walking through the campus. I admit that
4 San Diego State is a very well integrated campus and
5 I respect it.

6 On the other hand, living so close to the
7 school on 54th Street, they have created an
8 abomination at least from the impact of educating the
9 students. They do not know how to live in a
10 single-family community, parties, beer, alcohol, and
11 other types of nuisance developments. So from that
12 standpoint, I realize that with all the dorms you are
13 going to put in most of the students want to live off
14 the campus.

15 My third problem with San Diego State is
16 you talk about a school with looking at judgment.
17 San Diego State for the last number of years has been
18 taking massive ads from Miller Lite Brewing Company.
19 They are all over the campus, the gym, the Cox, the
20 baseball field, the women's baseball diamond, the
21 outdoor theatre; and I suspect I see a sign going up
22 in the swimming pool area. I am just waiting to see
23 if there is a Miller Lite sign at that area. So from
24 the standpoint of judgment, any school that has a bar
25 on the campus, that also takes money from Miller

1 Lite, I have a feeling that I am not so confident in
2 their judgment. Thank you very much.

3 MR. COLLINS: Thanks, Dr. Mann.

4 THE PUBLIC: Marcia Eiseman is next.

5 MS. EISEMAN: I haven't prepared this
6 question. My name is Marcia Eiseman, E-i-s-e-m-a-n,
7 at 6166 Arnold Drive. We are asking these questions.
8 Who are going to answer them? Are we here just to
9 talk, just to voice our opinions, and nobody is here
10 to answer us?

11 MR. COLLINS: We are taking -- go ahead.

12 MR. FULTON: The purpose of this meeting is
13 to hear your comments about the scope of the EIR, and
14 to ask us if we have addressed those items or will we
15 address those items. It is not to be a dissertation
16 about questions and answers, because at this point we
17 have not completed the draft EIR, nor do we have the
18 appropriate answers to your questions.

19 We will answer your questions. If you pose
20 a question to this group, we will answer your
21 questions through the draft EIR process, rather than
22 stand here and have oral discussion about things.
23 And that is the purpose of the scoping meeting.

24 MS. EISEMAN: Okay. My questions. Number
25 one, it seems to me that SDSU has open pockets. You

1 are a state university. You live by the taxes of the
2 people here in California. And I would like to know
3 where this budget is coming from that you are able to
4 hire lawyers, consultants, mailings, that are costing
5 so much money to keep on this thing. I really would
6 like to know where the money is coming from. Has the
7 State given you a specific budget? Are you taking
8 this money away from the students, or where is it
9 coming from?

10 Number two, I would like to know if
11 Dr. Webber, who lives in Alvarado Heights here -- or
12 Gardens, and his staff has personally driven between
13 7:30 and 8:30 in the morning and 4:00, 4:30 in the
14 afternoon from Adobe Falls to SDSU and back again.
15 If they can see the congestion of what is going on
16 with parents, children, people going back and forth
17 to work.

18 My third comment is I spoke to Mr. Aguirre
19 of the City Attorney's office. And he said that his
20 office is looking into the Qualcomm Stadium for SDSU.
21 And I would like to know is that a viable choice or
22 is that just pie in the sky. Thank you.

23 MR. COLLINS: Thank you.

24 MS. GRAINEY: My name is Agatha Graney,
25 G-r-a-n-e-y. I live at 6142 Arnold Drive.

1 As much as I -- no, I was not relieved to
2 see 370 units. That means that the traffic is only
3 seven times our present traffic instead of is ten
4 times our present traffic. That is a major concern
5 to me.

6 I -- on a different note, I wondered if you
7 have put into your mind a little more creativity. I
8 notice that on the corner of Waring and Adobe Falls
9 Road there is a new project -- housing project going
10 up. I am wondering is it any less expensive for the
11 university to buy that project from the Lyon Company
12 and then everybody might be happy. That is it.

13 MR. COLLINS: Thank you.

14 MS. BRUNKOW: My name is Anne Brunkow. I
15 am the president of the Del Cerro Action Council.
16 Address -- thank you. Address is PO Box 600801,
17 San Diego, 92160. My address is also, my home
18 address is 5658 Rayman Avenue, San Diego, California,
19 92120.

20 The first comment I would like to make --
21 first of all I was extremely disappointed in the lack
22 of detail in your description of the Adobe Falls
23 project tonight and your intentions. But my first
24 comment is that in the EIR for 2005, SDSU expressed a
25 commitment to doing a program level EIR for the Adobe

1 Falls project prior to doing a project-specific EIR.
2 And I am concerned because now the upper village is
3 going to a project-specific analysis prior to any
4 valid program level review being done. So I would
5 like that considered.

6 Secondly, I believe that SDSU should
7 consider the cumulative impacts in the EIR rather
8 than separate impacts of each level of development,
9 because this whole project is going to have a
10 combined impact on the surrounding communities. So I
11 feel it important, number one, not to separate them
12 in terms of program and project-specific review, but
13 also to review the cumulative impact even if SDSU
14 goes forward with project-specific for the upper
15 development.

16 And finally, as far as that point is
17 concerned, in a project-specific analysis I would
18 like more specificity than what has been set forth so
19 far, than up to 70 units. I believe that for
20 project-specific analysis you need more specificity
21 regarding the number of units.

22 Secondly, I want to remind SDSU that the
23 City of Marina decision indicated that public
24 agencies have a requirement to either avoid or
25 mitigate the significant impacts of their projects.

1 So while it is comforting to know that SDSU is going
2 to request funding for the mitigation requirement, I
3 want to remind SDSU that not only do you need to
4 request that funding from the legislature, but you
5 simply need to mitigate. So assuming that the
6 legislature denies your request for funding, that
7 does not eliminate your responsibility to mitigate
8 the project.

9 I would also like to see a detailed traffic
10 analysis of the traffic impacts and safety impacts on
11 the surrounding community. I would like to see, as
12 SDSU has acknowledged in a previous meeting with
13 myself and other members of the Del Cerro Action
14 Council, that they acknowledge that our streets are
15 local residential streets as classified in the San
16 Diego Traffic Manual.

17 MR. COLLINS: Thank you, Anne.

18 MS. BRUNKOW: I have a few more comments.

19 I would like a detailed engineering and
20 analysis of alternative access routes and the
21 alternative for a lower density of this project. I
22 would like an analysis of all emergency access
23 impacts because that was absent in the first
24 go-round.

25 And finally, what I would like SDSU to

1 do -- it notes on -- let's see -- page 11 and 12 of
2 the NLP that there are other agencies whose approval
3 may be required such as the U.S. Army Corps of
4 Engineers, the U.S. Department of Fish and Wildlife
5 Services, et cetera, et cetera. You know who they
6 are. I would like you to do a preliminary consult
7 with them regarding the feasibility of building in
8 Adobe Falls and whether or not you would even get a
9 permit in the first place to build there. Thank you.

10 MR. COLLINS: Thank you, Anne.

11 Thank you all for your comments tonight.
12 As we move through the process of the 2007 Campus
13 Master Plan Revision, we will continue meeting with
14 stakeholders that are interested in the plan. We
15 encourage your continued participation and comments.
16 As a reminder, if you would like more information
17 about the plan, please visit our website at
18 www.sdsu.edu/masterplan or call Facilities, Planning,
19 Design, and Construction at 619-594-5224. Thank you
20 again for your participation in tonight's meeting.

21 MS. SCHRAER: Can I please make a comment?

22 MR. COLLINS: Sure.

23 MS. SCHRAER: My name is Miriam Schraer. I
24 live in Del Cerro at 6067 Bounty Street.

25 MR. COLLINS: Would you spell your last

1 name, please.

2 MS. SCHRAER: S, as in Sam, c-h-r-a-e-r.

3 I have a question, which is when SDSU plans
4 to increase by 10,000 students, are they going to
5 guarantee four years in dorms for those students or
6 just one, two, or three years? And if it is not four
7 years, where do they expect those students to live
8 when they leave the dorms? Because they find houses
9 in our neighborhoods and change our whole
10 neighborhood. And it seems like the university is
11 not responsible for how that is affecting us. So I
12 would like to know how many years of dorm space is
13 guaranteed to the student when you expand and also
14 right now.

15 The second question I have is have you read
16 the article that was recently in the LA Times about
17 the USC study on effects of living within 500 yards
18 of a freeway on children? I have an article here
19 that I would like to hand out to everyone before you
20 leave. I will read just a little bit of it. "In the
21 largest and longest study of its kind USC researchers
22 have found that children living near busy highways
23 have significant impairments in the development of
24 their lungs that can lead to respiratory problems for
25 the rest of their lives. The 13-year study of more

1 than 3,600 children in 12 Central and Southern
2 California communities found that the damage of
3 living within 500 yards of a freeway is about the
4 same as that from living in communities with the
5 highest pollution levels, the team reported
6 Thursday."

7 By the way, I believe the Adobe Falls site
8 and Qualcomm are both within 500 yards of a freeway.
9 "'This tells me I wouldn't want to be raising my
10 children near a significant source of fine particle
11 air pollution,' said economist C. Arden Pope III of
12 Brigham Young University, an expert on air pollution
13 and health who was not involved in the study. 'I
14 myself would want to be living in areas where the
15 exposure is lower.' The concern is that the exposure
16 leaves young adults with smaller lungs than they
17 might have had otherwise. This could leave them more
18 vulnerable to lung diseases and more susceptible to
19 the effects of pneumonia and other infections.

20 "All researchers conceded that there is
21 little that can be done to mitigate the effects of
22 the traffic pollution now. But when local
23 governments and universities are planning new schools
24 and new housing developments, this should be taken
25 into account."

1 MR. COLLINS: Thank you very much.

2 MS. SCHRAER: I would like to also say just
3 one more short thing.

4 I read in the paper that SDSU is
5 considering a satellite campus in Chula Vista. I
6 think this would be much better for everybody because
7 you would not be damaging our community, you would
8 not be damaging people's lungs, and I hope you will
9 consider that. Thank you.

10 MR. COLLINS: Thank you very much. That
11 concludes our program for tonight. Thank you all for
12 coming and have a safe drive home.

13 (Proceedings concluded at 7:15 p.m.)

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1 I, NICOLE R. HARNISH, Certified Shorthand Reporter
2 for the State of California, do hereby certify:

3

4 That the foregoing proceedings were reported by me
5 stenographically and later transcribed into typewriting
6 under my direction; that the foregoing is a true record
7 of the proceedings taken at that time.

8

9

10

11

12 IN WITNESS WHEREOF, I have subscribed my name this
13 4th day of March, 2007, at San Diego,
14 California.

15

16

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NRH.
NICOLE R. HARNISH
C.S.R. NO. 13101

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**[REVISED] NOTICE OF PREPARATION OF
DRAFT ENVIRONMENTAL IMPACT REPORT; INITIAL STUDY
SAN DIEGO STATE UNIVERSITY
2007 CAMPUS MASTER PLAN REVISION
(SCH No. 2007021020)**

FILED
Gregory J. Smith, Recorder/County Clerk

APR 18 2007

BY A. Consul
DEPUTY

Prepared for:
**The Board of Trustees of the
California State University
401 Golden Shore
Long Beach, California 90802**

Prepared by:
**San Diego State University
Facilities Planning, Design and Construction
5500 Campanile Drive
San Diego, California 92182-1624**

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Deputy A. Consul

April 17, 2007

**[REVISED] NOTICE OF PREPARATION OF A
DRAFT ENVIRONMENTAL IMPACT REPORT**

To: State of California Office of Planning and Research State Clearinghouse 1400 Tenth Street Sacramento, California 95812	From: Lauren Cooper, Associate Director Facilities Planning, Design and Construction Business and Financial Affairs San Diego State University 5500 Campanile Drive San Diego, California 92182-1624
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Notice: On February 2, 2007, a Notice of Preparation of Draft Environmental Impact Report ("EIR"); Initial Study ("NOP/IS") was circulated in connection with the San Diego State University ("SDSU") 2007 Campus Master Plan Revision project ("proposed project"). Since that date, SDSU has determined to revise the proposed project in two respects. First, in response to comments submitted by residents of the surrounding College Area community, SDSU has revised the proposed project to provide for the near- and long-term development of an additional 1,576 on-campus student housing beds. Second, the proposed project has been revised to provide for the long-term development of a 70,000 gross square foot ("GSF") Campus Conference Center on the central campus, in addition to a 70,000 GSF expansion/renovation of the existing Aztec Center. In all other respects, the proposed project remains the same as the one described in the February 2, 2007 NOP/IS.

The Board of Trustees of the California State University will be the Lead Agency with respect to preparation of a draft EIR for the proposed project. We need to know the views of your agency regarding the scope and content or the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency may need to use the EIR when considering permits or other project approvals. The failure of an agency to respond to this notice, or otherwise object to the conclusions made in the accompanying Initial Study, may prevent that agency from later asserting that issues excluded by the Initial Study should have been included in the Draft EIR. **However, please note that all written comments submitted in response to the February 2, 2007 NOP/IS have been reviewed by SDSU staff and will be made a part of the Draft EIR prepared for the proposed project. For that reason, it is not necessary for commentors to re-submit those comments previously submitted to SDSU in response to the February 2 NOP/IS.**

A description of the proposed project as revised, the project location, and the probable environmental effects, are contained in the Initial Study, which follows this Notice.

Due to the time limits mandated by state law, your response must be sent at the earliest possible date, but not later than 30 days after receipt of this Notice. Please send your written response to: Lauren Cooper, Associate Director, Facilities Planning, Design and Construction, San Diego State University, 5500 Campanile Drive, San Diego, California 92182-1624. We also will need the name of the contact person in your agency.

Project Title: San Diego State University ("SDSU") 2007 Campus Master Plan Revision

Location: San Diego State University Campus and adjacent areas, San Diego, California

Distribution List: A list of the federal, state and local agencies, organizations, and individuals to whom this Notice has been distributed is provided at Section 6.0 of the attached Initial Study.

INITIAL STUDY

PREFACE

On February 2, 2007, a Notice of Preparation of Draft Environmental Impact Report ("EIR"); Initial Study ("NOP/IS") was circulated in connection with the San Diego State University ("SDSU") 2007 Campus Master Plan Revision project ("proposed project"). Since that date, SDSU has determined to revise the proposed project in two respects. First, in response to comments submitted by residents of the surrounding College Area community, SDSU has revised the proposed project to provide for the near- and long-term development of an additional 1,576 on-campus student housing beds. Second, the proposed project has been revised to provide for the long-term development of a 70,000 gross square foot ("GSF") Campus Conference Center on the central campus, in addition to a 70,000 GSF expansion/renovation of the existing Aztec Center. In all other respects, the proposed project remains the same as the one described in the February 2, 2007 NOP/IS. Revisions to the February 2007 NOP/IS Project Description are noted in a document compare format, with new/additional text shown in **boldface type**, and deleted text shown in ~~strikeout~~.

All written comments submitted in response to the February 2, 2007 NOP/IS have been reviewed by SDSU staff and will be made a part of the Draft EIR prepared for the proposed project. For that reason, it is not necessary for commentors to re-submit those comments previously submitted to SDSU in response to the February 2 NOP/IS.

1.0 INTRODUCTION

In September 2005, the Board of Trustees of the California State University ("CSU") approved the SDSU 2005 Campus Master Plan Revision, and certified the EIR prepared for the project as adequate under the California Environmental Quality Act, Public Resources Code §§21000, *et seq.* ("CEQA"), and its implementing state guidelines, 14 Cal.Code Regs. §§15000, *et seq.* ("CEQA Guidelines"). The following month, lawsuits were filed in San Diego Superior Court challenging the adequacy of the EIR. One of the issues raised in the lawsuits was whether CSU was responsible for the mitigation of significant impacts to off-campus roadways that would be caused by the project. In July 2006, the California Supreme Court ruled against CSU on this point in *City of Marina v. Board of Trustees of The California State University* (2006) 39 Cal.4th 341. As a result of the California Supreme Court's decision, CSU set aside its approval of the 2005 Campus Master Plan Revision project, and its related certification of the 2005 EIR.

CSU now proposes the 2007 Campus Master Plan Revision project ("proposed project"), which, as described below, incorporates certain components from the 2005 Campus Master Plan Revision project, deletes certain other components, and adds certain other components. This Initial Study has been prepared by SDSU Facilities Planning, Design and Construction, to address the potential environmental effects associated with the proposed project. The proposed project is located on the SDSU central campus and areas immediately adjacent to the central campus in San Diego, California. The Lead Agency for the proposed project is the Board of Trustees of the California State University.

The purpose of this Initial Study is to provide information to use as the basis for determining whether to prepare an EIR or a negative declaration in compliance with CEQA and the CEQA Guidelines. If an EIR is determined to be required, this Initial Study will assist in preparing the EIR by, among other things, (a) focusing the EIR on the environmental effects determined potentially to be significant; (b) identifying the effects determined not to be significant; and (c) explaining the reasons for determining that potentially significant effects would not be significant. This Initial Study has been prepared in accordance with the provisions of CEQA and the CEQA Guidelines. Specifically, this Initial Study is intended to satisfy the "content" requirements of CEQA Guidelines §§15063(d)(1)-(6).

1.1 PROJECT TITLE

SDSU 2007 Campus Master Plan Revision

1.2 LEAD AGENCY NAME AND ADDRESS

Board of Trustees of the California State University
Office of the Chancellor
401 Golden Shore
Long Beach, California 90802
(562) 951-4020

1.3 CONTACT PERSON AND PHONE NUMBER

Lauren Cooper
Associate Director of Facilities Planning, Design and Construction
Business and Financial Affairs
San Diego State University
5500 Campanile Drive
San Diego, California 92182-1624
(619) 594-5224

1.4 PROJECT LOCATION

San Diego State University central campus and adjacent area
San Diego, California

1.5 PROJECT SPONSOR'S NAME AND ADDRESS

San Diego State University
Facilities Planning, Design and Construction
Business and Financial Affairs
5500 Campanile Drive
San Diego, California 92182-1624

GENERAL PLAN/COMMUNITY PLAN DESIGNATION/ZONING

General Plan: Institutional

Community Plan: University Campus, Park

Zoning: Institutional/University Campus and Park/RI-5000

1.7 PROJECT DESCRIPTION

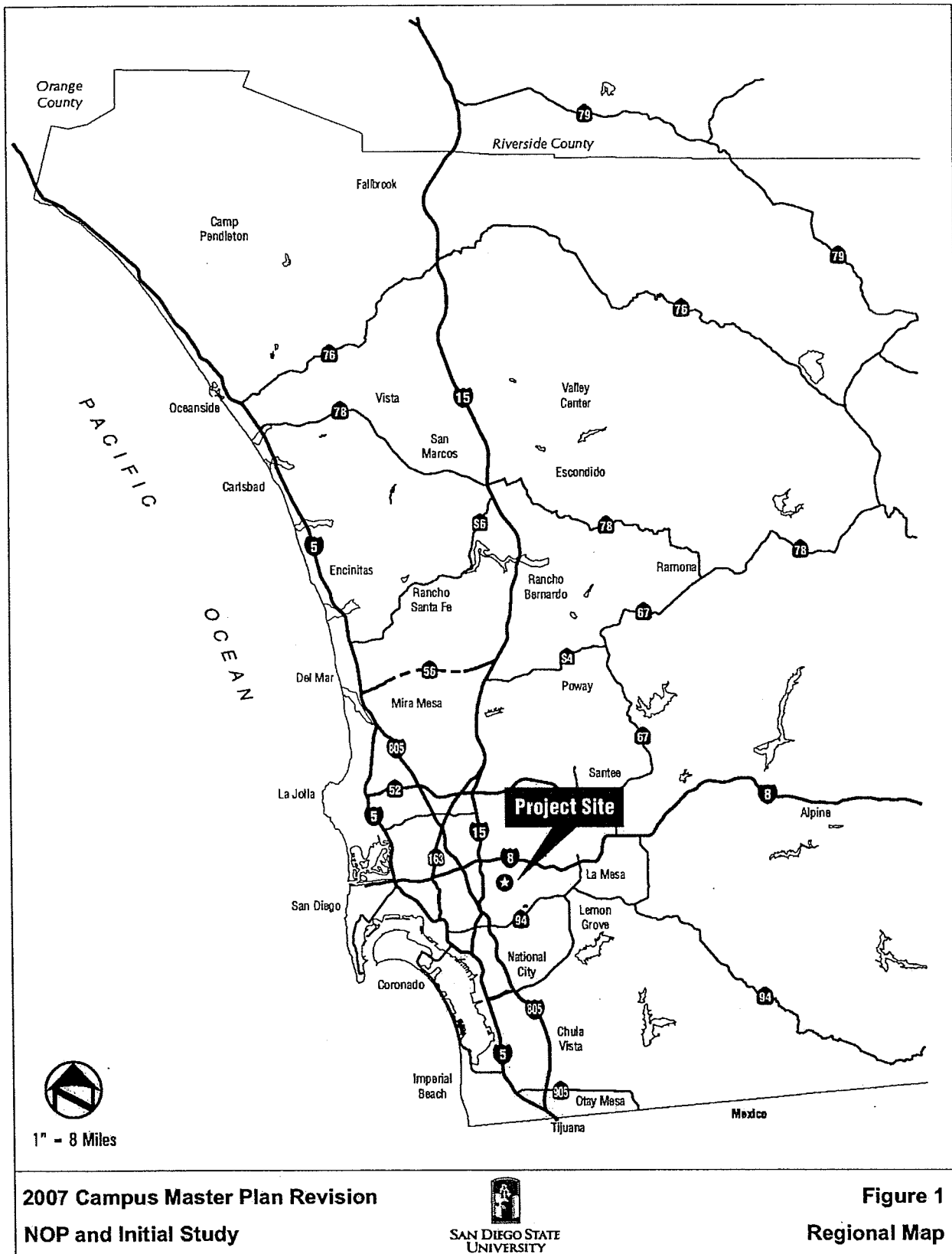
1.7.1 Local and Regional Setting

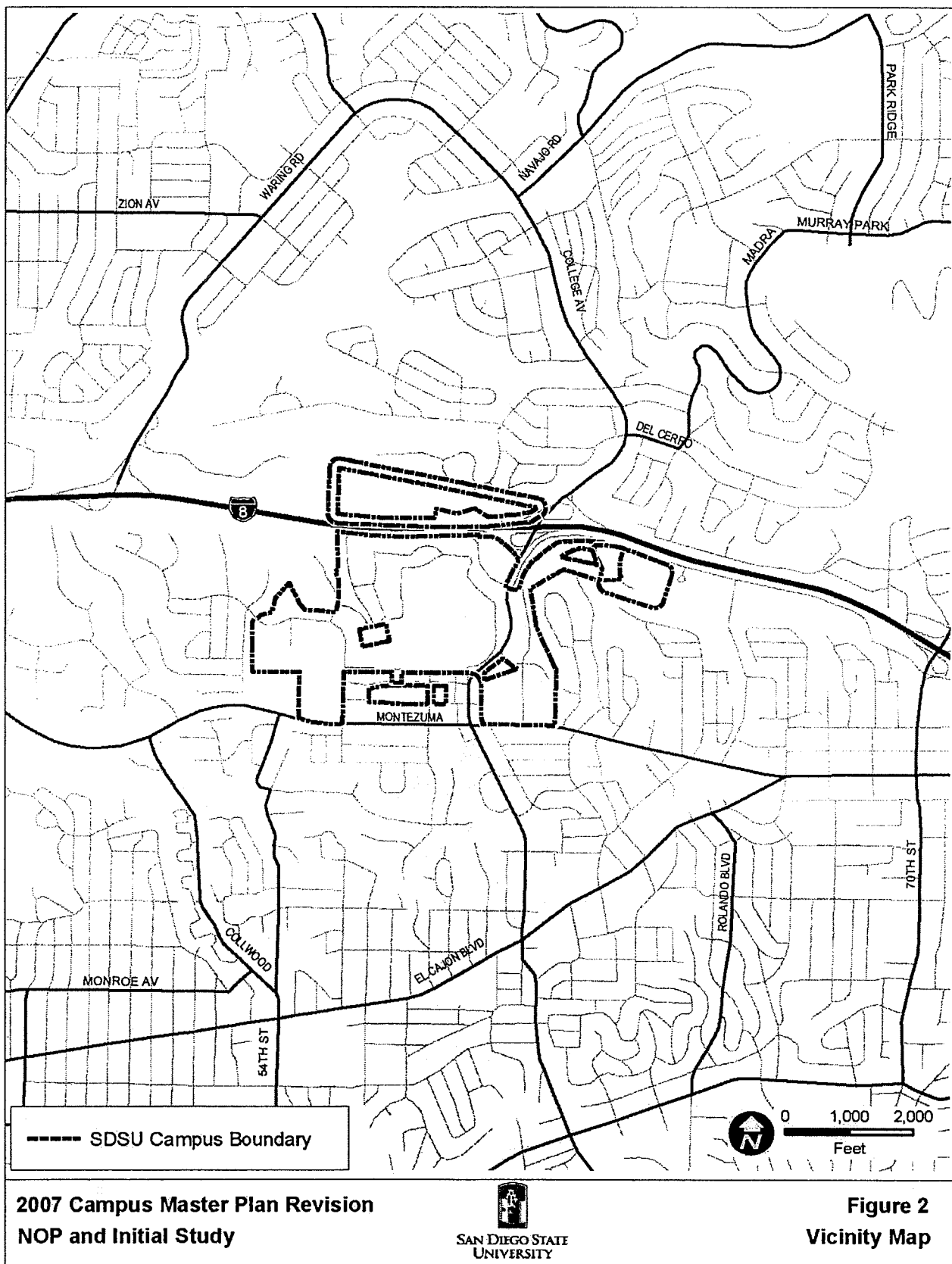
The project site is located on the SDSU campus, in the City of San Diego, approximately eight miles east of downtown. (See, **Figure 1, Regional Map.**) As shown on **Figure 2, Vicinity Map**, the general boundaries of the SDSU campus are Montezuma Road to the south, East Campus Drive to the east, 55th Street/Remington Road to the west, and Adobe Falls Road/Del Cerro Boulevard (lying north of Interstate-8 ("I-8")) to the north.

The SDSU campus is situated on approximately 280 acres of slightly undulating mesas, which are intersected by steep canyons. The campus setting is largely urban in nature, with the exception of the undeveloped Adobe Falls area lying north of I-8, and is comprised, primarily, of campus buildings interspersed with open space amenities.

The SDSU campus is located within the College Area and Navajo Community Planning Areas of the City of San Diego. **Figure 3, College Area and Navajo Communities**, shows the general boundaries of the College Area and Navajo Communities in relation to the SDSU campus. The College Area Community Plan and Navajo Community Plan, which are both components of the City of San Diego General Plan, designate the main campus as "University Campus or Redevelopment Project Area" and "Park," respectively. SDSU, which is state-owned property, is not subject to planning and zoning laws, zoning ordinances or local general or community plans of the City of San Diego, or any other local jurisdiction. In the event SDSU ever discontinued its use as a campus site, future non-university uses would be subject to the land use jurisdiction and permitting procedures of the City of San Diego.

A portion of the proposed project area lies within the Alvarado Road Sub-Area of the College Area Community Redevelopment Project adopted by the Redevelopment Agency of the City of San Diego on November 30, 1993. Under the Redevelopment Project, development of the Alvarado Road Sub-Area would include University-serving office, and research and development uses. The Third Implementation Plan for the College Area Community Redevelopment Project (2004-2009) sets forth the specific projects planned for the project area within the College Area Community through the year 2009. The Third Implementation Plan contemplates development of Phase I of the Alvarado Sub-Area in Fiscal Year 2006. The Redevelopment Agency does not anticipate tax increment from the Alvarado Road Sub-Area given its University-serving nature.







2007 Campus Master Plan Revision
NOP and Initial Study



Figure 3
College Area and Navajo Communities

For further information regarding the College Area Community Redevelopment Project, please refer to the Third Five-year Implementation Plan (2004-2009) adopted by the Redevelopment Agency of the City of San Diego on September 7, 2004. A copy of this document is available for public review at SDSU, Facilities Planning, Design and Construction, 5500 Campanile Drive, San Diego, California, contact person Lauren Cooper at (619) 594-5224.

1.7.2 Description Of Proposed Project

The proposed project is the adoption and subsequent implementation of the SDSU 2007 Campus Master Plan Revision. The Master Plan Revision will enable SDSU to meet projected increases in student demand for higher education, as well as further enhance SDSU's status as a premier undergraduate, graduate and research university. The proposed project will provide a framework for implementing SDSU's goals and programs for the campus by identifying needed buildings, facilities, improvements and services to support campus growth and development from the current SDSU enrollment of 25,000 full-time equivalent students ("FTES") to a new Campus Master Plan enrollment of 35,000 FTES by the 2024/25 academic year.

To accommodate the projected student increase, the proposed project involves the development of classroom, housing and student support facilities on approximately 55 acres of land located on the SDSU central campus and adjacent to it. (See, **Figure 4, Proposed Campus Master Plan.**) As depicted on Figure 4, the proposed project consists of the following ~~five~~six development components:

I. Adobe Falls Faculty/Staff Housing – This project component, which would be developed in two phases, consists of the development of faculty and staff housing on a site approximately 33 acres in size located north of I-8. The development would consist of an Upper Village and a Lower Village, and would include up to 370 housing units for University faculty and staff residences upon full buildout. This project component also would include a swimming pool, a 3,600 gross square foot ("GSF") community center, and recreation areas for resident use only. The Upper Village portion of the site would be developed in Phase 1, in the near-term following project approval, and would include 50-70 housing units. The Lower Village, which would be developed long-term, would include between 250 and 300 housing units. The total number of housing units ultimately to be developed on the site is dependent in part upon available access routes and associated vehicle carrying capacities.

II. Alvarado Campus - This project component, which includes an expansion of the current Campus Master Plan northeastern boundary to incorporate additional property, consists of the multi-phase development of approximately 612,000 GSF of academic/research/medical space, and a 552,000 GSF vehicle parking structure, in the northeastern portion of campus, as follows:

Phase 1 - D Lot: (i) Demolition of the existing structure at 6361 Alvarado Court (12,155 GSF); and (ii) the development of a new 5-story, 110,000 GSF building for academic uses;

Phase 2 - D Lot: Development of: (i) a 5-story, 85,000 GSF building to house mixed office/research and development uses displaced in subsequent phases from the Alvarado Core Site; and, (ii) a 5-story, 85,000 GSF building, 70,000 GSF to house existing medical/office tenants displaced in subsequent phases from the Alvarado Core Site, and 15,000 GSF to house mixed office/research and development uses displaced in subsequent phases from Alvarado Core Site;

Subsequent Phase/s - Alvarado Core Site: (i) Demolition of 5 existing office buildings [6475, 6495 and 6505 Alvarado Road; 6310 and 6330 Alvarado Court] totaling 116,523 GSF; (ii) the development of three 4/5-story, 100,000 GSF buildings, and one 4/5 story, 32,385 GSF building for academic uses; and (iii) the development of a 6/7-story 552,000 GSF parking structure for 1840 vehicles with 191 additional surface and existing parking spaces.

III. Alvarado Hotel – This project component, which would be constructed in the near-term following project approval, consists of the development of a 60,000 GSF, six-story building with up to 120 hotel rooms and studio suites, located on approximately 2 acres of existing Lot C, immediately north of Villa Alvarado Hall. The hotel, which would be owned by Aztec Shops and operated in cooperation with the SDSU School of Hospitality and Tourism Management, will contain a small meeting room, exercise room, board room, business center, **on-site restaurant**, and hospitality suite.

IV. Campus Conference Center – This project component, which would be constructed in the long-term, consists of the development of a new 70,000 GSF 3-story building on approximately one-half acre located east of Cox Arena for meeting/conference space.

V. Student Housing - This project component, which would be developed in ~~two~~**multiple** phases, includes the demolition of two existing student housing structures and the construction of ~~three~~**five** new housing structures, ultimately resulting in a net increase of ~~1400~~**2,976** new student housing beds on campus:

Phase 1 - G Lot Residence Hall: Near-term construction of a 10-story, ~~255,000~~**350,000** GSF Type-1 (reinforced concrete) structure to house ~~600~~**800** student beds, and the reconfiguration of existing G parking lot, which would result in a ~~50~~**90**% reduction in available surface parking spaces;

Office of Housing Administration and Residential Education (“HA/RE”): Near-term construction of a 2-story, 15,000 GSF HA/RE building to replace the existing structure that would be demolished in Phase 2.

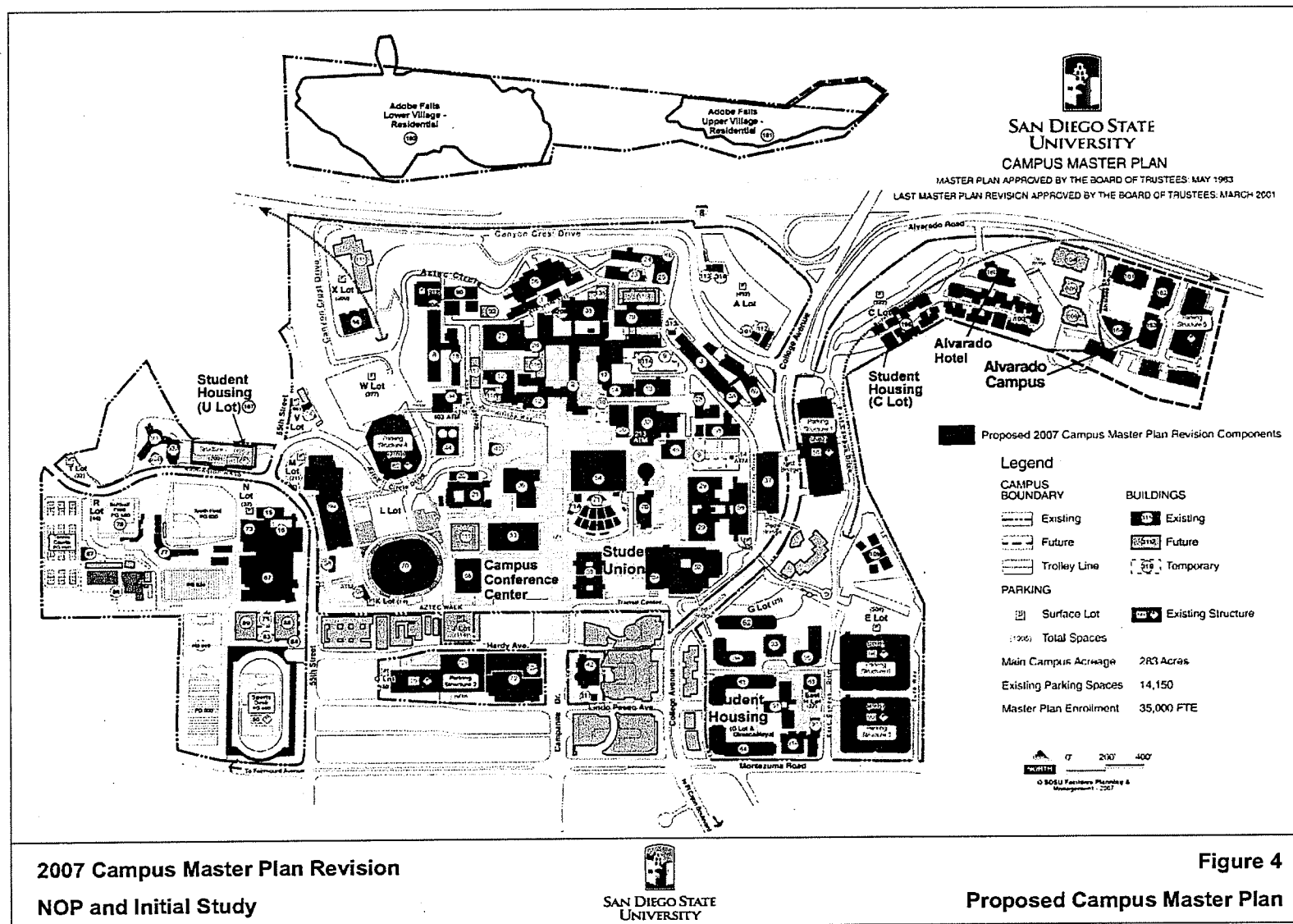
Phase 2 - HA/RE/Olmeca/Maya Residence Hall Demolition/Construction: ~~Intermediate~~**Near-term** demolition of existing Olmeca Residence Hall (Bldg. No. 47; 39,000 GSF) and Maya Residence Hall (Bldg. No. 46; 39,000 GSF), ~~each containing 300~~**with a combined total of 424** beds, and the demolition of the existing HA/RE building (Bldg. No. 40; 7,000 GSF), followed by the construction of two ~~9~~**10**-story,

300,000 ~~350,000~~ GSF Type-1 structures, each containing ~~700~~800 beds, to be constructed on the site of the former Olmeca and Maya Residence Halls.

Phase 3 - U Lot Residence Hall: Long-term development of a 10-story, 350,000 GSF, Type-1 structure to house 800 student beds, to be constructed atop the previously master-planned Parking Structure 7. The development site presently serves as U parking lot. The Parking Structure would contain spaces for 750 vehicles, 250 more than previously master-planned.

Phase 4 - Villa Alvarado Residence Hall Expansion: Long-term development of 50 additional two-bedroom apartments, housing 200 student beds, in 2-3-story structures, as part of the Villa Alvarado housing complex located on C Lot.

VI. Student Union/Aztec Center Expansion and Renovation - This project component, which would be constructed in the near-term following project approval, consists of: (i) the development of a new 70,000 GSF 3-story building on approximately one-half acre located east of Cox Arena (site of existing tennis courts) to be used for meeting/conference space, office space, food services and retail services; and (ii) the renovation of the existing Aztec Center, including up to a ~~30,000~~70,000 GSF expansion, to include social space, meeting space, recreation facilities, student organization offices, food services and retail services.



The ~~Student Housing~~ **G Lot Residence Hall, Olmeca/Maya Residence Halls, Student Union/Aztec Center Expansion, and Alvarado Hotel** project components each will be analyzed at a project-level of environmental review such that no further CEQA review will be required prior to project construction. Phase 1 of the Adobe Falls and Alvarado Campus project components will be analyzed at the project-level as well, while Phase 2 of each of these two project components will be analyzed at the program-level. **Program-level review requires further CEQA review and CSU/SDSU approval before project construction can begin. The Campus Conference Center, U Lot Residence Hall, and Villa Alvarado Residence Hall Expansion also will be analyzed at the program-level.** (See, CEQA Guidelines §15168.) The D Lot portion of the Alvarado Campus component was analyzed previously at the program-level as part of the EIR for the SDSU Campus Master Plan 2000 project (SCH No. 2000051026).

The following table depicts the existing campus land use, the existing campus master planned use, and the level of analysis to be undertaken in the EIR for each of the five project components:

**Table 1.0-1
Proposed Project Components**

Component Name	Existing Land Use	Existing Campus Master Plan Use	Level of Analysis
Adobe Falls Faculty/Staff Housing	(i) Upper Village - Undeveloped land (ii) Lower Village – Undeveloped land	(i) Not designated (ii) Not designated	(i) Project (ii) Program
Alvarado Campus	(i) D Parking Lot (SDSU-owned land) (ii) Alvarado Core Site - Medical office park (SDSU Foundation-owned land)	(i) East Campus Development Area (ii) None	(i) Project /Program (ii) Program
Alvarado Hotel	C Lot	C Lot	Project
Campus Conference Center	Undeveloped Land	Undeveloped Land	Program
Student Housing	(i) G Lot Residence Hall and Student and Residential Life Administration Building - G Parking Lot (ii) Olmeca/Maya Reconstruction – Student housing (iii) U Lot Residence Hall – U Parking Lot (iv) Villa Alvarado Residence Hall Expansion – C Parking Lot	(i) G Lot (ii) Student Housing (iii) Parking Structure 7 (iv) C Lot	(i) Project (ii) Project (iii) Program (iv) Program
Student Union/Aztec Center Expansion	Aztec Center	Aztec Center	Project

Note: The eastern portion of the Alvarado Campus is situated on property owned by the SDSU Foundation. The Alvarado Campus land is designated "Redevelopment Project Area" on the City of San Diego College Area Community Plan Planned Land Use Map.

2.0 OTHER AGENCIES WHOSE APPROVAL MAY BE REQUIRED

The Board of Trustees of the California State University is the Lead Agency for the proposed 2007 Campus Master Plan Revision project. Other known public agencies whose approval may be required as a prerequisite to future construction and/or implementation of the proposed project include:

- U.S. Army Corps of Engineers (Clean Water Act Section 404 permit, if necessary);
- U.S. Department of the Interior, Fish and Wildlife Service (Section 7 or 10 take permit of the Endangered Species Act, if necessary);
- California Department of Fish and Game (permits pursuant to Section 1603 and/or 2081 of the Fish and Game Code, if necessary);
- California Department of Transportation (right-of-way permits relating to transportation improvements construction, if necessary);
- State Historic Preservation Office (for approval of federally funded projects affecting significant archaeological and historical resources, if necessary);
- Division of the State Architect (handicap facilities compliance);
- State Fire Marshal (approval of facility fire safety review);
- San Diego Regional Water Quality Control Board (National Pollution Discharge Elimination System (NPDES) permits and Clean Water Act Section 401 water quality certification, if necessary);
- San Diego Air Pollution Control Board (authority to construct and/or permits to operate, if necessary);
- City of San Diego (permits for construction within City right-of-way, if necessary); and
- Water, wastewater and sanitation special district approval, if necessary.

3.0 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

- ☒ Aesthetics/Visual Quality
- ☒ Biological Resources
- ☒ Geology/Soils
- ☒ Noise
- ☒ Public Services
- ☒ Transportation/Circulation

- ☐ Agricultural Resources
- ☒ Cultural Resources
- ☒ Hazards
- ☒ Parking
- ☒ Recreation
- ☒ Utilities and Service Systems
- ☒ Air Quality
- ☒ Energy and Mineral Resources
- ☒ Land Use and Planning
- ☒ Population and Housing
- ☒ Mandatory Findings of Significance
- ☒ Water Quality/Hydrology

4.0 DETERMINATION

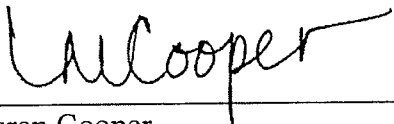
On the basis of this evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on the attached sheet have been added to the project. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☒ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a significant effect(s) on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "potentially significant impact" or "potentially significant unless

mitigated." An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

- ☐ I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards; and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project.

By:



Lauren Cooper,
Associate Director of Facilities Planning, Design and Construction
San Diego State University

5.0 INITIAL STUDY CHECKLIST

The following is a brief explanation of each environmental topic addressed in the Initial Study Checklist. It should be noted that these discussions are intended to provide conclusions to questions outlined in the Initial Study Checklist, Appendix G to the CEQA Guidelines. As described in the project description section above, the project would entail modifications to several campus facilities or areas. In accordance with Section 15063(d) of the CEQA Guidelines, the following checklist was prepared to identify the potential environmental effects of the proposed project. After each environmental topic is assessed, a brief discussion of the basis for the assessment is also provided below.

Issues (and supporting Information Sources)	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
AESTHETICS / VISUAL QUALITY: Would the proposed project:				
(a) Have a substantial adverse effect on a scenic vista?		✓		
(b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				✓
(c) Substantially degrade the existing visual character or quality of the site and its surroundings?		✓		
(d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?		✓		

DISCUSSION: *Construction of the Alvarado Campus, Alvarado Hotel, Campus Conference Center, Student Union and Student Housing expansion would alter the existing visual character of several areas throughout the main campus. Construction of the Adobe Falls Faculty/Staff Housing complex would alter the appearance of the existing undeveloped site to a residential land use. Changes in land use, such as construction of a building in a location previously occupied by a parking lot, would also have the potential to alter visual quality or campus community character. The effects of exterior lighting on any buildings proposed for construction or renovation also would have the potential to alter visual quality or campus community character. It is not anticipated that the proposed project would significantly affect a public scenic vista or impact a state scenic highway. A separate visual resources/community character technical report will be prepared in conjunction with the Draft EIR.*

Issues (and supporting Information Sources)	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
AGRICULTURE RESOURCES: Would the proposed 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?				✓
(b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				✓
(c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				✓

DISCUSSION: *There are no agricultural resources located on the SDSU campus or adjacent land that would be impacted by implementation of the proposed project. Therefore, impacts to agricultural resources are not anticipated to occur as a result of the proposed project.*

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
AIR QUALITY: Would the proposed project:				
(a) Conflict with or obstruct implementation of the applicable air quality plan?		✓		
(b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	✓			
(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)?	✓			
(d) Expose sensitive receptors to substantial pollutant concentrations?		✓		
(e) Create objectionable odors affecting a substantial number of people?				✓

DISCUSSION: SDSU is located within the San Diego Air Basin, which currently is designated by the California Air Resources Board as state non-attainment for ozone (O₃) and particulate matter (PM¹⁰). Under federal standards, the Basin is a basic non-attainment area for ozone, and a maintenance area for carbon monoxide (CO). Ozone is the principle air quality problem in San Diego County, although carbon monoxide is also a growing problem as a result of increased vehicle emissions. Implementation of various elements of the 2007 Campus Master Plan Revision would result in increased vehicle traffic, which consequently would result in increased emissions of criteria pollutants from mobile sources. These emissions may result in potentially significant impacts to air quality. Additional development on the SDSU campus, combined with known and reasonably foreseeable growth in the region, could result in cumulatively considerable emissions of non-attainment pollutants. Analysis of the proposed project's potential air quality impacts and related mitigation measures will be provided.

Issues (and supporting Information Sources)	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
BIOLOGICAL RESOURCES: Would the proposed 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 Game or U.S. Fish and Wildlife Service?		✓		
(b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		✓		
(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, <i>etc.</i>) through direct removal, filling, hydrological interruption, or other means?		✓		
(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?			✓	
(e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			✓	
(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?			✓	

DISCUSSION: *The Adobe Falls site is situated near, or in some cases at, the bottom of a canyon area and supports coastal sage scrub and riparian vegetation. Construction of the Adobe Falls Faculty/Staff Housing complex potentially could impact these habitat areas. Construction of the*

Alvarado Campus and Alvarado Hotel also potentially could impact Alvarado Creek riparian areas. A biological resources technical report will evaluate the direct, indirect and cumulative effects to biological resources, including sensitive habitats and wildlife species, due to the construction of housing units, classrooms, auxiliary structures and roadways. In addition, the biological resources technical report will delineate the project components' relationship to the City of San Diego's Multiple Species Conservation Program Sub-Area Plan. Aside from the project components listed above, it is anticipated that the other project components will be located within developed campus areas. Therefore, no impact to sensitive plant or animal species or sensitive habitat would occur within these proposed project areas.

Issues (and supporting Information Sources)	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
CULTURAL RESOURCES: Would the proposed project:				
(a) Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines §15064.5?		✓		
(b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?		✓		
(c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		✓		
(d) Disturb any human remains, including those interred outside of formal cemeteries?		✓		

DISCUSSION: *Development of the Adobe Falls Faculty/Staff Housing complex and Student Housing expansion project components may impact existing cultural resources. The nature of these resources, and their importance in California history, will be analyzed fully as part of the EIR analysis. A cultural resources technical report will be prepared that will inventory existing historical, archaeological and paleontological resources for each project component and determine if any existing cultural resources have the potential to be altered or damaged by implementation of the proposed project.*

Issues (and supporting Information Sources)	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
GEOLOGY AND SOILS: Would the proposed project:				
(a) Expose people or structures to potential substantial adverse effects, including the risk or 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?				
(ii) Strong seismic ground shaking?				
(iii) Seismic-related ground failure, including liquefaction?				
(iv) Landslides?				
(b) Result in substantial soil erosion or the loss of topsoil?		✓		
(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?		✓		
(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?		✓		
(e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewer are not available for the disposal of wastewater?				✓

DISCUSSION: *Ultimate construction of each of the project components will require that earthwork be completed. Therefore, a geotechnical investigation will be performed. Although the project site is not specifically located in an Alquist-Priolo Earthquake Fault Zone, as mapped by the State Geologist, seismicity of the existing project area is influenced by both local and regional fault systems. The nearest fault, with the potential for a 7.0 magnitude earthquake, is located in Rose Canyon, approximately 6 miles from campus. Because SDSU is located within seismically active southern California, the area could be subject to severe ground shaking during a major earthquake. In general, the area north of I-8 is mapped as a "Sub-*

Area/Zone 4-1," which is the area "generally located outside the boundaries of definite mapped landslides but contains observable unstable slopes underlain by both weak materials... and adverse geologic structure" (Tan, 1995). The EIR's geotechnical analysis will include a survey of the Adobe Falls Faculty/Staff Housing site and an analysis of potential landslide risk.

Issues (and supporting Information Sources)	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
HAZARDS AND HAZARDOUS MATERIALS: Would the proposed project:				
(a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?		✓		
(b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			✓	
(c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school?			✓	
(d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment?			✓	
(e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of the public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				✓
(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?				✓
(g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				✓
(h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildland are adjacent to urbanized areas or where residences are intermixed with wildlands?				✓

DISCUSSION: *The Alvarado Campus component of the proposed project includes research and development facilities, which could entail the routine transport, use or disposal of hazardous materials on the University grounds or in the surrounding community. However, compliance with all applicable health and safety requirements would decrease potential hazards associated with implementation of the proposed project. Chemicals necessary for operation of the science and research facilities would be handled by qualified University personnel. All storage of chemicals would be in compliance with applicable health and safety requirements. Project implementation would not involve impacts to either the SDSU community or outside citizens involved in air traffic due to the absence of any nearby airport.*

Demolition of Maya and Olmeca Residence Halls and the existing Office of Housing Administration and Residential Education building may result in the release of contaminated materials such as asbestos, etc. A Phase I Environmental Assessment will be conducted to fully analyze potential impacts associated with the demolition of existing structures.

Issues (and supporting Information Sources)	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
HYDROLOGY AND WATER QUALITY: Would the proposed project:				
(a) Violate any water quality standards or waste discharge requirements?			✓	
(b) Substantially deplete 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)?				✓
(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?		✓		
(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?		✓		
(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?		✓		
(f) Otherwise substantially degrade water quality?			✓	
(g) Place housing within a 100-year flood hazard areas as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?		✓		
(h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?		✓		

Issues (and supporting Information Sources)	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
(i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?			✓	
(j) Inundation by seiche, tsunami or mudflow?			✓	

DISCUSSION: *All project components, except the Adobe Falls Faculty/Staff Housing development, would be located in the existing developed campus area or developed areas immediately adjacent to campus. Development in these areas would be designed so run-off would be collected and discharged to the existing storm drain system. Development of the Adobe Falls Faculty/Staff Housing parcel would involve grading of undeveloped land near Alvarado Creek and potentially would alter existing drainage patterns. A hydrology/water quality technical report will be prepared for the Draft EIR that will evaluate the impacts of the proposed improvements on surface water quality and ground water hydrology and provide mitigation as appropriate. Impacts to SDSU facilities, local storm drain systems and adjacent land uses as a result of flooding and run-off will be evaluated.*

Issues (and supporting Information Sources)	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
LAND USE PLANNING: Would the project:				
(a) Physically divide an established community?				✓
(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 mitigation an environmental effect?	✓			
(c) Conflict with any applicable habitat conservation plan or natural community conservation plan?			✓	

DISCUSSION: Each component of the proposed project generally would be consistent with adopted General Plan/Community Plan Planned Land Use Maps and the College Area Redevelopment Plan. However, the Navajo Community Plan designates the Adobe Falls site for "park" uses. While the proposed project includes open space land, which is consistent with the overall Community Plan designation, the development of housing units on the site would not be consistent with the "park" designation. The Alvarado Campus component of the proposed project, which is located in the College Area Community Redevelopment Plan, is consistent with that Plan's designation of the site for University-related office and research and development uses, and the number of square feet ultimately to be developed on the site. An existing land use, planned land use and applicable policy and guideline analysis will be prepared for the EIR, taking into consideration SDSU's state agency status and the appropriate application of local land use planning under the circumstances. The proposed project would not alter the physical arrangement of the campus community. Structures planned to undergo renovation, redesign or demolition and replacement with new structures, such as the Alvarado Campus area, may alter the existing character of the campus relative to the surrounding campus community.

Issues (and supporting Information Sources)	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
MINERAL RESOURCES: Would the proposed 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?			✓	
(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?			✓	

DISCUSSION: *All project elements, except the Adobe Falls Faculty/Staff Housing component, are located within MRZ-2 Zones, as indicated on the State of California Department of Conservation Division of Mines and Geology Special Report 153 (Mineral Land Classification: Aggregate Materials in the Western San Diego County Production-Consumption Region). MRZ-2 Zones are defined as areas where adequate information indicates that significant mineral deposits are present or where it is judged that a high likelihood for their presence exists. However, because the project components within MRZ-2 Zones are to be located within currently developed areas, the proposed project would not result in the loss of availability of existing, usable mineral resources.*

The Adobe Falls Faculty/Staff Housing site is located within a MRZ-3 Zone, which is defined as an area containing mineral deposits the significance of which cannot be evaluated from available data. A site-specific mineral resource technical study will be prepared for the Draft EIR that will assess, as appropriate, the extent of mineral resources at the Adobe Falls site.

The City of San Diego General Plan contains existing condition language relating to minerals rather than specific mapped zones or avoidance/conservation guidelines. The College Area and Navajo Community Plans do not include mineral resource zone overlays or avoidance directives. While SDSU's status as a state agency does not necessitate compliance with local plans or policies including mineral resource protection guidelines, the project would not be inconsistent with local policies in the General Plan or community plans that pertain to mineral protection.

Issues (and supporting Information Sources)	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
NOISE: Would the proposed project result in:				
(a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?		✓		
(b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			✓	
(c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?		✓		
(d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?		✓		
(e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				✓
(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?				✓

DISCUSSION: Possible increases in existing noise levels would be associated with certain aspects of the proposed project, including the introduction of urban uses into an undeveloped area and alterations in traffic patterns that would occur with implementation of the proposed project. The noise analysis will evaluate the effects of facility operations and altered traffic patterns on nearby sensitive receptors and will document any substantial increases to existing ambient or community noise equivalent levels that would occur. The analysis will also document impacts related to construction activities. SDSU is not located within the vicinity of any airport; therefore, this consideration will not be discussed in the noise analysis.

Issues (and supporting Information Sources)	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
POPULATION AND HOUSING: Would the proposed 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)?	✓			
(b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?			✓	
(c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				✓

DISCUSSION: *In response to projected population growth in the San Diego Region and California in general, the proposed project will increase the present SDSU enrollment limitation from 25,000 full-time equivalent students ("FTES") to 35,000 FTES, an enrollment number that is expected to be reached in 2024-25. This increase in student population would result in related increases in faculty and staff, and the need for increased physical instruction, living and auxiliary space. The analysis of these issues will include a discussion of how the project would impact existing population numbers in the local community and potential impacts on housing supply that subsequently may result. The demolition of Olmeca and Maya Residence Halls would not occur until construction of the new 600800-bed **G Lot Residence Hall** facility is complete. Therefore, any impacts associated with the loss of Olmeca and Maya student housing facilities would be less than significant.*

Issues (and supporting Information Sources)	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
PUBLIC SERVICES: Would the proposed project:				
(a) 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?		✓		
(ii) Police protection?		✓		
(iii) Schools?			✓	
(iv) Parks?		✓		
(v) Other public facilities?		✓		

DISCUSSION: *While most University-related public services are provided by SDSU itself, a discussion of each project component's impact on existing police, fire, school, parks and library facilities will be included in the Draft EIR. The EIR will evaluate whether implementation of the proposed project would increase demand for these public services, and compare the increased demand with existing and planned equipment and staffing levels. The environmental impacts of any potential capacity shortage will be evaluated in the EIR.*

Issues (and supporting Information Sources)	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
RECREATION:				
(a) Would the proposed 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?			✓	
(b) Does the proposed project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?		✓		

DISCUSSION: *The Adobe Falls Faculty/Staff Housing project component would include a private swimming pool, community center and recreation area for use by the faculty/staff residents. These recreational facilities would be adequate to service the new University-associated residents in the Adobe Falls Faculty/Staff Housing area. Additionally, the Student Union/Aztec Center Expansion component of the project includes additional indoor recreational facilities to serve students, and the Student Housing component includes additional outdoor and indoor recreational spaces also to serve the students. Therefore, the project is not expected to substantially increase the use of existing recreational facilities resulting in accelerated deterioration. The construction of these recreational facilities, however, may result in potentially significant impacts unless mitigated.*

Separately, the proposed increase in student enrollment and the campus population is expected to result in additional demand for on-campus recreational space, which may impact indirectly the recreational capacity of nearby parks. The environmental impacts of any potential capacity shortage will be evaluated in the EIR.

Issues (and supporting Information Sources)	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
TRANSPORTATION / TRAFFIC: Would the proposed project:				
(a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	✓			
(b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion/management agency for designated roads or highways?	✓			
(c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				✓
(d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			✓	
(e) Result in inadequate emergency access?		✓		
(f) Result in inadequate parking capacity?		✓		
(g) Conflict with adopted policies, plans or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?			✓	

DISCUSSION: *A traffic and parking assessment will be prepared for the proposed project in conjunction with the Draft EIR. The traffic analysis will determine how much new traffic will be generated due to the project components. The traffic analysis also will determine the potential shift in traffic volumes and patterns that would occur with implementation of the proposed project. In addition, the traffic analysis will determine the project's potential impacts on key intersections and street segments and any recommended mitigation. The analysis also will determine the project's necessary fair-share contribution to off-site roadway mitigation improvements, consistent with the recent California Supreme Court decision in City of Marina v. Board of Trustees of California State University. In addition, as part of the EIR, a feasibility analysis of alternate access routes to/from the proposed Adobe Falls Faculty/Staff Housing will be conducted. The parking analysis will assess the project's impact on existing parking facilities on campus.*

Issues (and supporting Information Sources)	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
UTILITIES AND SERVICE SYSTEMS: Would the proposed project:				
(a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			✓	
(b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environment effects?		✓		
(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 effect?		✓		
(d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlement needed?		✓		
(e) Result in a determination by the wastewater treatment provider which serves or may serve the project?		✓		
(f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?		✓		
(g) Comply with federal, state and local statutes and regulations related to solid waste?			✓	

DISCUSSION: *New facilities proposed in connection with the proposed project would necessitate public services such as electricity, natural gas, communication systems, water, sewer and storm drainage. With the exception of the Adobe Falls Faculty/Staff Housing and Alvarado Campus project components, electric, heating and air conditioning required for all project components would be generated onsite at the SDSU Cogeneration Plant and Chilling Facility. This facility was designed to serve additional uses, such as those proposed. Therefore, capacity shortfalls are not anticipated. The public services needs of each project component will be analyzed in the Draft EIR. Existing facility and service capacity will be outlined and potential impacts characterized.*

Issues (and supporting Information Sources)	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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MANDATORY FINDINGS OF SIGNIFICANCE:

- (a) Does the proposed 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? ✓
- (b) Does the proposed project have impacts that are individually limited, but cumulatively considerable? ✓
- (c) Does the proposed project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? ✓

DISCUSSION: *The areas planned for development generally do not support substantial populations of rare, threatened or endangered plant or animal species or sensitive plant communities. The Adobe Falls Faculty/Staff Housing site may support threatened or endangered species, though not in substantial numbers, as evidenced by the site's absence from the Multiple Habitat Preservation Area ("MHPA"). For these reasons, the proposed project is not anticipated to have the potential to: (1) substantially reduce the habitat of a fish or wildlife species; (2) cause a fish or wildlife population to drop below self-sustaining levels; (3) threaten to eliminate a plant or animal community; or (4) reduce the number or restrict the range of a rare or endangered plant or animal. A biological resources technical report will be prepared to fully address these issues.*

The Adobe Falls Faculty/Staff Housing development and Student Housing expansion project components potentially could impact cultural resources. The nature of these resources, and their importance in California history, will be analyzed fully as part of the EIR analysis.

A cumulative impacts analysis will be conducted for each environmental topic area discussed in depth in the EIR. The cumulative analysis will address issues such as air quality and traffic, which will focus on the project's transportation and circulation impacts when combined with existing and planned future traffic increases within the College and Navajo areas. Potentially significant cumulative impacts may result.

6.0 DISTRIBUTION LIST

This Revised Initial Study and Notice of Preparation of the Draft EIR for the proposed SDSU 2007 Campus Master Plan Revision project was distributed to the following public agencies, organizations and other interested parties:

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7.0 LIST OF PERSONS WHO PREPARED INITIAL STUDY

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DECLARATION OF SERVICE BY MAIL

I am a resident of the County of San Diego; I am over the age of 18 years and not a party to this matter. My business address is: 1525 Faraday Avenue, Suite 150, Carlsbad, California, 92008.

On April 17, 2007, I served the attached document: [REVISED] NOTICE OF PREPARATION OF DRAFT ENVIRONMENTAL IMPACT REPORT; INITIAL STUDY – SAN DIEGO STATE UNIVERSITY 2007 CAMPUS MASTER PLAN REVISION, by placing true copies thereof, enclosed in a sealed envelope, addressed as follows:

SEE ATTACHMENT A

I placed said envelopes with Golden State Overnight, each marked "Guaranteed Priority Overnight Delivery."

Pursuant to these practices, with which I am readily familiar, the sealed and addressed envelopes are deposited in the ordinary course of business with Golden State Overnight at 1525 Faraday Avenue, Suite 150, Carlsbad, California 92008. On the same date, they are collected and processed by Golden State Overnight.

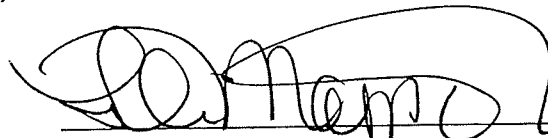
I further served the attached document by placing a true copy thereof, enclosed in a sealed envelope, with First Class/Certified Mail/Return Receipt Requested postage thereon fully prepaid, in the United States mail at Carlsbad, California, addressed as follows:

SEE ATTACHMENT B

I am "readily familiar" with the firm's practice for the collection and processing of correspondence for mailing. It is deposited with U.S. Postal Service on the same day in the ordinary course of business. I am aware that service is presumed invalid if postal cancellation date or postage meter date is more than one day after the date of deposit for mailing in the affidavit.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on April 17, 2007, in Carlsbad, California.

A handwritten signature in black ink, appearing to read "Lili Mansour", written over a horizontal line.

Lili Mansour

<p style="text-align: center;">Attachment A Golden State Overnight</p>
--

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**SDSU
2007 CAMPUS MATER PLAN REVISION
EIR**

NOP Comment Letters

**501.13
INDEX**

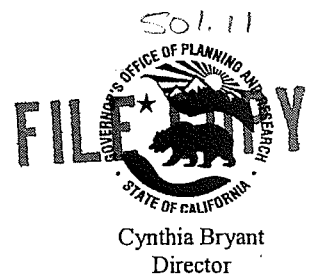
#	Document	Date
1.	Scott Morgan, Senior Planner, State Clearinghouse, State of California	2/5/07
2.	Roy H. Seifert, Land Architect	2/8/07
3.	James W. Royle, Jr., Chairperson Environmental Review Committee, San Diego County Archaeological Society, Inc.	2/12/07
4.	Stanley E. King	2/14/07
5.	Al Cox, Chief, Development Review Branch – California Department of Transportation	2/16/07
6.	R.L. Berlet,	2/19/07
7.	Carolyn McQueen, Associate Planner – The City of San Diego Water Department	2/21/07
8.	Marianne Greene Deputy City Attorney, City of San Diego	2/21/07
9.	Mike Toomey	2/22/07
10.	Alan C. Reed	2/25/07
11.	Samuel W. Bettwy	2/26/07
12.	Jerry Satuloff	2/27/07
13.	Susan Thomas	2/28/07
14.	Bill Chopyk, Planning & Development Services Director – City of La Mesa	3/1/07
15.	Greg Holmes, Unit Chief, Southern California Cleanup Operations Branch – Cypress – Department of Toxic Substances Control	3/2/07
16.	Steve Gilbert	3/2/07
17.	James S. Call	3/2/07
18.	Armin and Rhea Kuhlman	3/3/07
19.	Ronald a. Theil	3/4/07
20.	Ray and Suzanne Schumacher	3/7/07
21.	Stuart and Yoelles Josephs	3/6/07
22.	Alvarado Hospital	3/7/07
23.	U.S. Fish and Wildlife Service, Carlsbad Fish and Wildlife Office – California Dept. of Fish and Game, South Coast Regional Office	3/7/07
24.	The City of San Diego, Development Services, Land Development Review Division	3/23/07

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Arnold Schwarzenegger
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Notice of Preparation

February 5, 2007

To: Reviewing Agencies

Re: San Diego State University 2007 Campus Master Plan Revision
SCH# 2007021020

Attached for your review and comment is the Notice of Preparation (NOP) for the San Diego State University 2007 Campus Master Plan Revision draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

Lauren Cooper
California State University, San Diego
5500 Camponile Drive
San Diego, CA 92182-1624

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan
Senior Planner, State Clearinghouse

Attachments
cc: Lead Agency

**Document Details Report
State Clearinghouse Data Base**

SCH# 2007021020
Project Title San Diego State University 2007 Campus Master Plan Revision
Lead Agency California State University, San Diego

Type **NOP** Notice of Preparation

Description Revisions to San Diego State University's (SDSU) Campus Master Plan to provide a framework for implementing SDSU's goals and programs for the campus by identifying needed buildings, facilities, improvements and services to support campus growth and development from current SDSU enrollment 25,000 full-time equivalent students (FTES) to a new Campus Master Plan enrollment of 35,000 FTES by the 2024-25 academic year. To accommodate the projected student increase, the proposed project involves the near-term and long-term development of classroom, housing and student support facilities on approximately 55 acres of land located throughout the SDSU central campus, Alvarado and Adobe Falls Areas.

Lead Agency Contact

Name	Lauren Cooper	
Agency	California State University, San Diego	
Phone	(619) 594-6619	Fax
email		
Address	5500 Camponile Drive	
City	San Diego	State CA Zip 92182-1624

Project Location

County San Diego
City San Diego
Region
Cross Streets College Avenue/Interstate 8
Parcel No.

Township	Range	Section	Base
-----------------	--------------	----------------	-------------

Proximity to:

Highways
Airports
Railways
Waterways
Schools
Land Use Colleges and Universities and Open Space

Project Issues Aesthetic/Visual; Air Quality; Archaeologic-Historic; Biological Resources; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Growth Inducing; Landuse; Cumulative Effects

Reviewing Agencies Resources Agency; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Department of Fish and Game, Region 5; Department of Health Services; Native American Heritage Commission; California Highway Patrol; Caltrans, District 11; Department of Toxic Substances Control; Regional Water Quality Control Board, Region 9

Date Received 02/05/2007 **Start of Review** 02/05/2007 **End of Review** 03/06/2007

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- ☒ Resources Agency
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- ☐ Dept. of Boating & Waterways
David Johnson
- ☐ California Coastal Commission
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- ☐ Colorado River Board
Gerald R. Zimmerman
- ☐ Dept. of Conservation
Roseanne Taylor
- ☐ California Energy Commission
Paul Richins
- ☐ Dept. of Forestry & Fire Protection
Allen Robertson
- ☒ Office of Historic Preservation
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- ☒ Dept of Parks & Recreation
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- ☐ Reclamation Board
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- ☐ Fish & Game Region 2
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Public School Construction
- ☐ Dept. of General Services
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Environmental Services Section
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- ☐ Santa Monica Bay Restoration
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- ☐ State Water Resources Control Board
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- ☐ Department of Pesticide Regulation

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- ☐ RWQCB 3
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- ☐ RWQCB 4
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- ☐ RWQCB 5F
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- ☐ RWQCB 5R
Central Valley Region (5)
Redding Branch Office
- ☐ RWQCB 6
Lahontan Region (6)
- ☐ RWQCB 6V
Lahontan Region (6)
Victorville Branch Office
- ☐ RWQCB 7
Colorado River Basin Region (7)
- ☐ RWQCB 8
Santa Ana Region (8)
- ☒ RWQCB 9
San Diego Region (9)

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February 8, 2007

Stephen L. Weber, President
San Diego State University

Dear President Weber,

Please allow me to reintroduce myself. We were introduced by Dr. Darrell Holmes, then retired from the Presidency of Northern Colorado University, about 10 years ago during a gathering on campus with Don Correy and many other former outstanding staff members including Dr. Sue Earnest, my English professor in 1948.

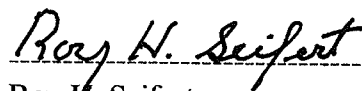
I was privileged to be the Campus Land Architect consultant from 1967 through 1977. It was my professional pleasure to have saved the Scripps Park Area from being used as a parking area. In addition, the Building Architect's Master Plan called for a rigid parallel and perpendicular walk system pattern that would have developed a formal unnatural campus atmosphere leading down to Scripps Cottage. The resultant grading would have brutally damaged the character of that valuable campus use area. This formal concept is now dominant in the new Master Plan of the campus.

There was a student protest when the Scripps Park Area was proposed to become a parking area. Because of the students' interest to dispute the use of that area that was to become Scripps Park, I felt it was my responsibility to challenge the Master Plan for the campus. When reviewing my Scripps Park Concept, the Executive Dean, Tony Cover, the building coordinator, President Golding and the students supported the park design and through the help of Student Union funds, the Park became a reality.

I was also engaged to design the 10 acre parking area at College Avenue and Interstate 8. It was a challenge to preserve the streambed and a good portion of the character of the site, with a demand for 700 cars on a hilly site. However, we did maintain the neighbors' real estate value by reducing the visual blight with creative grading, human engineering and with the retention of several boulder outcrops.

Having reviewed the proposed development on the north side of Interstate 8 campus property, my group urge you to use all of your power to cease the expansion of the campus in this area. **The current Campus Master Plan will augment a negative social and economic impact** that will contribute to a self-destructive society in a city already overdeveloped. It is in the community's interest to reconsider a faulty plan.

Sincerely,



Roy H. Seifert

Enclosed: Letter sent to the San Diego Union: Letters to the Editor January 2007

Letters to the Editor Fax: 260-5081

San Diego Union / Tribune P. O. Box 120191 San Diego, Calif. 9112-0191

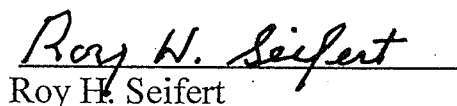
Regarding The Manchester / Navy Development:

The social & economic impact of the built environment and how much it affects human behavior is one of the least understood social problems in land development management circles.

To understand the above statement, think about how you feel when driving on a crowded freeway, fighting traffic and/or breathing carbon monoxide in a packed parking structure. Could this series of events affect how you feel after arriving at your work-station? If so, could this influence your efficiency while overcoming these negative experiences? How would these impacts compare with how you feel while viewing a frog pond surrounded by boulders, shrubs and the sound of a bird in a quiet mountain area? If after comparing these two contrasting experiences, is there a marked difference about your emotional response? Absolutely yes, it does make a difference!

In understanding the above, it can be stated that the physical environment is the cause of good or bad efficiency and/or behavior. The possibility that an individual can respond positively or negatively to the physical environment must be recognized in designing land for human use. If the truth of this response be fully understood, then the physical environment could promote a child to feel so comfortable on a school ground that it would promote the child's interest to learn about the goods of life that develops a better citizen, not to mention that it could attract the most qualified teachers.

The proposed Manchester development has a responsibility to understand that housing, tourism and business developments should be studied carefully to determine the potential social and economic impact on our communities.


Roy H. Seifert

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To the Editor: The above land architect designed the 10 acre San Diego State University Parking Lot at Interstate 8 and College Avenue (across from Del Cerro) featured in an article in the Union /Tribune on August 22, 1971. There was much opposition to the visual impact of 700 cars. After the sculptured grading was complete and before a shrub or tree was installed, there was only happy commentary to SDSU. Neighbors felt relief.



50111
FILE COPY

San Diego County Archaeological Society, Inc.
Environmental Review Committee

12 February 2007

To: Ms. Lauren Cooper
Associate Director of Facilities Planning, Design and Construction
Business and Financial Affairs
San Diego State University
5500 Campanile Drive
San Diego, California 92182-1624

Subject: Notice of Preparation of a Draft Environmental Impact Report
San Diego State University 2007 Campus Master Plan Revision

Dear Ms. Cooper:

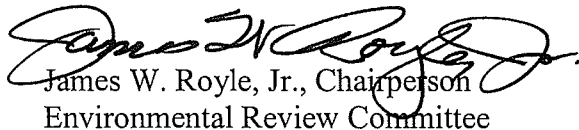
Thank you for the Notice of Preparation for the subject project, received by SDCAS last week.

We note the inclusion, as is appropriate, of cultural resources in the list of subject areas to be addressed in the DEIR. We note, however, that while the initial study addresses the possibility of impacts to cultural resources in the vicinity of Adobe Falls, it needs to also consider the potential for impacts to archaeological resources that may have been buried by soil deposition due to natural or human forces, or which may have been covered by streets, parking lots, etc. These possibilities appear to need to be addressed particularly in the Alvarado area, through archaeological monitoring of geotechnical testing and, as may be recommended by a qualified archaeologist (i.e., Register of Professional Archaeologists member), archaeological monitoring of demolition and grading activities.

We look forward to reviewing the DEIR during the public comment period. To that end, please include us in the distribution of the DEIR, and also provide us with a copy of the cultural resources technical report(s).

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

Sincerely,


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

cc: SDCAS President
File

Stanley E. King
4360 Woodland Dr.
La Mesa, CA 91941

February 14, 2007

Stephen L. Weber
President
San Diego State University
5500 Campanile Drive
San Diego, CA 92182-8000

Dear Sir:

I have recently become aware of San Diego State University's plan to enlarge the campus once again. Part of this endeavor would be to build across Interstate eight in the Adobe Falls area of Del Cerro.

While apparently SDSU sees a need to expand because of increasing enrollment, I find, that the proposed expansion plan would not be in the best interest of people living in the surrounding community and especially the Adobe Falls area.

Many among us talk about maintaining the quality of life in our communities. The Adobe Falls region acts as a buffer from the freeway and university. With the planned expansion this buffer would be destroyed.

The added enrollment as envisioned by SDSU, an increase to 35,000 students, would seriously impact the surrounding area, with increased traffic congestion, noise, and greatly affect the people who already live there.

Rather than continue to build out SDSU into a mega university, would it not be better to establish a satellite campus in the South Bay area of the county. This in turn would reduce pressure on the main campus, reduce potential traffic in the area and maintain the quality of life which now exists for residents in this area.

There is no such thing as a perfect plan, but I truly believe that the direction in which SDSU is embarking is wrong.

As an aside, I would like to add that I am a lifetime alumni member of SDSU, and would only wish the best for SDSU and the surrounding community.

Yours truly,

Stanley E. King



DEPARTMENT OF TRANSPORTATION

DISTRICT 11

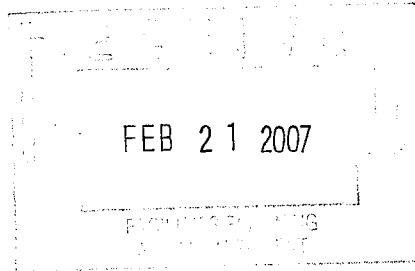
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February 16, 2007

11-SD-8

PM 8.2

NOP SCH 2007021020

SDSU Master Plan

Ms. Lauren Cooper
California State University, San Diego
5500 Campanile Drive
San Diego CA 92182-8080

Dear Ms. Cooper:

The California Department of Transportation (Caltrans) has reviewed the Notice of Preparation for the San Diego State University 2007 Campus Master Plan Revision (SCH 2007021020). The project is located near the Fairmount Avenue and College Avenue Ramps off of Interstate 8 (I-8). Caltrans has the following comments:

- The TIA must analyze the impacts to the freeway and interchanges of the project-generated traffic and the cumulative traffic impacts of the project together with other developments in the area at buildout and horizon year 2030.
- The traffic study should be prepared in accordance with the "Caltrans Guide for the Preparation of Traffic Impact Studies", dated December 2002. Minimum contents of the traffic study are listed in Appendix "A" of the TIS guide.
- An analysis of locally significant State owned intersections shall be done using Intersecting Lane Vehicle (ILV) calculations as per the Highway Design Manual (HDM), Section 406, page 406-21.
- The TIA should use traffic data from the latest Caltrans District 11 Traffic Volumes to analyze the Level of Service (LOS) at all State owned facilities and mainline freeways.
- Caltrans endeavors to maintain a target Level of Service (LOS) at the transition between LOS "C" and LOS "D" (see Appendix "C-3" of the Caltrans Guide for the Preparation of Traffic Impact Studies, December 2002) on State owned facilities, including intersections. If an intersection is currently below LOS C, any increase in delay from project-generated traffic must be analyzed and mitigated.
- Caltrans endeavors that any direct impacts to the state highway system be eliminated or reduced to a level of insignificance pursuant to the California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) standards. Mitigation measures must be included in the traffic impact analysis and environmental studies.

- With increasing emphasis on joint involvement with Federal, State, and Public Agencies to have as their goal providing an adequate transportation network in the year 2030, Caltrans supports the concept of "fair share" contributions on the part of the developer for future interchange improvement projects and/or other mitigation measures.
- Cumulative impacts of a project, together with other related projects, must be considered when determining the project's impacts. A cumulative impact is the sum of the impacts of existing, other projects, and the project itself, no matter how small the contribution is from the project itself. There is no minimum size limitation on projects that may be required to mitigate for cumulative impacts if the project contributes to the problem in any amount.

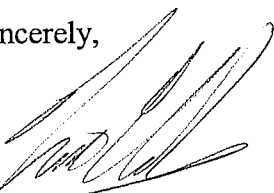
CEQA law requires that the cumulative impacts of a project, together with other related projects, be considered and analyzed when determining a project's impacts.

- All lighting (including reflected sunlight) associated with this project will be placed and/or shielded so as not to be hazardous to vehicles traveling on I-8.
- All signs visible to traffic on I-8 need to be constructed in compliance with County and State regulations.
- Caltrans will not be held responsible for any noise impacts to this development, including the ultimate configuration of I-8. If there is a noise impact, the developer has the responsibility to provide the mitigation.
- Any work performed within Caltrans right of way will require an encroachment permit. For those portions of the project within the Caltrans right of way the permit application must be stated in English units. Information regarding encroachment permits may be obtained by contacting our Permits Office at (619) 688-6158. Early coordination with our agency is strongly advised for all encroachment permits.
- If a developer proposes any work or improvements within Caltrans right of way, the project's environmental studies must include such work. The developer is responsible for quantifying the environmental impacts of the improvements (project level analysis) and completing all appropriate mitigation measures for the impacts. The developer will also be responsible for procuring any necessary permits or approvals from the regulatory and resource agencies for the improvements.

Ms. Lauren Cooper
February 16, 2007
Page 3

If you have any questions regarding this project please contact Trent Clark, Development Review Branch, at (619) 688-3140.

Sincerely,


for

Al Cox, Chief
Development Review Branch

FEB 23 2007

February 19, 2007

4962 Cresita Drive
San Diego, California 92115

Dr. Stephen Weber
Office of the President
5500 Campanile Drive
San Diego, California 92182 8000

Dear Dr. Weber:

Your letter of January 29, 2007 outlines an ambitious program to expand the facilities and improve the educational environment and experience of future students and support staff at SDSU.

As a 35 year resident in the immediate single family residential area of the University I have observed the unabated expansion of the campus. On site and off site improvements have been completed to serve an ever increasing student body. Over these years there has been one constant which has dramatically affected the single family living standards.

In summary this constant can best be characterized as the willful neglect of the single family resident's property standards and related quality of living issues. Ever increasing air and noise pollution from increased traffic (public and private automobile) on the surface streets, noise from emergency response vehicles, public safety demands on City of San Diego Police and Fire, trash strewn streets and rights of way, minimally maintained streets, offsite commercial venues (of marginal economic viability) dependent on income from college students, poorly maintained single family residences which have been taken over by student rentals, general disregard for the College Area Community Plan (recent attempts to rewrite the plan without regard to the standing plan approval), are just a few of the problems which delineate the ongoing conflict between the University and the community.

Yes, the University does contribute to the economy of the neighborhood. I would submit that there is a gross imbalance on the return of tax dollars that support the University. As a public university the largest share of operating expenses are covered by the public tax dollar. Absent an economic partnership with the immediate community little of the economic activity generated by the school is returned directly to the residential

community. This is a particularly acute situation in the case of SDSU due to the fact that it is a commuter school. Absent an adequate space and infrastructure plan to expand and accommodate more student housing is a format that will continue to exacerbate the lack of a shared economic support for the SDSU residential community.

As outlined in your letter the expansion plan grossly ignores the needs of the single family residents and support structure of the college area. Implementation would further degrade the ability of the City of San Diego to provide proportionate and proper services to the single family residents in the college area. Traffic, noise, public safety, offsite infrastructure construction and support, adequate onsite housing (including the provision for proper rental/dorms facilities -1400 additional spaces is a farce given a plan for 10,000 more students), viable commercial venues which would be both complimentary to the single family residents and students, and adequate public safety services which allow for meaningful support of residents and students are all issues that should be addressed.

Clearly there is limited physical space to address expansion within the present campus boundaries. Unable to adequately address and meet the needs of the surrounding community SDSU should look to other areas of the county unless the University is prepared to meet the requirements of its single family neighbors, community planning group and fire and safety services of the neighborhood surrounding the campus.

It is neither equitable nor prudent to continue to ask the community to support or participate in the SDSU expansion without direct support from the University to correct these deficiencies.

Thank you for your cooperation and interest in addressing these issues.

Sincerely,


R. L. Berlet

Cc: University Relations & Development, SDSU
J. Madaffer, City Council, 7th District, City of San Diego
CACC
Jerry Sanders, Mayor, City of San Diego



THE CITY OF SAN DIEGO

FEB 26 2007

February 21, 2007

VIA MAIL

Lauren Cooper,
Associate Director of Facilities Planning, Design and Construction
Business and Financial Affairs,
5500 Campanile Drive,
San Diego CA 92182

Subject: Notice of Preparation of DEIR for SDSU 2007 Campus Master Plan Revision

Dear Ms. Cooper:

The City of San Diego (City) Water Department has reviewed the above referenced notice and provides the following comments:

The project appears to be in a location that does not support any City Water Department facilities. However, if the project encroaches on any City water facilities, coordination with the Water Review Section of the Water Department is required. Please contact Leonard Wilson at (619)533-4287 should you require more information.

The DEIR should discuss the availability and potential use of recycled water. The City Water Department is strongly committed to the use of recycled water. In San Diego, water is too precious a resource to be used just once. To meet future water demands and avoid shortages, while reducing our dependence on imported water, the City has built two water reclamation plants to treat wastewater to a level suitable for irrigation, construction (such as for soil compaction, dust control, etc.) and other non-drinking, or non-potable purposes, including for use in cooling towers and for toilet/urinals. Recycled water, also referred to as reclaimed water, gives San Diego a dependable, year-round, locally controlled water resource.

Using recycled water is cost-effective, reliable and good for the environment. Reclaimed water is approved for nearly all uses except drinking. Careful monitoring by State health



Water Department

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officials and water quality-control agencies ensures that the City's recycled water meets all federal, state and local water quality standards.

Thank you for the opportunity to review the DEIR.

Sincerely,

Carolyn McQueen
Associate Planner

cc: Marsi Steirer, Deputy Policy & Strategic Planning Director, Water Department
Oscar Khoury, Acting Deputy CIP Engineering Director, Water Department
Jennifer Casamassima, Water Reuse Program Manager, Water Department
Racquel Vasquez, Public Information Officer, Water Department
CIP RMU – General – 7.0

MARIANNE GREENE
DEPUTY CITY ATTORNEY

OFFICE OF
THE CITY ATTORNEY
CITY OF SAN DIEGO
MICHAEL J. AGUIRRE
CITY ATTORNEY

CIVIL DIVISION
1200 THIRD AVENUE, SUITE 1620
SAN DIEGO, CALIFORNIA 92101-4178
TELEPHONE (619) 533-5800
FAX (619) 533-5856

February 21, 2007

VIA HAND DELIVERY

Ms. Lauren Cooper
Associate Director
Facilities Planning, Design and Construction
San Diego State University
5500 Campanile Drive
San Diego, CA 92182-1624

Dear Ms. Cooper:

*Response to Notice of Preparation of Draft EIR, February 2, 2007,
San Diego State University 2007 Campus Master Plan Revision*

Pursuant to Public Resources Code section 21080.4(a) and State CEQA Guidelines section 15105, this letter is to respond to the Notice of Preparation of a Draft EIR/Initial Study dated February 2, 2007, for the San Diego State University 2007 Campus Master Plan Revision. The depth and breadth of the concerns previously raised by the Office of the City Attorney remain substantially the same, and are accordingly incorporated by reference, including but not limited to, the following documents:

- Letter, C. Zirkle to W. Fulton, City of San Diego Comments on the Draft Environmental Impact Report for the San Diego State University 2005 Campus Master Plan Revision, dated March 17, 2005. Copy enclosed.
- Letter, H. Cunningham to W. Fulton, Draft Environmental Impact Report and SDSU 2005 Campus Master Plan Revision dated March 18, 2005. Copy enclosed.
- Oral Testimony, Justin Booth, Deputy City Attorney, City of San Diego, and Mike Fortney, Project Manager, Community and Economic Development, CSU Board of Trustees Meeting, Committee on Planning, Building and Grounds, hearing date September 20, 2005. Copy of excerpt enclosed.
- Second Opening Brief in Series of Three, Del Cerro Action Council's Opening Brief, *Del Cerro Action Council v. Board of Trustees of California State University*, Case No. GI C 855643, Superior Court of California, County of San Diego, dated May 2, 2006. Copy enclosed.

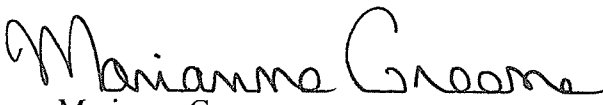
- Brief 3 of 3, Opening Brief of Petitioners, City of San Diego and Redevelopment Agency of the City of San Diego, *Del Cerro Action Council v. Board of Trustees of California State University*, Case No. GI C 855643, Superior Court of California, County of San Diego, dated May 2, 2006. Copy enclosed.

With special regards to traffic and circulation, the Notice of Preparation at page 33 refers to determining the project's necessary fair share contribution to off-site roadway mitigation improvements, consistent with the recent California Supreme Court decision, *City of Marina v. Board of Trustees, California State University*, 39 Cal. 4th 341 (2006). Yet the original entire traffic study was fatally flawed on numerous grounds. The entire range of inadequacies associated with the study and disclosure of traffic and circulation impacts must be cured not only the fair share of mitigation funding. Likewise, the plethora of other inadequacies, previously identified by the Office of the City Attorney, in the original EIR, must be fully and adequately addressed including, but not limited to, the following:

- Adequately discussing not of some selected measures but of each and every proposed mitigation measure.
- Providing sufficient data, and adequate mitigation, to support an analysis of impacts to population and housing.
- Addressing feasible alternatives, such as decreased density, alternative locations, and mass transit incentives, to lessen environmental impacts.
- Identifying inconsistencies between the project and the various community plans governing the project area.
- Analyzing cumulative impacts not only of the project components but of the project components combined and relative to each other.
- Addressing the project impacts on emergency services in the project vicinity.

Please be advised that the Office of the City Attorney of the City of San Diego may, upon further review, submit additional comments to ensure that the interests in protecting the City of San Diego from the numerous potentially significant impacts arising from the proposed project are adequately addressed in full compliance with Public Resources Code section 21000 et. seq. and the San Diego Municipal Code.

MICHAEL J. AGUIRRE, City Attorney

By 
Marianne Greene

MOG:bas
Enclosures

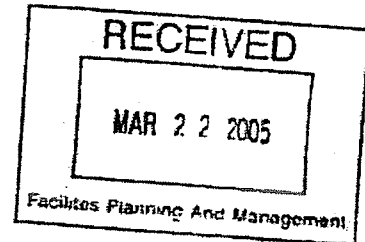
*Response to Notice of Preparation of Draft EIR, February 2, 2007,
San Diego State University 2007 Campus Master Plan Revision*

MARIANNE GREENE
DEPUTY CITY ATTORNEY
OFFICE OF THE CITY ATTORNEY
1200 THIRD AVENUE, SUITE 1100
SAN DIEGO, CALIFORNIA 92101-4178
TELEPHONE (619) 533-5800



THE CITY OF SAN DIEGO

L4



March 17, 2005

W. Anthony Fulton
Director of the Office of Facilities Planning and Management
Administration Building 130
San Diego State University
5500 Campanile Drive
San Diego, CA 92182-1624

Subject: City of San Diego Comments on the Draft Environmental Impact
Report for the San Diego State University (SDSU) 2005 Campus
Master Plan Revision

Dear W. Anthony Fulton:

The City of San Diego is a Responsible Agency for this project and we will need to use the subject document for our permitting purposes. Long Range Planning, Transportation Development, Park and Recreation Department Open Space Division, and the Environmental Analysis Section have identified significant project issues that must be addressed.	L4-1
<p>Long Range Planning – Marlon Pangilinan (619-235-5293)</p> <p>1. FIGURE 1.0-7 Surrounding Projects, Page 1.0-14: The northern boundary of the proposed Paseo superblock should be extended to the northern end of the College Area Redevelopment Project Sub Area boundary.</p>	L4-2
<p>2. TABLE 2.0-1 Cumulative Projects, Page 3.0-3: Status for Mesa Commons should be changed to "Approved." Year of build out should read "2006."</p> <p>"Aselline School" should be replaced with "Mesa Commons II." The project description should read "residential development consisting of approximately 30 dwelling units." Status should read "proposed." Year of build out should read "N/A."</p>	L4-3
3. FIGURE 2.0-1 Cumulative Projects, Page 2.0-7:	L4-4



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00035

02131

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W. Anthony Fulton
March 16, 2005

Delete "Aseltine School" with "Mesa Commons II."	L4-4 (cont'd)
<p>4. SECTION 3.8, Land Use and Planning: The proposed Alvarado Campus Park component of the SDSU Campus Master Plan Revision is located with the Alvarado Road Sub Area of the College Area Redevelopment Project Area. The DEIR should provide a consistency analysis between the proposed Alvarado Campus Park and the College Community Redevelopment Project Master Project Plan adopted by City Council on October, 12, 1993. The analysis should address the overall goals and objectives of the Master Project Plan, as well as the building, site design, landscape, streetscape, circulation, and parking guidelines for the Alvarado Road Sub Area.</p>	L4-5
<p>Transportation Development – Jim Lundquist (619-446-5361)</p> <p>We have reviewed the Executive Summary section of the DEIR and offer the following comments:</p> <p>1. Page ES-9 discusses a CSU limitation of mitigation for "off-site" improvements. The DEIR also discusses "on-site" improvements required for the project. As previously stated in the City's March 20, 2001 response letter to the Final EIR for the SDSU Campus Master Plan 2000 (to J. Patrick Drohan, Assistant Vice Chancellor, CSU signed by Lawrence C. Monserrate) that City of San Diego does not believe that CSU has provided substantial evidence establishing the legal infeasibility of off-site mitigation". Therefore, we believe that SDSU should mitigate all on- and off-site traffic impacts.</p>	L4-6
<p>2. Page ES-39, Table ES-2, Section 3.13 discusses Transportation/Circulation and Parking impacts, stating the impacts to be unavoidable. This statement is in error, as mitigation is simply not proposed for the project. As such, the impacts are "unmitigated" but not "unavoidable."</p>	L4-7
<p>We have reviewed the Transportation/Circulation and Parking section of the DEIR and offer the following comments:</p> <p>1. Page 3.13-20, Table 3.13-5 "Existing Intersections Operations" states that College Avenue / Zura Way operates at LOS C in the AM peak hour and LOS D in the PM peak hour as an unsignalized intersection in existing conditions. This does not seem reasonable, based on field observations and the fact that SDSU will be signaling this intersection in the very near future.</p>	L4-8
<p>2. Page 3.13-22, Table 3.13-7 "Existing Residential Street Segment Operations": The unclassified residential streets referred to on the table as "Sub-Collector" with an existing capacity of 2,200 ADT are misidentified. These are all correctly</p>	L4-9

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identified in Section 3.13.3.2 as "Unclassified". The City of San Diego <i>Street Design Manual</i> gives the capacity of these streets in the local street chapter.	L4-9 (cont'd)
3. Page 3.13-23 states that observed queues couldn't be obtained due to the "obscure location of the ramp meter". We believe maximum observed queue and maximum observed delay can be obtained, and should be included in this report.	L4-10
4. Page 3.13-27 states that 25% of SDSU students are assumed to walk to campus. This assumption needs to be supported in the DEIR with empirical data. In addition, using trip generation rates from a UCSD study doesn't necessarily translate to SDSU students, given the "commuter college" nature of SDSU.	L4-11
5. Page 3.13-28, Table 3.13-11 "FTES Headcount Increased Vehicle Trips" identifies 19,874 ADT for the SDSU portion of the master plan. These trips could be reduced an appropriate percentage based upon empirical data regarding assumed transit split.	L4-12
6. Page 3.13-29, Table 3.13-12 "FTES Headcount Trip Reduction Calculation Due to Trolley" identifies a discount of 11,356 ADT for the existing and proposed SDSU portion of the master plan. This Master Plan is not proposing to build the new Trolley extension and station as a part of the project. The Trolley was assumed in the community plan for long range traffic forecasts. For the new trips proposed for the Master Plan, trips could be reduced an appropriate percentage based upon empirical data regarding assumed transit split, but not for the entire SDSU site. Further analysis based upon the assumption of reducing 11,356 ADT is flawed and will require a new traffic and circulation section of the EIR. As a potential mitigation towards traffic impacts, SDSU could propose higher parking fees and a program whereby 100% of all students, faculty and staff are issued monthly transit passes which could be used to offset some of the traffic impacts.	L4-13
7. Page 3.13-30, B, "Adobe Falls/North Campus" states "... that the housing density of the Adobe Falls/North Campus component was determined, in large part, based on the available roadway capacity." As discussed in comment 1, there is no available roadway capacity on the local residential streets proposed as access to this site. There are two alternative accesses which could be explored which might serve the proposed project - access from College Avenue at the I-8 westbound ramps and a flood control access off of Waring Road. In addition, a connection between the two proposed development sites, the west and east, could be provided. Neither of these alternatives was examined in sufficient details in this DEIR to allow comment on them. The DEIR should be revised and these alternatives should be examined.	L4-14
8. Page 3.13-50, Table 3.13-15 "Existing + Buildout Project Intersection Operations"	L4-15

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W. Anthony Fulton
March 16, 2005

<p>A. CEQA doesn't identify a "Existing + Buildout" scenario to be examined.</p> <p>B. The table identifies significant impacts to four Caltrans intersections and one City intersection, 55th Street / Montezuma Road. Mitigation must be identified and should be proposed by the project for these impacts.</p>	<p>L4-15 (cont'd)</p>
<p>9. Page 3.13-53, Table 3.13-16 "Existing + Buildout Project Street Segment Operations" identifies significant impacts on Alvarado Road and College Avenue. Mitigation must be identified and should be proposed by the project for these impacts.</p>	<p>L4-16</p>
<p>10. Page 3.13-54, Table 3.13-17 "Existing + Buildout Project Residential Street Segment Operations" incorrectly identified the capacity and level of service for the streets shown. See comment #1.</p>	<p>L4-17</p>
<p>11. Page 3.13-60, Table 3.13-20 "Near-term Intersection Operations" identifies significant impacts to three Caltrans intersections and two City intersections: College Avenue / Zura Way and College Avenue / Montezuma Road. Mitigation must be identified and should be proposed by the project for these impacts.</p>	<p>L4-18</p>
<p>12. Page 3.13-51, Table 3.13-21 "Near-term Street Segment Operations" identifies significant impacts on Alvarado Road and College Avenue. Mitigation must be identified and should be proposed by the project for these impacts.</p>	<p>L4-19</p>
<p>13. Page 3.13-62, Table 3.13-22 "Near-term Residential Street Segment Operations" incorrectly identified the capacity and level of service for the streets shown. See comment #1. While the table shows some streets misidentified as Sub-Collector streets, Sub-Collector streets do not have levels of service (see Table 2 of the City's <i>Traffic Impact Study Manual</i>).</p>	<p>L4-20</p>
<p>14. Page 3.13-70, Table 3.13-25 "Horizon Year Intersection Operations" identifies significant impacts to four Caltrans intersections and three City intersections: College Avenue / Zura Way, College Avenue / Montezuma Road and Campanile Drive / Montezuma Road. Mitigation must be identified and should be proposed by the project for these impacts.</p>	<p>L4-21</p>
<p>15. Page 3.13-71, Table 3.13-26 "Horizon Year Street Segment Operations" identifies significant impacts on Alvarado Road and College Avenue. Mitigation must be identified and should be proposed by the project for these impacts.</p>	<p>L4-22</p>

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16. Page 13-77 states that 2,000 parking spaces are to be added at SDSU. The report should identify the general location of these sites for additional parking.	L4-23
17. Page 3-13-88 "Potential Residential Street Speed Issues" including footnote 1 incorrectly states that the local street can accommodate the additional traffic. In addition, footnote 1 states that there are no feasible mitigation measures available. The local streets can not accommodate additional traffic, and other alternatives are available to serve the proposed development which would mitigate or eliminate these impacts. See comments 1, 4 and 10 above.	L4-24
18. Page 3.13-89 discusses a 1993 program EIR adopted by the City. The program EIR identified projects and potential mitigation, assuming the developer would contribute to the mitigation required. As an example, the Program EIR assumed the developer of the hotel on Alvarado Road would contribute its fair share towards the mitigation required to support the hotel. The 1993 Program EIR allocated traffic mitigation to subareas, not to specific agencies. If SDSU, as the developer, contributes its fair share towards these improvements, the identified mitigation measures could be provided. Without the participation by SDSU of a fair share mitigation, this section misleads the public that these mitigation measures are programmed and funded and will be implemented.	L4-25
19. Page 3.13-92 states that "... for purposes of this EIR, all potentially significant impacts must be considered significant and unavoidable." The DEIR does not propose any mitigation; reduce project alternatives or alternative accesses. Therefore, the DEIR does not establish that the impacts are unavoidable.	L4-26
We have reviewed the Alternatives section of the DEIR and offer the following comments:	L4-27
1. Page 5.0-1 does not list the traffic impacts to the local street network that serves the Adobe Falls residential development.	
2. Page 5.0-3, Section 5.3.1 No project Alternative incorrectly labels "unmitigated" impacts as "unavoidable" impacts. Also, shifting "traffic burden(s)" could be reduced at another location where capacity exists to accommodate the increase in traffic projects with the increase in students and related activities.	L4-28
3. Page 5.0-12, Section 5.3.2.13 does not reflect the impacts of the Adobe Falls residential development on the local street network.	L4-29
4. Page 5.0-14, Section 5.3.3 does not recognize that the impacts of the Adobe Falls residential development on the local street network would be eliminated.	L4-30

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W. Anthony Fulton
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5. Page 5.0-20 incorrectly states that the Adobe Falls component does not significantly impact the Del Cerro local streets and, therefore, eliminating Adobe Falls does not reduce or eliminate traffic impacts. Adobe Falls would significantly impact the local street network, which would be eliminated if Adobe Falls were not constructed.	L4-31
6. Page 5.0-22 and 5.0-23, Section 5.4.1.1 states the alternative access directly to College Avenue may encourage short cut traffic and increase traffic congestion. This statement is unsupported in the DEIR, and cannot be justified if a cul-de-sac street is built to serve all or part of the Adobe Falls residential development. Also, justification for not building a local street was "to meet gradient requirements of a maximum of 10%" and the impacts of a 1600 feet long. The City's Street Design Manual allows grades of up to 15% for residential local streets. Therefore, the impacts of a local connecting street might have been misstated and should be reviewed again given these facts.	L4-32
7. Pages 5.0-25 through 5.0-28 discuss the traffic impacts of alternative accesses to the Adobe Falls residential development. The study goes to great lengths to explore a cut-through traffic scenario, however, it does not provide information for alternatives which do not allow for through traffic to use the new streets: either one connection provided to Waring Road or College Avenue (with or without emergency access to another local street), nor does it utilize the potential of a gated community with access to both Waring Road or College Avenue but would not allow for cut-through traffic. A more in-depth discussion of these alternatives should be presented in the DEIR to allow the decision maker the information required to make an informed decision.	L4-33
8. Page 5.0-31 assumes a 60 foot right of way requirement for a local street. The City's <i>Street Design Manual</i> shows the smallest local street cross-section to be a 28 foot pavement on a 48 foot right-of-way, which could reduce the impacts and cost assumed in the DEIR for this alternative access.	L4-34
9. Section 5.0 should include an alternative which demonstrates the maximum level of development which could be completed within the Master Plan with no significant unmitigated traffic impacts.	L4-35
10. Section 5.0 should provide additional information for traffic impacts and proposed mitigation in greater details for all alternatives in order to support statements made in the Alternatives section.	L4-36
To summarize, the DEIR should be corrected as follows: * recalculate the trip generation appropriately and reanalyze the project's impacts. The DEIR understates the traffic impacts from the project.	L4-37

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<p>* separate the student instruction projects from the office/hotel/housing developments. SDSU's proposal from the office/hotel/housing developments is not directly related to the education function of the university and, therefore, should be treated separately.</p>	L4-38
<p>* provide alternative access for the housing development proposed north of I-8. Several alternatives are available, with access to Waring Road, College Avenue or both an option.</p>	L4-39
<p>* provide appropriate mitigation for each project significant impact (City's March 20, 2001 letter to J. Patrick Drohan, Assistant Vice Chancellor, CSU signed by Lawrence C. Monserrate). The DEIR consistently misstates "Because implementation of the necessary mitigation measures lies within the jurisdiction of the City of San Diego and state agencies other than SDSU, all potentially significant impacts are considered significant and unavoidable." This project should be processed exactly like all other projects within the City of San Diego, whereby improvements are provided through the issuing of a Permit for Public Improvement. By processing and funding these improvements, some or all of the traffic impacts could be mitigated.</p>	L4-40
<p>* consider a program whereby 100% of all students, facility and staff are issued monthly transit passes which could be used to offset some of the traffic impacts.</p>	L4-41
<p>* an alternative which reduces or eliminates all significant traffic impacts should be analyzed.</p>	L4-42
<p>The City of San Diego's review of traffic and related issues reviewed facilities within the City's jurisdiction. We note that Caltrans and the City of La Mesa also have jurisdiction on facilities included in the DEIR. These jurisdictions should review the DEIR for comments on their facilities and their standards.</p>	L4-43
<p>Park and Recreation Department Open Space Division – Paul Kilburg (619-533-6739)</p> <p>The Park and Recreation Department Open Space Division manages the Adobe Falls dedicated open space parcel consisting of 4 acres of riparian and coastal sage scrub habitat adjacent to the proposed project site. The overall Adobe Falls area, including the state-owned parcel, has been a well utilized open space resource by the citizens of San Diego for many years and is identified as Historical Site Number 80 in the Navajo Community Plan.</p>	L4-44

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<p>1. Project Description Figure 1.0-11: The figure is incorrect in that the city does not own any land to the west of proposed Adobe Falls Rd. This is all privately-owned. The Table regarding the City of San Diego Open Space Figures would need to be changed to reflect the correct acreage. The parcel of open space that is labeled privately-owned accounts for too much of the open space in that area. Only a small portion is private and the rest is City-owned. Also, the proposed extension of Adobe Falls Rd as depicted in the figure would fall onto City-owned open space, not just directly west of it.</p>	<p>L4-45</p>
<p>2. 3.3 Sensitive Wildlife BR-16 page 60: In addition to the measures taken to reduce intrusion of domestic pets into native habitat areas, include education to residents about domestic cat impacts to fauna, paying special attention to the residents of the townhouses and senior housing that directly abuts City-owned open space.</p>	<p>L4-46</p>
<p>3. 3.12 Parks and Recreation page 8: Should the proposed Adobe Falls Rd. extension be approved, every effort should be made to avoid impacts to the City owned open space. Design of the road/bridge and any associated landscaping should be reviewed by the Park and Recreation Open Space Division.</p>	<p>L4-47</p>
<p>4. 3.12 Parks and Recreation page 15 & 16: The proposed multi-use trail to be constructed along the length of the riparian corridor should have a sufficient buffer zone to address wildlife impacts and be high enough above the creek to avoid damage during significant rain events. Any trail proposal that connects to City-owned open space will need to be reviewed and approved by Open Space Division Trails Manager Rick Thompson (619-533-6756).</p>	<p>L4-48</p>
<p>Environmental Analysis Section -- Anne Lowry (619-446-5368)</p>	
<p>1. Section 3.1.6.1 Visual Character, Adobe Falls/North Campus: The proposed Upper and Lower Village components of the Adobe Falls/North Campus site of the master plan would permanently change existing open space containing native habitat to urban development. This would result in a significant direct and cumulative impact to visual character that would not be fully mitigated to below a level of significance.</p>	<p>L4-49</p>
<p>2. Section 3.3.4.1 Existing Conditions -- Survey Results, Adobe Falls/North Campus site: The MHPA should be identified as the City of San Diego Multi-Habitat Planning Area.</p>	<p>L4-50</p>

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<p>3. Figure 3.3-1 Adobe Falls/North Campus site, Proposed Impact Areas: The map needs to include the impact areas of any new street connections this development would have with Adobe Falls Road and/or other existing neighborhood street in that area. Should the development connect to Adobe Falls Road, the new alignment would potentially impact the Adobe Falls Creek and associated wetland habitat. The creek crossing would also required additional permitting by federal and state resource agencies (ACOE and CDFG).</p>	<p>L4-51</p>
<p>4. Section 3.12 Public Utilities and Service Systems, Water Demand/Supply and Systems: In accordance with Senate Bill 610 (effective January 1, 2002), a project which is subject to CEQA, with residential development exceeding 500 dwelling units, and a commercial office building having over 250,000 square feet, may be required to have a SB610 Water Assessment prepared by the water supplier. This process essentially requires proof that there will be adequate water supplies for larger project within a twenty-year time frame at the local level. The water assessment would address whether a projected water supply for the next 20 years, based on normal, single dry, and multiple dry years, will meet the demand of the project. The conclusions of the water assessment would them be included in the water supply impact analysis of the EIR.</p>	<p>L4-52</p>
<p>5. Section 3.12 Public Utilities and Service Systems, Solid Waste Disposal: As indicated in the EIR, each state entity is required to develop and adopt an integrated waste management plan. Since SDSU's solid waste is currently disposed of in the City's MCAS Miramar Landfill, it would behoove the University to send a copy of this plan to the City of San Diego's Environmental Services Department for concurrence (please contact Angelee Mullins at (858) 492-5010). Typical waste management plans required by the City for its discretionary projects address the demolition, construction, and occupancy phases of a project.</p>	<p>L4-53</p>
<p>6. <u>CEQA Provides a Mechanism for using Discretionary Powers Provided in other Laws to Mitigate Significant Environmental Impacts.</u> CSU argues that CEQA does not confer additional powers to mitigate significant environmental impacts. CSU relies on this argument as a basis for precluding mitigation opportunities altogether. However, CEQA provides: <i>In mitigating or avoiding a significant effect of a project on the environment, a public agency may exercise only those express or implied powers provided by law other than this division. However, a public agency may use discretionary powers provided by such other law for the purpose of mitigating or avoiding a significant</i></p>	<p>L4-54</p>

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effect on the environment subject to the express or implied constraints or limitations that may be provided by law. Pub. Res. Code §21004.

Existing laws may be used in conjunction with CEQA to mitigate significant environmental impacts caused by the project. *San Franciscans for Reasonable Growth v. City and County of San Francisco*, 209 Cal.App.3d 1502, 1525 (1989). Additionally, the CEQA Guidelines state:

L4-54
(cont'd)

Where another law grants an agency discretionary powers, CEQA supplements those discretionary powers by authorizing the agency to use the discretionary powers to mitigate or avoid significant effects on the environment when it is feasible to do so with respect to projects subject to the powers of the agency. Prior to January 1, 1983, CEQA provided implied authority for an agency to use its discretionary powers to mitigate or avoid significant effects on the environment. Effective January 1, 1983, CEQA provides express authority to do so. Guidelines §15040 (c).

7. The Power and Responsibility Conferred on the Board of Trustees in the Construction and Development of any State University Campus includes the Authority to Fund Off-Site Mitigation.

There are several laws that provide CSU with the authority to mitigate off-site environmental impacts. These laws consider the costs of mitigation to be a part of the overall project costs. "Mitigation measures must be fully enforceable through permit conditions, agreements, or other legally binding instruments. In the case of adoption of a plan, policy, regulation, or other public project, mitigation measures can be incorporated into the plan, policy, regulation, or project design." Guidelines §15126 (4)(a)(2). In the context of the statute, to incorporate mitigation measures into a project means to amend the project so that the mitigation measures will be implemented, such as reducing the scope of the project or requiring that mitigation measures be implemented as a condition of the project. *Federation of Hillside and Canyon Assoc. v. City of Los Angeles*, 83 Cal.App.4th 1252, 1261 (2000).

L4-55

Additionally, CSU CEQA procedures, for CSU projects, contemplate mitigation measures as provided in §9178.05:

Mitigation measures must be capable of:

1. Avoiding the impact altogether by not taking a certain action or parts of an action.
2. Minimizing impacts by limiting the degree or magnitude of the action and its implementation.

00044

3. Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment.
4. Reducing or eliminating the impact over times by preservation or maintenance operations during the life of the project.
5. Compensating for the impact by replacing or providing substitute resources or environments. CSU CEQA Procedures SUAM Section III, p.18.

State funding authority includes the ability to approve expenditures in compliance with laws such as CEQA:

When the board has determined that any construction, improvements, and the purchase of equipment is to be undertaken, or that plans and specifications for construction, improvements, and equipment shall be prepared, the Director of Finance by executive order shall allot to the University of California the amount required to perform the work approved for the University of California, or to the Department of General Services or other state agency the amounts required to perform the work approved by the board for other state agencies. The University of California or the state agency to which money has been allotted shall perform that work or cause it to be performed in the manner provided by law. Gov Code §15792. (italics added)

L4-55
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The state has expressly authorized CSU to fund campus construction and related expenses required to carry out that construction:

On and after July 1, 1961, the Trustees of the California State University shall have full power and responsibility in the construction and development of any state university campus, and any buildings or other facilities or improvements connected with the California State University. Ed. Code §66606.

In summary, CEQA and other state laws contemplate incorporating mitigation measures into the development project, as a component of the approved project itself. Accordingly, the mitigation measure costs may properly be considered costs associated with the development project. The Board of Trustees has authority to fund the development, which would include mitigation measures incorporated into the project.

8. Funding Off-Site Mitigation for Environmental Impacts would not be an Illegal Gift of Public Funds because the Funds are for a Public Purpose.

The Legislature is prohibited from making a gift of public money or thing of value to any individual or to any municipal or other corporation. Cal. Const. Art. XVI, §6. However, if public funds are used for a public purpose, they are not a gift. *County of Alameda v. Carleson*, 5 Cal.3d 730, 745-746 (1971). It does not

L4-56

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matter if private individuals are incidentally benefited as long as the overall purpose is to promote the public interest. *Alameda County v. Janssen*, 16 Cal.2d 276, 282 (1940). Also, some functions performed by local governments are both local and state in nature. *City of Los Angeles v. Riley*, 6 Cal.2d 621, 623 (1936). A state purpose may also be a local purpose. The state may appropriate taxes to a local government for state purposes, notwithstanding that the purpose may also be local. *Id.* at 624.

For example, the appropriation by a county to a city to pave a public street was not a gift because of the public purpose served by paving the street. *City of Oakland v. Garrison*, 194 Cal. 298, 303-304 (1924). However, it was not sufficient that the appropriation was for a public purpose only, but that the public purpose served was of sufficient general county interest. *Id.* at 304. In another case, the outright appropriation of \$10 million to veterans to purchase homes would be unconstitutional, but an appropriation of the money to veterans to purchase homes as part of a resettlement project was constitutional because resettlement is a public purpose. *San Diego County at 724; Veterans' Welfare Board v. Riley*, 189 Cal. 124 (1922).

L4-56
 (cont'd)

In the case of the expansion of SDSU, the Draft EIR states that adverse environmental impacts may be reduced to a level of insignificance by off-site mitigation measures. Legislation provides, "The maintenance of a quality environment for the people of this state now and in the future is a matter of statewide concern." Pub. Res. Code §21000 (a). Further, "[e]ach public agency shall mitigate or avoid the significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so." Pub. Res. Code §21002.1 (b). Street improvements have been found to be a benefit to the city, county, and, where it connects with a state highway, of general benefit. *City of Oakland* at 304. Funding off-site mitigation to address the adverse environmental impacts of the SDSU expansion would not be an illegal gift of public funds because of the public purpose and general benefit to the people of the State of California and the City of San Diego in furthering the public policy behind state environmental law.

9. The Regents of the University of California have Agreed to Pay for Off-Site Mitigation for Expansion of UC Campuses.

There are cases where the Regents of the University of California have agreed to pay for off-site mitigation measures due to expansion of UC campuses. For example, where elementary school enrollment was increased as the result of a university development plan, the Regents committed in the SEIR to provide its fair share of the costs of mitigation to address any impacts as the result of carrying out the plan. *Goleta Union School Dist. v. Regents of the University of Ca.*, 37 Cal.App.4th 1025 (1995). The Regents also agreed to air monitoring

L4-57

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program for the area surrounding the campus as part of mitigation to ensure air quality in *Laurel Heights Improvement Assoc. v. The Regents of the University of Ca.*, 47 Cal.3d 376 (1988). These are examples of public funds for a public purpose to mitigate off-site environmental impacts due to campus expansions.

L4-57
(cont'd)

10. CSU's Reliance on the *San Marcos* case is Misplaced Because the Legislature Responded to the *San Marcos* case by Revising the Holding and Providing Statutory Authority to Impose Capital Facilities Fees on Public Entities.

The Draft EIR provides the following discussion regarding mitigation limitations:

Consequently, California law provides that, in the absence of express legislative authority, State property is exempt from property taxation and special assessments for street and other local improvements... According to the California Supreme Court in the San Marcos decision, the rationale behind this exemption is 'to prevent one tax-supported entity from siphoning tax money from another such entity; the end result of such a process could be unnecessary administrative costs and no actual gain in tax revenues.' Executive Summary, p.11.

In *San Marcos*, a water district needed legislative authority in order to collect a fee from a public entity because the fee was a special assessment in relation to the exemption for public entities from property taxation. *San Marcos Water Dist. v. San Marcos Unified School Dist.*, 42 Cal. 3d 154 (1986). In response to the California Supreme Court decision, the Legislature adopted the "San Marcos Legislation" providing authorization for the special assessments. Gov. Code §§4999-54999.6.

L4-58

(a) The Legislature finds and declares that many public entities that provide public utility service have imposed capital facilities fees applicable to users of public utility facilities in order to equitably apportion the cost of capital facilities construction or expansion required by all public and private users of the facilities. In the recent decision in *San Marcos Water Dist. v. San Marcos Unified School Dist.*, 42 Cal. 3d 154, the California Supreme Court held that public entities cannot be made subject to these fees without statutory authorization. As a result, the fiscal stability and service capabilities of the affected public utility service agencies which have in good faith collected and spent these fees for capital improvements are seriously impaired as is the ability to finance essential future facilities.

(b) The Legislature further finds that the holding in the *San Marcos Water Dist. v. San Marcos Unified School Dist.*, 42 Cal. 3d 154, should be revised to authorize payment and collection of capital facilities fees subject to the

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limitations set forth in this chapter, and in furtherance of this finding the Legislature hereby enacts the following provisions. Gov. Code §54999.

When the fees are imposed on a state agency or education entity, they must be necessary to defray the actual construction costs of that portion of the public utility facility actually serving the agency or educational entity. Gov. Code §54999.3 (a).

L4-58
 (cont'd)

Further, the *San Marcos* case plays no role in the interpretation of assessments, fees, and taxes under Cal. Const., art. XIII D. *Richmond v. Shasta Community Services Dist.*, 32 Cal.4th 409, 422 (2004).

11. CSU's reliance on the *City of Marina* case is inappropriate as the case is under review by the California Supreme Court and is not citable legal authority.

The Draft EIR Mitigation Limitations section cites a 2003 Court of Appeals case for the proposition that off-site traffic improvements which are necessary to offset a projected increase in traffic caused by a CSU University are not the responsibility of the university, but, rather, are the responsibility of the local jurisdiction. *City of Marina v. Board of Trustees of the California State University*, 109 Cal.App.4th 1179 (2003). The California Supreme Court has granted review of the *City of Marina* case. Granting of petition for hearing of prior case makes citation of the prior case improper. *Coalition for Los Angeles County in Public Interest v. Board of Supervisors of Los Angeles County*, 76 Cal.App.3d 341 (1977). Therefore, the *City of Marina* case should not be cited as authority for any legal proposition under the California Rules of Court, Rule 976, Rule 977, and Rule 979.

L4-59

12. The Draft EIR should include a historic resources report to address impacts to Historical Site #80. Monitoring should be required for excavation into soil which could potentially contain historic resources.

L4-60

13. A restoration plan should be provided to mitigate wetland impacts. (See attached).

L4-61

Please contact the above-named individual if you have any questions on these comments. We ask that you please address these issues in the draft EIR and use our significance thresholds for mitigation. Also, please provide us a copy of the draft.

L4-62

L4 (cont'd)

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March 16, 2005

Sincerely,



Chris Zirkle
Assistant Deputy Director
Land Development Review Division

Attachments:

Wetlands Restoration Plan Guidelines (Appendix B of Bioguidelines)

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**GENERAL OUTLINE FOR
REVEGETATION/RESTORATION PLANS**

Introduction

- Background and project location(s) (with maps)
- Project Purpose & Restoration Goal(s) and Objectives

Existing Conditions

- Environmental setting/vegetation & wildlife of affected/ impacted area(s) [can be in intro]
- Environmental setting, ownership, land uses of area to be revegetated (figures/maps)
- Description/evaluation of vegetation, soil, hydrology/drainage conditions, topography, constraints (topo maps)
- Reference Site(s) for development of specifications, and for monitoring use.

Responsibilities

- Financial Responsibility
- Revegetation Team:
 - Project Biologist (include training of contractors, as needed)
 - Monitor, if different
 - Landscape/Reveg/Maintenance Contractor(s)
 - Seed/plant collection/procurement contracting

Site Preparation

- Removal of debris, if necessary
- Land shaping/grading and drainage plan, if needed
- Topsoil/brush & propagule salvage and translocation plan, if needed
- Weed Eradication
- Soil Preparation

Planting Specifications

- Seed sources and procurement
- Seed Mixes/Container plant lists (lbs/ac)
- Planting Design (include timing/schedule, planting plan)
- Seed application methods (imprinting, hydroseed or mulch, hand broadcasting, etc.)
- Irrigation

Maintenance

- Site Protection (fencing, signage)
- Weed Control (methods, schedule)
- Horticultural Treatments (pruning, leaf litter, mulching, removal of diseased plants)
- Erosion Control
- Replacement plantings and reseedling
- Vandalism
- Irrigation maintenance, if needed

Monitoring and Success Assessment
Monitoring & Reporting Schedules
Performance Standards
Monitoring procedures
 horticultural (seeding and plant assessments)
 biological, including sampling methods
Reporting program

Remediation and Contingency Measures

Performance Bond

Notification of Completion



THE CITY OF SAN DIEGO

S4

March 18, 2005

W. Anthony Fulton
Director of the Office of Facilities Planning and Management
Administration Building 130
San Diego State University
5500 Campanile Drive
San Diego, CA 92182-1624

Dear Mr. Fulton:

Subject: Draft Environmental Impact Report and SDSU 2005 Campus Master Plan Revision

The Redevelopment Agency of the City of San Diego (Redevelopment Agency) has received and reviewed the Draft Environmental Impact Report (DEIR) and SDSU 2005 Campus Master Plan Revision. This letter shall serve as the Redevelopment Agency's response to the DEIR and outlines the concerns of the Redevelopment Agency.

MAJOR ISSUES

- According to Section XI of the Executive Summary of the DEIR, it is the position of the CSU Board of Trustees that SDSU is not legally authorized to fund off-site improvements as mitigation for campus development such as that proposed by the SDSU 2005 Campus Master Plan Revision;
- In the DEIR, Table ES-2, Summary Table of Project Impacts and Mitigation Measures, the Redevelopment Agency is identified as the responsible agency for mitigation measures TCP-1 through TCP-6 and TCP-8 through TCP-11; and
- According to Section V of the Executive Summary, page ES-4, The DEIR is intended to be both a program level and project level EIR for the proposed Alvarado Hotel and the 'D Lot' portion of the Alvarado Campus Park.

S4-1

SUMMARY RESPONSE TO ISSUES

- SDSU could legally fund off-site improvements as mitigation for campus development;
- The Redevelopment Agency is not responsible for mitigating traffic impacts as a result of development by SDSU;

S4-2

S4-3



Redevelopment Agency

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Tel (619) 533-4233 Fax (619) 533-5250

Community and Economic Development

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Facilities Planning And Management

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<ul style="list-style-type: none">Any assistance to the mitigation of traffic impacts as a result of SDSU's 2005 Campus Master Plan Revision is <u>highly unlikely</u> due to the fact that SDSU is exempt from paying property tax and therefore no tax increment is expected to be generated;	S4-4
<ul style="list-style-type: none">Even if eligibility could be shown to qualify for Agency funds, the Agency still has discretion of which of many competing projects actually gets funded. Even if evidence could be presented to support the findings, no expenditure could be made unless and until the Agency and City Council, in their sole discretion, decide to adopt the necessary resolutions and provide funding;	S4-5
<ul style="list-style-type: none">Certain criteria must be met before the Redevelopment Agency could consider contributing funds for the off-site improvements. At least two conditions have not been met including 1) No other reasonable means of financing, and 2) consistency with the adopted redevelopment plan, master project plan and implementation plan; and<ul style="list-style-type: none">SDSU's proposed projects are inconsistent with the College Community Redevelopment Plan adopted by City Council by Ordinance Number O-18018 on November 30, 1993;SDSU's proposed projects are inconsistent with the College Community Redevelopment Project Master Project Plan adopted by City Council by Resolution Number R-282801 on October 12, 1993; andSDSU's proposed projects are inconsistent with the College Community Redevelopment Project Third Five-Year Implementation Plan adopted by The Redevelopment Agency by Resolution Number R-03810 on September 7, 2004.	S4-6
<ul style="list-style-type: none">Section Five of the DEIR, Alternatives, did not consider private development and ownership of the proposed projects within the College Community Redevelopment Project Area. Nor did it provide an alternative development program that would be consistent with the Redevelopment Agency's adopted documents.	S4-7
<p><u>BACKGROUND</u></p> <p>Before responding in more detail to the issues raised previously, a clear distinction between the Redevelopment Agency and the City of San Diego [City] must be made. A redevelopment agency is generally recognized as a separate legal entity from the city that establishes it. <i>County of Solano v. Vallejo Redevelopment Agency</i>, 75 Cal. App. 4th 1262, 1267 (1999). Redevelopment agencies are governmental entities that exist by state law and are administrative agents of the state. These agencies carry out state policy and do not function as local entities. They are state agencies carrying out state policy for local purposes. <i>See Andrews v. City of San Bernardino</i>, 175 Cal. App. 2d 459 (1959); <i>Walker v. Salinas</i>, 56 Cal. App. 3d 711 (1976); <i>Kehoe v. City of Berkeley</i>, 67 Cal. App. 3d 666 (1977). Therefore, the Redevelopment Agency is a separate legal entity distinct from the City.</p>	S4-8
00011	

DISCUSSION

Section XI of the Executive Summary of the DEIR does not make a compelling argument as to why SDSU could not pay for the off-site improvements to mitigate the impacts of SDSU's proposed projects. Further, it indicates that doing so could lead to legal challenges that such expenditures could be considered illegal gifts of public funds. That argument makes no sense given the fact that state and local agencies regularly contribute public funds to off-site public improvements.

S4-8
(cont'd)

It is the understanding of the Redevelopment Agency that currently SDSU has a permit application with the City for a public improvement project at the intersection of College Avenue and Zura Way. This public improvement project, which SDSU is the applicant for, also happens to be one of the off-site mitigation measures [TCP-3] listed in the DEIR [Table ES-2, Summary Table of Project Impacts and Mitigation Measures] which SDSU claims it can not legally fund.

The Redevelopment Agency can find no justification as to why SDSU in its DEIR asserts that the Redevelopment Agency is responsible for mitigation measures as a result of SDSU's proposed projects. Further, SDSU has no legal authority to assign responsibility of mitigation measures as a result of SDSU proposed projects onto the Redevelopment Agency.

The DEIR, in Table ES-2, Summary Table of Project Impacts and Mitigation Measures, references the 1993 Program EIR for the College Community Redevelopment Project Area in identifying the Redevelopment Agency as the responsible agency for mitigation measures referenced as TCP-1, TCP-2, TCP-3, TCP-4, TCP-5, TCP-6, TCP-8, TCP-9, TCP-10, and TCP-11. It should be noted that the 1993 EIR is a 12-year old, program level EIR, adopted by the Redevelopment Agency and City Council. It should not be interpreted that the mitigation measures listed in the 1993 Program EIR are the responsibility of the Redevelopment Agency. Currently, projects within the College Community Redevelopment Project Area in development and with the participation of the Redevelopment Agency, such as the proposed The Paseo Project, have been tasked with a project specific EIR and specific mitigation measures for the impacts of each project are being assessed.

S4-9

It should also be noted that the 1993 Program EIR anticipated 600,000 square feet of office space and 100,000 square feet of research and development space within the Alvarado Road Sub-Area. It did not consider the College of Education and College of Engineering with a combined development program of 1,065,000 square feet. Also, although a hotel was considered in the 1993 Program EIR, the hotel was intended to be built in the Lot 'A' Sub-Area, not the Alvarado Road Sub-Area.

S4-10

The Agency does have the authority to acquire and develop property and to provide for installation/construction of streets, utilities, and other public improvements necessary in the project area to carry out the redevelopment plan; *Health and Safety Code Section 33421*. Furthermore, the Agency is also authorized to pay value of the land and cost of installation &

S4-11

S4 (cont'd)

construction of any improvement that is publicly owned within or without the project area; *Health and Safety Code Section 33445*. However, California Community Redevelopment Law [CRL] section 33445 requires specific findings be made to justify the use of Agency funds. Those required findings are:

- (1) That improvements are of benefit to the project area or to the immediate neighborhood within which the project is located;
- (2) That no other reasonable means of financing the improvements are available to the community; and
- (3) That the payment of funds for the cost of the improvement will assist in the elimination of one or more blighting conditions inside the project area, and is consistent with the redevelopment plan and implementation plan adopted pursuant to Section 33490.

Thus, certain criteria must be satisfied before determining that Agency funds can be appropriately applied to costs of off-site traffic improvements. Other reasonable means of financing would need to be sought prior to seeking additional funding from the Agency.

One of the major criteria used by the Redevelopment Agency in determining which projects will be funded is whether the project will pay for itself through the use of tax increment financing. That is clearly not the case here, particularly with anticipated private development now proposed for by SDSU to be publicly owned facilities that would be taken off the property tax rolls.

Other criteria which the Redevelopment Agency uses to determine which projects will receive funding which is not met with SDSU's 2005 Campus Master Plan Revision include:

- Consistency with the College Community Redevelopment Plan [CCRP]. The CCRP did not anticipate and does not allow for the construction of a hotel in the Alvarado Road Sub-Area of the College Community Redevelopment Project Area. A hotel is permitted in the CCRP in the Lot 'A' Sub-Area of the College Community Redevelopment Project Area, but that is not what is being proposed in the SDSU 2005 Campus Master Plan Revision;
- Consistency with the College Community Redevelopment Project Master Project Plan [MPP]. The MPP requires that a design manual be adopted for each of the five Sub-Areas of the College Community Redevelopment Project Area before development is to occur. At this time, only the Core Sub-Area has an adopted Design Manual. It was adopted by City Council on August 12, 1997 by Resolution Number R-289099. Prior to any major development being permitted within the Alvarado Road Sub-Area, a similar Design Manual must be adopted by City Council; and

S4-11
(cont'd)

S4-12

00013

S4 (cont'd)

- Consistency with the Third Five-Year Implementation Plan for the College Community Redevelopment Project [Implementation Plan]. The Implementation Plan anticipates the San Diego State University Foundation would bring forward the Alvarado Road Sub-Area Design Manual sometime in Fiscal Year 2005 with construction of approximately 100,000 square feet of campus serving research and office space to commence in Fiscal Year 2006. The SDSU 2005 Campus Master Plan Revision calls for 245,000 square feet of development and makes no mention of an Alvarado Road Sub-Area Design Manual.

S4-12
(cont'd)

The Alternatives Section of the DEIR should have considered the alternative of a private development and ownership of the proposed projects within the College Community Redevelopment Project Area. This could have produced an alternative whereby funding by the Redevelopment Agency could be identified. Further, had a less intense development alternative been considered, with the hotel not proposed within the Alvarado Road Sub-Area, findings may have been made which would meet the Redevelopment Agency's criteria to assist in the funding of off-site improvements.

S4-13

CONCLUSION

The Redevelopment Agency does not agree with the assertion that SDSU can not legally pay for off-site public improvements to mitigate impacts as a result of SDSU's proposed projects. The Redevelopment Agency does not accept responsibility for mitigating any impacts as a result of SDSU's proposed projects. The Redevelopment Agency does not support the CSU Board of Trustees certification of this DEIR until additional alternatives such as those previously mentioned are considered.

S4-14

Sincerely,



Hank Cunningham
Assistant Executive Director, Redevelopment Agency

cc: Aimee Faucett, Chief of Staff, Council District 7
Chris Zirkle, Assistant Deputy Director, City of San Diego EAS
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College Community Redevelopment Project Area Committee

00014

**California State University Board of Trustees
Committee on Planning, Buildings and Grounds**

**Long Beach, California
September 20, 2005**

to be distributed to the Board, please give it to the Committee Secretary, and it will be distributed. The six people who have asked to speak in opposition are: Mike Fortney; Claudia Silva; J. Michael McDade; Carey Cooper; Michael McSweeney; and Jay Wilson. Please turn on the mike. You may organize the speakers as you wish.

McDade: Yes, I'd like to help organize the speakers in opposition and also reduce the number, if I may.

Esparza: Certainly.

McDade: My name is Michael McDade, and I'm one of the attorneys who will be presenting today. We have only five speakers, that will begin with Justin Booth, Michael Fortney, myself, Michael Sweeney and William VanDeWeghe, and we will be using irregular amounts of time – some speaking for less than the three minutes, some speaking more, but we will probably be short of the 30 minutes set aside.

Esparza: *[Inaudible]* . . . coordinate them, please.

McDade: Alright. Mr. Booth?

Booth: Thank you, and good afternoon, Board members. My name is Deputy City Attorney Justin Booth. I am here on behalf of the City of San Diego, as well as General Counsel for the Redevelopment Agency. I'm here before you today to ask you to delay and put forth another two months continuance on

this process because, as President Weber mentioned, there have been a task force, ad hoc committees, that were created between Councilman Jim Madaffer, as well as President Weber, but those have not been able to meet yet. Their first meeting, he failed to mention, was, is on October 4th, and I believe that these meetings, as the President said, will address a lot of the issues in the deficiency of the EIR. We have three major issues with the EIR in terms of deficiencies.

Number one, the EIR fails to address the severity of all the impacts. There are many examples, but one of which is we have a very healthy riparian Alvarado Creek area that will be directly impacted, and the EIR dismisses it as somewhat insignificant. Second, you have – there is a failure to identify all of the impacts in the EIR. Essentially, there are several major intersections with I-8, as well, which are not even addressed at all in the EIR in terms of its traffic impacts. And, third, you also have the failure to adequately evaluate the feasible project alternatives. When you couple this with the fact that, as your General Counsel mentioned, you have a case that is directly on point here, call the *City of Marina* case, that has not been decided on by the Supreme Court, it gives another reason to continue this until the determination comes down and oral argument is held.

Essentially, the City of San Diego and the Redevelopment Agency strongly disagree with the EIR's statements regarding off-site mitigations. There are no prohibitions explicitly against the paying of off-site mitigation by the CSU

Board. The *City of Marina* case relies on a case called *San Marcos*. Well, *San Marcos*, number one, was not a CEQA case, and number two, does not directly address the fundamental issue which is in the *City of Marina* case, so, to make a decision by this Board today that is going to be directly impacted by the outcome of this case seems premature.

Finally, CSU is not exempt from CEQA. CSU is not exempt from mitigating this project's impacts. Your General Counsel said today that one entity public cannot tax another. That is true. But this is not a tax situation. If the Board is allotted, through the EIR process and through the mitigation efforts, to widen a particular road directly related to a 450-unit building that its creating that all of these people are going to be housed in, that's simply not a tax.

So, the one thing that I want to finish with, and I want this Board to understand, I have received approval from the City Council in the City of San Diego to pursue litigation, should this Board finalize the EIR here today. So, just wanted to let the council, make them aware of that, and to understand that, should they go forward, the City, as well as the Redevelopment Agency, is prepared to file a writ. Thank you.

Fortney:

Good afternoon. Mike Fortney with the City of San Diego's Redevelopment Agency. Again, we are opposed to the 2005 Campus Master Plan Revision and Final EIR. I wanted to point out a number of things, which I pointed out approximately 60 days ago. *[Inaudible]* . . . does not conform to the College Community Redevelopment Plan, the College Community Master Project

Plan, nor does it conform to the College Area Community Plan. I want to point out, too, that we oppose because San Diego State University refuses to accept the responsibility to mitigate the impacts of its own development. Furthermore, San Diego State University appears, in its Draft EIR, or, I apologize, Final EIR, attempts to delegate responsibility for mitigating its impacts on the Redevelopment Agency of the City of San Diego. I want to make it very clear that the Redevelopment Agency is not responsible for mitigating impacts as a result of San Diego State University.

In addition, I wanted to say also the Redevelopment Agency has the authority to review and approve or disapprove any projects proposed in the redevelopment project area. I wanted to thank the CSU Board, approximately 60 days ago, for having continued this item. We were under the impression that that continuance was so that the University could engage members of the College Area community, as well as the Agency and the City – there is an ad hoc committee that has been created. However, that committee has not even met yet. I believe we're scheduled to meet October 4th, so, again, I think it's premature to vote again today, and would ask for another 60-day continuance. Thank you.

McDade: Chairman Galinson and Committee members, good afternoon. I, as indicated previously, my name is Michael McDade, and I'm here today as legal counsel for Alvarado Hospital Medical Center and its parent, Tenet Healthcare Corporation. We're here, sadly and reluctantly, in opposition to the master

plan because we think that San Diego State committed a serious error of judgment in the early planning of this project. Dr. Weber talks about 70-some odd meetings that were held with the community, but unfortunately the community that they totally ignored during that period of time were those who were impacted by the project going forward, including my client. Alvarado Hospital sits immediately adjacent to massive redevelopment proposed – over one million feet of new development for offices, classrooms and the like, a 2,000-car parking garage, a hotel. All of these are coming in immediately next door and we were never given legal notice of this. We learned about it from a third party at the end of the comment period. It's been response ever since then, and I think in thinking back and what I've gathered from meetings since then with SDSU, I think they are also a little bit chagrined that these meetings didn't take place first, because Alvarado has been a partner to San Diego State. They have been a donor to San Diego State. They've provided jobs for students and internships. They love the relationship, but they have to protect their own interests.

Alvarado is one of only two hospitals serving approximately one-third of San Diego's East County, or . . . San Diego County and the eastern region. It is a vital healthcare facility. It is a key emergency response center. It's located on Alvarado Road, which is already a failing road by City standards. It's already at the F level for many periods of the day. That being the case, this is a situation that cannot be ignored. The Hospital has to protect the interests of the public, who need healthcare. It has to protect its own economic interests

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10
11 **SUPERIOR COURT OF CALIFORNIA**
12 **COUNTY OF SAN DIEGO**

13 DEL CERRO ACTION COUNCIL,)

14 Petitioner,)

15 v.)

16 BOARD OF TRUSTEES OF CALIFORNIA)
17 STATE UNIVERSITY and DOES 1-20,)
18 inclusive,)

19 Respondents.)

20 SAN DIEGO STATE UNIVERSITY and)
21 DOES 21- 40, inclusive,)

22 Real Parties in Interest.)

Case No.: GIC855643

[COMPLEX LITIGATION –
consolidated w/ GIC855694 and
GIC855701]

**SECOND OPENING BRIEF
IN SERIES OF THREE:**

**DEL CERRO ACTION COUNCIL'S
OPENING BRIEF**

Dept.: 71
Judge: Ronald S. Prager
Complaint Filed: 10/20/05

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1 **I. Introduction**

2 This Opening Brief is submitted by the Del Cerro Action Council, one of three petitioners
3 before the Court in this matter. The Court here is presented with three consolidated CEQA
4 actions brought by very different petitioners: the City, the Alvarado Hospital and a group of
5 citizens from the Del Cerro neighborhood. Each one of these petitioners has concerns unique
6 from the others, but nevertheless find themselves aligned as a result of San Diego State
7 University's (SDSU's) 2005 Campus Master Plan Revision ("the Project") which proposes an
8 unprecedented, ambitious and controversial expansion of the existing campus beyond its historic
9 boundaries, with little regard for resultant impacts on the adjacent hospital, nearby residents, the
10 environment or the general public.

11 **II. Statement of Facts**

12 **A. History of the Del Cerro Community and the Navajo Community Plan**

13 As stated in the Navajo Community Plan (NCP), of which the Del Cerro neighborhood is
14 part, this is a "family-oriented community of attractive single-family homes." (AR 4493) A
15 community plan for the Navajo area was initially adopted in 1982, with a circulation and public
16 transportation element being added in 2002 (AR 4475), and additional road classifications being
17 made for the Del Cerro neighborhood in April 2004 (AR 6578).

18 Del Cerro lies within the Navajo area, north of the 8 Freeway, and is currently separated
19 from SDSU's campus by eight to ten lanes of busy inter-state freeway. There is, however, a strip
20 of undeveloped land owned by SDSU, which also lies north of Interstate 8, and which separates
21 Del Cerro homes from the freeway. The only access to this strip of land is through the Del Cerro
22 neighborhood. (AR 438 and 464) This entire area is zoned as RS11, meaning it is zoned for no
23 more than one single-family residence per 40,000 square feet. (AR 660) SDSU, however,
24 intends to develop 540 apartment and town home units on 33 acres, and has not planned any
25 alternative access, but intends to direct all traffic (an additional 3,123 car trips per day) over the
26 Del Cerro streets and past Del Cerro's pre and elementary schools. (AR 464, 1632-1633, 1639)
27 The development of this area within the Del Cerro neighborhood is only one of several
28 developments proposed by SDSU's 2005 Master Plan Revision.

1 **B. San Diego State University's 2005 Master Plan Revision**

2 The project in question is a multi-component, master-planned expansion of the SDSU
3 campus, and consists of five major components:

4 Alvarado Campus Park: SDSU will construct up to 1,065,000 square feet of instructional
5 and research office space as well the subsequent construction of a 2,000 car parking structure.
6 This aspect of the campus expansion would necessitate the demolition of the existing Alvarado
7 Medical Center.

8 East Campus Residence Hall Expansion: SDSU will construct an additional residence
9 hall and parking on its main campus to accommodate an additional 300 student residents.

10 Student Union: SDSU will construct a new Student Union Building on its main campus.

11 Alvarado Hotel: SDSU will construct a 60,000 square foot, four-story hotel to provide
12 approximately 120 hotel rooms and studio suites with all attendant amenities.

13 Adobe Falls/North Campus: SDSU will develop 540 apartments and town homes,
14 including "continuing care" senior housing, primarily for SDSU retired faculty and retired staff.
15 The use of the term "North Campus" is a misnomer, as this area is separated from SDSU's
16 campus by the I-8 freeway, and can only be accessed when traffic is routed over Del Cerro's
17 residential streets, through a community of single-family residences and past two schools. In
18 essence, the 540-unit development will be placed at the end of two Del Cerro cul de sac streets.
19 (AR 96 and 464)

20 **C. The Administrative Process**

21 On September 21, 2005, CSU approved SDSU's 2005 Master Plan Revision and certified
22 the EIR in the face of opposition not only from Petitioners, but from the Fire Department (AR
23 768), the Police Department (AR 4202-4204), the California Department of Transportation (AR
24 2101-2105), the California Highway Patrol (AR 2099-2100), the San Diego River Conservancy
25 (AR 2554), and various other agencies and local community councils.

26 Because CSU determined that the Project would have unmitigable significant adverse
27 environmental effects on air and traffic that cannot be mitigated to a less-than-significant level,
28 CSU made Findings of Fact and adopted a Statement of Overriding Consideration when it

1 approved the Project. (AR 4406-4470) In this case, though, the Statement of Overriding
2 Considerations serves another purpose: to override significant adverse environmental impacts
3 caused by the Project which *could be* avoided or substantially lessened if Respondent would
4 undertake necessary mitigation in conjunction with its development.

5 **III. Standards for Review**

6 This Court must independently examine the administrative record to determine whether
7 CSU abused its discretion in certifying the EIR and approving SDSU's expansion. See, e.g.,
8 *Gentry v. City of Murrieta* (1995) 36 Cal.App.4th 1359. An abuse of discretion is established if
9 either (1) the agency has not proceeded in a manner required by law, or (2) the determination or
10 decision is not supported by substantial evidence. *Topanga Assoc. for Scenic Community v.*
11 *County of Los Angeles* (1974) 11 Cal.3d, 506, 516. Even though the Court's review of factual
12 determinations made by Respondent is deferential, limited to asking whether such determinations
13 are based on substantial evidence, there is no deference owed when it comes to ascertaining
14 whether CSU failed to act in a manner prescribed by law, such as by not satisfying the
15 information-disclosure requirements of CEQA. See, e.g., *Bakersfield Citizens for Local Control*
16 *v. City of Bakersfield* (2004) 124 Cal.App.4th 1184, 1207-1208.

17 **IV. The EIR Violates CEQA Because it Contains False and Misleading Information**

18 CEQA requires full disclosure of all information that bears on the environmental impact
19 of a project, so that all concerned are fully informed. *Maintain Our Desert Environment v. Town*
20 *of Apple Valley* (2004) 120 Cal. App. 4th 396. More specifically, CEQA guidelines require that
21 the EIR discuss "any inconsistencies between the proposed project and applicable general plans
22 and regional plans." 14 Cal. Code Regs § 15125(d). Such disclosure obligations must be strictly
23 complied with, and this Court owes no deference as it examines the EIR to determine whether
24 appropriate disclosures were made. *Bakersfield Citizens for Local Control, supra*, at 1207-1208.

25 **A. The EIR Fails to Disclose the Project's Inconsistencies with the Navajo**
26 **Community Plan & Local Zoning Laws**

27 Despite the requirement for strict adherence to disclosure obligations, the EIR fails to
28 acknowledge the specific differences between the proposed Adobe Falls Development and

1 the NCP. The EIR is inconsistent with the NCP in several respects, none of which were
2 acknowledged by the EIR despite public comments raising the issues.

3
4 **1. The EIR is Misleading in Connection with the Del Cerro's Street Classifications and Carrying Capacities**

5 First, the EIR classifies Del Cerro Boulevard as "unclassified" despite the fact that the
6 Navajo Community Planning Group ("NCPG") and the City Planning Department designated
7 Del Cerro Boulevard as a "local street" and brought this fact to SDSU's attention through
8 comments on the Draft EIR (DEIR). While the Navajo Community Planners cited the relevant
9 transportation map on file with the San Diego Planning Department in its comments, SDSU
10 responded by asserting its conclusion that its Del Cerro roadway classifications are "consistent"
11 with the NCP. (AR 4257 and 6578) This is a false statement because the road classifications
12 used in the EIR's traffic impact assessment are different than the classifications made by the
13 NCPG.

14 Prior to preparation of the DEIR, the most current information on Del Cerro Boulevard's
15 designation and capacity came from the April, 2004 NCPG's determination that Del Cerro
16 Boulevard was a "local street" with a maximum capacity of no more than 1,500 or 2,000 ADT.
17 (AR 3628 and 6578) The EIR initially identified this same street as an "unclassified roadway."
18 (AR 3345) Unclassified roadways are assigned capacity in the local street chapter of the San
19 Diego Street Design Manual. (AR 4257) However, the EIR does not apply that 2,000 capacity
20 for Del Cerro Boulevard. Instead, the EIR proceeds to "classify" the street as a "collector" with a
21 carrying capacity of 5,000 ADT. (AR 3347) Despite CEQA disclosure obligations, the FEIR
22 nevertheless includes a statement that its street classifications are "consistent" with the NCP and
23 San Diego Street Design Manual. (AR 6578) More importantly, the EIR refuses to acknowledge
24 or disclose the substantial discrepancy between the Del Cerro Boulevard's carrying capacity as a
25 local road versus its capacity as a collector. The EIR dodges this issue. Even in the FEIR's
26 General Response, where it is finally acknowledged that the road was designated as a local street
27 in 2004, there is no disclosure of the difference in carrying capacity or that Del Cerro Boulevard
28 could not support project-related traffic under that local street designation. (AR 2592-2593)

1 Even assuming the EIR was correct in its determination that Del Cerro Boulevard could
2 qualify as a collector street under criteria set forth in the San Diego Street Design Manual, that is
3 no excuse for the EIR's failure to address, or even disclose the difference in the street's carrying
4 capacity under the EIR's designation and the NCPG's designation. As indicated in the EIR's
5 Traffic Impact Analysis, Del Cerro Boulevard is currently carrying 4,020 ADT – meaning it is
6 operating at an acceptable LOS C as a collector street, but is already over-capacity as a local
7 street. (AR 1619) Although it is a material fact, the EIR does not acknowledge or disclose that
8 Del Cerro Boulevard would not accommodate additional project-related traffic under the street
9 classification made by the NCPG.

10 **2. The EIR is Misleading in Connection with the Density Proposed for**
11 **the Adobe Falls Development**

12 The EIR is also inconsistent with the NCP and the local zoning ordinance in terms of the
13 density which it proposes for the Adobe Falls Development. First, this entire area is zoned as
14 RS11, meaning it is zoned for no more than one single-family residence per 40,000 square feet.
15 (AR 366) Instead of clearly disclosing the fact that the Project will exceed the density allowed
16 by the zoning ordinance, the EIR states that the Adobe Falls development would be “compatible
17 with the existing residential nature of the neighborhood” and “would not result in an
18 inconsistency with present land uses.” (AR 369) Furthermore, a residential development must
19 have a density between 10 and 14 units per acre to qualify as “low-medium” density under the
20 NCP. (AR 4592) The EIR, however, states that the Adobe Falls development qualifies as “low-
21 medium” density, despite the fact that it proposes 16.4 units per acre. (AR 377)

22 **3. The EIR Incorrectly States that it is “CONSISTENT” with The**
23 **Navajo Community Plan and Street Classifications**

24 Despite the factual discrepancies between density provisions, street classifications and
25 resultant street carrying capacities, not a single revision was made to the DEIR's “Navajo
26 Community Plan Consistency Analysis” which only makes findings that the Project is
27 “CONSISTENT” with each aspect of the NCP it assessed. (AR 377 (emphasis in original))
28 With regard specifically to street classifications, the FEIR repeatedly states that its street

1 classifications are "consistent" with the NCP. (AR 4257 and 6578) With regard to density
2 provisions, the EIR states it is "CONSISTENT" with the objectives of the NCP to "maintain and
3 enhance the quality of existing residences and encourage the development of a variety of new
4 housing types with dwelling densities primarily in the low-medium density range." (AR 377)
5 This is an untrue statement because the NCP defines medium density as 10-14 units per acre
6 (AR 4592) while the EIR calls for 16.4 units per acre. (AR 377) These misleading statements
7 violate CEQA which requires an EIR to serve as a public disclosure document, and which even
8 more specifically requires an honest discussion of "any inconsistencies between the proposed
9 project and applicable general plans and regional plans." 14 Cal. Code Regs § 15125(d).

10 **B. Sovereign Immunity Does Not Excuse CSU's Obligation to Disclose**
11 **Information**

12 Respondent may argue that sovereign immunity excuses it from having to comply with
13 the NCP and local zoning ordinances. Sovereign immunity cannot, however, excuse CSU from
14 its obligation to impart accurate information through its environmental public-disclosure
15 document. Even where there is no requirement that an EIR on a particular project be consistent
16 with an applicable general plan, the EIR is still required to identify any inconsistencies between a
17 project and the general plan. *Napa Citizens for Honest Gov't v. Napa County Bd. of Supervisors*
18 (2001) 91 Cal. App. 4th 342, 356; *Friends of the Eel River v. Sonoma County Water Agency*
19 (2003) 108 Cal. App. 4th 859, 881-882. Thus, even assuming Respondent might not have been
20 required to draft an EIR consistent with the NCP, Respondent was still required to identify any
21 inconsistencies between the EIR and the NCP. Instead, Respondent attempted to use the NCP to
22 its advantage, while hiding the inconsistencies that are to its disadvantage. In other words,
23 Responding party *did* include an examination of the NCP in its EIR, whether required or not.
24 (AR 373) Responding Party therefore *chose* to make the NCP *a part* of its environmental impact
25 analysis. But instead of plainly disclosing specific, factual incompatibility with its road
26 classifications, road carrying capacities and density provisions, the EIR states that the Project
27 is "CONSISTENT" with the NCP and uses this as a justification for allowing the Project to move
28 forward. (AR 373)

1 Because the EIR uses the NCP in its analysis, but at the same time fails to disclose that
2 the density of the Adobe Falls development and the road classifications made in its traffic
3 assessment do not comply with the NCP, the Responding Party not only failed to disclose
4 relevant information, but included misleading information in its public disclosure. Even
5 assuming Respondent has no obligation to comply with local plans or ordinances, it has an
6 important procedural obligation to be honest and forthright in its public disclosures. *Napa*
7 *Citizens for Honest Gov't, supra*, Cal.App. 4th at 356; *Friends of the Eel River, supra* 108 Cal.
8 App. 4th at 881-882.

9 **V. The EIR Violates CEQA Because it Does Not Include Accurate Baseline**
10 **Descriptions**

11 CEQA requires an accurate description of the baseline physical conditions of the vicinity
12 of the Project:

13 An EIR *must* include a description of the physical environmental conditions *in*
14 *the vicinity of* the project, as they exist at the time the notice of preparation is
15 published, or if no notice of preparation is published, at the time environmental
analysis is commenced, from both a local *and regional prospective*. This
environmental setting will normally constitute the baseline physical conditions by
which a lead agency determines whether an impact is significant.

16 Guidelines section 15125, subdivision (a) (*emphasis added*). CEQA requires the baseline
17 description because “without such a description, analysis of impacts, mitigation measures and
18 project alternatives becomes impossible.” *County of Amador v. El Dorado County Water Agency*
19 (1999) 76 Cal. App. 4th 931, 953. In this instance, the description of baseline physical
20 conditions is inadequate because it relies on incorrect and incomplete road classifications and
21 because there is no information on the public service system for the areas surrounding SDSU’s
22 main campus.

23 **A. The EIR’s Baseline Description Relies on Incorrect Street Classifications**
24 **and Incomplete Traffic Data**

25 The EIR’s baseline description is flawed because the roadway-carrying capacities utilized
26 in the traffic impacts analysis are incomplete and incorrect. As discussed above, the EIR
27 improperly chose to treat Del Cerro Boulevard as a collector street, despite the NCPG and the
28 City Planning Department’s prior determination that this same street has a carrying capacity, as a

1 local street, of less than one half what it would have as a collector street. (AR 3628 and 6578)
2 Additionally, there is one segment of Del Cerro Boulevard (between Capri Drive and College
3 Avenue) which will be burdened with an additional 2,500 ADT as a result of this project - that is
4 more additional traffic than any other street segment in Del Cerro will have to bear. However,
5 there is no baseline data on existing traffic volumes along this critical stretch of Del Cerro
6 Boulevard. (AR 4248, 1639) The EIR instead relies solely upon traffic counts from Del Cerro
7 Boulevard *west* of Capri Drive despite the fact that the EIR's own traffic distribution analysis
8 demonstrates that the majority of project-related Del Cerro Boulevard traffic will be *east* of Capri
9 Drive. (AR 1639)

10 Although the EIR does not provide information, the following inference can be drawn
11 from the data provided in the traffic study: this project will cause the segment of Del Cerro
12 Boulevard east of Capri Drive to operate at an unacceptable LOS. Assuming this eastern
13 segment of Del Cerro Boulevard has approximately the same existing ADT as the segment west
14 of Capri Drive (e.g. 4,020 existing ADT), adding the anticipated 2,500 ADT from this project to
15 this Del Cerro Boulevard segment would cause it to exceed its capacity, even assuming the EIR's
16 classification of the street as a collector (as opposed to a local street) is correct. (AR 520 and
17 1639) Examining the data, it becomes clear why Respondent excluded the busiest and most-used
18 segment of Del Cerro Boulevard from its traffic counts - had baseline traffic counts been
19 performed to include Del Cerro Boulevard east of Capri Drive, they would have demonstrated
20 that additional traffic from this project would bring the street to an unacceptable LOS.

21 Another Del Cerro street at issue is Mill Peak Road. This is the *only* road to serve as
22 ingress and egress for residents of this project's seventy Adobe Falls "upper village"
23 townhomes. (AR 464) The record is devoid of any data on existing traffic counts, circulation or
24 street conditions for Mill Peak Road. The EIR does not disclose the classification or carrying
25 capacity of this road. Nevertheless, Respondent intends to place an additional 660 ADT upon
26 Mill Peak Road and to use Mill Peak Road as the sole access to and from this development. (AR
27 464, 1631, 1633 and 1639) Without any baseline data on this road, there is no basis upon which
28 a reasoned determination can be made as to its capacity for an additional 660 cars every day.

1 **B. The EIR Does Not Contain Baseline Information on Emergency Response**
2 **Times for any Areas Beyond, or Even Adjacent to, SDSU's Main Campus**

3 The CEQA Guidelines specifically address the need for assessment of the public service
4 system and response times. CEQA Guidelines, App. G. This assessment cannot be performed
5 without accurate baseline data, which data is required to be provided not only for the area *within*
6 the project's boundaries, but for the area "*in the vicinity of the project.*" CEQA Guidelines
7 section 15125, subdivision (a)(emphasis added). Considering the placement on the Adobe Falls
8 development, the Del Cerro neighborhood is most certainly "*in the vicinity of the project.*" Yet,
9 the EIR contains *no* baseline data on emergency response times in the Del Cerro neighborhood
10 where the Adobe Falls development will be built, and through which an additional 3,123 daily
11 cars will be routed. (AR 1631, 1633 and 1639) In fact, the EIR contains no information on
12 emergency response times for any area which falls outside SDSU's main campus - or even any
13 areas immediately adjacent to the main campus. For this reason, the baseline information is so
14 inadequate it makes any assessment of the Project's impact to emergency services impossible.

15 **VI. The EIR Violates CEQA Because it Fails to Assess the Project's Impacts on**
16 **Emergency Services in the Vicinity of the Project**

17 CEQA requires assessment of the public service system and emergency response times.
18 The EIR fails to comply with CEQA here in more than one respect. Aside from the omission of
19 baseline data discussed above, the EIR fails to assess impacts to response times beyond the
20 immediate boundaries of SDSU's main campus, and also fails to consider the impact which the
21 Adobe Falls development will have on emergency public services in the Del Cerro neighborhood.

22 The EIR correctly acknowledges that, "if a project's traffic reduces a local emergency
23 response agency's ability to respond to an emergency, a potentially significant impact would
24 result." (AR 452) With regard to police services as well as emergency medical services, the
25 same finding is made in this EIR – that the Project will likely result in an increase of calls and an
26 increase in response times *on campus.* (AR 451-452).

27 Respondent intends to construct 540 new residential units in the Del Cerro neighborhood,
28 including 250 as continuing-care units for senior citizens. As proposed, the only access to this

1 housing development is through Del Cerro's neighborhood streets. (AR 464 and 1639) The EIR
2 does not, however, include any analysis to determine whether the Project will have a potentially
3 significant impact on emergency medical or police services on those very same Del Cerro streets.
4 (AR 451-452) To mitigate the Project's impact on emergency response services, the EIR
5 proposes an increase in *campus* police and equipment. (AR 4448-4450) There is no proposed
6 mitigation, nor even any analysis to determine whether mitigation is feasible to address
7 potentially significant impacts on emergency services for Del Cerro's current residents. Skipping
8 this assessment altogether, the EIR erroneously concludes the implementation of the proposed
9 mitigation measures – which are limited to increasing *campus* police staff and equipment – will
10 reduce *all* potential impacts to public services to a level below significance. (AR 4450) This
11 conclusion, as well as the corresponding lack of data and analysis, run in the face of comments
12 submitted by the San Diego Fire Department, San Diego Police Department and Alvarado
13 Hospital – all of which cite concerns with their respective abilities to adequately serve the
14 community. (AR768, 4262-4204, and 2506-2510)

15 The EIR acknowledges the Project may “result in an increased in SDSU Department of
16 Public Safety (“DPS”) and City of San Diego police officer emergency response times.” (AR
17 4448) At the same time, the EIR fails to consider or identify any mitigation for the burden which
18 an additional 540 residential units *including* 250 continuing-care units in the Del Cerro
19 neighborhood will place on *off-campus* emergency medical services for that area. Furthermore,
20 the EIR fails to consider whether “traffic calming measures” which might be implemented in
21 Del Cerro (once a “traffic calming study” is completed) may further delay emergency services in
22 Del Cerro or to the Adobe Falls development. (AR 6737-6741 and 451-452).

23 **VII. The EIR Violates CEQA Because it Improperly Defers Analysis of Reasonably**
24 **Foreseeable Significant Environmental Effects**

25 Lead agencies may not defer CEQA mitigation studies until after EIR preparation.
26 *Fairview Neighbors v. County of Ventura*, (1999) 70 Cal. App. 4th 238, 244. In *Fairview*, a
27 builder proposed a mining operation which would, like SDSU's project, cause increased air
28 pollution and traffic. *Id.* In considering The Fairview Neighbors' claims that mitigation was

1 being improperly deferred, the court ruled "it is improper for lead agencies to defer formulation
2 of possible mitigation programs by simply requiring future studies to see if mitigation may be
3 feasible." *Id.* at 244 citing *Sundstrom v. County of Mendocino* (1988) 202 Cal. App. 3d 296.
4 The court clarified that if impacts are not mitigatable regardless of any future mitigation
5 measures, then deferring study can be permissible. *Fairview* at 244. However, if the impacts
6 may be mitigatable, then deferring study to a later date is not proceeding as required by law. *Id.*
7 "By deferring environmental assessment to a future date, the conditions run counter to that policy
8 of CEQA which requires environmental review at the earliest feasible stage in the planning,
9 process." *Sundstrom* at 307. Environmental problems should be considered at a point in the
10 planning process where genuine flexibility remains. *Id.*

11 CSU's Findings of Fact states, "vehicle speeds on residential streets in the vicinity of the
12 Adobe Falls/North Campus component of the Project could constitute a potentially significant
13 impact," then goes on to recommend that a traffic calming study be performed. (AR 4417) The
14 same document explains that the study "shall focus on the vicinity of the two elementary schools
15 located near the intersection of Del Cerro Boulevard and College Avenue" and "shall consider all
16 appropriate traffic calming strategies." (AR 4420) But most interestingly, the document
17 concludes that the *study itself* "will ensure that the traffic impacts associated with the Adobe
18 Falls/North Campus on the surrounding roadway system, as identified in the Final EIR, remain at
19 less than significant levels." A *study* does nothing to mitigate traffic speeds around elementary
20 schools – it merely examines what traffic calming measures, if undertaken, might help reduce
21 those hazards. Nevertheless, Respondent concludes that the study alone will "mitigate or avoid
22 the traffic impacts associated with the Adobe Falls/North Campus." (AR 4454)

23 As acknowledged in the EIR, traffic speeds from project-related traffic create legitimate
24 concerns for the Del Cerro neighborhood – particularly around its elementary schools. CEQA
25 does not allow Respondent the latitude to acknowledge this significant impact – and significant
26 danger – only to defer to some later point in time the study of potential mitigation measures
27 which might, or might not, lessen the impact. Respondent has admitted that it is at least
28 reasonably foreseeable that traffic speeds will constitute a significant impact as the term is

1 identified in CERCLA (AR 3348 and 4417). As such, Respondent was legally required to
2 undertake an analysis of what traffic calming or other mitigation measures might be feasible to
3 minimize that impact.

4 The situation before the Court today is like that referred to in *Fairview*, where impacts are
5 found to be mitigatable, but study of such mitigation is nevertheless deferred by the lead agency.
6 Respondent has concluded that it is possible to mitigate the traffic speed impacts (AR 3352) but
7 has not undertaken the study which it acknowledges as necessary. The proposed study should
8 have been undertaken in conjunction with the DEIR to enable circulation of same for public
9 comment. It was not, however, undertaken at all. Respondent is required to conduct its
10 mitigation studies early enough so that the results can be incorporated into the present EIR
11 analysis. Respondent failed to do so, and as such, has not acted in the manner required by law.

12 **VIII. The EIR Violates CEQA Because it Does Not Adequately Assess Project**
13 **Alternatives**

14 Under CEQA, a public agency is required to consider feasible alternatives to the Project
15 which would lessen any significant adverse environmental impact. Public Resources Code §§
16 21002, 21081; CEQA Guidelines § 15126.6. An EIR is required to “ensure that all reasonable
17 alternatives to proposed projects are thoroughly assessed by the responsible official.” *Friends of*
18 *the Eel River, supra*, 108 Cal.App.4th at 872-873. As such, an EIR must “describe a range of
19 reasonable alternatives to the project or to the location of the project, which could feasibly attain
20 the basic objectives of the project and evaluate the comparative merits of the alternatives.”
21 CEQA Guidelines § 15126(d)(3); *Kings County Farm Bureau v. City of Hanford* (1990) 221
22 Cal.App.3d 692, 733. What CEQA requires in this regard is *meaningful* consideration because
23 the alternatives analysis is the *core* of an EIR. *Citizens of Goleta Valley v. Board of Supervisors*
24 (1990) 52 Cal.3d 553, 564.

25 **A. The EIR Does Not Adequately Consider Density Alternatives for Adobe Falls**

26 Although CEQA requires consideration of a “reasonable range” of alternatives, the EIR in
27 question only assesses a “no project alternative” and a “50% density alternative” for the Adobe
28 Falls development. (AR 4456-4457) There is no consideration of potential densities between

1 50% (270 units) and 100% (540 units). In this instance, there was not merely a failure to include
2 a reasonable range of alternatives, but the analysis given to the one density alternative was also
3 substandard.

4 In its alternatives analysis, Respondent considered reducing the density of the Adobe
5 Falls development by 50%, from 540 units down to 270 units. (AR 4458-4459) As with every
6 other alternative considered, this was also rejected. Here, Respondent rejected a 50% density
7 alternative because "some of the project benefits" would not be fulfilled. (AR 4459)
8 Respondent's discussion and analysis in connection with this alternative, however, was less than
9 meaningful. First, the EIR does not specify which project benefits would not be fulfilled with a
10 density of 270 units. (AR 4459) Furthermore, although the Adobe Falls project specifically calls
11 for 70 units for graduate students, 220 units for faculty and staff, 250 units for retired faculty and
12 staff, there is no consideration in the EIR as to whether some of this housing (e.g. graduate
13 student and faculty housing as opposed to continuing care housing for retired staff) is more apt to
14 facilitate the Project's objectives and benefits. The revised "Housing Goals/ Objectives" section
15 of the FEIR references the desire to provide affordable housing suitable for "graduate students
16 and faculty/staff at Adobe Falls," but does not mention any need or objective to provide housing
17 for staff, retired faculty or retired staff. (AR 3309) Decision makers do not know from the EIR,
18 then, whether project benefits might be fully realized if a 50% density reduction were made to the
19 Adobe Falls project through the elimination of, for example, the senior housing units which
20 comprise more than 46% of the units - with little or no reduction in the number of units for
21 graduate students, faculty or staff. Instead of providing this meaningful consideration, the EIR
22 only considers, across-the-board, "eliminating 50% of the proposed faculty/staff, retired
23 faculty/staff and graduate student housing." (AR 4459)

24 **B. The EIR Does Not Adequately Assess Alternative Locations to Adobe Falls**

25 Section 5.0 of Respondent's Findings of Fact address the feasibility of project
26 alternatives, but contains no alternative locations analysis for the Adobe Falls development.
27 (AR 4456-4466) Similarly, the DEIR includes an alternatives analysis section, but again, no
28 alternative sites are assessed as to Adobe Falls. (AR 593-595) In contrast, there are five

1 alternative locations assessed for the Alvarado Campus Park component of the Project. (AR
2 593-595 and 4456-4466) Comments were submitted in response to the DEIR, requesting
3 Respondent to consider an alternative location to Adobe Falls. Those comments even identified
4 particular alternative locations. For example, the San Diego River Conservancy (SDRC)
5 requested that the Grantville Trolley Station Redevelopment Project be considered as an
6 environmentally sound alternative to the Adobe Falls development. (AR 2496-2497). Although
7 the EIR included responses to other comments made by SDRC, it did not respond to the request
8 for an alternative site analysis. (AR 3239-3244) Despite the particularity of this request, the EIR
9 performed no alternative site analysis for Adobe Falls.

10 **IX. The EIR Fails as a Public Disclosure Document Because it Does Not Clearly Disclose**
11 **That the Mitigation Measures Identified Are Purely Speculative and Uncertain**

12 Under CEQA, when an agency has determined that mitigation measures are the
13 responsibility of another agency, then “a public agency shall provide measures to mitigate or
14 avoid significant effects on the environment that are *fully enforceable* through permit conditions,
15 agreements, or other measures.” Pub. Resources Code § 21081.6(b) (emphasis added). “The
16 purpose of these requirements is to ensure that feasible mitigation measures will actually be
17 implemented as a condition of development, and not merely adopted and then neglected or
18 disregarded.” *Federation of Hillside and Canyon Associations v. City of Los Angeles* (2000) 83
19 Cal.App.4th 1252, 1261. In this instance, the EIR identifies mitigation measures and claims (in
20 some instances with no explanation) that other agencies are responsible further. However, the
21 EIR does not clearly disclose every component of the Project will go forward with or without
22 those mitigation measures. Instead, the EIR contains vague, ambiguous and misleading
23 statements.

24 **A. The EIR is Unclear as to the Preparation of the Del Cerro Traffic Calming**
25 **Study and Any Mitigation Measures Recommended Thereby**

26 An identified “mitigation measure” for the traffic impacts in the Del Cerro neighborhood
27 is the preparation of a Traffic Calming Study during the Adobe Falls project design phase. As
28 discussed above, the study may identify mitigation measures to control and/or reduce vehicle

1 speeds on residential roadways, but the study itself does nothing toward mitigating the impact.
2 The EIR not only defers the study to a later point in time, but refuses without justification to
3 undertake the study itself. (AR 3349 and 4454) Instead, Respondent designates the City of
4 San Diego as responsible for this "mitigation measure" without any indication that the City will
5 actually undertake the study. (AR 3304 and 3352) Furthermore, Respondent does not explain
6 why it is the City's responsibility to undertake the study. Instead, Respondent only states that "as
7 a state educational entity, SDSU is not legally responsible for funding or constructing
8 improvements to the local, regional and state roadway/highway system." (AR 3349)

9 To make matters worse, the EIR contains confusing and apparently contradictory
10 information on the preparation of the study. The FEIR uses permissive terms in one instance
11 where it states the study "should be prepared" and the study "is recommended" and "would"
12 include analysis and recommendations. (AR 3348) Two pages later, the FEIR uses mandatory
13 terms stating the study "shall" focus on the vicinity of the two schools, and "shall" consider
14 traffic calming studies. (AR 3352). This section then concludes with a statement that feasible
15 measures "shall be implemented prior to occupancy of the Adobe Falls/North Campus
16 component of the project. (City of San Diego responsibility or its designee)." (AR 3352)
17 However, the FEIR's Findings of Fact omits this mitigation measure (identified at "TCP 18") as
18 one of the "adopted measures." (AR 4454). Compounding the ambiguity, the FEIR contained a
19 "General Response" which provided an additional five pages to identify the types of mitigation
20 measures "potentially available for implementation in the Del Cerro community," without
21 clarifying who, if anyone, would be responsible for undertaking the study and/or subsequently
22 implementing the measures. (AR 2582-2586)

23 There is no commitment from the City to undertake this study; there is no explanation
24 from Respondent as to why it is the City's responsibility; and, there is nothing contained in the
25 record to indicate that the City is obligated to perform the study. More importantly, the EIR
26 seems to imply that Respondent will undertake the recommended traffic calming measures (AR
27 2582-2586 and 3352), while other sections of the EIR indicate otherwise. (AR 3349 and 4454)
28 From the record, it is unclear whether decision makers, in reviewing these statements, understood

1 whether or not a traffic calming study would be performed, by whom it would be performed,
2 whether any recommended traffic calming measures would be implemented, or who, if anyone,
3 would implement them. The public, however, was certainly *not* informed.

4 **B. The EIR Does Not Clearly Disclose that the Mitigation Measures it Identifies**
5 **May Never be Implemented**

6 With regard to the traffic and circulation impacts which will result from this project,
7 Respondent identifies 18 mitigation measures for which it disclaims responsibility. (AR 3348-
8 3353) In response, Caltrans, the City of San Diego and the Redevelopment Agency have all
9 expressed their unwillingness and their inability to perform the identified mitigation measures.
10 (AR 2101-2105, 2106-2111 and 2131-2145) None of the mitigation measures which Respondent
11 identifies as the responsibility of another agency are fully enforceable through permit conditions,
12 agreements, or other measures as required by CEQA. As such, Respondent proceeded to
13 override all impacts therefrom, when it issued its Findings of Fact and Statement of Overriding
14 Considerations. However, the EIR contains vague, ambiguous and misleading statements which
15 have the effect of preventing the public from discovering that every aspect of this multi-
16 component project will go forward even without the identified mitigation. In this regard,
17 Respondent has again failed to be forthright in the EIR – a document designed for the purpose of
18 public disclosure.

19 In addition to including ambiguous statements in connection with the proposed Del Cerro
20 traffic calming study, the EIR also failed to state in plain language that the mitigation measures it
21 identified may never be implemented, in which case, the Project would nevertheless proceed.
22 Instead, the EIR used the following self-serving and ambiguous language:

23 The Board of Trustees has considered all of the mitigation measures
24 recommended by the Final EIR for the project and adopted each; none of the
25 recommended measures within the responsibility of the CSU to implement
26 have been rejected by the Board of Trustees. The Board of Trustees finds
27 that each mitigation measure is a binding, condition of project approval, fully
28 enforceable by the Board. (AR 4466)

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1 X. **CEQA Is Violated Because the Statement of Overriding Considerations Is Not**
2 **Supported by Substantial Evidence**

3 When an EIR is adopted and certified by the lead agency under CEQA, the responsible
4 agency may only approve a project with significant environmental impacts if (1) it finds such
5 effects can be avoided by making changes or alterations to the project or (2) if the mitigation
6 measures or alternatives identified in the EIR are not feasible and the unavoidable effects are
7 acceptable because of overriding considerations. Public Resources Code §§ 21002, 21002.1(b),
8 (c), 21081. If the agency finds, as it did here, that approval of the project will result in significant
9 environmental effects which are not at least substantially mitigated, the agency must state in
10 writing the specific reasons to support its action. CEQA Guidelines § 15093(b); *Sierra Club v.*
11 *Contra Costa County* (1992) 10 Cal.App.4th 1212, 1222. This statement of overriding
12 considerations must be supported by substantial evidence contained in the record. *Id.* at 1223.

13 The Statement of Overriding Considerations for this project cites 19 justifications for
14 allowing the Project, in its entirety, to proceed despite its adverse consequences to the
15 environment and public. Among those overriding considerations, Respondent includes many
16 broad statements that are not supported by information contained in the record.

17 A. **There Is No Evidence in the Record to Justify the Construction of New**
18 **Housing for Retired Faculty or Retired Staff**

19 The Statement of Overriding Considerations discusses SDSU's "workforce housing
20 needs," and goes on to cite the percentage of CSU (not SDSU) faculty and staff in southern
21 California (not San Diego) with income levels sufficient to afford the averaged priced home in
22 the "communities where the campuses are located." (AR 4467-4468) The only information
23 contained in the record which goes to SDSU's "workforce housing needs" is a 2001 Multi-
24 Campus Assessment of Faculty and Staff Housing Issues at CSU ("the Assessment"). (AR 4054)
25 With regard to SDSU, the Assessment concludes with the following recommendations: "[this
26 campus] should provide housing information packets to prospective employees, establish faculty
27 housing assistance programs, and *consider* providing affordable *temporary faculty* housing to
28 assist *new* faculty with their adjustment to the local housing market." (AR 4061 (emphasis

1 added)) For SDSU, the preferred housing strategies were limited to the following:

- 2 • Develop a standard package of detailed housing information for all faculty and staff candidates;
- 3 • Provide permanent affordable limited-equity housing for *incoming* faculty and hard-to-hire staff;
- 4 • Provide temporary affordable housing for *incoming* faculty and hard-to-hire staff;
- 5 • Provide financial assistance to faculty and staff for home purchase;
- 6 • Establish a faculty housing office;
- 7 • Develop a mechanism to provide faculty a cash advance to minimize the financial difficulties caused by high rental move-in costs; and
- 8 • Provide commuter assistance to faculty who have long commutes due to the lack of affordable housing.

8 (AR 4074 (emphasis added))

9 Although the purpose of the Assessment was to analyze “the impact of housing costs on
10 the ability of CSU campuses to attract and retain faculty and critical staff,” (AR 4057) it did not
11 make any recommendations that SDSU provide housing for retired faculty or retired staff. (AR
12 4053-4094) There is good reason these recommendations were not made for the SDSU campus –
13 there was no evidence to support any such conclusions. SDSU had absolutely no retired faculty,
14 retired staff or even any active staff members participating in the study. (AR 4082) Similarly, a
15 Population and Housing Technical Memorandum (EIR Appendix L) concludes that “finding
16 affordable housing will continue to be challenging for *new* faculty and staff. This challenge will
17 make it difficult to recruit qualified personnel for the University; faculty housing is therefore
18 being proposed as a component of this project.” (AR 1513-1514 (emphasis added)) Again, there
19 is no information or data to indicate that the development of senior housing for retired faculty or
20 staff will serve that purpose.

21 While the Statement of Overriding Considerations concludes that, “Developing and
22 providing affordable housing is key to attracting and retaining necessary and qualified faculty to
23 ensure quality public higher education for the San Diego region,” there is no evidence in the
24 record to indicate that the development of housing for retired faculty or retired staff helps attract
25 or retain faculty. (AR 4468) In fact, the revised “Housing Goals/Objectives” section of the FEIR
26 references the desire to provide affordable housing suitable for “graduate students and
27 faculty/staff at Adobe Falls,” but does not mention any need or objective to provide housing for
28 staff, retired faculty or retired staff. (AR 3309) Considering as much, it bears reminding that

1 more than 46% of the Adobe Falls units are designated as "senior housing" for retired faculty and
2 staff. (AR 464)

3 The record simply does not substantiate the need for, or otherwise justify, the
4 development of senior housing for retired faculty and staff. With no other evidence relating to
5 the value or need for this senior/retired housing, the substantial evidence required to uphold this
6 statement of overriding considerations is lacking.

7
8 **B. There Is No Evidence in the Record Indicating that the Project Will Achieve**
Benefits Cited in the Statement of Overriding Considerations

9 In addition to the foregoing, the Statement of Overriding Considerations concludes that
10 the Adobe Falls project should go forward despite substantial adverse and unmitigated impacts
11 for a variety of reasons, most of which are not supported by any evidence or empirical data in the
12 record. Those include, but are not necessarily limited to, *unsubstantiated* statements that the
13 Adobe Falls component of the project will:

- 14 – serve the higher education needs of under-represented cultures
- 15 – create economic growth and development
- 16 – attract new private industry to the area
- 17 – establish new research and training public-private partnerships
- 18 – provide a substantial tax base of the local community
- 19 – maximize benefits to the state, City and County in the form of property taxes
- 20 – provide housing on "highly desirable" property
- 21 – serve citizens currently under-represented in the CSU
- 22 – encourage carpooling

23 **XI. Conclusion**

24 The EIR in question fails to comply with CEQA procedurally and substantively.
25 Procedurally, the EIR fails as a public disclosure document for several reasons: it fails to disclose
26 that Del Cerro Boulevard's capacity as a local street (according to the designation made by the
27 NCPG) is insufficient to support additional project-related traffic; it fails to disclose that the
28 density proposed for Adobe Falls is far beyond what is allowed by the local zoning ordinance and

1 the NCP; it falsely states that the Project is "consistent" with the NCP; it does not include
2 adequate baseline information on street classifications or capacities; it does not include any
3 baseline information on emergency response times or the public service system for the Del Cerro
4 neighborhood; it is ambiguous and misleading in connection with the traffic calming study it
5 recommends for Del Cerro; and, it does not clearly disclose that the Project will proceed even
6 without the mitigation it identifies. Substantively, the EIR also fails to assess impacts to the
7 public service system in the vicinity of the Project, improperly defers analysis and mitigation of
8 significant adverse impacts from vehicle speeds in the vicinity of two elementary schools, and
9 does not adequately consider alternatives to the Adobe Falls development. Furthermore, the
10 record does not contain substantial evidence to justify overriding the unmitigated significant
11 impacts of the Project.

12 For these reasons, or any combination of them, Respondent has not proceeded in a
13 manner required by law, and its decision to certify the EIR in question is not supported by
14 substantial evidence in the record. As such, Respondent abused its discretion in certifying the
15 EIR and approving SDSU's Master Plan Amendment as it is currently drafted.

16
17 KLINEDINST PC

18
19 Dated: May 2, 2006

By:


Carey L. Cooper, Esq.
Attorney for **DEL CERRO ACTION**
COUNCIL

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8 Attorneys for **DEL CERRO ACTION COUNCIL**

9 **SUPERIOR COURT OF CALIFORNIA**
10 **COUNTY OF SAN DIEGO**

11 DEL CERRO ACTION COUNCIL,

12 Petitioner,

13 v.

14 BOARD OF TRUSTEES OF CALIFORNIA
15 STATE UNIVERSITY and DOES 1-20,
16 inclusive,

17 Respondents.

18 SAN DIEGO STATE UNIVERSITY and
19 DOES 21- 40, inclusive,

20 Real Parties in Interest.

Case No.: GIC855643

[COMPLEX LITIGATION –
consolidated w/ GIC855694 and
GIC855701]

PROOF OF SERVICE

Dept.: 71
Judge: Ronald S. Prager
Complaint Filed: 10/20/05

21 I declare that I am and was at the time of service of the papers herein, over the age of
22 eighteen (18) years and am not a party to the action. I am employed in the County of San Diego,
23 California and my business address is 501 West Broadway, Suite 600, San Diego, California
24 92101.

On May 2, 2006, I caused to be served the following documents:

DEL CERRO ACTION COUNCIL'S OPENING BRIEF

25 **[] VIA FACSIMILE TRANSMISSION (Code Civ. Proc. §§ 1013(e) and (f)):** From fax
26 number (619) 238-8707 to the fax numbers listed below and/or on the attached service
27 list. The facsimile machine I used complied with Rule 2008 and no error was reported by
the machine.

28 **[] VIA MAIL:** By placing a copy thereof for delivery in a separate envelope addressed to
each addressee, respectively, as follows:

1 MICHAEL J. AGUIRRE, City Attorney
 Joe B. Cordileone, Deputy City Attorney (SB #73606)
 2 Christine M. Fitzgerald, Deputy City Attorney (SB #208803)

3 Office of the City Attorney
 1200 Third Avenue, Suite 1100
 4 San Diego, California 92101-4100
 Telephone: (619) 533-5800
 5 Facsimile: (619) 533-5856

6 Attorneys for Petitioners City of San Diego
 and Redevelopment Agency of the City of San Diego
 7

8 SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

9 DEL CERRO ACTION COUNCIL,

10 Petitioners,

11 v.

12 BOARD OF TRUSTEES OF CALIFORNIA
 STATE UNIVERSITY and DOES 1 through 20,
 13 inclusive

14 Respondents.

15 SAN DIEGO STATE UNIVERSITY, and
 16 DOES 21 to 40 inclusive,

17 Real Parties in Interest.

18 ALVARADO HOSPITAL MEDICAL
 19 CENTER, INC., and California Corporation,

20 Petitioner,

21 v.

22 BOARD OF TRUSTEES OF CALIFORNIA
 23 STATE UNIVERSITY and DOES 1 through 20,
 inclusive,

24 Respondents.

25 SAN DIEGO STATE UNIVERSITY and
 26 DOES 21 through 50, inclusive,

27 v.
 28

) Case No. **GIC855643 (Lead Case)**
) [Consolidated with
) Case Nos. GIC855701 and GIC855694]

) **BRIEF 3 of 3:**

) **OPENING BRIEF OF PETITIONERS**
) **CITY OF SAN DIEGO AND**
) **REDEVELOPMENT AGENCY OF THE**
) **CITY OF SAN DIEGO**

) ASSIGNED FOR ALL PURPOSES TO
) HONORABLE RONALD S. PRAGER

) Hearing Date: July 17, 2006
) Time: 10:00 a.m.
) Dept: 71
) Petition Filed: October 20, 2005

1 CITY OF SAN DIEGO; REDEVELOPMENT)
2 AGENCY OF THE CITY OF SAN DIEGO,)
3 Petitioners,)
4 v.)
5 BOARD OF TRUSTEES OF THE)
6 CALIFORNIA STATE UNIVERSITY; and)
7 DOES 1 to 20, inclusive,)
8 Respondents.)
9 SAN DIEGO STATE UNIVERSITY)
10 FOUNDATION, and DOES 21 to 50, inclusive,)
11 Real Parties in Interest.)
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I

INTRODUCTION

Petitioners City of San Diego [City] and the Redevelopment Agency of the City of San Diego [Agency] [collectively referred to as "City"] brings this administrative mandamus action challenging the decision of the Board of Trustees of the California State University [Respondent] to certify and adopt the Final Environmental Impact Report [EIR] relating to the approval of the San Diego State University 2005 Campus Master Plan Revision [Project].

The instant matter has been consolidated with two other legal actions filed by petitioners¹ also challenging Respondent's actions in certifying the EIR. The opening briefs of Petitioner Alvarado Medical Center, Inc and Del Cerro Action Council are submitted concurrently herein. For the Court's convenience, petitioners have collectively coordinated their opening briefs to avoid duplication of discussion and analysis. Accordingly, petitioners recommend the briefs be considered in the order presented herein (e.g. Alvarado's first, Del Cerro's second and the City of San Diego's third).

The Project is a twenty-year development plan of unprecedented, controversial, and dramatic proportion that will extend San Diego State University campus facilities north across Interstate 8 for the first time in history. The Environmental Impact Report created to address the effects of the Project on the surrounding community establishes numerous significant and unmitigable impacts. The EIR, however, fails to address the severity of the Project's environmental impacts, fails to identify all the Project's impacts, and fails to adequately evaluate feasible project alternatives. Further, Respondent has determined it does not have to mitigate off-site mitigation as is required of all other developers, and has arbitrarily delegated all off-site mitigation to other agencies. The legal insufficiency of the EIR coupled with Respondent's refusal to accept its duty to mitigate significant off-site impacts causes the surrounding community to incur excessive financial expense or accept extensive deterioration of the environment.

¹ Petitioners City and Redevelopment Agency join and incorporate the Opening Briefs of Petitioner Alvarado Hospital Medical Center, Inc. and Del Cerro Action Council herein.

1 Based upon the above, Respondent's actions in approving and certifying the Final
2 Environmental Impact Report [FEIR] without complying with the requirements of the
3 California Environmental Quality Act [CEQA] is a prejudicial abuse of discretion, which
4 mandates the setting aside of the decision to certify the FEIR.

5 II.

6 STATEMENT OF FACTS

7 A. The Parties.

8 Petitioner, City of San Diego [City], is a charter city, organized under the laws of
9 California. The areas of proposed development to San Diego State University lie within the
10 geographic limits of the City of San Diego.

11 Petitioner, City of San Diego Redevelopment Agency [Agency], is the implementing
12 agency for the Project. A Redevelopment Agency is generally recognized as a separate legal
13 entity from the city that establishes it. *County of Solano v. Vallejo Redevelopment Agency*
14 (1999) 75 Cal.App.4th 1262, 1267. The Agency oversees the regional plan for the College
15 Area in which San Diego State University is proposing development and is a responsible
16 agency for purposes of CEQA.

17 Petitioner, The Del Cerro Action Council [DCAC] is a group of concerned citizens
18 who live or work in the community of Del Cerro. The DCAC monitors and seeks solutions
19 for issues affecting the Del Cerro area. Petitioner, Alvarado Medical Center, Inc. [Alvarado]
20 occupies a forty acre campus immediately adjacent to San Diego State University and houses
21 a 231-bed acute care hospital and an 80-bed acute rehabilitation institute with more than 500
22 on-staff physicians. Both petitioners are affected by development project proposed by
23 Respondent.

24 Respondent, the Board of Trustees of the California State University, is responsible
25 under California law for the administration, management and control of the California State
26 University system, including the San Diego State University campus. Respondent, as lead
27 agency, took the action of certifying and approving the Final Environmental Impact Report
28 [FEIR] for the Project. Real Party in Interest, San Diego State University [SDSU], an

1 undergraduate and graduate university in San Diego County, is the Project's developer and
2 sponsor.

3 **B. The Project.**

4 The Project is located in and around the SDSU campus, in the City of San Diego,
5 approximately eight miles east of downtown San Diego, and is located within the College
6 Area and Navajo Community Planning Area of the City of San Diego. A.R. Tab 1:00353,
7 Tab 2:00630. The proposed Project is the adoption and subsequent implementation of the
8 SDSU 2005 Campus Master Plan Revision. A.R. Tab 2:00630. The FEIR states that the
9 Master Plan Revision will enable SDSU to meet projected increases in student demand for
10 higher education, as well as further enhance SDSU's status as a premier undergraduate,
11 graduate and research university. *Id.* The stated objective of the proposed project will be to
12 provide a framework for implementing SDSU's goals and programs for the campus by
13 identifying needed buildings, facilities, improvements and services to support campus growth
14 and development from the current SDSU enrollment of 25,000 full-time equivalent students
15 [FTES] to new Campus Master Plan enrollment of 35,000 FTES by the 2024/25 academic
16 year. *Id.*

17 The Project has five (5) development components, to be constructed in phases:

18 A Adobe Falls/North Campus: The development plan includes five hundred and forty
19 (540) units of housing (multi-family uses including apartments and town homes) for seniors,
20 former faculty and staff, and graduate students, across thirty-three (33) acres of SDSU-owned
21 land. This area is currently undeveloped, riparian land. A.R. Tab 1:00062-00063.

22 Alvarado Campus Park: The plans for this sub-area include the construction of
23 academic, research and administrative facilities in two areas: D Lot (presently a campus
24 parking lot) and the Alvarado Medical Center (presently a two hundred and twenty thousand
25 (220,000) square-foot complex of medical offices and research facilities). These two areas
26 will be consolidated into one, contiguous campus center. A.R. Tab 1:00063.

27 Student Union: In this sub-area, a Student Union will be constructed on L Lot
28 presently used as parking and storage for athletic equipment and visiting team buses due to its

1 proximity to the Cox Arena and Aztec Bowl structures. The Student Union construction will
2 eliminate one hundred and six (106) parking spaces from the campus inventory – no parking
3 facilities are planned for this portion of the Project. A.R. Tab 1:00063.

4 Residence Hall/East Campus Expansion: In this sub-area, Respondent plans the
5 construction of a ten thousand (10,000) square foot student residence consisting of three-
6 hundred (300) beds in suite-style apartments, as well as a subterranean garage. Currently, this
7 land, known as Lot G, is used for student parking. A.R. Tab 1:00063.

8 Alvarado Hotel: In this sub-area, Respondent plans for the construction of a sixty
9 thousand (60,000) square foot, one hundred and twenty (120) room hotel on Lot C. Lot C is
10 across, and adjacent to the Alvarado Campus Park development sub-area. Lot C is currently
11 surrounded by campus parking lots to the west, and protected wetlands to the north and east
12 of the site. A.R. Tab 1:00063.

13 **C. Public Process.**

14 From January 18, 2005 to March 18, 2005, Respondent circulated a Draft
15 Environmental Impact Report [DEIR]. A.R. Tab 1:00024; Tab 22:03809, Tab 29:04142.
16 SDSU held a public meeting on March 7, 2005, to receive community comments relating to
17 the DEIR. A.R. Tab 22:03862.

18 The City and Agency, by and through their agents, together with numerous other
19 concerned parties provided oral and written comments to Respondent outlining the
20 deficiencies in the DEIR. A.R. Tab 17, Tab 29:04133. From March 2005 through September
21 2005, the City and Agency provided oral and written comments explaining the failures of the
22 DEIR and the subsequently circulated FEIR. A.R. Tab 17:2131, Tab 17:2106-2110, Tab
23 30:3142-4154, Tab 34:4202-4206, Tab 38, Tab 43:4334, Tab 43:4356-4359. These
24 comments repeatedly raised the issues related to failures in the traffic reports, analysis of
25 alternatives and refusal to pay for off-site mitigation. *Id.*

26 On July 20, 2005, The Board of Trustees held a public hearing at which concerned
27 community members aired their comments and misgivings regarding the DEIR. A.R. Tab
28 36:04234 and A.R. Tab 34:04181, Tab 34:04201. In light of the large volume of opposition

1 generated at the hearing, Respondent voted to hold off on project approval for an additional
2 two months, during which the Board maintained it would consider project alternatives. *Id.* In
3 addition, in an effort to mediate and achieve settlement of the disputes, CSU agreed to the
4 formation of two ad-hoc committees consisting of representatives from all affected parties.
5 *Id.*

6 **D. CSU Approves Final EIR Without Promised Additional Public**
7 **Involvement and Further Investigation Into Project Alternatives.**

8 In spite of Respondent's promise to forestall approval to certify the EIR and pursue
9 additional investigation, Respondent paid no heed to its promises to discuss alternatives with
10 area residents, businesses, or City and Agency officials. See generally, A.R. Tabs 36 through
11 39, which do not reflect additional meetings, analysis or investigation prior to final approval
12 of the EIR. Instead, Respondent docketed the issue for approval and certification of the FEIR
13 at the September 20, 2005 meeting of the Commission on Campus Planning, Building and
14 Grounds in Long Beach, California, a full two weeks ahead of the first meeting of the ad-hoc
15 committees. A.R. Tab 42:04387. Telling, the September 2005 agenda and resolution are
16 identical to that proposed at the July 2005 meeting to approve the Final EIR. A.R. Tab 29
17 and Tab 39.

18 Despite the overwhelming, significant and impassioned public testimony to its latent
19 legal and social defects, as well as repeated requests from community members to allow the
20 ad-hoc committees to meet before taking final action, Respondent certified and approved the
21 SDSU Campus Master Plan Revision on September 21, 2005. A.R. Tab 43:04349-04350,
22 Tab 43:04359

23 By failing to address unmitigable factors, and failing to adequately address feasible
24 alternative measures to the proposed development, Respondent's approval of the Project
25 violated both the spirit and letter of CEQA. As such, the City and Agency must bring this
26 action for peremptory writ of mandate to set aside the FEIR and force Respondent to proceed
27 in the manner required by law.

28 ///

1 III.

2 LEGAL STANDARDS FOR CEQA MATTERS

3 A. The Primary Purpose of An EIR Is As An Informational Document For
4 Agencies And The Public To Determine And Assess Environmental Impacts of A
5 Project.

6 The purpose of an EIR is to provide state and local agencies and the general public
7 with detailed information on the potentially significant environmental effects, which a
8 proposed project is likely to have and to list ways in which the significant environmental
9 effects may be minimized as well as indicate alternatives to the project. Pub. Resources
10 Code, §§ 21002 and 21003. The basic elements of an EIR include: a description of the
11 project; identification and analysis of any potentially adverse impacts, including cumulative
12 impacts; identification of any feasible mitigation measures; the results after mitigation
13 measures (i.e., whether there are no adverse impacts or remaining adverse impacts); analysis
14 of alternatives; and a statement of overriding considerations. *Id.* The overriding purpose of
15 CEQA is to ensure that agencies regulating activities that may affect the quality of the
16 environment give primary consideration to preventing environmental damage. *Save Our*
17 *Peninsula Committee* (2001) 87 Cal.App.4th 99, 117; *Laurel Heights Improvement Assn. v.*
18 *Regents of University of California* (1988) 47 Cal.3d 376, 390.

19 B. Legal Standard.

20 The certification of a legally inadequate EIR constitutes a prejudicial abuse of
21 discretion. Pub. Resources Code, § 21005(a); *Citizens to Preserve the Ojai v. County of*
22 *Ventura* (1986) 176 Cal.App.3d 421, 428. Under CEQA, the court must determine whether
23 the agency has committed a prejudicial abuse of discretion. Pub. Resources Code, § 21168.5.
24 An abuse of discretion is established if:

- 25 1) the agency's determination or decision is not supported by substantial evidence; or
26 2) the agency has failed to proceed in a manner required by law. *Id.*

27 The substantial evidence test applies only to the court's review of Respondent's
28 factual determinations, not to claims that the agency has failed to comply with CEQA's

1 substantive and procedural mandates. See 2 Kostka & Zischke, *Practice Under the*
2 *Environmental Quality Act* (Cont. Ed. Bar 2003), §§ 23.33-23.35, pp. 950-951.

3 Under the substantial evidence standard, the court must determine, as a legal matter,
4 "whether the EIR is sufficient as an informational document." *Kings County Farm Bureau v.*
5 *City of Hanford* ("Kings County") (1990) 221 Cal.App.3d 692, 711. "Substantial evidence" is
6 not synonymous with "any" evidence. *Roddenberry v. Roddenberry* (1996) 44 Cal.App.4th
7 634, 651. Nor does substantial evidence include argument, speculation or unsubstantiated
8 opinion. Pub. Resources Code, § 21080(e). Rather "substantial evidence" means "enough
9 relevant information and reasonable inferences from this information that a fair argument can
10 be made to support a conclusion, even though other conclusions might also be reached."
11 CEQA Guidelines, § 15384(a). While the court's review of the findings to determine if they
12 are supported by substantial evidence involves some deference to the agency's discretion, the
13 Court still has to carefully scrutinize the record. *Id.* at 408, 409, fn. 12; *Topanga Assn. for a*
14 *Scenic Community v. County of Los Angeles* (1974) 11 Cal.3d 506, 514.

15 **C. Failure to Comply with Procedures That Results in the Omission of**
16 **Relevant Information From The Environmental Review Constitutes A Prejudicial**
17 **Abuse of Discretion.**

18 The "failure to proceed in the manner required by law" part of the test for abuse of
19 discretion does not involve any judicial deference to the project proponent. *Friends of the*
20 *Old Trees v. Department of Forestry and Fire Protection* (1997) 52 Cal.App.4th 1383, 1402.
21 Noncompliance with substantive requirements of CEQA or noncompliance with information
22 disclosure provisions which precludes relevant information from being presented to the public
23 agency ... may constitute prejudicial abuse of discretion within the meaning of Sections 21168
24 and 21168.5, regardless of whether a different outcome would have resulted if the public
25 agency had complied with those provisions. Pub. Resources Code, § 21005(a). The failure
26 to comply with the law subverts the purposes of CEQA if it omits material necessary to
27 informed decision-making and informed public participation. In such cases, the error is

28

1 prejudicial. *County of Amador v. El Dorado County Water Agency* (1999) 76 Cal.A pp.4th
2 931, 946.

3 Those implementing projects subject to CEQA must maintain strict compliance with
4 the procedures and mandates of the statute. *Citizens of Goleta Valley v. Board of Supervisors*
5 (1990) 52 Cal.3d 553, 564; *Napa Citizens for Honest Government v. Napa County Board of*
6 *Supervisors* (2001) 91 Cal.A pp.4th 342, 357 [court must "scrupulously enforce all
7 legislatively mandated CEQA requirements"]; *San Franciscans for Reasonable Growth v.*
8 *City and County of San Francisco* (1984) 151 Cal.A pp.3d 61, 71-72 [court must be satisfied
9 that agency "fully complied with the procedural requirements of CEQA, since only in this
10 way can the important public purposes of CEQA be protected from subversion."]

11 IV.

12 LEGAL ANALYSIS

13 The extension of San Diego State University's campus will negatively impact the
14 surrounding communities in numerous and significant ways, the effects of which have not
15 been eliminated or substantially lessened by mitigation measures in the proposed plan.

16 A. Respondent Cannot Rely On Its Improper Refusal To Fund Traffic and 17 Circulation Impacts To Conclude That The Mitigation Measures Are Infeasible.

18 CEQA provides that "public agencies should not approve projects as proposed if there
19 are feasible alternatives or feasible mitigation measures available which would substantially
20 lessen the significant environmental effects of such projects. *Laurel Heights, supra*, 47
21 Cal.3d at 406. The CEQA Guidelines require that, in order to approve a project subject to
22 CEQA where an EIR has identified significant environmental effects, the agency must find
23 that each significant impact is "unavoidable" because there are no feasible alternatives or
24 mitigation measures that would reduce the impact to a less than significant level. *Rio Vista*
25 *Farm Bureau Center v. County of Solano* (1992) 5 Cal.A pp.4th 351, 376; Pub. Resources
26 Code, § 21002. The purpose of these requirements is to ensure that feasible mitigation
27 measures will actually be implemented as a condition of development, and not merely
28 adopted and then neglected or disregarded. Pub. Resources Code, § 21002.1(b); *Federation*

1 of *Hillside and Canyon Assn' v. City of Los Angeles*, *supra*, 83 Cal.App.4th at 1260-1261;

2 *Napa Citizens for Honest Gov't v. County of Napa*, *supra*, 91 Cal.App.4th at 358-359.

3 In *Federation of Hillside and Canyon Assn. v. City of Los Angeles*, a homeowners
4 advocacy group and an environmental group brought a suit against the City of Los Angeles
5 challenging Los Angeles' certification of an EIR for a general plan framework as part of its
6 general plan. Los Angeles acknowledged, "there was great uncertainty as to whether the
7 mitigation measures would ever be funded or implemented." *Id.* at 1261. Additionally, Los
8 Angeles did not require the mitigation measures to be implemented as a condition of the
9 project and "made no provision to ensure that they will actually be implemented or fully
10 enforceable." *Id.* The court invalidated the EIR's mitigation measures holding: 1) Los
11 Angeles failed to provide that the mitigation measures would actually be implemented; and 2)
12 no substantial evidence supported Los Angeles' finding that the mitigation measures
13 identified in the final EIR would mitigate the project's significant effects on transportation.
14 *Id.* at 1261-1262.

15 Respondent identified twenty-seven significant impacts relating to traffic and
16 circulation arising as a result of the proposed project. A.R. Tab 14:1690-1691. Respondent
17 states that SDSU is not legally authorized to fund off-site improvements for campus
18 development and that these improvements are required to be mitigated by other agencies,
19 namely the Redevelopment Agency. A.R. Tab 17:00028-00032. Specifically, Respondent
20 alleges that Redevelopment Agency is responsible for mitigating impacts identified in the
21 DEIR as TCP 1 – TCP 11. A.R. Tab 17:2108. Not only does Respondent fail to provide any
22 evidence for its arbitrary assignment of responsibility for these mitigation measures, but it
23 also ignores the advisement by the Redevelopment Agency that it cannot provide funds unless
24 certain legal and factual criteria are met. A.R. Tab 17:2107-2110.

25 If Respondent intends to withhold and/or cannot guarantee the funding to implement
26 the identified mitigation measures, Respondent cannot simply make the subsequent findings
27 that the mitigation would be reduced to less than significant level. If the stated improvements
28 cannot be made as asserted by Respondent then the impacts are entirely unmitigated. Thus,

1 the impact would be significant and “unmitigated,” not “unavoidable” as claimed by
2 Respondent and required by CEQA.

3 Respondent also fails to provide support for its position that it is exempt from the
4 environmental body of law which was enacted to protect the very instant development. As
5 such, it cannot escape these facts: that Respondent is subject to the provisions of CEQA.
6 Pub. Resources Code, § 21080.09; that CEQA requires Respondent to adopt feasible
7 mitigation measures to avoid significant environmental impacts. *Sierra Club v. State Board*
8 *of Forestry* (1994) 7 Cal.4th 1215, 1233; and that Respondent may only find mitigation
9 measures infeasible if 1) the mitigation measures are “within the responsibility and
10 jurisdiction of another public agency” and 2) the mitigation measures have been adopted or
11 can be adopted. Pub. Resources Code, § 21081.

12 Respondent’s refusal to mitigate off-campus traffic impacts stems from a self-serving
13 misapplication and misinterpretation of Article XIII, section 3 of the California Constitution
14 which provides that the property owned by the state is exempt from property taxation. A.R.
15 Tab A.R. Tab 17:2665-2668. Numerous letters were provided to Respondent detailing the
16 factual and legal reasons why Respondent is legally responsible to fund these mitigation
17 measures. A.R. Tab 17:2106-2110, Tab 17:2115-2123, Tab 17:2154-2161, Tab 17:2169, Tab
18 17:2228-2233, Tab 17:2506-2510, Tab 17:2407, Tab 17:2428-2430, Tab 17:2459, Tab
19 17:2467. Respondent’s position also contradicts its own actions, as SD SU currently has a
20 permit application with the City for a public improvement project at the intersection of
21 College Avenue and Zura Way. A.R. 17:2108. This public improvement is also one of the
22 identified off-site mitigation measures [TCP-3] listed in the DEIR [Table ES-2. Summary
23 Table of Project Impacts and Mitigation Measures] which Respondent claims it cannot legally
24 fund. *Id.*

25 As is discussed, Respondent has made no showing that the City or Redevelopment
26 Agency, is legally or financially capable of, making the proposed traffic improvements nor
27 has substantial evidence been presented to determine that the mitigation measures should be
28 adopted by another agency. If this were true then any developer could defeat mitigation

1 measures by simply stating that the "road is a City road" or "that is a County street." This is
2 clearly not the intent of CEQA.

3 Thus, the findings are not supported by substantial evidence and Respondent's
4 approval of the EIR constitutes a prejudicial abuse of discretion and the court should direct
5 Respondents to vacate and rescind the approval.

6 **B. Respondent Cannot Rely On A Vague, Uncertain And Incomplete**
7 **Mitigation Analysis To Conclude Mitigation Measures Are Not Feasible.**

8 Mitigation measure must be designed to minimize, reduce or avoid an identified
9 environmental impact to rectify or compensate for that impact. CEQA Guidelines § 15370.
10 An EIR may be inadequate if the mitigation measure, as described, is unclear and vague as to
11 feasibility or implementation. *San Franciscans for Reasonable Growth v. City and County of*
12 *San Francisco, supra*, 151 Cal.App.3d at 79 [requirement that fee of undetermined amount to
13 be paid for unspecified transit funding mechanism is inadequate mitigation measure.]; *Kings*
14 *County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 727 [EIR was
15 inadequate in part because it found groundwater impacts to be insufficient on basis of a
16 mitigation agreement that called for purchase of replacement groundwater supplies without
17 specifying whether water was available.]. As stated above, Respondent's position with
18 respect to mitigation measures being implemented is vague and uncertain. Without some
19 assurance of funded traffic solutions to accompany the proposal for SDSU campus expansion,
20 then the proposed development plans must be set aside until a funding solution is determined.

21 Respondent also fails to provide adequate discussion for the mitigation measures
22 identified. While twenty-seven are identified, only eighteen are identified for discussion.
23 A.R. Tab 14:1690-1691, A.R. Tab 17:1692-1694. The Master Plan Revision fails in its
24 analysis to adequately consider several intersections along the I-8 Corridor that will be
25 impacted by the proposed development in Adobe Falls, Lot C, and the Alvarado Campus Sub-
26 Areas, including: College Avenue/I-8 Eastbound Ramps; College Avenue/Canyon Crest
27 Drive; College Avenue/Zura Way; 55th Street/Montezuma Road; and Lake Murray
28 Boulevard/Wisconsin Drive/Parkway Drive. *Id.* This omission is especially glaring in light

1 of the fact that SANDAG, the local planning agency for San Diego County, has identified
2 Interstate 8 as a "special study area" because of the difficulty and delays area commuters face
3 each day in traversing Interstate 8.

4 **C. Respondent Cannot Rely On An Uncertified Opinion To Conclude**
5 **Mitigation Measures Are Not Feasible.**

6 Respondent's refusal to fund the identified mitigation measures is also based in part
7 on the Sixth Circuit Court of Appeal's decision in *City of Marina v. Board of Trustees of*
8 *California State University* (2003) 109 Cal. App. 4th 1179, decided on June 17, 2003. A.R.
9 Tab 1:31-32, 17:02608-2609. The California Supreme Court has accepted review of this
10 case. *City of Marina v. Board of Trustees, California State University* (2003) 109
11 Cal.App.4th 1179, review granted October 1, 2003, No. S117816. Respondent's reference to
12 *City of Marina* in the FEIR's comments is improper. This court cannot rely on the appellate
13 decision as authority for any legal proposition under the California Rules of Court Rule 976,
14 977, and Rule 979. Because this case is currently under review in the California Supreme
15 Court, the question presented, directly on point to the present situation, is therefore unsettled.

16 **D. The EIR Is Not Supported By Substantial Evidence Because The**
17 **Underlying Data Relied Upon In Assessing Traffic And Circulation Impacts Is**
18 **Inaccurate and Unsupported By Facts.**

19 "The failure to provide enough information to permit informed decision making is
20 fatal." *Napa Citizens for Honest Gov't v. County of Napa, supra*, 91 Cal.App.4th at 361.
21 "When the informational requirements of CEQA are not complied with, an agency has failed
22 to proceed in @manner required by law@and has therefore abused its discretions." *Id.*,
23 quoting *Save Our Peninsula Committee v. Monterey County Board of Supervisors* (2001) 87
24 Cal.App.4th 99, 118.

25 Respondent concludes that there will be significant, unmitigable impacts to the area in
26 terms of traffic and circulation. See Chapter 3:13, Transportation/Circulation and Parking,
27 starting at A.R. Tab 1:00458. The traffic analysis, however, cannot be relied upon because
28

1 the underlying data used to support these conclusions is fatally flawed and unreliable. As
2 such, the traffic report and its conclusions are skewed.

3 The Traffic Impact Analysis relied upon in the EIR was prepared by Linscott, Law &
4 Greenspan, Engineers [LLG]. A.R. Tab 14:01598. The existing traffic conditions were based
5 upon a count study which was performed in 2004, without making an effort to perform more
6 recent or a more accurate assessment of traffic volume. A.R. Tab 14:01598, Tab 14:1607.
7 The stated purpose was to assess the traffic impacts to the local circulation system as a result
8 of the proposed projects in the near and long term. *Id.* Only three of the five components of
9 the Project were identified as effecting traffic and circulation: Adobe Falls, the Alvarado
10 Campus Park and the Alvarado Hotel. A.R. Tab 14:01602. This initial exclusion of certain
11 portions of the development in effecting traffic and circulation creates a gap in the analysis.

12 The EIR states that under the proposed project, the current SDSU enrollment ceiling
13 will be increased from 25,000 full-time equivalent students [FTES] to 35,000 FTES. A.R.
14 Tab 14:01602. Based upon SDSU's definition of FTES², the EIR asserts that when the FTES
15 35,000 ceiling is reached, anticipated by the 2024/2025 academic year, there will be 44,826
16 students. A.R. Tab 14:01605. However, there is no data or methodology shown to support
17 how this calculation was done or how the 44,000 number was surmised. For instance, the
18 EIR fails to consider San Diego State University's special status as a commuter school.
19 Thirty-five thousand (35,000) FTES students can easily translate into fifty-five thousand
20 (55,000) actual students due to SDSU's particular character and tradition of serving a large
21 number of part-time, continuing education, and other commuter students. As such, the initial
22 baseline used to calculate the number of students, staff or faculty whom will likely use the
23 surrounding roads is inherently flawed and cannot support the EIR.

24 A another fatal flaw in the underlying data relating to the traffic conclusions reached in
25 the EIR went directly to the allowable traffic generation on the surrounding streets.

26
27
28 ² FTES is defined as one student taking 15 units. Two part-time students, each taking 7.5
units would be considered one FTES.

1 Specifically, the EIR reached its conclusions based upon incorrectly identifying area
2 streets as "collector" and "sub-collector" roads. This incorrect classification of the streets
3 inflates the roadway capacities beyond that which the City recommends. A.R. Tab 14:01610-
4 1611, Tab 17:02132-02133. For further analysis relating to specific streets, see Opening
5 Briefs of Petitioner DCAC and Alvarado. City joins and incorporates those arguments herein.

6 The EIR also fails because it uses inaccurate or unsupported data to set the trip
7 generation which is the basis of the traffic analysis. The EIR states that currently 18% of
8 students live on campus or within walking distances to campus. A.R. Tab 1:00485. The EIR
9 then asserts without supporting data that this number will increase to 25%. A.R. Tab
10 1:00485. The EIR then uses this unsupported percentage to deduct this number from those
11 whom will be using the roadways to travel to SDSU on any given day. *Id.* In support of
12 these conclusions, Respondent relies on a campus survey prepared for and by the University
13 of California at San Diego [USCD]. A.R. Tab 1:00485, Tab 14:1627. Not only does this
14 study ignore the obvious and marked difference in characteristics between the two
15 institutions, but the EIR fails to identify the number, methodology or other necessary
16 information to determine the basis for this survey. A.R. Tab 14:1627.

17 As a further problem in the traffic analysis, the EIR makes unsupported assumptions
18 regarding trolley use to discount the number of persons using the surrounding streets. A.R.
19 Tab 14:1628. Based upon the already flawed baseline, the EIR assumes that increased student
20 enrollment will result in an overall traffic increase of 19,974 Average Daily Trips [ADT].
21 A.R. Tab 1627. This number is then significantly discounted by an assumption that a large
22 percentage of students will use the trolley rather than commute in private vehicles. A.R. Tab
23 14:1628. Relying on that assumption, the ADT rate is dramatically discounted by 11,356
24 trips, down to 8,518 ADT. A.R. Tab 14:1628, Tab 14:1629.

25 The above demonstrates that the traffic study supporting the EIR sets an improper and
26 inaccurate baseline to determine the trip generation and thus traffic impacts on the
27 surrounding community and roads. Based upon this, a new traffic and circulation study is
28 necessary to enable full and complete disclosure of impacts. Additional failures in the traffic

1 study are set forth in Alvarado's Opening Brief. City joins in those arguments and
2 incorporates them herein.

3 **E. The EIR Fails As An Informational Document.**

4 Failure to comply with procedures that result in the omission of relevant information
5 from the environmental review constitutes a prejudicial abuse of discretion "regardless of
6 whether a different outcome would have resulted" had the agency complied with CEQA's
7 requirements. *Neighbors of Cavitt Ranch v. County of Placer (Bayside Covenant Church)*
8 (2003) 106 Cal.App.4th 1092, 1100; *Bakersfield Citizens for Local Control v. City of*
9 *Bakersfield (Panama 99 Properties)* (2004) 124 Cal.App.4th 1184, 1198, 1208; *Rural*
10 *Landowners Assn. v. City Council* (1983) 143 Cal.App.3d 1013, 1023 [where "failure to
11 comply with the law results in a subversion of the purposes of CEQA by omitting information
12 from the environmental review process, the error is prejudicial."] The critical question is
13 whether an alleged procedural violation "deprived the public or local agencies of information
14 relevant to" the project. *Neighbors of Cavitt Ranch, supra*, 106 Cal.App.4th at 1102; *Sierra*
15 *Club v. State Bd. of Forestry* (1994) 7 Cal.4th 1215, 1236-1237 [prejudice is presumed where
16 the absence of information "frustrated the purpose of the public comment provisions of the
17 Forest Practice Act" and made "meaningful assessment of potentially significant
18 environmental impacts" impossible.]

19 **F. The EIR Fails to Provide Adequate Mitigation for Impacts on Population**
20 **and Housing.**

21 CEQA Guidelines Section 15126.2(d) sets forth the threshold in which population and
22 growth must be addressed and states that the EIR must "discuss the ways in which the
23 proposed project could foster economic or population growth, or the construction of
24 additional housing, either directly or indirectly in the surrounding environment." The Final
25 EIR states that the increase in students, faculty and staff, as a result of the Project, would not
26 have not a significant impact on the surrounding SDSU area. See Generally, Appendix L,
27 Population and Housing Technical Memorandum, Tab 13:01499-1577, see also A.R. Tab
28

1 13:1514. This is based upon conclusory and speculative growth projections set forth in the
2 EIR.

3 The EIR admits there is and continues to be a disproportionate growth of population in
4 the College Area surrounding SDSU. A.R. Tab 13:1507-1508. The EIR also maintains that
5 twenty five percent (25%) to thirty percent (30%) of new students would reside within one
6 mile of campus. A.R. Tab 17:2616. And that the projected increased student enrollment will
7 create a greater demand for student housing within the residential area surrounding the
8 campus. *Id.* While the DEIR acknowledges this conflict, Respondent then ignores this goal
9 by not properly mitigating for the increased University Population in the single family
10 neighborhoods. A.R. Tab 17 2163-2169 at 2165-2166.

11 The EIR assumes that there will be no significant impact to housing needs because the
12 housing demand will be met by a combination of multi-family housing projects "proposed for
13 the surrounding area." *Id.* There is no supporting data for this conclusion. The only
14 evidence presented to support this conclusion is by reference to proposed housing projects in
15 two other redevelopment project areas, the Grantville Redevelopment Area and the Paseo
16 Project, both of which are currently involved in pre-construction litigation. A.R. Tab
17 17:2619. As such, Respondent cannot determine as of yet whether these projects will ever be
18 accomplished, never mind the timeline in which they will be accomplished. These proposed
19 housing projects may not be relied upon to substantiate mitigation measures identified in a
20 CEQA document.

21 **G. Failure to Adequately Consider Project Alternatives.**

22 Under CEQA, a public agency is required to consider feasible alternatives to the
23 project which would lessen any significant adverse environmental. Pub. Res. Code §§ 21002,
24 21081; CEQA Guidelines § 15126.6. The discussion of alternatives must be meaningful and
25 provide sufficient information to allow informed decision making. See *Laurel Heights*
26 *Improvement Ass'n. v. Regents of the Univ. of California*, *supra*, 47 Cal. 3d at 403-404.
27 Further, specific reasons for failure to incorporate the alternatives into the Project were either
28 not provided, or were not supported by substantial evidence. This lack of information in the

1 FEIR is a prejudicial abuse of discretion, and completely contrary to CEQA's spirit of
2 transparency and the public review and oversight of information.

3 There were many measures proposed by the Agency and City by and through its
4 agents, including but are not limited to the following: private development and ownership of
5 the proposed construction within the College Community Redevelopment Project Area (A.R.
6 Tab 17:2107); providing trolley passes to 100% of the student population and imposing
7 higher parking fees to offset some of traffic impacts (A.R. Tab 17:2107); and calling for
8 lower density development in the Adobe Falls/North Creek development area. A.R. Tab
9 17:2107. None of these alternatives were addressed, investigated or incorporated into the
10 Final EIR.

11 Respondent's reliance on the statement of overriding considerations is improper
12 because feasible project alternatives, which would have lessened environmental impacts, are
13 available.

14 **H. The EIR Fails to Identify and Adequately Address Inconsistencies**
15 **Between The Project And The Various Community Plans Governing The Area of the**
16 **Project.**

17 An EIR must discuss any inconsistencies between the proposed project and applicable
18 general plans. CEQA Guidelines § 15125(d). An applicable plan is a plan which has been
19 adopted and applies to a project. *Chaparral Greens v. City of Chula Vista* (1996) 50
20 Cal.App.4th 1134, 1145, fn 2. Although the requirement that EIRs analyze any
21 inconsistencies with plans is set forth in Section 15125, which generally governs the EIR's
22 description of a project's environmental setting, this analysis also relates to an EIR's
23 evaluation of environmental impacts. CEQA Guidelines § 15126 [all phases of the project
24 must discuss the growth-inducing impact of the proposed project]. The purpose of the
25 required analysis is to identify inconsistencies that the lead agency should address and modify
26 to avoid inconsistencies. CEQA Guidelines § 15125; see also *Orinda Ass'n v. Board of*
27 *Supervisors* (1986) 182 Cal.App.3d 1145, 1169.

28

1 While Respondent claims that it is consistent with various community and
2 redevelopment plans (A.R. Tab 1:00356-00379), this statement is untrue. The following are
3 some examples of the inconsistencies which were raised but were ignored in the FEIR:

4 The EIR should be consistent with the College Community Redevelopment Plan
5 [CCRP]. The CCRP did not anticipate and does not allow for the construction of a hotel in
6 the Alvarado Sub-Area of the College Community Redevelopment Project Area. A hotel is
7 permitted in the CCRP in the Lot A Sub-Area of the College Community Redevelopment
8 Project Area, but that is not what is being proposed by the project. A.R. Tab 17:2109.

9 The EIR should be consistent with the College Community Redevelopment Project
10 Master Project Plan [MPP]. The MPP requires that a design manual be adopted for each of
11 the five Sub-Areas of the College Community Redevelopment project Area before
12 development is to occur. These design manuals have not been prepared or presented and
13 must be prior to development within the Alvarado Road Sub-Area. *Id.*

14 The EIR should also be consistent with the Third Five-Year Implementation Plan for
15 the College Community Redevelopment Project [Implementation Plan]. The Implementation
16 Plan anticipates that the San Diego State University Foundation would bring forward the
17 Alvarado Road Sub-Area Design Manual sometime in Fiscal Year 2005 identifying
18 construction of approximately 100,000 square feet. The 2005 Master Plan Revision calls for
19 245,000 square feet of development but makes no mention of an Alvarado Road Sub-Area
20 Design Manual. A.R. Tab 17:002110.

21 The growth projections and placement of new students into the single – family
22 residential neighbors surrounding SDSU also conflicts with the goals and objectives of the
23 College Area Community Plan. While the DEIR acknowledges the goal of the College Area
24 Community Plan, it ignores the goal by failing to provide any mitigation measures. A.R. Tab
25 1:360.

26 Respondent's position that it does not need to be consistent with the various
27 community plans is a blatant usurpation of the City and Redevelopment Agency's duty and
28 authority to monitor and control development in the SDSU area. And Respondent's choice to

1 include this information within the EIR and make the "claim" that its project is consistent
2 with these community plans is also misleading and should require Respondent to provide
3 complete and accurate information.

4 **I. Improper Reliance on a Statement of Overriding Consideration.**

5 EIR requirements are clear: The public agency should not approve a project so
6 proposed if there are feasible alternative or mitigating measures available that would lessen
7 the project's environmental impact. Pub. Res. Code § 21002.1; Cal. Code Regs, titl. 14, §
8 15021(a)(2). Alternatively, a project with significant, unavoidable or unmitigatable impacts
9 may only be approved upon substantial evidence that the project's benefits outweigh its
10 impacts. CEQA Guidelines § 15093, subds. (a), (b). By certifying and approving the FEIR
11 for the Project, Respondent has failed to meet both of the foregoing requirements.

12 The Statement of Overriding Consideration Respondent did not properly accomplish
13 the appropriate balancing between economic, legal, social, technological or other benefits of
14 the proposed Project versus the adverse environmental effects of the Project.

15 Respondent could not have accomplished the appropriate balancing because the
16 statement of overriding considerations, as stated above, relies on determinations and
17 conclusions that were unsupported by substantial evidence. CEQA Guidelines § 15093.

18 **J. EIR Misuse and Misapplication of the Environmental Impact Report**
19 **Process.**

20 While CEQA allows multi-level review of development projects in certain cases, a
21 lead agency must still adequately analyze reasonably foreseeable significant environmental
22 impacts, and is not justified in deferring this analysis to a later CEQA document. CEQA
23 Guidelines § 15152. By analyzing sub-area developments at differing levels of review,
24 Respondent is misleading the public regarding the extent of the cumulative environmental
25 impacts to the area.

26 An EIR must identify and focus on the significant environmental impacts of a
27 proposed project, giving due consideration to both its short-and long-term effects. Pub.
28 Resources Code, § 21100(a),(b); CEQA Guidelines § 15126. An EIR must similarly contain

1 a "sufficient degree of analysis to provide decision makers with information that allows them
2 to make a decision which intelligently takes account of environmental consequences." CEQA
3 Guidelines § 15151. A lead agency must eliminate or substantially lessen the environmental
4 impact of the project where feasible. CEQA Guidelines § 15126.4.

5 The EIR for the Adobe Falls/North Campus development violates CEQA because it
6 fails to propose adequate measures to mitigate the environmental impacts of a specific
7 development project. SDSU has identified the specific uses for the student housing to be built
8 at this site, as well as the number and type of prospective residents, which shall include
9 retired faculty and staff, senior citizens and a limited number of graduate students. Yet, the
10 proposed development is analyzed at a program level of review.

11 The proposed use for the Adobe Falls/North Campus development is clearly defined
12 in such a way that supercedes program level review. Respondent has a duty under CEQA to
13 identify and mitigate all foreseeable environmental impacts. By setting forth vague and
14 conclusory statements as adequate mitigation measures, Respondent fails in its duty to the
15 public to consider the impact this development will have in conjunction with the other
16 neighboring projects, scheduled for build-out before, or at the same time as Adobe Falls. The
17 best solution Respondent could provide to address this problem in the FEIR is a "Traffic
18 Calming Study", which would determine the methods available to control and/or reduce
19 vehicle speeds on Del Cerro roadways before "housing unit occupancy." This idea of a
20 "Calming Study" is flawed because it does nothing to address volume, but instead addresses
21 only speed. More importantly, Respondent's "Calming Study" would be studying potential
22 mitigating measures as it constructs the very project which produces the need for mitigation
23 measures. In other words, Respondent is putting off until tomorrow the environmental review
24 it is required by CEQA to perform today.

25 **K. EIR Fails to Address Cumulative Impacts.**

26 When considering a project, CEQA guidelines require that a lead agency review the
27 whole of the action. CEQA Guidelines § 15378. The Adobe Falls, Alvarado Hotel and
28 Alvarado Campus Park components of the Project together cause significant, irreversible

1 environmental impacts to the same geographic area, specifically the I-8/College
2 Avenue/Alvarado Road interchange. The impacts, when considered cumulatively, are more
3 significant than when considered individually, per differing levels of review.

4 An EIR must discuss the impacts of the project over time in conjunction with past,
5 present and reasonably foreseeable future projects. Pub. Res. Code § 21083; CEQA
6 Guidelines, § 15130. Guidelines section 15130, subdivision (b) provides that "[t]he
7 discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood
8 of occurrence, but the discussion need not provide as great detail as is provided of the effects
9 attributable to the project alone. The discussion should be guided by the standards of
10 practicality and reasonableness." Thus, an EIR which completely ignores cumulative impacts
11 of the project is inadequate. *Citizens to Preserve the Ojai v. County of Ventura* (1985) 176
12 Cal.App.3d 421, 430-431. But a good faith and reasonable disclosure of such impacts is
13 sufficient. (*Id.*, at 432; and see *Al Larson Boat Shop, Inc. v. Board of Harbor Commissioners*
14 (1993) 18 Cal.App.4th 729, 749 [absence of separate detailed discussion of air quality
15 impacts of project is not reversible error].

16 Respondent must address the cumulative impact of the project on the area, when two
17 or more sub-areas will compound or increase environmental impacts. CEQA Guidelines §
18 15355. This requirement is especially necessary in multi-phase development plans, such as
19 the proposed Project. Respondent fails to adequately set forth and to independently analyze
20 the incremental development occurring in each of the sub-areas against one other. This is a
21 significant legal deficiency in the FEIR. This factor alone warrants judicial review of
22 Respondent's approval and certification of the FEIR.

23 IV.

24 CONCLUSION

25 By reasons set forth above, Respondent failed to proceed in a manner required by law
26 in certifying and approving the FEIR in compliance with CEQA and the Public Resources
27 Code. Moreover, this decision, and the statement of overriding considerations justifying the
28 decision was unsupported by substantial evidence. Accordingly, the decision to certify and

1 adopt the FEIR should be set aside, and Respondent ordered to prepare and certify a new
2 Environmental Impact Report which meets the standards set forth under CEQA.

3 Dated: May 2, 2006

MICHAEL J. AGUIRRE, City Attorney

4
5 By _____

6 Christine M. Fitzgerald
7 Deputy City Attorney
8 Attorneys for Petitioners City of San Diego
9 and Redevelopment Agency of the
10 City of San Diego
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FILE COPY

February 22, 2007

San Diego State University
Facilities Planning, Design and Construction
Ms. Lauren Cooper
Associate Director,
5500 Campanile Drive
San Diego, CA 92182-1624

Dear Ms. Cooper,

I recently sent a letter to Ms. Ann Brunkow, President of the Del Cerro Action Council and I am taking this opportunity to share my thoughts with you since your department is involved in decisions that affect my neighborhood.

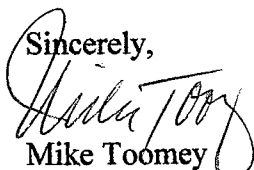
If we think outside the box a little and realize that Internet conferencing is replacing face-to-face meetings in the business world and saving business and government agencies millions of dollars in travel, and other traditional conference and educational related expenses. A university setting is perfect for similar Internet training functions. In many cases a student would only need to come to campus for identification and testing purposes. Perhaps your department could plan and design a first of its kind or prototype facility to accommodate student identification and testing to augment off campus learning. Just think of the possibilities this has for savings to the university on lighting, heating and cooling, and general maintenance of current facilities. What savings the students would have in transportation expenses, the environment would not suffer the toxic results of so many daily automobile trips by the students to and from campus.

I have asked some friends to examine the possibilities of starting a State Referendum or State Proposition calling for a freeze on all new building at existing campuses; allowing only replacement when needed and only where an old unsafe building is being demolished. Require all future campus student population growth to be accommodated through offsite Internet – video conferencing classes. Scheduling could be arranged so that students would need to attend actual on campus classes only one or two days per week. Professors would be required to work 40 hours per week in live classroom settings teaching/lecturing or live Internet course studies; the Teaching Assistants could be relegated to grading papers and test results.

How nice it would be to reduce the adverse affects of constant daily trip traffic to and from SDSU campus everyday. My proposal is also being advanced to the Governors Office for consideration statewide without the need for a referendum.

Thank you for your time in considering this proposal.

Sincerely,



Mike Toomey
Del Cerro Area Resident

FEB 26 2007

Lauren Cooper
San Diego State

2-25-07

Dr Mrs Cooper,

As a homeowner in Del Cerro, I am most concerned with your potential residents coming up thru small residential streets and by a grammar school. I think it is more feasible to leave by Alvarado Rd. than the present cul de sac at the bottom of the hill. you would probably need to buy an easement to get access to the cul de sac. your Teachers could then go to Waring Rd and up highway 8 to school.

Sincerely yours

Alan C Reed

5821 Del Cerro Blvd.

San Diego, Ca 92120

FEB 28 2007

CC: Del Cerro Action Council

Samuel W. Bettwy
Susan R. Benninghoff-Bettwy

5924 Arboles Street
San Diego, CA 92120
(619) 557-7119/5004 (office phone/fax-Sam)
(619) 287-6322 (home phone/fax)

February 26, 2007

Ms. Lauren Cooper
Associate Director, Facilities Planning, Design and Construction
San Diego State University
5500 Campanile Dr.
San Diego, CA 92182-1624

Subj.: Comment on 2007 Environmental Impact Report
Adobe Falls Plan

Dear Ms. Cooper:

Given the general nature of the Report, our general suggestion in response is that the plan include ingress and egress to/from Waring Road to dilute the adverse impact on College Avenue and neighboring communities.

Very truly yours,



SAMUEL W. BETTWY
SUSAN R. BENNINGHOFF-BETTWY

cc: Del Cerro Action Council
P.O. Box 600801
San Diego, CA 92160

FEB 27 2007

Jerry Satuloff

5581-C Adobe Falls Road, San Diego, CA 92120

Res: 619-583-4258 Cell:619-895-2006

Email: jersat@cox.net

February 27, 2007

Lauren Cooper
Associate Director – Facilities Planning
SDSU
Facilities Planning, Design and Construction
5500 Campanile Drive
San Diego, CA 92182

Subject: 2007 Campus Master Plan Revision

Dear Mr. Cooper – et-al:

Having sat through the non-presentation on February 21, what a waste of time. It is obvious SDSU management are hell-bent on forcing this, no matter what. It matters not what the neighborhood thinks, what money it costs and what politician's egos are to be satiated. It seems incongruous that we taxpayers, providing the funds for the SDSU expansion have no say in the matter. After all, we supply the money and SDSU uses their deep pockets money to our disadvantage!

What has changed in the revised EIR? There remain the same environmental issues, land use and infrastructure issues, safety and traffic issues, none of which have been addressed. So it is politics as usual!

Questions to be answered include:

1. How is increased traffic to be mitigated, what is the planned access, resulting in what impact to the neighborhood?
2. Has coordination and input with the neighborhood improved? How and when??
3. If, the Adobe Falls portion does get built, how will the buildings, landscape, roads and cleanliness be maintained, et-al. How will SDSU guarantee Adobe Falls will not become a mini-dorm facility for undergraduates?
4. Why are recreational facilities for SDSU use only? There are no parks in the Adobe Falls area.
5. SDSU has shown a near total disregard for the wishes of its neighbors who, at our own expense were forced to take SDSU to court. How has SDSU's attitude toward its neighbors changed?

I submit, the meeting held the evening of February 21 was a further indication of SDSU's intent to disregard neighbors' concerns. I suggest the next time a meeting is called, it NOT be called for political purposes, it be called to mitigate our mutual concerns.

Sincerely,


Jerry Satuloff - Smoke Tree Adobe Falls resident - Cc: Ann Brunkow - DCAC

February 28, 2007

Lauren Cooper, Associate Director
Facilities Planning, Design and Construction
San Diego State University
5500 Campanile Drive
San Diego, CA 92182-1624

MAR 1 2007

Re: SDSU 2007 Campus Master Plan Revision
Response to Notice of Preparation (NOP) of a DEIR

Dear Ms. Cooper:

As a Del Cerro resident I have continued concerns over your expansion plans in the College and Del Cerro communities. I read the NOP and attended the Public Information/Scoping meeting and would like to submit in writing, the following questions and concerns so they may be addressed the DEIR:

I. Regarding Description of Proposed Project

1. The premise for building faculty/staff housing in Adobe Falls Canyon is (reportedly) to utilize affordable housing as a tool to retain and attract quality employees. Curiously absent in the original Master Plan EIR is reference to any comprehensive regional housing study other than one conducted on a statewide basis, several years prior. A campus faculty/staff survey conducted by SDSU in August, 2003, resulted in many findings contrary to the claims by SDSU that the type of housing proposed is desired by their employees. Therefore, I request that you provide a comprehensive regional housing study/analysis be conducted and provided to the public, supporting the need and desire by faculty/staff to reside at Adobe Falls.

2. Omitted in this current revision is the inclusion of graduate students and retired faculty as potential residents of the Adobe Falls housing development. Therefore, I would like the following information included in the DEIR:

Criteria considered when qualifying individuals for residence at Adobe Falls.

A definition of "faculty/staff" as it relates to potential residents at Adobe Falls

Specific assurances that the units at Adobe Falls will not be utilized as student housing in the future


3. The number of housing units at Adobe Falls was recently reduced from 540 to 370. In the former and current versions of the Master Plan, SDSU failed to provide rationale for these specific numbers, therefore they appear erroneous. I would like SDSU to provide justification for 370 units. I would also like to see a benefit and impact analysis for reduced numbers of units. More simply put, I would like SDSU to weigh the pros and cons of building 370 units and compare that to building incrementally fewer units.

II. Regarding Transportation and Traffic

1. According to the NOP, "...The total number of housing units ultimately to be developed on the site is dependent in part upon available access routes..." When considering available access routes/traffic flow alternatives to/from the Adobe Falls development, SDSU should provide comprehensive data supporting the feasibility of each route being considered, including but not limited to: Cost estimates, regulatory and legal requirements, etc. Also included should be the probability or likelihood that each route will be implemented, and justification for these probabilities.
2. In SDSU's most recent traffic report, the panning out of traffic from Adobe Falls through local residential streets was estimated. As some of these projections seem contrary to the current general traffic flow, I would like SDSU to provide grounds for these estimates.
3. SDSU claims the Red/Black Shuttle will provide alternative transportation for faculty/staff traveling between Adobe Falls Development and SDSU. SDSU must substantiate this claim and provide specific current and projected rider ship data on the Red/Black Shuttle.
4. SDSU claims the San Diego Trolley will provide alternative transportation for faculty/staff/students, etc., traveling to/from campus, thus reducing the potential cumulative traffic impacts on surrounding communities. SDSU must substantiate this claim and provide specific current and projected rider ship data on the San Diego Trolley relative to the above-mentioned claim.

SDSU is undoubtedly an asset and a source of pride for our community. I have two young children who may benefit from SDSU's expansion, but I am concerned both for SDSU's future as well as that of my neighborhood. It is unfortunate that the means to attaining SDSU's goals might be at the expense of local residents and businesses. SDSU has the opportunity to recapture well-worn good will by working in concert with the community and pursue compromise. I hope you take it.

Thank you.



Susan Thomas
6154 Arno Dr.
San Diego, CA 92120

cc: Del Cerro Action Council



City of La Mesa

COMMUNITY DEVELOPMENT

March 1, 2007

Lauren Cooper
San Diego State University
Facilities Planning, Design and Construction
5500 Campanile Drive
San Diego, CA 92182-1624

Re: Notice of Preparation of Draft EIR for the 2007 Campus Master Plan

Ms. Cooper:

The City of La Mesa received the Notice of Preparation of an Environmental Impact Report (EIR) for the 2007 San Diego State University Master Plan. After reviewing the project and attending a scoping meeting on February 21, the City of La Mesa has the following comments:

1. Traffic concerns related to the proposed Alvarado Campus, Alvarado Hotel and other expansion planned adjacent to Alvarado Road were expressed in the meeting. The intersection of Alvarado Road and 70th Street should be looked at carefully. This intersection has access to the SDSU campus, the City of La Mesa, City of San Diego, and Interstate 8. Alvarado Road continues east across 70th street into the City of La Mesa. It is important to evaluate the amount of traffic that would continue onto Alvarado Road in La Mesa for travelers that may avoid traffic on Interstate 8.
2. The City of La Mesa has recently received inquiries and tentative proposals to redevelop approximately 12 acres of land at 7407 Alvarado Road with an intensive mixed use project. The property is currently developed as the Sunland RV Resort. The City of La Mesa is concerned that the traffic from the SDSU expansion would have a higher cumulative impact on traffic once this area in the City of La Mesa is redeveloped to its potential. We would like to coordinate our redevelopment plans with SDSU and the City of San Diego.

If you have any questions, please contact me at 619-667-1187 or by electronic mail at bchopyk@ci.la-mesa.ca.us.

Sincerely,

Bill Chopyk
Planning & Development Services Director

MAR 2 2007

CC: City Engineer

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Department of Toxic Substances Control



Linda S. Adams
Secretary for
Environmental Protection

Maureen F. Gorsen, Director
5796 Corporate Avenue
Cypress, California 90630



Arnold Schwarzenegger
Governor

March 2, 2007

Ms. Lauren Cooper
Facilities Planning, Design and Construction
San Diego State University
5500 Campanile Drive
San Diego, California 92182-1624

NOTICE OF PREPARATION (NOP) FOR THE SAN DIEGO STATE UNIVERSITY (SDSU) 2007 CAMPUS MASTER PLAN REVISION PROJECT

Dear Ms. Cooper:

The Department of Toxic Substances Control (DTSC) has received your submitted document for the above-mentioned project. As stated in your document: "The proposed project involves the development of classroom, housing and student support facilities on approximately 55 acres of land located on the SDSU main campus and adjacent to it".

Based on the review of the submitted document DTSC has comments as follows:

- 1) The EIR should identify and determine whether current or historic uses at the project site may have resulted in any release of hazardous wastes/substances.
- 2) The EIR should evaluate whether conditions at the site may pose a threat to human health or the environment. Following are the databases of some of the regulatory agencies:
 - National Priorities List (NPL): A list maintained by the United States Environmental Protection Agency (U.S.EPA).
 - Envirostor (formerly CalSites): A Database primarily used by the California Department of Toxic Substances Control, accessible through DTSC's website (see below).
 - Resource Conservation and Recovery Information System (RCRIS): A database of RCRA facilities that is maintained by U.S. EPA.

MAR 5 2007

Ms. Lauren Cooper
March 2, 2007
Page 2

- Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS): A database of CERCLA sites that is maintained by U.S.EPA.
 - Solid Waste Information System (SWIS): A database provided by the California Integrated Waste Management Board which consists of both open as well as closed and inactive solid waste disposal facilities and transfer stations.
 - Leaking Underground Storage Tanks (LUST) / Spills, Leaks, Investigations and Cleanups (SLIC): A list that is maintained by Regional Water Quality Control Boards.
 - Local Counties and Cities maintain lists for hazardous substances cleanup sites and leaking underground storage tanks.
 - The United States Army Corps of Engineers, 911 Wilshire Boulevard, Los Angeles, California, 90017, (213) 452-3908, maintains a list of Formerly Used Defense Sites (FUDS).
- 3) The EIR should identify the mechanism to initiate any required investigation and/or remediation for any site that may be contaminated, and the government agency to provide appropriate regulatory oversight. If hazardous materials or wastes were stored at the site, an environmental assessment should be conducted to determine if a release has occurred. If so, further studies should be carried out to delineate the nature and extent of the contamination, and the potential threat to public health and/or the environment should be evaluated. It may be necessary to determine if an expedited response action is required to reduce existing or potential threats to public health or the environment. If no immediate threat exists, the final remedy should be implemented in compliance with state laws, regulations and policies.
- 4) Proper investigation, sampling and remedial actions overseen by the appropriate agency, if necessary, should be conducted at the site prior to the new development or any construction.
- 5) If any property adjacent to the project site is contaminated with hazardous chemicals, and if the proposed project is within 2,000 feet from a contaminated site, then the proposed development may fall within the "Border Zone of a Contaminated Property." Appropriate precautions should be taken prior to construction if the proposed project is within a "Border Zone Property."

Ms. Lauren Cooper
March 2, 2007
Page 3

- 6) The project construction may require soil excavation and soil filling in certain areas. Appropriate sampling is required prior to disposal of the excavated soil. If the soil is contaminated, properly dispose of it rather than placing it in another location. Land Disposal Restrictions (LDRs) may be applicable to these soils. Also, if the project proposes to import soil to backfill the areas excavated, proper sampling should be conducted to make sure that the imported soil is free of contamination.
- 7) Human health and the environment of sensitive receptors should be protected during the construction or demolition activities. A study of the site overseen by the appropriate government agency might have to be conducted to determine if there are, have been, or will be, any releases of hazardous materials that may pose a risk to human health or the environment.
- 8) Certain hazardous waste treatment processes may require authorization from the local Certified Unified Program Agency (CUPA). Information about the requirement for authorization can be obtained by contacting your local CUPA.
- 9) If the site was used for agricultural purposes or if weed abatement may have occurred, onsite soils may contain pesticide and agricultural chemical residue. If the project area was used for poultry, dairy and/or cattle industry operations, the soil may contain related dairy, animal, or hazardous waste. If so, activities at the site may have contributed to soil and groundwater contamination. Proper investigation and remedial actions, if necessary, should be conducted at the site prior to construction of the project.
- 10) If during construction/demolition of the project, soil and/or groundwater contamination is suspected, construction/demolition in the area should cease and appropriate health and safety procedures should be implemented. If it is determined that contaminated soil and/or groundwater exists, the EIR should identify how any required investigation and/or remediation will be conducted, and the appropriate government agency to provide regulatory oversight.

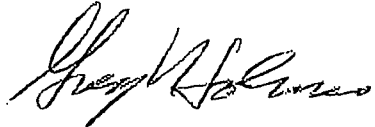
Ms. Lauren Cooper

March 2, 2007

Page 4

If you have any questions regarding this letter, please contact Mr. Al Shami, Project Manager, at (714) 484-5472 or at "ashami @ DTSC.ca.gov".

Sincerely,



Greg Holmes

Unit Chief

Southern California Cleanup Operations Branch - Cypress

cc: Governor's Office of Planning and Research
State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044

Mr. Guenther W. Moskat, Chief
Planning and Environmental Analysis Section
CEQA Tracking Center
Department of Toxic Substances Control
P.O. Box 806
Sacramento, California 95812-0806

CEQA #1608

PAGE 1

LAUREN COOPER,

I WENT TO LAST WEEK'S MEETING WEDNESDAY FEB. 21 @ SDSU AND WAS GOING TO SPEAK, BUT I HAD TO LEAVE DUE TO TIME COMMITMENTS, SO I'M SUBMITTING SOME IDEAS I HAVE ABOUT USING THE PEDESTRIAN/BIKE TUNNEL. AS YOU WILL READ IN MY ORIGINAL LETTER I WAS TRYING TO CONVINCE SDSU TO USE THIS TUNNEL (ADOBE FALLS)

AT THE MEETING I NOTICED THAT IN YOUR PICTORIAL LAYOUT YOU HAD A PROPOSED BIKE/PEDESTRIAN TRAIL GOING INTO THE TUNNEL. IS THAT OFFICIAL? ARE THEY GOING TO USE THIS TUNNEL?

THAT WOULD BE A GREAT OPPORTUNITY TO HAVE YOUR FACULTY & STAFF WALK OR BIKE TO WORK

ON MY ATTACHED LETTER YOU'LL SEE MY REASONING WHY IT WOULD BE SUCH AN ASSET TO YOUR COLLEGE AND TO OUR NEIGHBORHOOD HERE IN DEL CERRO.

AFTER YOU READ PAGE 2 (I WROTE IT SEVERAL WEEKS AGO) YOU'LL SEE THAT I DIDN'T

MENTION HOW TO MONITOR IF THE FACULTY
& STAFF DO USE THE PED/BIKE TUNNEL TO
ACCESS THE CAMPUS.

HERE'S ONE THOUGHT:
A SCANNABLE PARKING STICKER ON THEIR
VEHICLE AND IF THERE VEHICLE IS IN
THEIR PARKING SPOT A CERTAIN AMOUNT
OF TIMES PER SEMESTER THEY GET A
MONETARY BENEFIT OR DEDUCTION OR MAYBE
EVEN SOME KIND OF TAX BREAK

ANYWAY I REALLY HOPE YOU'LL USE
THIS TUNNEL IN SOME WAY TO CUT DOWN
ON TRAFFIC AND HELP THE ENVIRONMENT

ANY QUESTIONS AT ALL DON'T
HESITATE TO CALL I'M SURE WE CAN WORK
TOGETHER AS TEAM WITH SDSU & DEL CERRO
NEIGHBORHOOD GROWING TOGETHER

THANKS,

STEVE GILBERT
5832 LANCASTER DR.
SAN DIEGO, CA. 92120-4533

619-287-0338

THE TRAIL COULD BE MADE WITH A SERIES OF WALKWAY
AND IF NEEDED SOME DECKING ~~AND~~

TRUE THE EXISTING TUNNEL HAS WATER
RUNNING THROUGH IT A STEEL GRID, OR WOODEN GRID COULD
BE PUT OVER THE WATER AND WOULD BE PERFECT FOR
ACCESSING THE CAMPUS. IF LIGHTING IS NEEDED CONDUIT
CAN BE RUN ALONG THE ROOFLINE WITH LIGHTS FOR
A NOMINAL FEE. THE CAMPUS SIDE OF THE TUNNEL IS JUST
YOU COULD EVEN INSTALL A SUBSTANTIAL DRAIN LINE IN ^{ON THE SOUTH SIDE OF I-8}
CONCRETE MAKING THE FLOOR LEVEL FOR PEDESTRIANS AND
ELIMINATING THE WATER.

NOW I REALIZE THERE ARE TIMES WHEN PEOPLE
WILL NEED TO USE THEIR CARS AT WHICH TIME YOU COULD
USE EXISTING ROADS TO THE WEST TO WARING AND TO
THE EAST ON MILL PEAK RD. (2 MILES EACH WAY)

YOU COULD EVEN OFFER TAX INCENTIVES, OR PAY
INCREASES TO FACULTY & STAFF WHO OPTED TO USE THE
PEDESTRIAN TUNNEL. WHAT A BEAUTIFUL WAY TO START YOUR
DAY WALKING ALONG A STREAM WITH VARIOUS WATERFALLS TO
YOUR JOB. IT WOULD ALSO BE CREATE A VERY HEALTHY GROUP
OF ~~PEOPLE~~ I SPOKE TO A GENTLEMAN ALONG THE STREAM WHO
WAS ENJOYING THE DAY WITH HIS 5 YEAR OLD SON. HE SAID
YEARS AGO AS A COLLEGE STUDENT WHEN HE WAS FRUSTRATED
WITH THE PARKING SITUATION @ SDSU HE WOULD WALK TO CLASS
THROUGH THE TUNNEL AND WOULD AVOID ALL THE HASSLES.

I'M SURE THIS PROJECT WOULD COST SEVERAL
MILLION DOLLARS BUT IS SO MUCH CHEAPER THAN WIDENING ROADS
AND FIGHTING TRAFFIC. I BELIEVE THE LOCAL COMMUNITY WOULD BE
MORE ACCEPTABLE TO A PLAN THAT WOULD CUT DOWN ON TRAFFIC AND
WOULD BE ACCESSIBLE TO OUR LOCAL CITIZENS TO ENJOY THIS NATURAL
AREA. IT'S A WIN-WIN SITUATION FOR SDSU AND THE DEL CEN
Community

(PAGE 2)

AS YOU PLAN TO DEVELOP THE ADOBE FALLS AREA AND PROCEED TO BUILD 370 UNITS FOR FACULTY AND STAFF THERE'S BEEN SOME CONCERN ABOUT THE INCREASED TRAFFIC ON THE DEL CORRAL BLVD. I WOULD LIKE YOU TO CONSIDER AN ALTERNATIVE THAT I BELIEVE WOULD BENEFIT EVERYONE IN THE AREA.

WHY NOT A WALKING & BIKING PEDESTRIAN TUNNEL UNDER I-8? THERE'S ALREADY AN EXISTING TUNNEL THERE AND WOULD BE PERFECT FOR AN ALTERNATIVE MEANS OF ACCESS TO THE SDSU CAMPUS.

~~NOBODY~~ IN RECENT TIMES WE ARE CONSTANTLY HEARING ABOUT "THINKING GREEN," "REDUCING SMOG," "GLOBAL WARMING" WELL HERE'S YOUR CHANCE TO BE A LEADER IN THESE AREAS, ON THE CUTTING EDGE OF ALTERNATIVE MODES OF TRANSPORTATION. WITH 370 UNITS PROPOSED, A CONSERVATIVE ESTIMATE OF VEHICLES USING THOSE UNITS WOULD BE 275 VEHICLE

JUST THINK HOW MANY EMISSIONS WOULD GO INTO OUR LOCAL AIR WHEN 275 VEHICLES TURN ON THE ENGINES AND DRIVE APPROX 3 MILES TO THE CAMPUS ONLY TO TAKE UP MUCH NEEDED PARKING SPACES FOR PEOPLE LIVING ~~20 MILES AWAY~~ ^{MUCH FURTHER AWAY}

JUST THINK OF THE ADDITIONAL TRAFFIC CONGESTION THESE VEHICLES WOULD MAKE GOING TO THE CAMPUS EACH MORNING AND RETURNING EACH NIGHT.

WHAT I'M PROPOSING MAKES SO MUCH SENSE TO JUST DISMISS IT ~~AS~~ A WALKING BIKING TRAIL COULD BE CONSTRUCTED ALONG THE ADOBE FALLS STREAM AND COULD EVEN ACCESS LOCAL CITIZENRY TO A BEAUTIFUL NATURE AREA.

March 2, 2007

Lauren Cooper
Associate Director, Facilities Planning, Design and Construction
SDSU
5500 Campanile Drive
San Diego, CA 92182-1624

MAR 6 2007

Dear Ms. Cooper;

I am writing to you in regards to the Adobe Falls Plan (Plan) in your upcoming EIR.

While I attended your recent public comment event, I wanted to repeat and expand the issues that I would like to have addressed in your EIR.

First a retort to a comment made by Anthony Fulton: Anthony stated something to the effect that we shouldn't worry because all 370+ units would not be going in right away. Please pass on to Anthony that I use similar logic when putting a lobster into the pot – I always start them at room temperature. The point being that most residents in the Del Cerro area plan to be there for a long time. So the fact that the impacts won't be for two or three years does not suffice as an alternative to a valid mitigation plan.

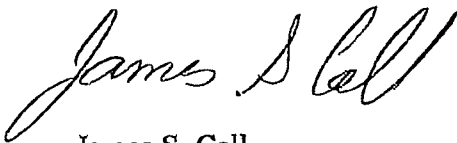
Now to the items I would like to see addressed in the EIR and the Plan:

1. A clear definition of what Faculty and Staff means.
 - 1.1. Does it include retired faculty and staff? If so, how does this address the problem that Anthony went on about – teaching more students. Retired folks do not teach – they are retired.
 - 1.2. Does it include graduate students, and if so how many.
2. The traffic study for the Plan should be done when both the grade schools in Del Cerro and SDSU are in session, during weekdays.
3. The traffic study should correctly identify the type and load capacity of each of the streets, especially Capri, Del Cerro Blvd., and Rockhurst Drive.
4. Traffic mitigations strategies should include; tunneling under the 8 freeway, a bridge over the 8 freeway, and access to the west to Warring Road.
5. As an alternative to building, look at taking the money that would be spent and using it to purchase facilities that are already built or under construction. There are several apartment building/condo conversions within a similar distance to the SDSU campus that could be purchased, in whole or in part, to provide the same number of units. There are also units being built just West of the site that could be purchased. The

advantage here is that all of these facilities already fit into, or will be required to upgrade the infrastructure of the neighborhood.

6. Another alternative to address the recruiting and retention of faculty and staff would again be to use the funds that would have to be expended to develop the 370+ units in a different manner. I believe the rationalization given by Anthony was that salaries were not high enough for incoming prospects to afford housing. The interest from the funds could be used as an annuity to augment salaries, or provide a housing stipend. This provides two added benefits to the proposed Plan; first it does not invest in depreciating assets, second it allows the recipients to choose where they want to live.
7. I would also like to understand why this Plan calls for recreational facilities to be included and why you assume they would be only for the residents' use. Are not the proposed residents going to be faculty and staff of SDSU? Wouldn't they be able to use the facilities on the main campus? And if the Plan is a campus facility, why wouldn't anyone associated with SDSU be able to use the facilities? I would think they would be able to, and if that is the final determination, how does that impact the traffic load and the environmental impact?

If I can be of any further assistance please let me know.



James S. Call
6285 Rockhurst Drive
San Diego, CA 92120

cc:
Del Cerro Action Council
P.O. Box 600801
San Diego, CA 92160

March 3, 2007

Armin and Rhea Kuhlman
5069 Catocin Drive
San Diego, CA 92115

Lauren Cooper, Associate Director
Facilities Planning, Design and Construction
Business and Financial Affairs
San Diego State University
5500 Campanile Drive
San Diego, CA 92182-1624

MAR 16 2007

Re: SDSU NOP

Dear Ms. Cooper:

We have reviewed SDSU's draft NOP for its 2007 Master Plan Revision, and request that the upcoming EIR address the following questions:

1. CAMPUS GROWTH ASSUMPTIONS

SDSU projects the need to grow from 25,000 full time equivalent (FTE) students to 35,000 FTE, an increase of 40%, over the next twenty years.

a. On what explicit assumptions does SDSU base its projected growth needs? The NOP states, rather vaguely, that the projected growth is based on "projected population growth in San Diego County."

- (1) Is San Diego County projected to grow by 40% in the next 20 years?
- (2) If so, where specifically is that growth projected to be located, and among which age groups will the growth be distributed?
- (3) If the majority of the growth is projected in North or South County, rather than in the already heavily impacted urban core, would expansion of the San Marcos campus be more appropriate for dealing with North County growth? Likewise, would a satellite campus in Chula Vista be more appropriate for dealing with South County growth?

b. Does SDSU take the position that growth at the existing campus should continue indefinitely?

- (1) If not, what is the projected upper limit of the FTE student body, and how does that translate in terms of actual students? (That is, if the current FTE level of 25,000 equals 33,000 actual students, does the projected 35,000 FTE equate to 46,200 actual students? What does SDSU's projected FTE upper limit, if any, equate to in terms of actual bodies, and what would be the projected faculty and staff needed to serve that increased student load?)

- (2) How do these figures relate to growth in automobile traffic on I-8, I-805, I-15, Montezuma Road, and College Avenue?
- (3) What would be the impact on the surrounding area in terms of housing, circulation on surface streets, parking requirements, and air quality?
- (4) What percentage of the students are projected to live within one mile of SDSU (but not in campus housing), and what impact will this have in displacing existing residents, or changing the character of the single-family residential neighborhood?
- (4) If SDSU takes the position that the school can continue to grow indefinitely, how does it justify that assumption?

2. ALVARADO CAMPUS

SDSU plans a multiphase development of approximately 662,000 gross square feet (GSF) for academic, research and medical space, and a 552,000 parking structure.

a. Phase 1 – D Lot

Consists of demolition of an existing structure at 6361 Alvarado Court, and development of a 5-story, 110,000 GSF building.

- (1) How much additional traffic will this construction generate at the intersection of College Avenue and Alvarado (at the I-8 College exit), and on Alvarado Road, which is a two-lane road; and how will it be mitigated?
- (2) How much need for additional parking will be generated, and will it be provided for simultaneously with construction of the building? If not, why not? Can the additional construction be accommodated through existing surface parking?

b. Phase 2 – D Lot

Consists of development of two 5-story buildings of 85,000 GSF each to house uses displaced by "subsequent" phases of the project (that is, the demolition of 5 existing office buildings totaling 116,523 GSF)

- (1) Since this is a net increase of 53,467 GSF (or more, depending upon when the subsequent demolitions take place), how much additional traffic will this construction generate at the intersection of College Avenue and Alvarado (at the I-8 College exit), and on Alvarado Road, which is a two-lane road; and how will it be mitigated?
- (2) How much need for additional parking will be generated, and will it be provided for simultaneously with construction of the buildings? If not, why not? Can the additional construction be accommodated through existing surface parking?

c. Subsequent Phases – Alvarado Core Site

In addition to the demolitions noted above, consists of development of four 4/5 story buildings totaling 332,385 GSF; and development of a 6/7 story 552,000 GSF parking structure for 1840 vehicles, with 191 additional surface and existing spaces.

(1) How much additional traffic will this construction generate at the intersection of College Avenue and Alvarado (at the I-8 College exit), and on Alvarado Road, which is a two-lane road; and how will it be mitigated?

(2) Since the timing of Phase 1, Phase 2, and the "Subsequent Phases" is not specified, when exactly will the parking structure be built, and why was the decision made to not build it simultaneously with Phase 1 development?

Thank you for your attention to these questions,



Armin and Rhea Kuhlman

Cc: College Area Community Council
Councilman Jim Madaffer

March 4, 2007

Lauren Cooper
Associate Director – Facilities Planning
SDSU Facilities Planning, Design & Construction
5500 Campanile Drive
San Diego, CA 92182

MAR 6 2007

Subject: Comments on SDSU Plan for Adobe Falls

Any plan to develop the Adobe Falls area that does not include an alternate access to the area other than through existing Del Cerro streets is unacceptable. This access route must be in place before other construction begins. It is irresponsible of SDSU to attempt to attain its goals by trashing Del Cerro.

A statement, as in the previous rejected EIR, that an alternate means of access such as a tunnel is too expensive, does nothing to meet our concerns. The statement of cost, which failed to include engineering details of the things you considered, gives us no basis on which to respond. Do you expect us to do your engineering for you? Attempting to justify your position with a raw cost figure, not provided in the context of the overall cost of the project, including the infrastructure which you tried to dump on San Diego taxpayers, is clearly an attempt to mislead and generates mistrust of the whole project.

Furthermore, a statement that the tunnel would require a 17% grade is also misleading (fraudulent?) in light of the facts that the existing Adobe Falls Rd. and Mill Peak Rd. that you propose to use, have similar grades, and any direct extension of Mill Peak to serve the Upper Village project will require an even steeper grade. Will the Mill Peak extension have a grade greater than 17%? If not, how will you accomplish that? If you can do it there, why can't you do it for the tunnel?

Your previous estimates of the traffic distribution are also misleading. Anyone who has driven in the neighborhood knows that virtually all of the traffic will end up on Capri Dr. This is because it is the most direct route to College Ave. Any alternate route must pass through the intersection at Genoa and Del Cerro Blvd. A reasonable person tries to cross, or even enter Del Cerro Blvd only a few times at Genoa Ave. before looking for a safer way, i.e. via Capri Dr. Almost all the excessive traffic will go through the intersection of Capri and Del Cerro, where it will endanger the safety of the children at Hearst school and the Temple school. Virtually none will go north of Del Cerro Blvd, due to difficulty of crossing Del Cerro and the difficulty of getting on to College from Lamda of Rockhurst especially if one desires to turn left.

Besides the safety issue for the school children, what do we do when we need an emergency vehicle during heavy traffic times? The problem will be even worse

for your faculty and staff down in the hole. Your plan for the East campus will further add to the problem of access to Alvarado Hospital.

I am amazed that you don't have more respect for your faculty and staff than to expect them to live down in that hole. A major concern to all Del Cerro residents is the encroachment of SDSU students on our neighborhood. SDSU and especially its students are not good neighbors. What will you do when you can't get full occupancy? What assurance do we have that you won't pull a bait and switch when that happens and then allow students to live there?

SDSU is already too big for College Ave. At certain times during the day, College is like an obstacle course, especially at the intersection leading to Alvarado Hospital. It is irresponsible to add to the size of your student body, thus making it even worse.

Finally, your handout at the Feb. 21 meeting on the Adobe Falls project includes the note, "Working with community to refine project details". That statement is in the present tense. Why haven't I heard of any such meetings? You stated that EIR for the 70 unit section will be at the project level. When are you planning to hold those meetings, after you have jammed the project level EIR down our throats? Another reason for our mistrust.

Yours truly,



Dr. Ronald A. Thiel
6212 Capri Dr.
San Diego, CA 92120

Lauren Cooper
Associate Director, Facilities Planning, Design and Construction
SDSU
5500 Campanile Drive
San Diego, CA 92182-1624

Having reviewed your Notice of Preparation of Draft Environmental Impact Report; Initial Study for your 2007 Campus Master Plan Revision and having attended you EIR Scoping Meeting, our comments are the following:

- 1) The need for San Diego State's expansion is grossly overstated. Your acceptance rates and subsequent student attendance after acceptance do not agree with Petterson's Reports of American Colleges and Universities.
- 2) San Diego State already is larger and subsequently already has passed an optimum student and building development point considering its already crowded location into an unsuitable plot of land and poor location for such a large campus. Traffic congestion and unsafe driving conditions are only to become worse with expansion. Quality of life on and around the campus, already centered on an inadequate freeway intersection, buildings and facilities already stuffed into a densely populated, busy hillside, cannot take on more population without bringing more chaos to an already ugly, begrudgingly, poorly accommodating campus which already causes problems for its neighbors.
- 3) The Revision with regard to the Adobe Falls Project can hardly be called a revision except for the reduction of units too small to be acceptable. The impact on the Communities of Adobe Falls and Del Cerro appear too drastic for acceptance.

Sincerely, Ray V. Schumacher, Jr.
Suzanne D. Schumacher
6160 Arno Drive
San Diego, CA 92120 E-Mail:

sudbud@sbcglobal.net

Ray V. Schumacher, Jr.
Suzanne D. Schumacher

Stuart R. and Yoelles F. Josephs

6408 Crystallaire Drive
San Diego, CA 92120-3834

March 6, 2007

Ms. Lauren Cooper
Associate Director-Facilities Planning, Design, and Construction
San Diego State University
5500 Campanile Drive
San Diego, CA 92182-1624

Re: **ADOBE FALLS PLAN**



Dear Ms. Cooper:

We strongly request that you immediately and **COMPLETELY ABANDON** your Adobe Falls Plan.

It is ludicrous for SDSU to continue to expand into our densely populated residential neighborhoods. Your student enrollment should be capped at your present capacity.

However, we recognize that California's student population will continue to grow. Therefore, we suggest that any additional student enrollment be switched to a **NEW** campus that should be built where there is more space to physically expand in the future.

Respectfully,


Stuart R. Josephs

Yoelles Josephs

cc: Del Cerro Action Council (via E-mail)

MAR 7 2007

ALVARADO HOSPITAL

March 7, 2007

Ms. Lauren Cooper
Associate Director-Facilities Planning
San Diego State University
Facilities Planning, Design and Construction
5500 Campanile Drive
San Diego, CA 92182

Subject: SDSU 2007 Campus Master Plan
Environmental Concern

Dear Ms. Cooper:

We are in receipt of the Notice of Preparation of a Draft Environmental Impact Report, Initial Study, San Diego State University 2007 Campus Master Plan Revision. On behalf of Alvarado Hospital's new owners, Alvarado Hospital LLC, a Delaware Limited Liability Company and Plymouth Health LLC, a Delaware Limited Liability Company we offer the following comments.

Before identifying our concerns with the project, we would like to state that we view San Diego State University as a valuable community resource. It is our understanding that Alvarado Hospital has maintained a positive working relationship with the University since the hospital's inception in the early 1970's. Further we understand that this relationship may have been strained during the review of the previous SDSU Master Plan. We would like to re-establish a strong working relationship with the University as we both face challenges that can impact the future vitality of these community resources.

We were pleased that you included us in your mailing list for documents that included an invitation to your recent scoping meeting related to the subject project. It appears that your 2007 Master Plan is ambitious. In general, we support the plan as it has been outlined.

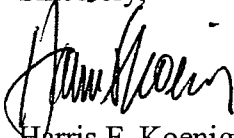
From our perspective, the most significant potential impact of this project is the traffic that it will generate. Alvarado Hospital's main east/west access points are the College Avenue and 70th Street off ramps from the I-8 freeway. College Avenue and 70th Street/Lake Murray Boulevard provide north/south access and intersect Alvarado Road on the east and west respectively. This roadway network comprises the major access routes to the hospital. Current traffic conditions indicate serious congestion during the

school year at certain times of the day. We believe that this condition will only worsen with the increase in enrollment contemplated in the new Master Plan.

Alvarado Hospital sees approximately 30,000 patients on an annual basis, employs 1,000 employees and is the source of care for patients managed by nearly 500 physicians. Alvarado has an active emergency room that sees 18,000 patients per year including 5,800 that arrive via ambulance. We believe that the Environmental Impact Study must address access to the hospital during the developmental stages of the Master Plan and after the plan becomes operational. Access to the hospital via emergency vehicles and access for other people who require emergent or urgent care as well as those who provide care should not be negatively impacted by the proposed project during or after its implementation. We believe that maintaining continuous, effective access from both ends of Alvarado Road and along College Avenue and 70th Street/Lake Murray Boulevard is essential to public health. If it is determined that there would be a significant degradation from current load levels, these impacts would need to be mitigated to ensure timely access by emergency response vehicles, private vehicles bringing patients to the hospital and our caregivers.

Thank you for your consideration of these comments. We look forward to re-establishing a strong working relationship with you as we both focus on meeting community needs for health and education.

Sincerely,

A handwritten signature in black ink, appearing to read 'Harris F. Koenig', written over a horizontal line.

Harris F. Koenig
Chief Executive Officer

cc: President Stephen Weber, SDSU
Pejman Salimpour, M.D.
Pedram Salimpour, M.D.



U. S. Fish and Wildlife Service
Carlsbad Fish and Wildlife Office
6010 Hidden Valley Road
Carlsbad, California 92011
(760) 431-9440
FAX (760) 930-0846



California Dept. of Fish and Game
South Coast Regional Office
4949 Viewridge Avenue
San Diego, CA 92123
(858) 467-4201
FAX (858) 467-4299

In Reply Refer To:
FWS-SDG-5221.1

Lauren Cooper, Associate Director
Facilities Planning, Design and Construction
San Diego State University
5500 Campanile Drive
San Diego, California 92182-1624

MAR 7 2007

Subject: Comments on the Notice of Preparation of an Environmental Impact Report for the
San Diego State University 2007 Campus Master Plan Revision

Dear Ms. Cooper:

The U.S Fish and Wildlife Service (Service) and the California Department of Fish and Game (Department), hereafter collectively referred to as the Wildlife Agencies, have reviewed the above-referenced Notice of Preparation (NOP) dated February 2, 2007. The Wildlife Agencies have identified potential effects of this project on sensitive biological resources. The comments provided herein are based on the information provided in the NOP, our knowledge of sensitive and declining vegetation communities, and our participation in regional conservation planning efforts.

The primary concern and mandate of the Service is the protection of public fish and wildlife resources and their habitats. The Service has legal responsibility for the welfare of migratory birds, anadromous fish, and endangered animals and plants occurring in the United States. The Service is also responsible for administering the Federal Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*). The Department is a Trustee Agency and a Responsible Agency pursuant to the California Environmental Quality Act (CEQA; Sections 15386 and 15381, respectively) and is responsible for ensuring appropriate conservation of the state's biological resources, including rare, threatened, and endangered plant and animal species, pursuant to the California Endangered Species Act (CESA) and other sections of the Fish and Game Code. The Department also administers the Natural Community Conservation Planning (NCCP) Program.

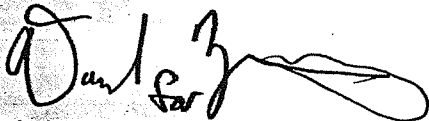
The proposed project is the adoption and subsequent implementation of the San Diego State University (SDSU) 2007 Campus Master Plan Revision. To accommodate the projected needs of the university (e.g., student increases), the proposed project involves the development of classroom, housing, and study support facilities on approximately 55 acres of land located on and adjacent to the SDSU main campus. The project consists of five development components: Adobe Falls Faculty/Staff Housing (Upper and Lower Villages); Alvarado Campus; Alvarado Hotel; Student Housing; and Student Union.

MAR 12 2007

All proposed project components would be located on the existing developed campus or in adjacent developed areas, with the exception of the Adobe Falls Faculty/Staff Housing development, which would be constructed on an undeveloped 33-acre site located north of Interstate 8, across from the main campus. The Adobe Falls site occurs within a canyon area that supports native vegetation, including coastal sage scrub (CSS) and riparian vegetation associated with Alvarado Creek. Construction of Alvarado Campus and Alvarado Hotel would occur adjacent to existing channelized areas of Alvarado Creek.

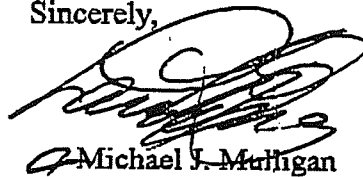
We offer our comments and recommendations in the attached Enclosures to assist the Board of Trustees of the California State University in avoiding, minimizing, and adequately mitigating project-related impacts to biological resources, and to ensure that the project is consistent with regional habitat conservation planning efforts. In summary, our comments address the following issues: (1) potential impacts to wetland and riparian habitats; (2) compliance with CEQA and the Act; (3) project-related increases in traffic volume within the project area; (4) updated protocol-level species surveys for listed species with potential to occur in the project area; (5) the use of native plants in landscaped areas adjacent to native habitats; (6) Supplemental Environmental Projects (SEPs); and (7) information to be included in the DEIR.

We appreciate the opportunity to comment on this NOP. We are hopeful that further consultation between you and us will ensure the protection we find necessary for the biological resources that would be affected by this project. If you have questions or comments regarding this letter, please contact Heather Schmalbach of the Department at (858) 637-7188 or Ayoola Folarin of the Service (760) 431-9440.



Therese O'Rourke
Assistant Field Supervisor
U.S. Fish and Wildlife Service

Sincerely,



Michael J. Mulligan
Deputy Regional Manager
California Department of Fish and Game

Enclosures: 3

cc: State Clearinghouse
Rebecca Stewart, Regional Water Quality Control Board

**Wildlife Agency Comments and Recommendations on
the Notice of Preparation of a Draft Environmental Impact Report
for the SDSU 2007 Campus Master Plan Revision**

Specific Comments

1. The Wildlife Agencies have responsibility for the conservation of wetland and riparian habitats. It is the policy of the Wildlife Agencies to strongly discourage development in wetlands or conversion of wetlands to uplands. We oppose any development or conversion which would result in a reduction of wetland acreage or wetland habitat values, unless, at a minimum, project mitigation assures there will be "no net loss" of either wetland habitat values or acreage. Development and conversion include but are not limited to conversion to subsurface drains, placement of fill or building of structures within the wetland, and channelization or removal of materials from the streambed. All wetlands and watercourses, whether intermittent or perennial, should be retained and provided with substantial setbacks to preserve the riparian and aquatic values and maintain their value to on-site and off-site wildlife and plant populations. Mitigation measures to compensate for impacts to mature riparian corridors should be included in the draft EIR (DEIR) and must compensate for the loss of function and value as a wildlife corridor.
 - a) The project area supports aquatic, riparian, and wetland habitats; therefore, the DEIR should include a jurisdictional delineation of the creeks/drainages and their associated riparian habitats. The delineation should be conducted pursuant to the Service wetland definition adopted by the Department.¹ Please note that some wetland and riparian habitats subject to the Department's authority may extend beyond the jurisdictional limits of the U.S. Army Corps of Engineers.
 - b) Unless the proposed project avoids all habitats within the Department's jurisdiction pursuant to Section 1600 *et seq.* of the Fish and Game Code (e.g., spans the riparian corridor), it may require a Streambed Alteration Agreement (SAA) prior to the commencement of any activity that will substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank (which may include associated riparian resources) of a river or stream, or use material from a streambed. The Department's issuance of a SAA for a project that is subject to CEQA will require CEQA compliance actions by the Department as a responsible agency. As a responsible agency under CEQA, the Department may consider the lead agency's CEQA documentation for the project. To minimize additional requirements by the Department pursuant to Section 1600 *et seq.* and/or under CEQA, the document should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring, and reporting commitments for issuance of an SAA.²

¹ Cowardin, Lewis M., et al. 1979. Classification of Wetlands and Deepwater Habitats of the United States. U.S. Department of the Interior, Fish and Wildlife Service.

² A notification package for a SAA may be obtained by writing to: Department of Fish and Game, 4949 Viewridge Avenue, San Diego, CA 92123, by calling (858) 636-3160, or by accessing the Department's web site at www.dfg.ca.gov/1600.

2. Take authorization pursuant to CESA and the Act must be obtained if the project has the potential to result in "take" of state and/or federally listed species of plants or animals (e.g., least Bell's vireo), either during construction or over the life of the project. Permits authorizing take are issued to conserve, protect, enhance, and restore listed threatened or endangered species and their habitats. Early consultation is encouraged, as significant modification to a project and mitigation measures may be required in order to obtain take authorization. Revisions to the Fish and Game Code, effective January 1998, may require that the Department issue a separate CEQA document for the issuance of a CESA permit unless the project CEQA document addresses all project impacts to listed species and specifies a mitigation monitoring and reporting program that will meet the requirements of CESA. In the event take authorization is required for the proposed project, we request the following items:
 - a) Biological mitigation monitoring and reporting proposals of sufficient detail and resolution to satisfy the requirements of CESA and the Act.
 - c) Department-approved Mitigation Agreement and Mitigation Plan for plants listed as rare under the Native Plant Protection Act.
3. It is anticipated that the proposed project would result in increased traffic volumes on highways and roads adjacent to the proposed project area. The draft EIR should discuss the need for any road improvements that would be necessary to off-set increased traffic volumes resulting from the proposed project. Furthermore, the DEIR should identify any on- and/or off-site impacts to sensitive species or habitats that would result from any proposed road improvements associated with the project.
4. To guide project planning to avoid/minimize impacts to listed species, such as the coastal California gnatcatcher (*Polioptila californica californica*; gnatcatcher) and least Bell's vireo (*Vireo bellii pusillus*; vireo), we recommend that protocol-level surveys be conducted for any listed species with the potential to occur within the project site. Surveys should be performed no more than one year prior to an application for a permit from the Wildlife Agencies, and the DEIR should include the survey results.
5. Native plants should be used to the greatest extent feasible in landscaped areas adjacent to and/or near mitigation/open space areas and/or wetland/riparian areas. The applicant should not plant, seed, or otherwise introduce invasive exotic plant species to landscaped areas adjacent and/or near native habitat areas. Exotic plant species not to be used include those species listed on the California Invasive Plant Council's (Cal-IPC) Invasive Plant Inventory. This list includes such species as: pepper trees, pampas grass, fountain grass, ice plant, myoporum, black locust, capeweed, tree of heaven, periwinkle, sweet alyssum, English ivy, French broom, Scotch broom, and Spanish broom.³ In addition, landscaping adjacent to native habitat areas should not use plants that require intensive irrigation, fertilizers, or pesticides.

³ A copy of the complete list can be obtained by contacting the California Exotic Pest Plant Council at 32912 Calle del Tesoro, San Juan Capistrano, California 92675-4427, or by accessing their web site at <http://www.cal-ipc.org>.

Water runoff from landscaped areas should be directed away from mitigation/open space and/or wetland/riparian areas and contained and/or treated within the development footprint.

6. The DEIR should disclose all sites within, or within the vicinity of, the project area that are sites for active or signed-off Supplemental Environmental Projects (SEP) required by the Regional Water Quality Control Board, San Diego Region. If there are any such SEP sites, the DEIR should analyze the indirect and direct effects of the proposed project on the habitats and species therein and require measures to (a) protect these resources and the biological functions and values within the SEP sites, and (b) mitigate for any unavoidable losses and indirect effects. As SEP sites are mitigation sites, any impacts to habitats within them should be mitigated at higher (*i.e.*, at least double) the typical mitigation ratios that would apply to losses of habitat (*e.g.*, 6:1 for loss of southern willow scrub rather than 3:1).

General Comments

To enable the Wildlife Agencies to adequately review and comment on the proposed project from the standpoint of the protection of plants, fish, wildlife, and other biological resources, we recommend the following information be included in the DEIR.

1. A complete discussion of the purpose and need for, and description of, the proposed project, including all staging areas and access routes to the construction and staging areas.
2. Analyses of a range of feasible alternatives to ensure that alternatives to the proposed project are fully considered and evaluated. The analyses must include alternatives that avoid or otherwise minimize impacts to sensitive biological resources, particularly wetlands. Specific alternative locations should be evaluated in areas with lower resource sensitivity, where appropriate.
3. A complete assessment of the flora and fauna within and adjacent to the project area, with particular emphasis upon identifying state and federally listed endangered, threatened, rare, or proposed candidate species, California Species of Special Concern and/or Protected or Fully Protected species, and locally unique species and sensitive habitats. Specifically, the DEIR should include:
 - a) Discussions regarding the regional setting, pursuant to CEQA Guidelines, § 15125(c), with special emphasis on resources that are rare or unique to the region that would be affected by the project. This discussion is critical to an assessment of environmental impacts.
 - b) A thorough assessment of rare plants and rare natural communities, following the Department's May 1984 Guidelines for Assessing Impacts to Rare Plants and Rare Natural Communities (Enclosure 2, revised May 2000).
 - c) A current inventory of the biological resources (to include rare, threatened, and endangered, and other sensitive species) associated with each habitat type on site and within the area of potential effect. Species to be addressed should include all those which meet the CEQA definition (see CEQA Guidelines, Section 15380). This should include sensitive fish,

wildlife, reptile, and amphibian species. The Department's California Natural Diversity Data Base in Sacramento should be contacted at (916) 327-5960 to obtain current information on any previously reported sensitive species and habitat, including Significant Natural Areas identified under Chapter 12 of the Fish and Game Code.

- d) Discussions regarding seasonal variations in use of the project area and vicinity by sensitive species, and acceptable species-specific survey procedures as determined through consultation with the Wildlife Agencies. Focused species-specific surveys, conducted in conformance with established protocols at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required. Acceptable species-specific survey procedures should be developed in consultation with the Wildlife Agencies.
4. A thorough discussion of direct, indirect, and cumulative project-related impacts expected to adversely affect biological resources. All facets of the project should be included in this assessment. Specifically, the DEIR should include:
- a) Specific acreages and descriptions of the types of wetlands, coastal sage scrub, and other habitats that would potentially be affected by the proposed project or project alternatives. Maps and tables should be used to summarize such information.
 - b) Detailed discussions, including both qualitative and quantitative analyses, of potential direct effects on listed and other sensitive species (fish, wildlife, plants) and their habitats within the area of impact of the proposed and alternative projects.
 - c) Discussions regarding indirect project impacts on biological resources, including resources in nearby public lands, open space, adjacent natural habitats, riparian ecosystems, and any designated and/or proposed or existing reserve lands (*e.g.*, preserve lands associated with a NCCP).
 - i) Impacts to wildlife corridor/movement areas, including access to undisturbed habitats in adjacent areas, should be fully evaluated.
 - ii) Discussions of potential adverse impacts from lighting, noise, human activity, exotic species, and drainage. The latter subject should address: project-related changes on drainage patterns on and downstream of the project site; the volume, velocity, and frequency of existing and post-project surface flows; polluted runoff; soil erosion and/or sedimentation in streams and water bodies; and post-project fate of runoff from the project site.
 - iii) If applicable, a discussion of the effects of any project-related dewatering or ground water extraction activities to the water table and the potential resulting impacts on the wetland/riparian habitat, if any, supported by the surface and groundwater.
 - d) Discussions regarding possible conflicts resulting from wildlife-human interactions at the interface between the development project and natural habitats.

- e) An analysis of the effect that the project may have on completion and/or implementation of regional or subregional conservation programs (e.g., the City of San Diego MSCP Subarea Plan). Under § 2800 - § 2840 of the Fish and Game Code, the Department, through the NCCP program, is coordinating with local jurisdictions, landowners, and the Federal Government to preserve local and regional biological diversity. Coastal sage scrub is the first natural community to be planned for under the NCCP program. The Department recommends that the Lead Agency ensure that the development of this project does not preclude long-term preserve planning options and conforms with other requirements of the NCCP program (e.g., mitigation for loss of CSS should occur at minimum of a 2:1 compensation ratio).
 - f) A cumulative effects analysis as described under CEQA Guidelines, § 15130, assessing the impacts of the proposed project in conjunction with past, present, and anticipated future projects, relative to their impacts on native plant communities and wildlife.
5. A thorough discussion of mitigation measures for adverse project-related impacts on sensitive plants, animals, and habitats. Specifically, the DEIR should include/address:
- a) Measures to fully avoid and otherwise protect Rare Natural Communities (Enclosure 3) from project-related impacts. The Wildlife Agencies consider these communities as threatened habitats having both regional and local significance.
 - b) Where avoidance is infeasible, mitigation measures that emphasize minimization of project impacts. For unavoidable impacts, on-site habitat restoration or enhancement should be discussed in detail. If on-site mitigation is not feasible or would not be biologically viable (e.g., it would not adequately mitigate the loss of biological functions and values), off-site mitigation through habitat creation and/or acquisition and preservation in perpetuity should be addressed.
 - c) Mitigation measures to alleviate indirect project-related impacts on biological resources, including measures to minimize changes in the hydrologic regimes on site, and means to convey runoff without damaging biological resources, including the morphology of on-site and downstream habitats.
 - d) Where proposed grading or clearing is within 100 feet of proposed biological open space, or otherwise preserved sensitive habitats, a requirement for temporary fencing. Fencing should be placed on the impact side and should result in no vegetation loss within open space. All temporary fencing should be removed only after the conclusion of all grading, clearing, and construction activities.
 - e) A requirement that a Wildlife Agency-approved biological monitor to be present during initial clearing, grading, and construction in sensitive habitat areas and/or in the vicinity of biological open space areas to ensure that conservation measures associated with resource agency permits and construction documents are performed. The biological monitor should have the authority to halt construction to prevent or avoid take of any listed species and/or

to ensure compliance with all avoidance, minimization, and mitigation measures. Any unauthorized impacts or actions not in compliance with the permits and construction documents should be immediately brought to the attention of the Lead Agency and the Wildlife Agencies.

- f) Plans for restoration and revegetation, to be prepared by persons with expertise in southern California ecosystems and native plant revegetation techniques. Each plan should include, at a minimum: (a) the location of the mitigation site; (b) the plant species to be used, container sizes, and seeding rates; (c) a schematic depicting the mitigation area; (d) planting schedule; (e) a description of the irrigation methodology; (f) measures to control exotic vegetation on site; (g) specific success criteria (e.g., percent cover of native and non-native species; species richness); (h) a detailed monitoring program; (i) contingency measures should the success criteria not be met; and (j) identification of the party responsible for meeting the success criteria and providing for conservation of the mitigation site in perpetuity.
- g) Measures to protect, in perpetuity, the targeted habitat values of proposed preservation and/or restoration areas from direct and indirect negative impacts. The objective should be to offset the project-induced qualitative and quantitative losses of wildlife habitat values. Permanent fencing should be installed between the impact area and biological open space and be designed to minimize intrusion into the sensitive habitats from humans and domestic animals, particularly cats. There should be no gates that would allow access between the development and biological open space. Additional issues that should be addressed include proposed land dedications, monitoring and management programs, control of illegal dumping, water pollution, etc.
- h) Development and implementation of a management and monitoring plan (MMP), including a funding commitment, for any on- and/or off-site biological open space easements, if applicable. An appropriate natural lands management organization, subject to approval by the Wildlife Agencies, should be identified. The MMP should outline biological resources on the site, provide for monitoring of biological resources, address potential impacts to biological resources, and identify actions to be taken to eliminate or minimize those impacts. A Property Analysis Record (PAR) should be completed to determine the amount of funding needed for the perpetual management, maintenance, and monitoring of the biological conservation easement areas by the natural lands management organization. It should be demonstrated that the proposed funding mechanism would ensure that adequate funds would be available on an annual basis to implement the MMP. The natural lands management organization should submit a draft MMP, PAR results, and proposed funding mechanism to the Wildlife Agencies for review and approval prior to initiating construction activities; the final plan should be submitted to the Wildlife Agencies and the funds for implementing the MMP transferred within 90 days of receiving approval of the draft plan.
- i) To avoid impacts to nesting birds, the DEIR should require that all clearing and grubbing occur outside the avian breeding season. The breeding season for nesting birds occurs approximately February 15 through September 15; however raptors may begin breeding as early as January. If project construction is necessary during the avian breeding season, a

qualified biologist should conduct a survey for nesting birds within three days prior to the work in the area to ensure no nesting birds in the project area would be impacted by the project. If an active nest is identified, a buffer shall be established between the construction activities and the nest so that nesting activities are not interrupted. The buffer shall be a minimum width of 300 feet (500 feet for raptors), shall be delineated by temporary fencing, and shall remain in effect as long as construction is occurring or until the nest is no longer active. No project construction shall occur within the fenced nest zone until the young have fledged, are no longer being fed by the parents, have left the nest, and will no longer be affected by the construction.

Sensitivity of Top Priority Rare Natural Communities in Southern California

Sensitivity rankings are determined by the Department of Fish and Game, California Natural Diversity Data Base and based on either number of known occurrences (locations) and/or amount of habitat remaining (acreage). The three rankings used for these top priority rare natural communities are as follows:

- S1.# Fewer than 6 known locations and/or on fewer than 2,000 acres of habitat remaining.
- S2.# Occurs in 6-20 known locations and/or 2,000-10,000 acres of habitat remaining.
- S3.# Occurs in 21-100-known locations and/or 10,000-50,000 acres of habitat remaining.

The number to the right of the decimal point after the ranking refers to the degree of threat posed to that natural community regardless of the ranking. For example:

- S1.1 = very threatened
- S2.2 = threatened
- S3.3 = no current threats known

Sensitivity Rankings (February 1992)

<u>Rank</u>	<u>Community Name</u>
S1.1	Mojave Riparian Forest Sonoran Cottonwood Willow Riparian Mesquite Bosque Elephant Tree Woodland Crucifixion Thorn Woodland Allthorn Woodland Arizonan Woodland Southern California Walnut Forest Mainland Cherry Forest Southern Bishop Pine Forest Torrey Pine Forest Desert Mountain White Fir Forest Southern Dune Scrub Southern Coastal Bluff Scrub Maritime Succulent Scrub Riversidean Alluvial Fan Sage Scrub Southern Maritime Chaparral Valley Needlegrass Grassland Great Basin Grassland Mojave Desert Grassland Pebble Plains Southern Sedge Bog Cismontane Alkali Marsh
S1.2	Southern Foredunes Mono Pumice Flat Southern Interior Basalt Flow Vernal Pool

S2.1

Venturan Coastal Sage Scrub
Diegan Coastal Sage Scrub
Riversidean Upland Coastal Sage Scrub
Riversidean Desert Sage Scrub
Sagebrush Steppe
Desert Sink Scrub
Mafic Southern Mixed Chaparral
San Diego Mesa Hardpan Vernal Pool
San Diego Mesa Claypan Vernal Pool
Alkali Meadow
Southern Coastal Salt Marsh
Coastal Brackish Marsh
Transmontane Alkali Marsh
Coastal and Valley Freshwater Marsh
Southern Arroyo Willow Riparian Forest
Southern Willow Scrub
Modoc-Great Basin Cottonwood Willow Riparian
Modoc-Great Basin Riparian Scrub
Mojave Desert Wash Scrub
Engelmann Oak Woodland
Open Engelmann Oak Woodland
Closed Engelmann Oak Woodland
Island Oak Woodland
California Walnut Woodland
Island Ironwood Forest
Island Cherry Forest
Southern Interior Cypress Forest
Bigcone Spruce-Canyon Oak Forest

S2.2

Active Coastal Dunes
Active Desert Dunes
Stabilized and Partially Stabilized Desert Dunes
Stabilized and Partially Stabilized Desert Sandfield
Mojave Mixed Steppe
Transmontane Freshwater Marsh
Coulter Pine Forest
Southern California Fellfield
White Mountains Fellfield

S2.3

Bristlecone Pine Forest
Limber Pine Forest

Guidelines for Assessing the Effects of Proposed Projects on Rare, Threatened, and Endangered Plants and Natural Communities

State of California
THE RESOURCES AGENCY
Department of Fish and Game
December 9, 1983
Revised May 8, 2000

The following recommendations are intended to help those who prepare and review environmental documents determine **when** a botanical survey is needed, **who** should be considered qualified to conduct such surveys, **how** field surveys should be conducted, and **what** information should be contained in the survey report. The Department may recommend that lead agencies not accept the results of surveys that are not conducted according to these guidelines.

1. Botanical surveys are conducted in order to determine the environmental effects of proposed projects on all rare, threatened, and endangered plants and plant communities. Rare, threatened, and endangered plants are not necessarily limited to those species which have been "listed" by state and federal agencies but should include any species that, based on all available data, can be shown to be rare, threatened, and/or endangered under the following definitions:

A species, subspecies, or variety of plant is "endangered" when the prospects of its survival and reproduction are in immediate jeopardy from one or more causes, including loss of habitat, change in habitat, over-exploitation, predation, competition, or disease. A plant is "threatened" when it is likely to become endangered in the foreseeable future in the absence of protection measures. A plant is "rare" when, although not presently threatened with extinction, the species, subspecies, or variety is found in such small numbers throughout its range that it may be endangered if its environment worsens.

Rare natural communities are those communities that are of highly limited distribution. These communities may or may not contain rare, threatened, or endangered species. The most current version of the California Natural Diversity Database's List of California Terrestrial Natural Communities may be used as a guide to the names and status of communities.

2. It is appropriate to conduct a botanical field survey to determine if, or to the extent that, rare, threatened, or endangered plants will be affected by a proposed project when:

- a. Natural vegetation occurs on the site, it is unknown if rare, threatened, or endangered plants or habitats occur on the site, and the project has the potential for direct or indirect effects on vegetation; or
- b. Rare plants have historically been identified on the project site, but adequate information for impact assessment is lacking.

3. Botanical consultants should possess the following qualifications:

- a. Experience conducting floristic field surveys;
- b. Knowledge of plant taxonomy and plant community ecology;
- c. Familiarity with the plants of the area, including rare, threatened, and endangered species;
- d. Familiarity with the appropriate state and federal statutes related to plants and plant collecting; and,
- e. Experience with analyzing impacts of development on native plant species and communities.

4. Field surveys should be conducted in a manner that will locate any rare, threatened, or endangered species that may be present. Specifically, rare, threatened, or endangered plant surveys should be:

- a. Conducted in the field at the proper time of year when rare, threatened, or endangered species are both evident and identifiable. Usually, this is when the plants are flowering.

When rare, threatened, or endangered plants are known to occur in the type(s) of habitat present in the project

area, nearby accessible occurrences of the plants (reference sites) should be observed to determine that the species are identifiable at the time of the survey.

b. Floristic in nature. A floristic survey requires that every plant observed be identified to the extent necessary to determine its rarity and listing status. In addition, a sufficient number of visits spaced throughout the growing season are necessary to accurately determine what plants exist on the site. In order to properly characterize the site and document the completeness of the survey, a complete list of plants observed on the site should be included in every botanical survey report.

c. Conducted in a manner that is consistent with conservation ethics. Collections (voucher specimens) of rare, threatened, or endangered species, or suspected rare, threatened, or endangered species should be made only when such actions would not jeopardize the continued existence of the population and in accordance with applicable state and federal permit requirements. A collecting permit from the Habitat Conservation Planning Branch of DFG is required for collection of state-listed plant species. Voucher specimens should be deposited at recognized public herbaria for future reference. Photography should be used to document plant identification and habitat whenever possible, but especially when the population cannot withstand collection of voucher specimens.

d. Conducted using systematic field techniques in all habitats of the site to ensure a thorough coverage of potential impact areas.

e. Well documented. When a rare, threatened, or endangered plant (or rare plant community) is located, a California Native Species (or Community) Field Survey Form or equivalent written form, accompanied by a copy of the appropriate portion of a 7.5 minute topographic map with the occurrence mapped, should be completed and submitted to the Natural Diversity Database. Locations may be best documented using global positioning systems (GPS) and presented in map and digital forms as these tools become more accessible.

5. Reports of botanical field surveys should be included in or with environmental assessments, negative declarations and mitigated negative declarations, Timber Harvesting Plans (THPs), EIR's, and EIS's, and should contain the following information:

a. Project description, including a detailed map of the project location and study area.

b. A written description of biological setting referencing the community nomenclature used and a vegetation map.

c. Detailed description of survey methodology.

d. Dates of field surveys and total person-hours spent on field surveys.

e. Results of field survey including detailed maps and specific location data for each plant population found. Investigators are encouraged to provide GPS data and maps documenting population boundaries.

f. An assessment of potential impacts. This should include a map showing the distribution of plants in relation to proposed activities.

g. Discussion of the significance of rare, threatened, or endangered plant populations in the project area considering nearby populations and total species distribution.

h. Recommended measures to avoid impacts.

i. A list of all plants observed on the project area. Plants should be identified to the taxonomic level necessary to determine whether or not they are rare, threatened or endangered.

j. Description of reference site(s) visited and phenological development of rare, threatened, or endangered plant(s).

k. Copies of all California Native Species Field Survey Forms or Natural Community Field Survey Forms.

l. Name of field investigator(s).

m. References cited, persons contacted, herbaria visited, and the location of voucher specimens.



THE CITY OF SAN DIEGO

03/22/2007

Ms. Lauren Cooper
Associates Director
Facilities Planning, Design, and Construction
San Diego State University
5500 Campanile Drive
San Diego, Ca 92182-1624

Subject: City of San Diego Comments on the Notice of Preparation/Notice of Public Scoping Meeting for an Environmental Impact Report/Environmental Impact Statement for the proposed San Diego State University 2007 Campus Master Plan Revision.

Dear Ms. Cooper :

Development Services Department, Land Development Review offers the following comment on the Notice of Preparation/Notice of Public Scoping Meeting for an Environmental Impact Report/Environmental Impact Statement for the proposed San Diego State University 2007 Campus Master Plan Revision:

Environmental Analysis Section-Terri Bumgardner (619 446-5381)

Please refer back to the original issues in the comment section of the Response Letter to the draft EIR from Anne Lowry dated March 16, 2005. These issues are included below in summary form.

Visual Character

The proposed Adobe Falls/North Campus site of the master plan would permanently change existing open space containing native habitat to urban development. This would result in a significant direct and cumulative impact to visual character that would not be fully mitigated to below a level of significance.

Existing Conditions

The existing conditions on the Adobe Falls/North Campus site such as the MHPA should be identified as the City of San Diego Multiple Habitat Planning Area.



Development Services

1222 First Avenue, MS 501 • San Diego, CA 92101-4155
Tel (619) 446-5460

Potential Proposed Impact Areas:

All environmental impacts need to be disclosed including any street impacts that would impact open space or wetlands which would require additional permitting by federal and state resource agencies (ACOE and CDFG).

Public Utilities and Service Systems, Water Demand/Supply and Systems:

In accordance with Senate Bill 610 effective January 1, 2002, a project which is subject to CEQA, with residential development exceeding 500 dwelling units, and commercial office building having over 250,000 square feet, may be required to have a SB610 Water Assessment prepared by the water supplier. This process essentially requires proof that there will be adequate water supplies for larger project within a twenty-year time frame at the local level. The water assessment would address whether a projected water supply for the next 20 years, based on normal, single dry, and multiple dry years, will meet the demand of the project. The conclusions of the water assessment would be included in the water supply impact analysis of the EIR.

Historic Resources Report and Monitoring

The draft EIR should include a historic resources report to address impacts to any Historical sites (# 80) if still applicable. Monitoring should be required for excavation into soil which could potentially contain historic resources.

Wetlands Restoration Plan

A restoration Plan should be provided to mitigate wetland impacts that may occur with the proposed projects of the *San Diego State University 2007 Campus Master Plan Revision*.

SDSU Master Plan NOP Response

City Planning & Community Investment: Planning Division- Melissa Devine (619 235-5201)

Page 27 Land Use Planning

Please address in the Land Use Planning analysis the inconsistencies of the proposed San Diego State University Master Plan with the applicable community plans: College Area and Navajo. The following issues should be addressed:

- Inconsistency with recommendations of the San Diego State University element of College Area Community Plan, page 37.
- Potential inconsistency of the development proposed on the Alvarado Subarea with the recommendations in the College Area Community Plan, page 46.
- The inconsistency of the proposed Adobe Falls housing project with the Resource Based Park/Open Space use designation in the Navajo Community Plan.

- Identify as potential mitigation for land use impacts the amendment of the applicable land use plans and redevelopment plan for consistency with the San Diego State University Master Plan.

Traffic Analysis, Jim Lundquist (619-446-5361)

A comprehensive traffic report is required, including mitigation for all impacts. In addition, multiple access options must be examined for the proposed housing on the north side of Interstate 8.

Environmental Services Division, Donna Chralowicz (858 492-5059)

In 1989, the State Legislature passed an unfunded mandate called the Integrated Waste Management Act. This law requires local governments to reduce the amount of waste disposed of by any source within their borders by 50%. That means commercial sources, residential sources, government sources – any waste that is generated within the City of San Diego's boundaries is "counted" by the State and must be reduced.

Local governments have the means to regulate City government offices and also land uses within their jurisdictions, for example by requiring multifamily units and commercial buildings to provide appropriate areas for the storage of recycling bins. However, local governments have much less ability to control the actions of state agency facilities within their boundaries, even though the local governments are still responsible for waste planning and management of the off-site solid waste impacts of these government facilities. In other words, state facilities can have unregulated, significant impacts that thwart the efforts of local government to comply with state-imposed public service mandates.

Local governments are also required under state law to provide 15 years of disposal capacity. Thus local governments are responsible for both the reduction in waste through means such as source reduction, composting, and recycling, and also for ensuring there is adequate disposal capacity. The County of San Diego took the lead in preparing the guiding planning document for solid waste disposal facility planning, and this document (the Countywide Siting Element) was unable to show that the region had the required 15 years of disposal capacity. Thus there is an existing strain on this public service system.

The proposed project would guide significant expansion of San Diego State University, increasing the campus population, adding housing, and inducing growth. The construction-related and on-going impacts of this large project would have significant impacts on the City's already strained waste reduction and disposal systems, yet on page 34 of 60 the Initial Study dismisses this potential impact with a "naked" (unexplained) "Less Than Significant Impact" check mark.

The SDSU 2007 Campus Master Plan should include planning that addresses the solid waste management approach taken by the campus. It should include appropriate studies to determine the existing level of impact, and to estimate the additional tons that would be generated by the proposed expansion. Appropriate measure to reduce these impacts by at least 50% should be included in an MMRP and in binding requirements in the Master Plan. A similarly serious approach should be taken to addressing and controlling the increasing demand for energy that would be associated with this project. The Environmental Services Department is available to assist with development of appropriate sections within the 2007 Campus Master Plan addressing these essential public service issues. Please contact Donna Chralowicz at 858 492-5059 for more information.

Please contact the appropriate above-named individual(s) if you have any questions on the submitted comments. We ask that you please address this issue and please provide us with a copy of the draft.

Sincerely,



Terri Bumgardner for
Robert J. Manis
Assistant Deputy Director
Land Development Review Division

→ Fulton

**College View Estates Association
5105 Walsh Way
San Diego, California 92115**

March 9, 2007

Stephen L. Weber, President
San Diego State University
5500 Campanile Dr.
San Diego, CA 92182

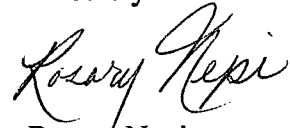
Dear President Weber,

College View Estates Association represents the homes immediately west of the San Diego State campus. This neighborhood, developed in the late 1950s, originally had a large concentration of faculty and staff; many faculty and staff still live in the neighborhood, though not as many, in part because the cost of these houses has risen much faster than faculty salaries.

As neighbors of San Diego State University our lives are connected with, and impacted by, the university in many ways. As mentioned, quite a number of us work or have worked on campus. In addition, many of our residents use campus facilities such as ARC and take advantage of cultural offerings on campus. We are also impacted by increasing numbers of student rentals (mini dorms) which generate some unruly student behavior and increased traffic.

The Board of the College View Estates Association strongly believes that clear lines of communication as well as the opportunity to discuss mutual concerns and interests would be of mutual benefit to the Association as well as to the University. With that in mind, we would like to propose an informal meeting or social gathering with university representatives and CVEA representatives for the purpose of discussing mutual concerns and working toward opening lines of communication between us. If you agree with our suggestion, please contact me at 619-582-5976 to discuss a possible date and location for such a meeting.

Sincerely



Rosary Nepi
President

Cc: Jack F. Beresford, SDSU Asst. VP of Marketing & Communication

MAR 21 2007

Sue Braun

March 22, 200

Lauren Cooper
Associate Director, Facilities Planning, Design, and Construction
SDSU
5500 Campanile Drive
San Diego CA 92160


Dear Ms Cooper,


After reading the draft EIR dated February 2, 2007 re: the University's plans for the Adobe Falls development, we have 2 suggestions to address concerns mentioned on page 31 and 33 of the draft.

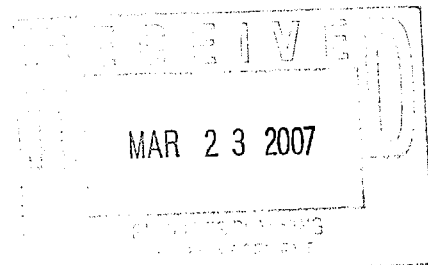
We feel strongly that it is unwise to isolate so many residents in an area with only one way in and out, should a natural disaster occur requiring evacuation or urgent care services. In order to address safety concerns, there must be a second way for cars to enter and exit the area.

An alternate plan was suggested via a letter printed in the Union Tribune recently. We enclose it on a second page for your consideration.

Sincerely,


Dr Richard and Susan Braun





Sue Braun

A proposal to please SDSU and Del Cerro

Having lived near the San Diego State University campus most of my life, I am keenly aware of once quite streets that are now inundated with unruly mini-dorms that house students. Their numbers will only increase because of SDSU's skyrocketing growth.

The university proposes housing needed by SDSU's growth, but Del Cerro residents have effectively organized against one housing project that will crowd their quiet streets with traffic.

How does SDSU's growth co-exist in neighborhoods that are at buildout and have clearly reached their carrying capacity?

L
o I suggest that a portion of mandated affordable housing, as part of the proposed nearby Grantville redevelopment plan, accommodate faculty and students attending and teaching at SDSU. One of the benefits is that the SDSU trolley hub is already located in Grantville, thus reducing traffic to and from the university. Teachers and students need affordable housing and this might be the best way to get it.

1
' My hope is that a land-swap can be reached with SDSU, alleviating the need to develop in the Adobe Falls area that is so strongly opposed by the Del Cerro community.

The needs of the university and the wishes of the community to keep their neighborhood character can be addressed effectively with this concept. The immovable object does not necessarily have to meet the unrelenting force.

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March 22, 2007

File Number 3003900

Ms. Lauren Cooper
Associate Director of Facilities Planning, Design, and Construction
Business and Financial Affairs
San Diego State University
5500 Campanile Drive
San Diego, CA 92182-1624

Dear Ms. Cooper:

SUBJECT: 2007 Campus Master Plan Revision

Thank you for notifying SANDAG of the opportunity to comment on the draft Environmental Impact Report (EIR) initial study for the 2007 Campus Master Plan Revision. SANDAG's comments are based on the regional planning principles developed and adopted through our Regional Comprehensive Plan (RCP). The RCP promotes coordination between local and regional planning to ensure local development is consistent with regional plans and infrastructure investments. It also encourages a pattern of smart growth development that concentrates housing and employment growth near existing and planned transportation facilities.

The San Diego State University (SDSU) Campus Master Plan Revision is especially significant to SANDAG because the campus is in an area designated for higher intensity development on our Smart Growth Concept Map and is served by a significant regional public transit service. As a designated smart growth area, the campus plan should focus on development with a mix of uses around the light rail service as much as possible and support a variety of transportation alternatives. When the EIR addresses potential transportation, parking, and air quality impacts, it should take into account the capacity of the San Diego Trolley to meet some of that travel demand, reduce the air quality impacts of travel, and to reduce the demand for parking. It also should balance the need to accommodate additional auto access with the benefits of encouraging pedestrians and bicyclists to access the campus and light rail station through good urban design and attractive bicycle and pedestrian facilities.

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The Notice of Preparation identifies Adobe Falls and Alvarado campus as potential development sites. Both are relatively remote from the main campus and the light rail station, making access a significant issue. The elevation differences between these sites and the campus, compounds the problem for pedestrian access, and Interstate 8 is a major barrier between Adobe Falls and Alvarado campus. If the EIR continues to propose these sites for additional development, mitigation for the impacts from the vehicle trips that would be generated because of these factors, should include provision of shuttle service between these sites, the campus, and the light rail station. Because of its location, it is unlikely that the Metropolitan Transit System would ever provide public transit service to the Adobe Falls area.

Adobe Falls has been included in regional habitat conservation plans because of its habitat value. In developing the EIR, SDSU should coordinate with the California Department of Fish and Game to ensure the project is consistent with those habitat plans.

SANDAG looks forward to working with the University as it revises its master plan to ensure this significant regional resource is fully integrated into our regional plans and is consistent with regional development policies.

Sincerely,



STEPHAN M. VANCE

Senior Regional Planner

SMV/dsn

Planning Committee Agenda and Motion
College Area Community Council
From Monday, April 30, 2007
College Rolando Library, 6600 Montezuma Road

Sells Residence Site Development Permit (Postponed at request from applicant to Monday June 4th)
Site Development Permit for Environmentally Sensitive Lands for a 4,950 sq ft addition to an existing single family residence on a 2.30 acre site at 4481 Palo Verde Terrace (Alvarado Estates) in the RS-1-1 Zone.

San Diego State University Master Plan Revision (Potential Action Item)

On April 17, 2007 SDSU amended its February 2, 2007 Notice of Preparation of the Draft Environmental Impact Report; Initial Study of the 2007 Campus Master Plan Revision. The revised proposed project provides for an additional 1,576 on-campus student housing beds, for a total net increase of 2,976 beds. It includes the construction of a 10-story, 800-bed residence hall to be constructed atop the previously master-planned Parking Structure 7 in U Lot adjacent to Chapultepec Residence Hall and an expansion of 200 additional two-bed room apartments at Villa Alvarado. The plan also provides for the development of a 70,000 gross square foot Campus Conference Center to be located east of Cox Arena, in addition to a 70,000 gross square foot expansion/renovation of the existing Aztec Center. Additional comments on the scope of the Draft EIR are being accepted; previous responses do not need to be resubmitted. Comments will be accepted through May 18th, 2007.

Unanimous Motion from Planning Committee:

Recommend that SDSU include the following in the EIR scope:

- 1) Clarify geographic area to be studied by EIR
- 2) Include in the geographic area to be studied: all of College Area Planning Community Area, Navajo Planning Community Area, and area within Crossroads Redevelopment Project area.
- 3) Special attention should be paid to how projected growth of student population of SDSU will impact neighborhoods by students living in and disrupting single family character of existing neighborhoods, as well as the traffic and parking impact on these areas.
- 4) Spell out in the study the total number of students projected to be living in the area, not just FTEs.
- 5) Include a parking Relocation Plan indicating interim parking during construction for cars from Parking Lot "U" until it becomes Parking Structure "7"

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May 15, 2007

Ms. Lauren Cooper
Associate Director of Facilities,
Planning, Design and Construction
SDSU
5500 Campanile Dr.
San Diego, CA 92182

Dear Ms. Cooper:

I am writing to comment on the 2007 Campus Master Plan Revision for the upcoming IEP report.

1. I urge you to cancel your plans to build housing at Adobe Falls because a massive 13-year study by USC of 3600 children has found that children living within 500 yards of a freeway suffer permanent damage to their lungs resulting in lifelong pulmonary problems. (See two enclosed L.A. Times articles about this subject.)

Adobe Falls is within 500 yards of a freeway. Since the housing at Adobe Falls is planned for faculty and staff of SDSU, families with children will be living there. Building housing for families with children at this location is immoral and unconscionable.

Also, since I spoke about this issue on record at the February 21 meeting at SDSU at which Dr. Weber spoke to Del Cerro residents about the revised expansion plan, and I gave Dr. Weber a copy of the enclosed Jan 26th L.A. Times article "Freeway Air Damages Young Lungs", I believe SDSU should now be LEGALLY RESPONSIBLE to cancel plans for this housing for families with children or 1) warn potential residents beforehand of the health hazards of living in this housing and 2) pay medical costs and damages for pulmonary problems resulting from living in this housing.

2. If the expansion of SDSU by 10,000 additional students takes place at SDSU's current campus, even if SDSU builds housing for

place at SDSU's current campus, even if SDSU builds housing for almost 3,000 of those students, the remaining 7,000 students will have to find housing in the neighborhood - which will only exacerbate the current neighborhood problems with minidorms (or just private houses with 3 bedrooms rented to 6 students, for example) - such as large, loud, late-night parties, underage drinking, untended front yards and litter.

3. Whether the housing is built on campus or off of campus, young people enjoy the freedom of driving their own cars, and the expansion at the current SDSU site will lead to increased problems with parking, traffic and air pollution, which can adversely affect the health and quality of life of not only neighborhood residents, but also students, faculty and staff at SDSU.

4. To prevent the deterioration of our neighborhoods (the College Area, Del Cerro and other nearby neighborhoods) and to safeguard the pulmonary health and quality of life of students, faculty, staff and nearby residents, SDSU should expand at a satellite campus, such as in Chula Vista.

In a February 11th San Diego Union-Tribune article entitled "SDSU Role Low Key in Stadium Project", Dr. Weber said that "Extensive study is needed to decide whether California State University system dollars would be better spent adding buildings on the main campus or establishing a satellite." "'Where do we get the biggest bang for the bucks?', Weber said."

Yet, at a March 21st DCAC (Del Cerro Action Council) meeting, Anthony Fulton, architect for the expansion plan, said that SDSU cannot build a satellite campus because CSU has said it cannot build a new college, and any facility having over 500 students is considered a new college.

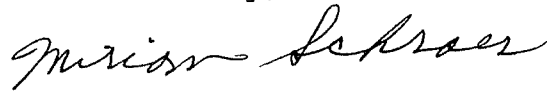
When did the CSU Board of Directors institute this new regulation, and was it instituted for the purpose of preventing San Diego State from creating a satellite campus?

5. It is apparent that SDSU's biggest concern is money. Building a satellite campus might be more expensive, but it would prevent the deterioration the health and quality of life of the students, faculty, staff and neighborhood residents surrounding SDSU. Your decision on how and where to expand is a moral, ethical decision - not just a business/financial decision.

I urge you to cancel the 2007 Camps Master Plan Revision and instead expand at a satellite campus. And I urge you to cancel plans for building housing at Adobe Falls, which can permanently damage the health of children and cause them to have lifelong pulmonary problems.

Thank you.

Sincerely,

A handwritten signature in cursive script, reading "Miriam Schraer". The signature is written in dark ink and is positioned below the word "Sincerely,".

Miriam Schraer

Los Angeles Times

25 inches; 866 words

FRIDAY, JANUARY 26, 2007, MAIN NEWS, PART A, PAGE 1
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FAX page

FREEWAY AIR DAMAGES YOUNG LUNGS

■ Children living nearby show signs of lifelong harm, USC study finds.

By Thomas H. Maugh II

In the largest and longest study of its kind, USC researchers have found that children living near busy highways have significant impairments in the development of their lungs that can lead to respiratory problems for the rest of their lives.

The 13-year study of more than 3,600 children in 12 Central and Southern California communities found that the damage from living within 500 yards of a freeway is about the same as that from living in communities with the highest pollution levels, the team reported Thursday in the online version of the medical journal *Lancet*.

"If you live in a high-pollution area and live near a busy road, you get a doubling" of the damage, said lead author W. James Gauderman, an epidemiologist at the Keck School of Medicine of USC.

"Someone suffering a pollution-related deficit in lung function as a child will probably have less than healthy lungs all of his or her life," he said.

The greatest damage appears to be in the small airways of the lung and is normally associated with the fine particulate matter emitted by automobiles.

"This tells me that I wouldn't want to be raising my children near a significant source of fine-particle air pollution," said economist C. Arden Pope III of Brigham Young University, an expert on air pollution and health who was not involved in the study. "I, myself, would want to be living in areas where the exposure is lower."

The research is part of an ongoing study of the effects of air pollution on

children's respiratory health. Previous findings have detailed how smog can stunt lung growth and how living close to freeways can increase the risk of children being diagnosed with asthma.

This latest study of freeway proximity and lung capacity was funded by the California Air Resources Board; the National Institute of Environmental Health Sciences; the Environmental Protection Agency; the National Heart, Lung and Blood Institute; and the Hastings Foundation.

Gauderman and his colleagues recruited groups of fourth-grade students, average age 10, in 1993 and 1996. Their schools were scattered from Atascadero in San Luis Obispo County to Alpine in San Diego County.

The team collected extensive information about each child's home, socioeconomic status and other facts that might impinge on health.

Once each year, the team visited the schools and measured the children's lungs, assessing how much air could be expelled in one breath and how quickly it could be expelled.

These cohorts of children "are truly an important resource because the study has been going on so long," said epidemiologist Jonathan Samet of Johns Hopkins University's Bloomberg School of Public Health, who also did not take part in the study. The size and scope of the study make it very difficult to replicate, he said.

Results from the study reported in 2004 indicated that children in the communities with the highest average levels of pollution suffered the greatest long-term impairment of lung function.

In the new study, Gauderman and his colleagues found that by their 18th birthday, children who lived within 500 yards of a freeway had a 3% deficit in the amount of air they could exhale and a 7% deficit in the rate at which it could be exhaled compared with children who lived at least 1,500 yards, or nearly a mile, from a freeway. The effect was independent of the overall pollution in

their community.

Gauderman had no estimate for percentage of people in Southern California living within 500 yards of a freeway, but he noted that in a typical case such as Long Beach, it is about 17%.

The most severe impairment was observed in children living near freeways in the communities with highest average pollution — Upland, Mira Loma, Riverside and Long Beach. Those children had an average 9% deficit in the amount of air they could expel from the lungs.

"Even if you are in a relatively low regional pollution area, living near road produces [lung problems]," Gauderman said.

About one-third of the children moved during the course of the study but stayed in the same community. Lung impairment was smaller among those who moved farther from the freeways.

The finding is important "because it shows that within communities, some children are at higher risk than others," Dr. Thomas Sandstrom and Dr. B. Brunekreef wrote in an editorial accompanying the paper. "Thus, environmental equity is an issue of local rather than global dimensions."

The results were also independent of the children's initial health and whether they were smokers. "This suggests that all children, not just susceptible subgroups, are potentially affected by traffic exposure," Gauderman said.

Although the deficit in lung growth seems small, it could have long-term effects, Samet said.

"The concern is that the exposure leaves young adults with smaller lungs than they might have had otherwise," he said. That could leave them more vulnerable to lung diseases and more susceptible to the effects of pneumonia and other infections.

All the researchers conceded that there is little that can be done to mitigate the effects of the traffic pollution now.

But when local governments are planning new schools and new housing

developments, Gauderman said, "this should be taken into account."
thomas.maugh@latimes.com

Times Staff Writer

Descriptors

**FREeways;
HIGHWAYS;
LUNGS;
RESPIRATORY DISEASES;
CHILDREN;
MEDICAL RESEARCH**

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Los Angeles Times

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FAX page #1

CRITIC'S NOTEBOOK

It may be time to hit the brakes

■ Putting homes, schools and parks by freeways was seen as a final frontier in L.A., but a USC study on pollution could force a rethinking.

By Christopher Hawthorne

A new study from researchers at USC about the effects of local highway pollution on children's health would be alarming under any circumstances, especially for parents. But it happens to arrive just as Los Angeles is building or planning scores of projects — including housing, parks and schools — right on the edge of major freeways.

Seen in that light, the study carries significant implications not just for anti-pollution efforts but also for the future shape of the city. It should make us think not just about cleaning the air but about how and where we build.

In the last few years, we've come to view land near freeways as a last frontier in a Los Angeles that grows more crowded by the year. When developers and public agencies such as the Los Angeles Unified School District are searching for large, empty parcels of land, they often find that the only ones that they can afford are freeway-adjacent, in the unlovely jargon of the real estate business.

And when planners, architects or academics get together to talk about and sketch designs for the Los Angeles of the future, their proposals inevitably call for new buildings swarming like kudzu along and across freeways.

In the same way that the futuristic city plans of the last century looked to the air, calling for buildings on stilts or stacked like pancakes or connected by floating zeppelins, architects these days tend to see L.A.'s ribbon of highways as the unlikely foundation for a new kind of

post-sprawl urbanism.

Last month, Eric Owen Moss won a competition sponsored by the History Channel that asked architects to imagine and help design the Los Angeles of 2106.

"We intend to build over, under, around and through the freeways" of the city, he declared in his winning entry.

Of course, it's hardly surprising to learn that pollution levels are higher near freeways than in other parts of the city. But the data from USC are compelling enough to suggest that when it comes to zoning, we should give up the idea of that land as a means for reshaping L.A. and increasing density and see it instead as territory to be avoided — at least when it comes to placing facilities where kids spend a good portion of the day.

Proposals such as Moss' may anticipate the day when we'll no longer use cars, at least in their current form, and the freeways that once carried them will be empty and ready for reinvention. But even in the most optimistic scenarios, we still face several decades of highway pollution.

The USC study, which tracked 3,600 children for 13 years, found that those living within 500 yards of a highway faced risk of permanent health damage, including stunted lung growth and respiratory problems.

"Someone suffering a pollution-related deficit in lung function as a child will probably have less than healthy lungs all of his or her life," the study's lead author, USC epidemiologist W. James Gauderman, told *The Times* last week.

Even within that fairly tight 500-yard radius, we are building a number of high-profile projects, quite a few of which are designed for children or would be used heavily by them.

Housing continues to sprout along the edges of the region's highways — including stucco boxes and high-end, themed apartment complexes such as the Medici, which practically leans out over the 110 as it cuts through downtown.

And the LAUSD's massive construction campaign includes a number of new schools next to some of our busiest roadways. Nearing completion is a new high school designed by Perkins + Will at the so-called Metromedia site. Commuters on the 101 have watched the school rise on North Wilton Place, no more than 100 feet from the freeway. The architectural flagship of the construction effort is a new high school for the arts, designed by the Austrian firm Coop Himmelblau. It will be built facing another stretch of the 101, across the freeway from the Cathedral of Our Lady of the Angels downtown.

As architectural solutions to tricky, overlooked sites, the schools are impressive. But through the lens of public health, they look altogether different.

In Hollywood, meanwhile, planners are working to gain approval for a new park that would be built directly atop a curving portion of the 101, between Bronson Avenue and Wilton Place. Preliminary designs for the park have been greeted as an ingenious solution to the open-space crunch in Los Angeles — and, in many ways, a sign of things to come. Councilman Eric Garcetti, who represents the neighborhood, said as much three weeks ago, after the City Council voted to spend \$100,000 studying the feasibility of a park in that site.

"We've come to a place in Los Angeles [where], for better or for worse, it's actually cheaper to look at putting a cap over the Hollywood Freeway to build a park than buying land in the middle of Hollywood," he told a broadcast reporter.

It's a good thing the park is still being studied. Maybe the act of capping the freeway will reduce pollution levels inside the park enough to reduce the risk to the children who play there to an acceptable level. But if it won't, "buying land in the middle of Hollywood," no matter how expensive, will be a more responsible option, environmentally, morally and probably legally.

At the very least, local governments

will have to dig deep into the results of the USC study and similar reports as they begin to decide how big a health risk is presented by putting kids in schools, apartments or parks adjacent to freeways. They will have to look not just at proximity to freeways but also at wind patterns and other factors that affect the quality of neighborhood air. And as they do that they will have to be ready to reassess their planning strategies, perhaps in dramatic ways.

But the mechanism for doing so is not as powerful or as centralized as it needs to be, according to Roger Sherman, an architect in Santa Monica and co-director, with Dana Cuff, of City Lab, a new urban planning think tank at UCLA. Cuff and Sherman teamed up in the History Channel competition.

"Caltrans has one approach to thinking about these pieces of land, LAUSD has another and various cities have still others," Sherman said. "There's really a need for a regional coordinating authority. Without one, I think we're going to see neighborhood councils take more active measures to deal with these issues."

The councils, whose clout has been growing in recent years, could push for exclusionary zoning, for example, to make development near freeways impossible or more difficult. But that approach raises its own risks.

"You may see a kind of Balkanization," Sherman said. "Some communities along the freeway will decide to deal with the problem by putting up barriers along the freeway or planting to affect their microclimates, and others won't."

Most controversial of all, the USC study may open a discussion on the possibility of local governments using eminent domain to carve out new space for housing or parks a safe distance from local freeways. To a limited degree, the LAUSD has already relied on eminent domain simply to find school parcels it considers appropriate to its needs.

Determining the fate of buildings already planned or under construction near freeways will be no less tricky. Given the statistics gathered in the USC study, it's hard to imagine the LAUSD cutting the ribbon on the Perkins + Will high school overlooking the 101 with much enthusiasm about its location. Still, it's equally hard to imagine the district shutting down the school altogether over

traffic pollution fears.

Perhaps the district will be able to plausibly argue that it didn't understand the full range of risks that come with building so close to freeways. But it's getting more and more difficult for any of us in this city to make that claim.

□

christopher.hawthorne
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Times Staff Writer

Photo:

POLLUTION: The Harbor Freeway at Slauson Avenue. A new study shows the ill effects of freeway air on young lungs.

ID NUMBER:20070130hvgxz6kf

Photographer:

Ken Hively Los Angeles Times

Descriptors

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DEVELOPMENT AND REDEVELOPMENT;
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