

APPENDIX 1.0

Plaza Linda Verde Draft EIR

Appendix 1.0 Materials

1. Notice of Preparation of Draft Environmental Impact Report and Initial Study (NOP/IS), Plaza Linda Verde, San Diego State University, January 13, 2009
2. Comment Letters on the NOP/IS
 - a. Governor's Office of Planning and Research, January 16, 2009
 - b. San Diego County Archaeological Society, Inc., January 19, 2009
 - c. Department of Toxic Substances Control, January 22, 2009
 - d. Virginia Scarcello, January 26, 2009
 - e. Native American Heritage Commission, January 29, 2009
 - f. Alumni Interfraternity Council, January 30, 2009
 - g. Department of Transportation, February 5, 2009
 - h. Eliana Barreiros, Redevelopment Agency of the City of San Diego, February 11, 2009
 - i. Doug Case, College Area Community Planning Board, February 13, 2009
 - j. SANDAG, February 13, 2009
 - k. City of San Diego, February 13, 2009
 - l. City of San Diego Redevelopment Agency, February 13, 2009
 - m. Robert Montana, February 13, 2009
 - n. Roy Seifert, February 14, 2009
 - o. City of San Diego, February 26, 2009
3. Public Scoping Meeting Sign-In Sheet, January 21, 2009
4. Reporter's Transcript of Proceedings, January 21, 2009
5. Public Scoping Meeting Handouts
6. Public Scoping Meeting Comment Cards, January 21, 2009

7. E-mail from SDSU Government & Community Relations Office re SDSU's Plaza Linda Verde Public Scoping Meeting/Open House, January 22, 2009
8. Meeting Notes, City of San Diego Traffic Meeting to Discuss Plaza Linda Verde DEIR Traffic Study, March 12, 2009
9. Redevelopment Agency-City of San Diego SDSU Plaza Linda Verde Meeting Agenda, April 21, 2009
10. [Revised] Notice of Preparation of Draft Environmental Impact Report and Initial Study, Plaza Linda Verde, San Diego State University, April 22, 2009
11. Comment Letters on the Revised NOP/IS
 - a. Governor's Office of Planning and Research, April 23, 2009
 - b. Native American Heritage Commission, May 1, 2009
 - c. Department of Transportation, May 7, 2009
 - d. KB Books, May 21, 2009
12. Memorandum, Meeting Minutes, Plaza Linda Verde Project and the Transit Ridership the Project Would Generate, September 23, 2009

**1. Notice of Preparation of Draft Environmental Impact Report and
Initial Study (NOP/IS), Plaza Linda Verde, San Diego State University,
January 13, 2009**

**NOTICE OF PREPARATION
OF DRAFT ENVIRONMENTAL IMPACT REPORT
AND INITIAL STUDY
PLAZA LINDA VERDE, SAN DIEGO STATE UNIVERSITY**

FILED

David Butler, Acting Recorder/County Clerk

JAN 15 2009

BY *MB* 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**

FILED IN THE OFFICE OF THE COUNTY CLERK
San Diego County on JAN 15 2009
Posted JAN 15 2009 Removed _____
Returned to agency on _____
Deputy *MB*

January 13, 2009

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**NOTICE OF PREPARATION OF A
DRAFT ENVIRONMENTAL IMPACT REPORT;
NOTICE OF PUBLIC SCOPING MEETING**

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

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

Notice: California State University ("CSU")/San Diego State University ("SDSU") will prepare an environmental impact report ("EIR") pursuant to the requirements of the California Environmental Quality Act ("CEQA"), Public Resources Code §§21000 et seq., to analyze the potential environmental effects associated with development of the proposed Plaza Linda Verde project ("Proposed Project"), a mixed-use development that would provide additional student housing and retail uses south of the SDSU Transit Center and Aztec Walk in the San Diego College Area community. The Proposed Project would be developed in multiple phases, and at project buildout would include approximately 465 apartments to house approximately 1,850 students, and approximately 90,000 square feet of retail space. The Proposed Project also will include parking for approximately 560 vehicles, and a Campus Green that will feature both active and passive recreation areas for public use. To accommodate development of the Plaza Linda Verde project, the Proposed Project also would extend the SDSU south campus boundary to Montezuma Road. A more-detailed description of the Proposed Project, the project location, and the potential environmental effects associated with development of the Proposed Project, are provided in the Initial Study, which follows this notice.

The CSU Board of Trustees will be the lead agency with respect to preparation of the EIR for the project. CSU/SDSU needs to know the views of your agency regarding the scope and content of the EIR relative to the environmental information that 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.

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, 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. Written responses also may be sent by e-mail to PlazaLindaVerde@sdsu.edu.

Project Title: SDSU Plaza Linda Verde Project.

Location: South of the existing SDSU main campus boundary, generally north of Montezuma Road, on the east and west sides of College Avenue, in the College Area community of San Diego, California.

Notice of 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, January 21, 2009, in the form of an "open house" from 5:30 p.m. to 9:00 p.m. at Casa Real in the Aztec Center on the SDSU Campus. Free parking will be available in SDSU Parking Structure 1 ("PS 1"), which is located on College Avenue at the southeast corner of Alvarado Road. Casa Real is located on the main level of Aztec Center, SDSU's student union, across College Avenue from PS 1, at the southern end of campus.

Directions to San Diego State University and to Parking Structure 1

1. From Interstate-8, exit at College Avenue and turn south.
2. Immediately turn left onto Alvarado Road and turn right into Parking Structure 1.
3. Park on Level 1, 2, or 3 in the green spaces designated for Faculty/Staff. Parking is free and you will not need to display a permit.
4. Walk to the 6th floor via the elevator or stairs in the center area of the parking structure.

Directions from Parking Structure 1 to Casa Real in the Aztec Center

1. Upon exiting PS 1, cross the pedestrian bridge and continue west, passing the Business Administration building on your left. Cross Aztec Circle Drive and walk up the stairs. Continue straight and past the Education Building on your right.
2. After passing the Education Building, turn left onto Campanile Walkway. Walk straight ahead, passing Student Services on your left, until you reach the Aztec Center. Walk up the steps and go past Starbucks and the Information Booth. Turn left at the next walkway and go past the convenience store. Casa Real will be on your right.

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 and provide comments 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 in Section 6.0 of the attached initial study.

INITIAL STUDY

1.0 INTRODUCTION

California State University ("CSU")/San Diego State University ("SDSU") is proposing the development of the Plaza Linda Verde project ("Proposed Project"), a mixed-use development that would provide additional student housing and retail uses south of the SDSU Transit Center and Aztec Walk in the San Diego College Area community. The Proposed Project would be developed in multiple phases, and at project buildout would include approximately 465 apartments to house approximately 1,850 students, and approximately 90,000 square feet of retail space. The Proposed Project also will include parking for approximately 560 vehicles, and a Campus Green that will feature both active and passive recreation areas for public use. To accommodate development of the Plaza Linda Verde project, the Proposed Project also would extend the SDSU south campus boundary to Montezuma Road. A more-detailed description of the Proposed Project, the project location, and the potential environmental effects associated with development of the Proposed Project, are provided below.

This initial study has been prepared by SDSU Facilities Planning, Design, and Construction to address the potential environmental effects associated with development of the Proposed Project; the Board of Trustees of CSU is the lead agency for the Proposed Project. The purpose of this Initial Study is to provide information to use as the basis for determining whether to prepare an EIR, a mitigated negative declaration (MND), 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 to be potentially 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, and is intended to satisfy the "content" requirements of CEQA Guidelines, Section 15063(d)(1)–(6).

1.1 PROJECT TITLE

Plaza Linda Verde Development Project

1.2 LEAD AGENCY NAME AND ADDRESS

Board of Trustees of the California State University
401 Golden Shore
Long Beach, California 90802
562.951.4700

1.3 CONTACT PERSON AND PHONE NUMBER

Lauren Cooper
Director, 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

South of the current SDSU main campus boundary, in the College Area community,
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

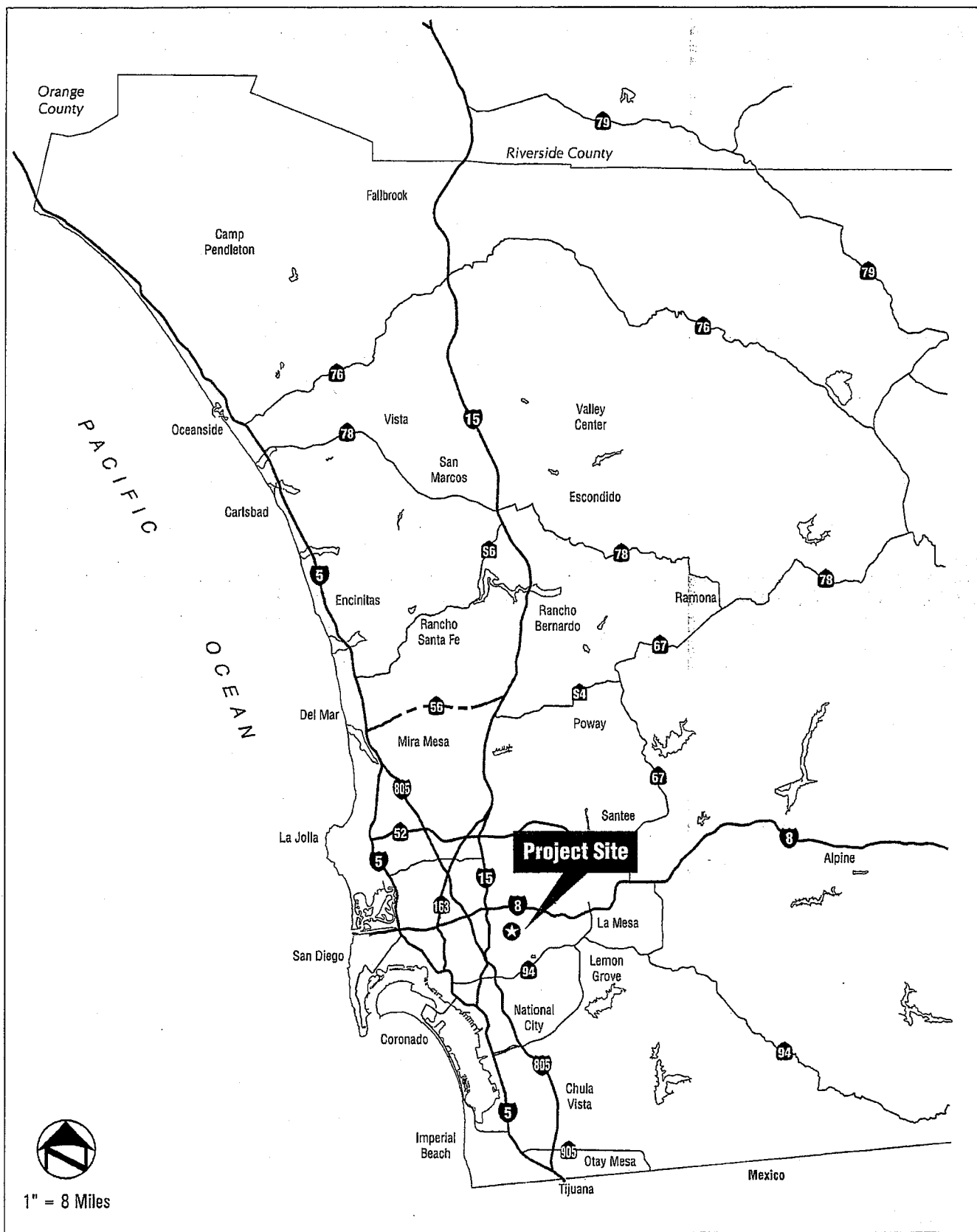
General Plan: Multiple Uses
Community Plan: Undeveloped, Commercial, Single-Family Residential,
Communication Utilities (Transportation Related), Institutional
Zoning: CN-1-2 and RM-3-9

1.7 PROJECT DESCRIPTION

1.7.1 Local and Regional Setting

The Proposed Project would be located adjacent to the main SDSU campus, which is located approximately 8 miles east of downtown San Diego (see **Figure 1, Regional Map**). As shown on **Figure 2, Vicinity Map**, the Proposed Project would be developed on CSU-owned property south of the existing Campus Master Plan boundary, generally between Aztec Walk and Montezuma Road. The existing boundaries of the SDSU campus generally are Aztec Walk and Montezuma Road on the south, East Campus Drive on the east, 55th Street/Remington Road on the west, and Adobe Falls Road/Del Cerro Boulevard (north of Interstate 8 (I-8)) on the north. See **Figure 2, Vicinity Map**.

The Proposed Project would be located within the College Area community of the City of San Diego and the College Community Redevelopment Project Area of the City of San Diego Redevelopment Agency. **Figure 3, College Area Community**, and **Figure 4, College Area Redevelopment Area Subarea Boundaries**, shows the general boundaries of the College Area

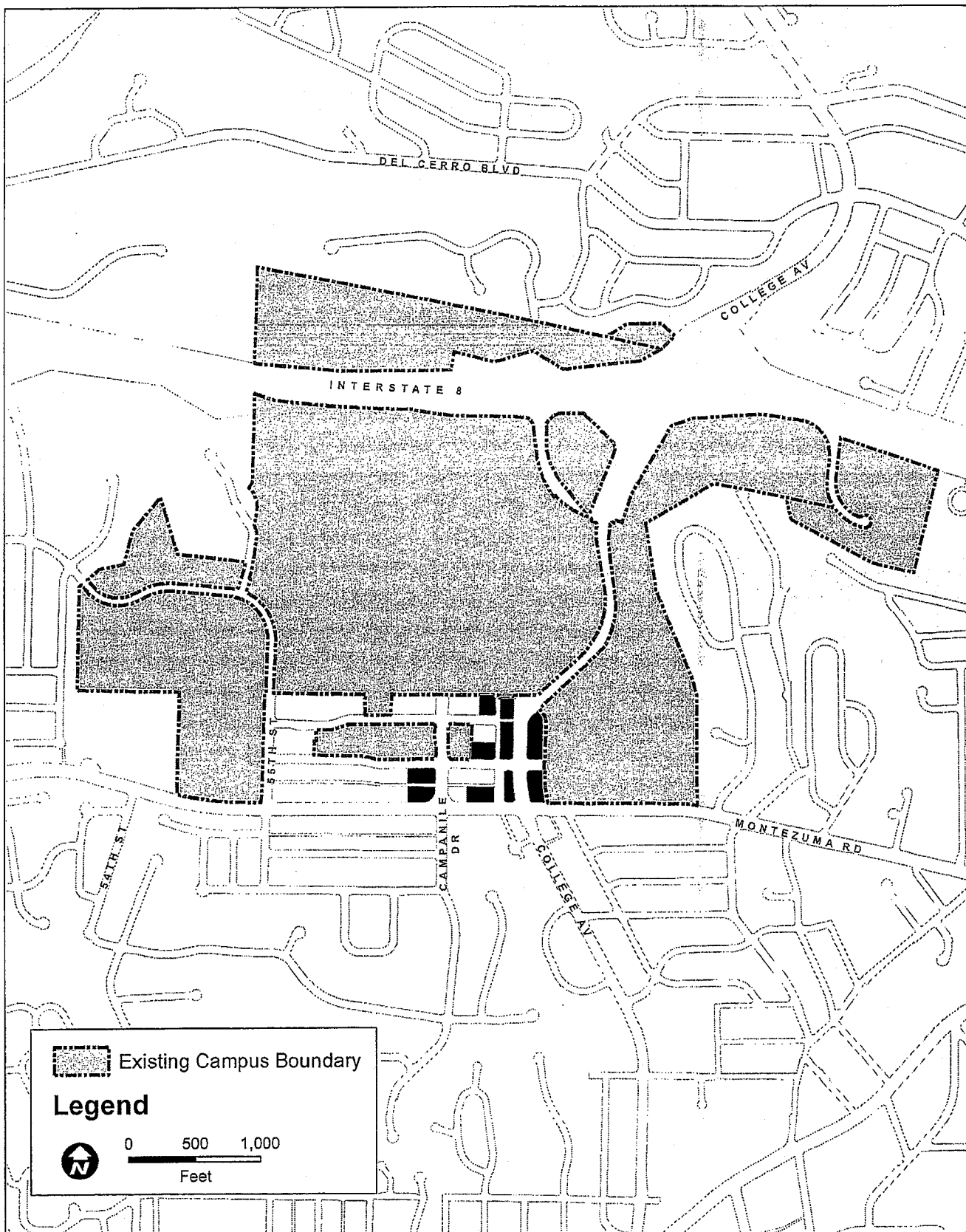


SDSU Plaza Linda Verde Project
NOP and Initial Study



Figure 1
Regional Map

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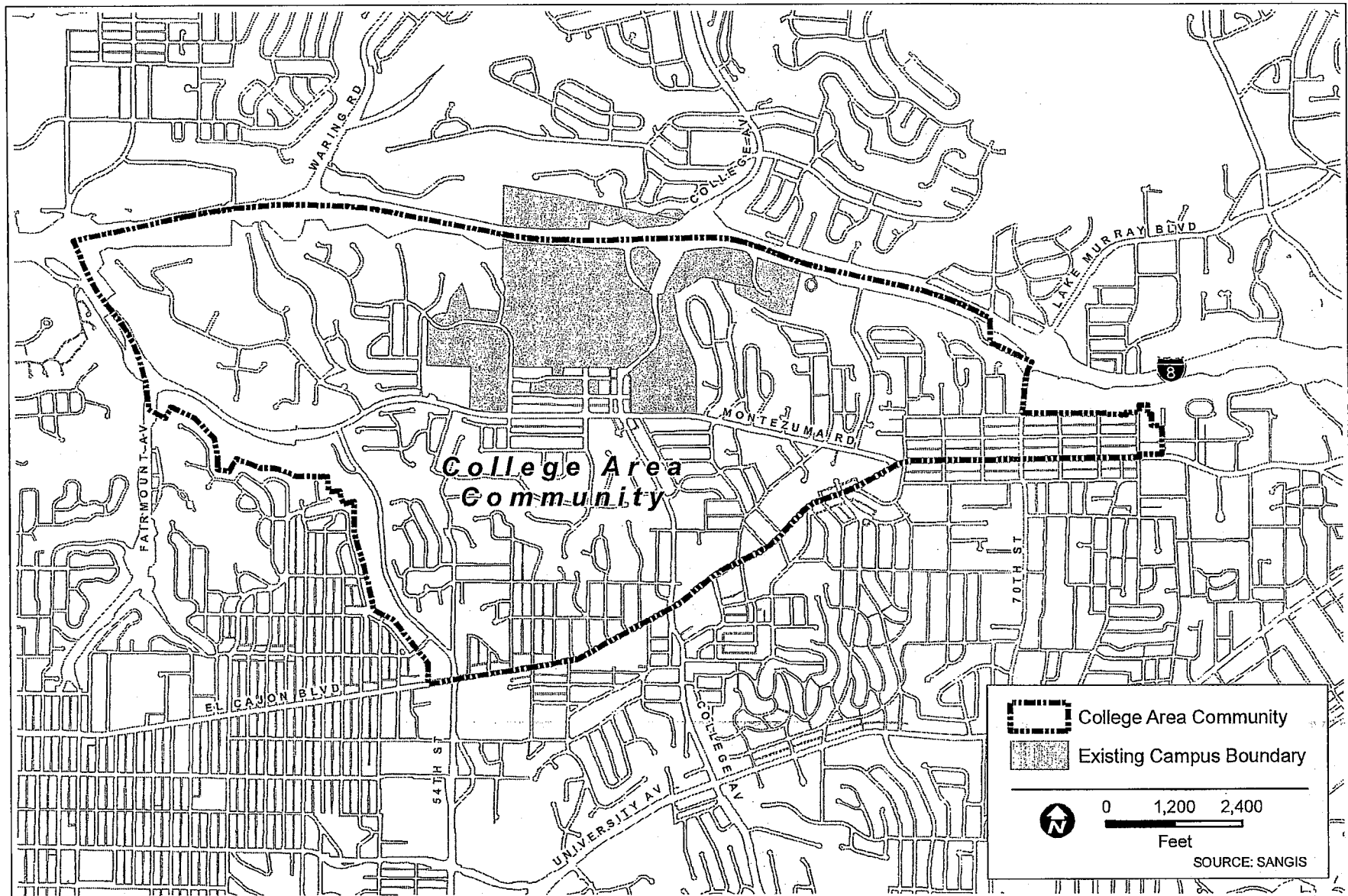


SDSU Plaza Linda Verde Project
NOP and Initial Study



Figure 2
Vicinity Map

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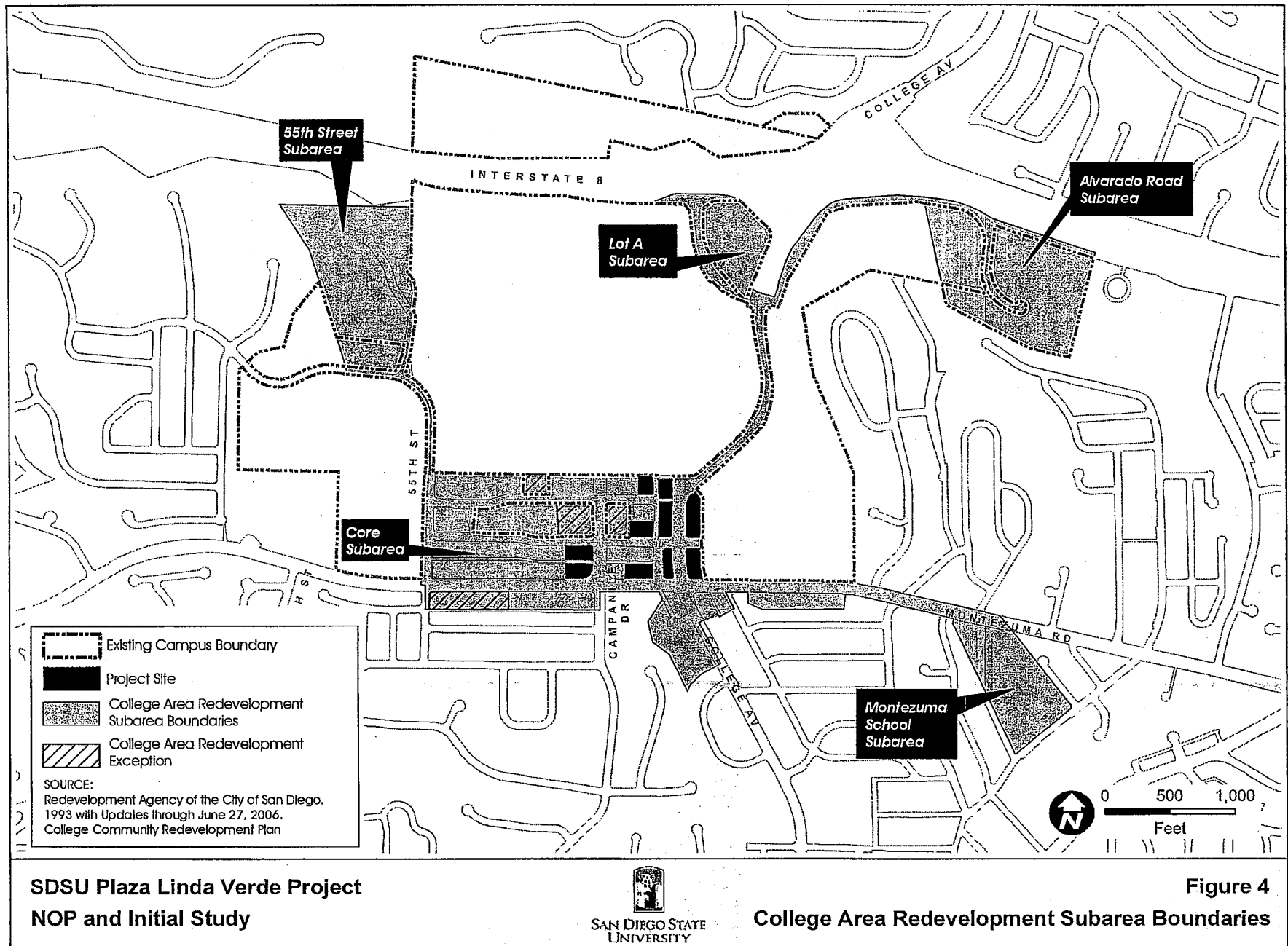


SDSU Plaza Linda Verde Project
NOP and Initial Study



Figure 3
College Area Community

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and College Community Redevelopment Project Area in relation to the Proposed Project. The College Area Community Plan, which is a component of the City of San Diego General Plan, designates parcels included in the area of the Proposed Project as a mixture of land uses, including "Undeveloped," "Commercial, Single-Family Residential," "Communication Utilities (Transportation Related)," and "Institutional." The College Community Redevelopment Project Area includes the Proposed Project site within its Core Subarea.

The Proposed Project would be developed in multiple construction phases. Phase I of the project would entail the development of parcels currently owned by SDSU, while Phase II would involve the development of land presently owned by the SDSU Research Foundation and private parties. CSU/SDSU will acquire the Phase II development parcels it presently does not own or control from willing sellers only; eminent domain will not be utilized to acquire property for the Proposed Project.

1.7.2 Description of Proposed Project

The Proposed Project includes development of the SDSU Plaza Linda Verde project, the demolition of existing structures to allow for project construction, and a revision to the SDSU Campus Master Plan boundary.

The proposed Plaza Linda Verde project, which was developed in coordination with community input, would be a transit-based, mixed-use development that would provide several ground-floor commercial and upper floor student housing buildings, a campus green featuring a public promenade, an apartment complex for student housing, and a five-story above grade (plus one level below grade) parking structure to accommodate primarily retail customers. The Proposed Project would be designed as a pedestrian/bicycle-friendly, open-air, sustainable urban village that will utilize "green" building practices, drought-tolerant landscaping, and other environmentally sustainable measures; CSU/SDSU will seek Leadership in Energy and Environmental Design ("LEED") certification for the Proposed Project. The Plaza Linda Verde project would enable SDSU to provide additional on-campus student housing and retail services to support the campus and surrounding community, and represents an opportunity to decrease the prevalence of nuisance rental property housing in the College Area community surrounding SDSU.

To facilitate development of the Proposed Project, the existing southern boundary of the SDSU Campus Master Plan between 55th Street and one block east of College Avenue would be extended south to Montezuma Road to incorporate the Proposed Project parcels within the Campus Master Plan boundaries. The boundary will be extended further south of Montezuma Road at the southeast corner of the Montezuma Road/55th Street intersection to incorporate the University Towers complex and adjacent parking lot, which are owned and operated by CSU/SDSU. The existing and proposed Campus Master Plan boundaries are depicted in **Figure 5, Campus Master Plan Boundary Revision**.

The Proposed Project generally would consist of the development of four land use types: (i) Mixed-Use Retail/Student Housing; (ii) Student Apartments; (iii) Parking Structure; and (iv) Campus Green. Each of these development components is described below:

- I. Mixed-Use Retail/Student Housing.** This project component, which would be developed in two phases, consists of the construction of ground-floor retail and upper-floor residential buildings on sites located south of Hardy Avenue, north of Montezuma Road, and west and east of College Avenue immediately south of the main SDSU campus. See **Figure 6, Proposed Site Plan**.

Phase I would consist of the construction of two buildings located west of College Avenue. See **Figure 6, Proposed Site Plan**, Buildings 1 and 2. Building 1 will include approximately

25,000 gross square feet ("GSF") of ground-floor rentable retail space and four floors of apartments consisting of approximately 90 student apartments. Building 2 would include approximately 20,000 GSF of ground-floor rentable retail space and four floors of apartments consisting of approximately 60 student apartments. SDSU envisions that the retail portion of the building would include three to four destination retail shops, including a grocery store, a national sit-down chain restaurant with outdoor dining areas, and a clothing store. Smaller service stores and food service options also will be available.

Phase II would consist of the construction of two buildings east of College Avenue, directly across from Buildings 1 and 2. See **Figure 6, Proposed Site Plan**, Buildings 4 and 5. A similar development plan (ground-floor retail and upper-floor student housing) is proposed for Buildings 4 and 5 in Phase II of development. Building 4 would include approximately 60 student apartments and approximately 20,000 GSF of rentable retail space. Building 5 would include approximately 90 student apartments and approximately 23,000 GSF of rentable retail space. The mixed-use retail/residential buildings will be designed and constructed with environmental sustainability in mind and will seek a LEED rating.

Development of the Mixed-Use Retail/Student Housing would include the following Phase I and Phase II construction activities:

Phase I:

- (i) Demolition of the existing structures at 5178 and 5168 College Avenue, and demolition of the parking lots at 5164 and 5140 College Avenue and the parking lot bound by Lindo Paseo to the north, College Avenue to the east, Montezuma Place to the west, and Montezuma Road to the south.
- (ii) Development of two new five-story buildings (120,000 GSF and 85,000 GSF, respectively) for retail and student housing uses. Phase I also will provide landscaping along the west side of College Avenue.

Phase II:

- (i) Acquisition and demolition of existing structures at 5185, 5157, 5155, 5141, 5131, 5119, and 5111 College Avenue.

SAN DIEGO STATE UNIVERSITY

CAMPUS MASTER PLAN

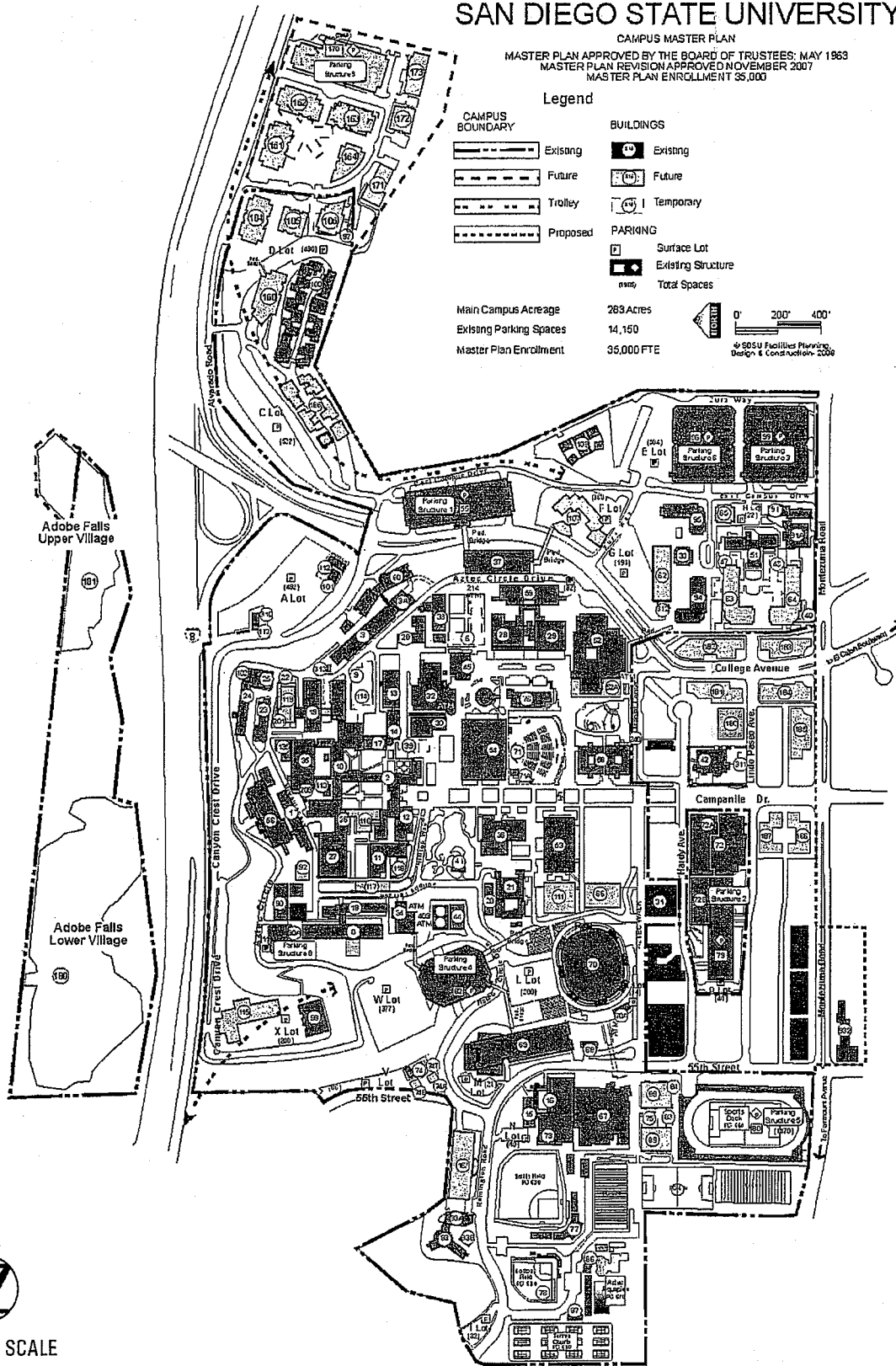
MASTER PLAN APPROVED BY THE BOARD OF TRUSTEES, MAY 1963
MASTER PLAN REVISION APPROVED NOVEMBER 2007
MASTER PLAN ENROLLMENT 35,000

Legend

CAMPUS BOUNDARY	BUILDINGS
Existing	Existing
Future	Future
Trolley	Temporary
Proposed	
	PARKING
	Surface Lot
	Existing Structure
	Total Spaces

Main Campus Acreage 263 Acres
Existing Parking Spaces 14,150
Master Plan Enrollment 35,000 FTE

0' 200' 400'
SDSU Facilities Planning
Design & Construction 2008



NOT TO SCALE

SDSU Plaza Linda Verde Project
NOP and Initial Study



Figure 5
Campus Master Plan
Boundary Revision

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SDSU Plaza Linda Verde Project
NOP and Initial Study



Figure 6
Proposed Site Plan

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- (ii) Development of two new five-story buildings (120,000 GSF and 150,000 GSF) for retail and student housing uses. Phase II also will provide landscaping along the east side of College Avenue.

II. Student Apartments. This project component, which would be developed in Phase II, would consist of two buildings to be located north of Montezuma Road, west of Campanile Road, and south of Lindo Paseo; and one building to be located north of Montezuma Road west of Montezuma Place. See **Figure 6, Proposed Site Plan**, Buildings 6, 7, and 8. The Student Apartments component would provide student housing in close proximity to the campus and SDSU transit station. The two buildings to be constructed west of Campanile Road would each be 4-story structures, approximately 60,000 GSF in size, and each would provide approximately 50 student apartments. The building to be constructed on the northwest corner of Montezuma Road and Montezuma Place would be a 4-story structure, approximately 85,000 GSF in size, and would include approximately 65 student apartments.

Development of the Student Apartments would include the following Phase I and Phase II construction activities:

- (i) The demolition of existing structures at: 5721 and 5723 Lindo Paseo; 5734, 5742, and 5750 Montezuma Road; 5824 and 5844 Montezuma Road; and, the demolition of an existing parking lot at 5118 Campanile Drive.
- (ii) The development of two new 4-story buildings (approximately 60,000 GSF each) and one new 4-story structure (approximately 85,000 GSF).

III. Parking Facilities. A parking structure, which would be developed in Phase I, would be located north of Lindo Paseo and west of the Mixed-Use Retail/Student Housing Building 1, at the northwest corner of Lindo Paseo and Montezuma Place. See **Figure 6, Proposed Site Plan**, Building 3. The parking structure would be five-stories above grade, and it would provide five levels of above ground parking and one level of below ground parking. The structure would provide approximately 340 parking spaces in support of the retail component of the Proposed Project. The eastern portion of the parking structure would feature a ground-floor rentable retail space approximately 2,000 GSF in size. This space would be accessible to pedestrians via an entrance opening to the adjacent public promenade.

In Phase II, an underground parking facility would be constructed below, and in conjunction with, the Mixed-Use Retail/Student Housing Buildings 4 and 5 that will be constructed east of College Avenue. The underground parking facility would provide approximately 220 additional parking spaces.

Development of the Parking Facilities would include the following Phase I and Phase II construction activities:

- (i) Demolition of the existing structures at 5830 and 5822 Lindo Paseo.
- (ii) Development of a new five-story parking structure to provide approximately 340 parking spaces.
- (iii) Development of underground parking in conjunction with the Mixed-Use Retail/Student Housing construction to provide approximately 220 parking spaces.

IV. Campus Green. This project component, which would be developed in Phase I, would be located north of the proposed Mixed-Use Retail/Student Housing Building 1 and would be bisected by a public promenade. This "campus green" area would feature both active and passive recreation areas for public use. The western portion of the campus green would be minimally landscaped to allow for open play, while the eastern portion would feature trees, swales, and a pathway leading north towards the campus. The public promenade would bisect the campus green and extend south to Lindo Paseo. The public promenade would include pedestrian plazas, benches, and public art. In conjunction with development of the Campus Green, SDSU will conduct pre-construction surveys for nesting birds within the Proposed Project area. If any nesting birds are found, a buffer would be established, as determined by a qualified biologist, and the nesting area would be avoided during project construction until the young have fledged.

Development of the Campus Green would include the following Phase I and Phase II construction activities:

- (i) Demolition of existing parking lots at 5850 Hardy Avenue, 5186 and 5194 College Avenue.
- (ii) Development of approximately 1 acre of active and passive open space areas for recreational use.

As outlined above, construction of the Proposed Project will occur in multiple phases. The Phase I demolition of existing structures is anticipated to begin in early 2011, with construction commencing in the summer of 2011. Occupancy of the new buildings will occur some time in 2013. Phase II demolition and construction is anticipated to begin in 2013, with occupancy projected for 2015.

SDSU is committed to working with the community throughout planning and development of the Proposed Project. In an effort to gain input from the surrounding communities, SDSU distributed a survey to approximately 17,000 residents; approximately 1,500 surveys were returned. Thereafter, SDSU hosted a community forum attended by approximately 40 residents to review the survey results and solicit additional feedback. Similar forums will be held throughout the planning process.

2.0 OTHER AGENCIES WHOSE APPROVAL MAY BE REQUIRED

The CSU Board of Trustees is the lead agency for the proposed SDSU Plaza Linda Verde Project. Other known public agencies whose approval may be required as a prerequisite to future construction and/or implementation of the project include:

- State Historic Preservation Office (for approval of federally funded projects affecting significant archaeological and historical resources, if necessary)
- Division of the State Architect (handicapped 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, 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)
- Water, wastewater, and sanitation special district approval, if necessary.

3.0 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental topics checked below potentially would be 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,
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 Proposed 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 also is 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 Proposed Project would alter, though not substantially degrade, the existing visual character of the College Area community, particularly the area immediately north of the College Avenue/Montezuma Road intersection. Construction of the retail/residential buildings north of the intersection will alter the appearance of the existing underdeveloped/commercial sites to a primarily mixed-use retail/residential land use. Changes in land use, such as construction and development of a campus green and a five-story above ground parking structure in locations currently occupied by a parking lot and multi-family residential housing, also will have the potential to alter visual quality and community character. The effects of exterior lighting and glass surfaces on any buildings proposed for construction also will have the potential to alter visual quality or community character. It is not anticipated that the Proposed Project would significantly affect a public scenic vista or substantially damage scenic resources. A separate visual resources 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: According to the San Diego County Important Farmlands Map (California Department of Conservation 2006), parcels included in the Proposed Project area are designated as "Urban and Built-Up Lands." The project area does not include any lands designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Therefore, development of the Proposed Project would not convert agricultural land to non-agricultural uses. The project area does not include any land under a Williamson Act contract. Impacts to agricultural resources are not anticipated to occur as a result of the Proposed Project and agricultural resources will not be discussed further in the draft EIR.

Issues (and Supporting Information Sources)	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 and the surrounding College Area community are located within the San Diego Air Basin ("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 (8-hour) and is in attainment for carbon monoxide (CO) (San Diego APCD 2007). Ozone is the principal air-quality problem in San Diego County, although carbon monoxide also is a growing problem as a result of increased vehicle emissions. Implementation of the SDSU Plaza Linda Verde Project may result in increased vehicle traffic on project area roadways, which will result in increased emissions of criteria pollutants from mobile sources. These emissions may result in potentially significant impacts to air quality. Additionally, due to the Proposed Project's location adjacent to SDSU and several preschools and elementary schools, sensitive receptors could be exposed to increased pollution concentrations during construction and operations. The Proposed Project, combined with known and reasonably foreseeable growth in the region, could result in cumulatively considerable emissions of non-attainment pollutants. Earthwork and demolition activities of the Proposed Project will result in the emission of diesel fumes and other odors normally associated with construction; however, these odors are not expected to significantly impact a substantial number of people. Analysis of the Proposed Project's potential air quality impacts and related mitigation measures will be provided in the draft EIR.

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, etc.) 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:

- (a) *No candidate, sensitive, or special-status species identified by local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service (referred to as "special-status species") were observed during a biological*

field investigation conducted November 13, 2008. No habitat for special-status species is present on the project site. There are ornamental trees and shrubs that may provide suitable nesting habitat for urban-adapted birds. Breeding birds can be affected by short-term construction-related noise, which can result in the disruption of foraging, nesting, and reproductive activities. As described in the Project Description (above), pre-construction nesting bird surveys will be conducted prior to ground-disturbing activities. If any nesting birds are found during these surveys, a 300-foot buffer (or a buffer deemed appropriate by a qualified biologist) will be established around the nest where no construction will occur until the young have fledged. Therefore, the Proposed Project will not impact nesting birds. No impacts to special-status plants or wildlife will result from the Proposed Project.

- (b) Based upon a November 13, 2008, biological field investigation, there are no riparian habitats or other sensitive natural communities identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service present on the project site. No impacts to riparian or other sensitive natural communities will result from the Proposed Project.
- (c) The Proposed Project will not have a substantially adverse effect on federally protected wetlands. The site is located in an urban setting and is currently developed, and there are no jurisdictional waters of the U.S., including wetlands, on or near the project site. No impacts to federally protected wetlands as defined by Section 404 of the Clean Water Act will result from the Proposed Project.
- (d) The site is located in an urban setting and is fully developed. Please see (a) regarding potential impacts to breeding birds. The Proposed Project will not interfere with migratory wildlife corridors or wildlife dispersal.
- (e) The City of San Diego has a Tree Protection Policy that regulates the removal of designated tree resources that meet certain criteria (landmark tree, heritage tree, parkway resource tree, or preservation grove). None of the trees in the project area meet these criteria. Therefore, the Proposed Project will not conflict with any local policies or ordinances protecting biological resources. No impacts will result.
- (f) The City of San Diego has adopted a Multi-Species Conservation Program Subarea Plan (Subarea Plan) and a Multi-Habitat Plan Area (MHPA). Although SDSU is not a "permittee" under this umbrella plan/City Subarea Plan, the Proposed Project is within the Subarea Plan boundary, but is not located within the MHPA (City of San Diego 1997). Therefore, the Proposed Project will not conflict with conservation outlined in any formal habitat conservation plans or natural community conservation plans. No impacts will result.

As stated in responses a-f, above, implementation of the Proposed Project will not result in impacts to biological resources. Therefore, biological resources will not be discussed further in the draft EIR.

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, Section 15064.5?		✓		
(b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines, Section 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: *Due to the age of residential structures located on parcels within the College Area community, implementation of the Proposed Project could potentially impact significant historical resources. Parcels included in the project area have been previously developed and disturbed and, therefore, it is unlikely that construction activities will unearth any archaeological or paleontological resources. Therefore, archaeological and paleontological resources will not be discussed further in the draft EIR. Historical resources and their importance in California history, however, will be analyzed fully as part of the EIR analysis. A historical resources technical report will be prepared that will inventory existing historical resources for each project component and determine if any existing historical 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 sewers 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 and the project area immediately south of the campus boundary are located within seismically active Southern California, the area could be subject to severe ground shaking during a major earthquake. The

*Notice of Preparation
and Initial Study*

project area is relatively flat and no landslides have been mapped in the Proposed Project vicinity, which suggests the potential for future landslides is low. Generally, excavation activities proposed for the project will pass through fill materials above the groundwater level and poorly-graded sand-dominated materials within the Stadium Conglomerate formation that underlies the project area. However, this will be fully analyzed in the EIR. The project area's underlying geological and soil characteristics will be analyzed further in the draft EIR.

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, Section 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 2 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 wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				✓

DISCUSSION: *Operation of the Proposed Project will not require the routine transport, use, or disposal of hazardous materials through the surrounding community. In the event that hazardous materials are transported or used, compliance with all applicable health and safety requirements will decrease potential hazards associated with implementation of the Proposed Project. The Proposed Project area includes parcels that have been used previously as fueling stations. Construction activities at these sites potentially could encounter contaminated soils and could result in the accidental release of hazardous materials to the environment and release of materials within 0.25 mile of an existing school (SDSU and College Park Preschool are located within 0.25 mile of the various components of the project). The demolition of residential and commercial buildings on parcels included in the Proposed Project area potentially could result in the release of contaminated materials, such as asbestos and hazardous dry-cleaning chemicals (which may be present on parcels included in Phase II of the project). The Proposed Project site is not located within an airport land use plan nor is it located within 2 miles of a public airstrip (the closest airport is Montgomery Field, located approximately 5 miles northwest of the project area). Therefore, hazards associated with airports and air travel will not be discussed further in the draft EIR. A Phase I and Phase II environmental site assessment will be conducted to analyze potential impacts associated with the Proposed Project.*

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 will be located in developed areas immediately adjacent to campus. Development in these areas will be designed so that stormwater runoff will be collected and discharged to the existing storm drain system. The existing capacity of local stormwater drainage systems is expected to be adequate to serve the Proposed Project. As a result of the Proposed Project, changes in stormwater flows are not expected to be substantial. The project area exhibits a low potential for inundation by seiche, tsunami, or mudflow. Located on "Montezuma Mesa," the Proposed Project area is situated at a higher elevation than surrounding land and is located approximately 9 miles east of the Pacific Ocean and 2 miles southwest of the nearest lake (Lake Murray). Similarly, the Proposed Project will not expose people or structures to a significant risk due to flooding as the result of the failure of a levee or dam due to the elevation of the project site compared to the nearest dam (Lake Murray), which is lower in elevation. Further, the delineated dam inundation zone for Lake Murray does not include the project area (SanGIS 2006). A hydrology/water quality technical report will be prepared for the draft EIR that will evaluate the impacts of the project and improvements on surface water quality and groundwater hydrology and provide mitigation as appropriate. Impacts to local storm drain systems and adjacent land uses as a result of flooding and runoff 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 Proposed 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 will be consistent with adopted General Plan/Community Plan Planned Land Use Maps and the College Area Redevelopment Plan for the Core Subarea. Located in the Core Subarea of the College Area Community Redevelopment Plan, the Proposed Project is consistent with that Plan's designation of the area for high-density residential and neighborhood serving commercial land uses. 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 is not located within the boundaries of the City of San Diego's Multiple Habitat Planning Area and as such will not conflict with any applicable conservation plan.*

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 Proposed Project elements are located within MRZ-3 Zones, as indicated on the State of California Department of Conservation Division of Mines and Geology (Generalized Mineral Land Classification Map of Western San Diego County, California 1996). MRZ-3 Zones are defined as areas containing mineral deposits the significance of which cannot be evaluated from available data. The project area is fully developed and has been previously disturbed; therefore, the Proposed Project will not result in the loss of availability of existing, usable mineral resources. Additionally, the project area does not include any locally important mineral resource recovery sites.*

The City of San Diego General Plan contains existing conditions language relating to minerals rather than specific mapped zones or avoidance/conservation guidelines. The College Area Community Plan does not include mineral resource zone overlays or avoidance directives (City of San Diego 2005). While SDSU's status as a state agency does not necessitate compliance with local plans or policies, including mineral resource protection guidelines, the Proposed Project will not conflict with local policies in the General Plan or community plans that pertain to mineral protection. Therefore, no impacts will occur and mineral resources will not be discussed further in the draft EIR.

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 2 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 residential uses into several areas currently used as parking lots, and alterations in traffic patterns that will occur with implementation of the project. Construction of the Proposed Project also will introduce nuisance noise and groundborne vibration and noise to the area. A noise analysis will be conducted that will evaluate the effects of building 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 also will document impacts related to construction activities. SDSU and the College Area community are not located within the vicinity of any airport or private airstrip; therefore, this consideration will not be discussed in the noise analysis or in the draft EIR.

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: *The residential portion of the Proposed Project is intended to address the current need and demand for additional on-campus housing for upper-division students. The project also is intended to decrease the prevalence of nuisance rental property housing in the surrounding College Area community. Therefore, the Proposed Project would centralize the student population and relocate them from the surrounding community to on-campus housing. While the Proposed Project would result in the demolition of one existing multi-family residential building, it would do so in order to provide a significant amount of new student housing units to the area. The resulting impacts of the Proposed Project on population and housing will be discussed further in the draft EIR.*

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 Proposed 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 will increase demand for these public services, and will 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 draft EIR.

Issues (and Supporting Information Sources)	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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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: *Future student residents of the SDSU Plaza Linda Verde Project would not be expected to regularly use existing neighborhood and regional parks. Students living in the Plaza Linda Verde residential buildings will be in close proximity to SDSU and as students they will have access to campus recreation facilities (such as the Aztec Center) and open space areas. Students are not expected to use City parks and recreation facilities while living at the Plaza Linda Verde such that their use would result in accelerated physical deterioration of City facilities. The environmental impacts of potential use and/or strain on local recreational facilities will be evaluated in the draft 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/additional traffic not previously analyzed will be generated due to the project components. The traffic analysis also will determine the potential shift in traffic volumes and patterns that will 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 2006 California Supreme Court decision in *City of Marina v. Board of Trustees of California State University*. The parking analysis will assess the Proposed Project's impact on existing parking facilities in the surrounding community.

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 effects?		✓		
(d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements 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 will necessitate public services, such as electricity, natural gas, communication systems, water, sewer, and storm drainage. Electric, heating, and air conditioning required for all project components are expected to be generated on site at the SDSU Cogeneration Plant and Chill Plant. This facility was designed to serve additional uses, such as those proposed. Therefore, capacity shortfalls are not anticipated. The public services needs of each Proposed Project component will be analyzed in the draft EIR.*

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 do not support substantial populations of rare, threatened, or endangered plant or animal species or sensitive plant communities. For this reason, the Proposed Project would not 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. The Proposed Project is located on land characterized as urban and developed and construction of the project would have a less than significant impact on biological resources. Therefore, biological resources will not be discussed further in the draft EIR.*

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 Proposed Project's transportation and circulation impacts when combined with existing and planned future traffic increases within the College Area community. Potentially significant cumulative impacts may result.

6.0 DISTRIBUTION LIST

This initial study and notice of preparation of the draft EIR for the proposed SDSU Plaza Linda Verde project was distributed to the following public agencies, organizations, and other interested parties:

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U.S. Fish and Wildlife Service
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Southern California Cleanup
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State of California
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8.0 REFERENCES

California Department of Conservation, Division of Mines and Geology. 1996. Generalized Mineral Land Classification Map of Western San Diego County, California.

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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 January 13, 2009, I served the attached document: NOTICE OF PREPARATION OF DRAFT ENVIRONMENTAL IMPACT REPORT AND INITIAL STUDY SDSU PLAZA LINDA VERDE PROJECT, 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.

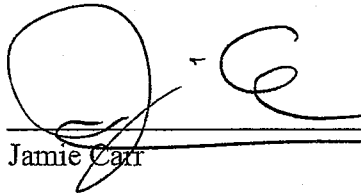
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I am "readily familiar" with the firm's practice for the collection and processing of correspondence for mailing. It is deposited with U.S. Postal Service on the same day in the ordinary course of business. I am aware that service is presumed invalid if postal cancellation date or postage meter date is more than 1 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 January 13, 2009, in Carlsbad, California.



Jamie Carr

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Golden State Overnight

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Abe Kassam and Paula Kassam, Trustees
PAK Properties Trust
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San Diego, CA 92120

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6555 Norman Lane
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Nancy A. Marlin, Provost
San Diego State University
5500 Campanile Drive
San Diego, CA 92182-8010

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Amy Jo McVeigh
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Mary and Bob Medearis
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Klinedinst PC
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5922 Eldergardens Street
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Sally Roush
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MC 1620
San Diego, CA 92182

William Rowland
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San Diego, CA 92115

Roy H. Seifert, Land Architect
10780 Queen Avenue
La Mesa, CA 91941

Frank Shine
5555 Yerba Anita Drive
San Diego, CA 92115-1026

Mary Skulavik
6393 Park Ridge Blvd.
San Diego, CA 92120

Mr. Charles E. Sloan
5860 Arboles Street
San Diego, CA 92120

Troy L. Smith
5824 Malvern Ct.
San Diego, CA 92120

John M. Stevenson
6210 Camino Corto
San Diego, CA 92120

Robert G. Stewart
6337 Dwane Avenue
San Diego, CA 92120

Nancy Sussman, Esq.
5667 Raymar Avenue
San Diego, CA 92120

Patricia Teaze
5681 Linfield Avenue
San Diego, CA 92120

Mark Thomsen, MTS
1255 Imperial Avenue, Suite 1000
San Diego, CA 92101

Dr. Barbara Walsh
6454 Caminito Estrellado
San Diego, CA 92120

Barbara Weldon
6131 Romany Drive
San Diego, CA 92120

Valarie Yruretgoyna
9222 Wister Drive
La Mesa, CA 91941

City of La Mesa
Bill Chopyk, Planning & Development
Services Director
8130 Allison Avenue
La Mesa, California 91944-0937

Ali Binder
6164 El Cajon Blvd.
San Diego, CA 92115

Jennifer Finnegan, College Area BID
4704 College Avenue
San Diego, CA 92115

**Bob Trovaten, College Community
Redevelopment PAC**
6973 Ammonite Place
Carlsbad, CA 92009

Gary Schneider
5181 College Gardens Court
San Diego, CA 92115

Sharon Anderson
5602 Baja Drive
San Diego, CA 92115

Roy Murphree
6758 Saranac Street
San Diego, CA 92115

Steve Wellington
4941 Campanile Drive
San Diego, CA 92115

Betty Flores
6796 Saranac Street
San Diego, CA 92115

Karen Collins
4775 Filipino Street
San Diego, CA 92115

Jerry Picciotti
5410 Mary Lane Drive
San Diego, CA 92115

Scott Campbell
5523 Adobe Falls Road, #5
San Diego, CA 92120

Sandi Buehner
5114 67th Street
San Diego, CA 92115

Kelly Johnson
Shea Properties
9990 Mesa Rim Road
San Diego, CA 92121

Attachment B
U.S. Certified Mail/Return Receipt

Jamul Indian Village
Lee Acebedo, Chairman
P.O. 612
Jamul, California 91935

Del Cerro Action Council
Anne Brunkow, President
P.O. Box 600801
San Diego, CA 92160

**The Santa Ysabel Band of Mission
Indians**
Johnny Hernandez, Chairman
P.O. Box 130
Santa Ysabel, CA 92070

John F. Pilch
P.O. Box 19246
San Diego, CA 92159-0246

**The Mesa Grande Band of Mission
Indians**
Mark Romero, Chairman
P.O. Box 270
Santa Ysabel, CA 92070

Greta Sloan
Sloan Property Management
5173 Waring Road
PMB 350
San Diego, CA 92120-2705

The Viejas Band of Mission Indians
Steven Tesam, Chairperson
P.O. Box 908
Alpine, CA 91903

Manzanita Band of Mission Indians
Leroy J. Elliott, Chairperson
P.O. Box 1302
Boulevard, California 91905

**San Diego County Archaeological Society,
Inc.**
Environmental Review Committee
James W. Royle, Jr., Chairperson
P.O. Box 81106
San Diego, CA 92138-1106

La Posta Band of Mission Indians
Gwendolyn Parrada, Chairperson
Crestwood Road
P.O. Box 1048
Boulevard, California 91905

Allied Gardens Community Council
Cindy Martin
P.O. Box 600425
San Diego, CA 92160-0425

**Jan Hintzman, Rolando Community
Council**
PO Box 141163
San Diego, CA 92175

California Native Plant Society
c/o Natural History Museum
P.O. Box 121390
San Diego, CA 92112

2. Comment Letters on the NOP/IS

a



ARNOLD SCHWARZENEGGER
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE of PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



CYNTHIA BRYANT
DIRECTOR

Notice of Preparation

January 16, 2009

To: Reviewing Agencies

Re: Plaza Linda Verde Development Project
SCH# 2009011040

RECEIVED
JAN 22 2009
Facilities Planning, Design
and Construction

Attached for your review and comment is the Notice of Preparation (NOP) for the Plaza Linda Verde Development Project 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 Board of Trustees
San Diego State University
5500 Campanile 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
Assistant Deputy Director & Senior Planner, State Clearinghouse

Attachments
cc: Lead Agency

**Document Details Report
State Clearinghouse Data Base**

SCH# 2009011040
Project Title Plaza Linda Verde Development Project
Lead Agency California State University Trustees

Type NOP Notice of Preparation
Description The proposed project includes development of the SDSU Plaza Linda Verde project, the demolition of existing structures to allow for project construction, and a revision to the SDSU Campus Master Plan boundary. The proposed Plaza Linda Verde project, which was developed in coordination with community input, would be a transit-based, mixed-use development that would provide several ground-floor commercial and upper floor student housing buildings, a campus green featuring a public promenade, an apartment complex for student housing, and a five-story above grade (plus one level below grade) parking structure to accommodate primarily retail customers.

Lead Agency Contact

Name Lauren Cooper
Agency California State University Board of Trustees
Phone 619-594-5224 **Fax**
email
Address San Diego State University
5500 Campanile Drive
City San Diego **State** CA **Zip** 92182-1624

Project Location

County San Diego
City San Diego
Region
Cross Streets Aztec Walk, Montezuma Rd, East Campus Dr, 55th St, Remington Rd, Adobe Falls Rd, Del Cerro Blvd
Lat / Long
Parcel No.

Township	Range	Section	Base
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Proximity to:

Highways I-08
Airports
Railways
Waterways
Schools
Land Use General Plan: Multiple Uses

Community Plan: Undeveloped, Commercial, Single-Family Residential, Communication Utilities (Transportation Related), Institutional
Zoning: CN-1-2 and RM-3-9

Project Issues Aesthetic/Visual; Geologic/Seismic; Soil Erosion/Compaction/Grading; Noise; Public Services; Traffic/Circulation; Archaeologic-Historic; Recreation/Parks; Air Quality; Landuse; Population/Housing Balance; Water Quality; Other Issues

Reviewing Agencies Resources Agency; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Department of Fish and Game, Region 5; Native American Heritage Commission; California Highway Patrol; Caltrans, District 7; Department of Toxic Substances Control; Regional Water Quality Control Board, Region 9

Date Received 01/16/2009 **Start of Review** 01/16/2009 **End of Review** 02/17/2009

NOT DISTRIBUTION LIST

Resources Agency

- ☒ Resources Agency
Nadell Gayou
- ☒ Dept. of Boating & Waterways
Mike Sotelo
- ☒ California Coastal
Commission
Elizabeth A. Fuchs
- ☒ Colorado River Board
Gerald R. Zimmerman
- ☒ Dept. of Conservation
Rebecca Salazar
- ☒ California Energy
Commission
Dale Edwards
- ☒ Cal Fire
Allen Robertson
- ☒ Office of Historic
Preservation
Wayne Donaldson
- ☒ Dept of Parks & Recreation
Environmental Stewardship
Section
- ☒ Central Valley Flood
Protection Board
Jon Yego
- ☒ S.F. Bay Conservation &
Dev't. Comm.
Steve McAdam
- ☒ Dept. of Water Resources
Resources Agency
Nadell Gayou

- ☐ _____
Conservancy

ish and Game

- ☒ Depart. of Fish & Game
Scott Flint
Environmental Services Division
- ☒ Fish & Game Region 1
Donald Koch
- ☒ Fish & Game Region 1E
Laurie Harnsberger

- ☐ Fish & Game Region 2
Jeff Drongesen
- ☐ Fish & Game Region 3
Robert Floerke
- ☐ Fish & Game Region 4
Julie Vance
- ☒ Fish & Game Region 5
Don Chadwick
Habitat Conservation Program
- ☐ Fish & Game Region 6
Gabrina Gatchel
Habitat Conservation Program
- ☐ Fish & Game Region 6 I/M
Gabrina Gatchel
Inyo/Mono, Habitat Conservation
Program
- ☐ Dept. of Fish & Game M
George Isaac
Marine Region

Other Departments

- ☐ Food & Agriculture
Steve Shaffer
Dept. of Food and Agriculture
- ☐ Depart. of General Services
Public School Construction
- ☐ Dept. of General Services
Anna Garbeff
Environmental Services Section
- ☐ Dept. of Public Health
Bridgette Blinning
Dept. of Health/Drinking Water

Independent

Commissions, Boards

- ☐ Delta Protection Commission
Linda Flack
- ☐ Office of Emergency Services
Dennis Castrillo
- ☐ Governor's Office of Planning
& Research
State Clearinghouse
- ☒ Native American Heritage
Comm.
Debbie Treadway

County: SAN DIEGO

- ☐ Public Utilities Commission
Leo Wong
- ☐ Santa Monica Bay Restoration
Guangyu Wang
- ☐ State Lands Commission
Marina Brand
- ☐ Tahoe Regional Planning
Agency (TRPA)
Cherry Jacques

Business, Trans & Housing

- ☐ Caltrans - Division of
Aeronautics
Sandy Hesnard
- ☐ Caltrans - Planning
Terri Pencovic
- ☒ California Highway Patrol
Scott Loetscher
Office of Special Projects
- ☐ Housing & Community
Development
CEQA Coordinator
Housing Policy Division

Dept. of Transportation

- ☐ Caltrans, District 1
Rex Jackman
- ☐ Caltrans, District 2
Marcelino Gonzalez
- ☐ Caltrans, District 3
Bruce de Terra
- ☐ Caltrans, District 4
Lisa Carboni
- ☐ Caltrans, District 5
David Murray
- ☐ Caltrans, District 6
Michael Navarro
- ☒ Caltrans, District 7
Elmer Alvarez

- ☐ Caltrans, District 8
Dan Kopulsky
- ☐ Caltrans, District 9
Gayle Rosander
- ☐ Caltrans, District 10
Tom Dumas
- ☐ Caltrans, District 11
Jacob Armstrong
- ☐ Caltrans, District 12
Ryan P. Chamberlain

Cal EPA

Air Resources Board

- ☐ Airport Projects
Jim Lerner
- ☐ Transportation Projects
Douglas Ito
- ☐ Industrial Projects
Mike Tollstrup

- ☐ California Integrated Waste
Management Board
Sue O'Leary

- ☐ State Water Resources Control
Board
Regional Programs Unit
Division of Financial Assistance

- ☐ State Water Resources Control
Board
Student Intern, 401 Water Quality
Certification Unit
Division of Water Quality

- ☐ State Water Resources Control Board
Steven Herrera
Division of Water Rights

- ☒ Dept. of Toxic Substances Control
CEQA Tracking Center

- ☐ Department of Pesticide Regulation
CEQA Coordinator

SCH#

Regional Water Quality Control Board (RWQCB)

- ☐ RWQCB 1
Cathleen Hudson
North Coast Region (1)
- ☐ RWQCB 2
Environmental Document
Coordinator
San Francisco Bay Region (2)
- ☐ RWQCB 3
Central Coast Region (3)
- ☐ RWQCB 4
Teresa Rodgers
Los Angeles Region (4)
- ☐ RWQCB 5S
Central Valley Region (5)
- ☐ RWQCB 5F
Central Valley Region (5)
Fresno Branch Office
- ☐ 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)

- ☐ Other _____
- _____
- _____

Last Updated on 01/07/2009

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San Diego County Archaeological Society, Inc.

Environmental Review Committee

19 January 2009

RECEIVED
JAN 22 2009
Facilities Planning, Design
and Construction

To: Ms. Lauren Cooper, Director
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
SDSU Plaza Linda Verde Project

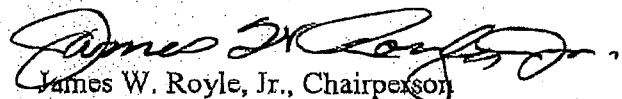
Dear:

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

We are pleased to note the inclusion of cultural resources in the list of subject areas to be addressed in the DEIR. However, we do not agree with the opinion that previous development and disturbance of the various parcels necessarily means that archaeological resources need not be addressed in the DEIR. In particular, while the previous construction activities may have destroyed archaeological resources on those parcels, the same may not be true for resources under public rights-of-way. The City of San Diego, for example, recognizes that roadways may have actually been protecting resources. It routinely evaluates proposed water and sewer projects for the potential to impact archaeological (and paleontological) resources and requires monitoring on a case-by-case basis. SDSU needs to follow the same practice.

We look forward to reviewing the DEIR during its 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).

Sincerely,


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

cc: SDCAS President
File

C



Linda S. Adams
Secretary for
Environmental Protection



Department of Toxic Substances Control

Maureen F. Gorsen, Director
5796 Corporate Avenue
Cypress, California 90630



Arnold Schwarzenegger
Governor

January 20, 2009

Ms. Lauren Cooper, Director
Facility Planning, Design, and Construction
San Diego State University
5500 Campanile Drive
San Diego, California 92182-1624
PlazaLindaVerde@sdsu.edu

RECEIVED
JAN 22 2009
Facilities Planning, Design
and Construction

NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR SAN DIEGO STATE UNIVERSITY PLAZA LINDA VERDE DEVELOPMENT PROJECT, SAN DIEGO COUNTY

Dear Ms. Cooper:

The Department of Toxic Substances Control (DTSC) has received your submitted Initial Study and Notice of Preparation (NOP) for a subsequent Environmental Impact Report (EIR) No. 507 for the above-mentioned Project. The following project description is stated in your document: "The proposed San Diego State University (SDSU) Plaza Linda Verde would be a transit-based, mixed-use development that would provide several ground-floor commercial and upper floor student housing building. The proposed project includes development of the SDSU Plaza Verde project, the demolition of existing structures to allow for the project construction, and a revision to the SDSU Campus Master Plan boundary. The project site would be located south of the existing SDSU main campus boundary, generally north of Montezuma Road, on the east and west sides of College Avenue, in the College Area community of the City of San Diego, California." DTSC has the following comments:

- 1) The EIR should identify the current or historic uses at the project site that may have resulted in a release of hazardous wastes/substances, and any known or potentially contaminated sites within the proposed Project area. For all identified sites, 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 pertinent regulatory agencies:
 - National Priorities List (NPL): A list maintained by the United States Environmental Protection Agency (U.S.EPA).

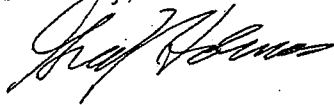
- Envirostor: A Database primarily used by the California Department of Toxic Substances Control, accessible through DTSC's website (see below).
 - Resource Conservation and Recovery Information System (RCRIS): A database of RCRA facilities that is maintained by U.S. EPA.
 - Comprehensive Environmental 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).
- 2) 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 necessary, DTSC would require an oversight agreement in order to review such documents. Please see comment No. 12 below for more information.
- 3) All environmental investigations, sampling and/or remediation for the site should be conducted under a Workplan approved and overseen by a regulatory agency that has jurisdiction to oversee hazardous substance cleanup. The findings of any investigations, including any Phase I or II Environmental Site Assessment Investigations should be summarized in the document. All sampling results in which hazardous substances were found should be clearly summarized in a table.
- 4) Proper investigation, sampling and remedial actions overseen by the respective regulatory agencies, if necessary, should be conducted at the site prior to the new development or any construction. All closure, certification or remediation approval reports by these agencies should be included in the EIR.

- 5) If buildings or other structures, asphalt or concrete-paved surface areas are being planned to be demolished, an investigation should be conducted for the presence of other related hazardous chemicals, lead-based paints or products, mercury, and asbestos containing materials (ACMs). If other hazardous chemicals, lead-based paints or products, mercury or ACMs are identified, proper precautions should be taken during demolition activities. Additionally, the contaminants should be remediated in compliance with California environmental regulations and policies.
- 6) Project construction may require soil excavation or filling in certain areas. Sampling may be required. If soil is contaminated, it must be properly disposed and not simply placed in another location onsite. Land Disposal Restrictions (LDRs) may be applicable to such soils. Also, if the project proposes to import soil to backfill the areas excavated, sampling should be conducted to ensure 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. If it is found necessary, a study of the site and a health risk assessment overseen and approved by the appropriate government agency and a qualified health risk assessor should 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) If it is determined that hazardous wastes are, or will be, generated by the proposed operations, the wastes must be managed in accordance with the California Hazardous Waste Control Law (California Health and Safety Code, Division 20, Chapter 6.5) and the Hazardous Waste Control Regulations (California Code of Regulations, Title 22, Division 4.5). If it is determined that hazardous wastes will be generated, the facility should also obtain a United States Environmental Protection Agency Identification Number by contacting (800) 618-6942. Certain hazardous waste treatment processes or hazardous materials, handling, storage or uses 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 project plans include discharging wastewater to a storm drain, you may be required to obtain an NPDES permit from the overseeing Regional Water Quality Control Board (RWQCB).
- 10) If during construction/demolition of the project, the soil and/or groundwater contamination is suspected, construction/demolition in the area should cease and appropriate health and safety procedures should be implemented.

- 11) If the site was used for agricultural, livestock or related activities, onsite soils and groundwater might contain pesticides, agricultural chemical, organic waste or other related residue. Proper investigation, and remedial actions, if necessary, should be conducted under the oversight of and approved by a government agency at the site prior to construction of the project.
- 12) DTSC can provide guidance for cleanup oversight through an Environmental Oversight Agreement (EOA) for government agencies, or a Voluntary Cleanup Agreement (VCA) for private parties. For additional information on the EOA or VCA, please see www.dtsc.ca.gov/SiteCleanup/Brownfields, or contact Ms. Maryam Tasnif-Abbasi, DTSC's Voluntary Cleanup Coordinator, at (714) 484-5489.

If you have any questions regarding this letter, please contact Mr. Rafiq Ahmed, Project Manager, at rahmed@dtsc.ca.gov or by phone at (714) 484-5491.

Sincerely,



Greg Holmes
Unit Chief
Brownfields and Environmental Restoration Program - Cypress Office

cc: Governor's Office of Planning and Research
State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044
state.clearinghouse@opr.ca.gov

CEQA Tracking Center
Department of Toxic Substances Control
Office of Environmental Planning and Analysis
1001 I Street, 22nd Floor, M.S. 22-2
Sacramento, California 95814
grnoskat@dtsc.ca.gov

CEQA# 2424

d

1/26/09

To whom it May Concern:

I note that on figure #6 which is the proposed site plan, who Landig Foundation shows as building #8. which is our property.

I wish to have that removed from all future planning documents.

My approval was never given for any one to include that parcel of land known as Aztec Square and where McDonald's is located into your plans.

I am very disturbed that this happened without my approval

Sincerely

Virginia P. Kanellos for the Larusa Family

e

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
e-mail: ds_nahc@pacbell.net

January 29, 2009



FEB 2 2009

Facilities Planning, Design
and Construction

Lauren Cooper
CALIFORNIA STATE UNIVERSITY BOARD OF TRUSTEES
SAN DIEGO STATE UNIVERSITY
5500 Campanile Drive
San Diego, CA 92182-1024

Re: SCH#2009011040; CEQA Notice of Preparation (NOP); draft Environmental Impact Report (DEIR) for Plaza Linda Verde Development Project at San Diego State University; San Diego County, California

Dear Lauren Cooper:

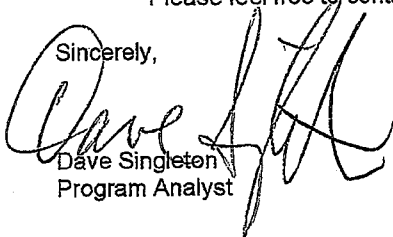
The Native American Heritage Commission (NAHC) is the state 'trustee agency' pursuant to Public Resources Code §21070 designated to protect California's Native American Cultural Resources. The California Environmental Quality Act (CEQA) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the California Code of Regulations §15064.5(b)(c)(f) CEQA guidelines). Section 15382 of the 2007 CEQA Guidelines defines a significant impact on the environment as "a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ... objects of historic or aesthetic significance." In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE)', and if so, to mitigate that effect. To adequately assess the project-related impacts on historical resources, the Commission recommends the following action:

- ✓ Contact the appropriate California Historic Resources Information Center (CHRIS) for possible 'recorded sites' in locations where the development will or might occur. Contact information for the Information Center nearest you is available from the State Office of Historic Preservation (916/653-7278) <http://www.ohp.parks.ca.gov>. The record search will determine:
 - If a part or the entire APE has been previously surveyed for cultural resources.
 - If any known cultural resources have already been recorded in or adjacent to the APE.
 - If the probability is low, moderate, or high that cultural resources are located in the APE.
 - If a survey is required to determine whether previously unrecorded cultural resources are present.
- ✓ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
 - The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological information center.
- ✓ The Native American Heritage Commission (NAHC) performed:
 - A Sacred Lands File (SLF) search of the project 'area of potential effect (APE)'. The results: No known Native American Cultural Resources were identified within one-half mile of the 'area of potential effect' (APE). However the NAHC SLF is not exhaustive and local tribal contacts should be consulted from the attached list and there are Native American cultural resources in close proximity.
 - The NAHC advises the use of Native American Monitors, also, when professional archaeologists or the equivalent are employed by project proponents, in order to ensure proper identification and care given cultural resources that may be discovered. The NAHC FURTHER, recommends that contact be made with Native American Contacts on the attached list to get their input on potential IMPACT of the project (APE) on cultural resources. In some cases, the existence of a Native American cultural resources may be known only to a local tribe(s) or Native American individuals or elders.
 - Lack of surface evidence of archeological resources does not preclude their subsurface existence.
 - Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5(f).
 - In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.

- Again, a culturally-affiliated Native American tribe may be the only source of information about a Sacred Site/Native American cultural resource.
- Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.
- √ Lead agencies should include provisions for discovery of Native American human remains or unmarked cemeteries in their mitigation plans.
 - * CEQA Guidelines, Section 15064.5(d) requires the lead agency to work with the Native Americans identified by this Commission if the initial Study identifies the presence or likely presence of Native American human remains within the APE. CEQA Guidelines provide for agreements with Native American, identified by the NAHC, to assure the appropriate and dignified treatment of Native American human remains and any associated grave liens.
- √ Health and Safety Code §7050.5, Public Resources Code §5097.98 and Sec. §15064.5 (d) of the California Code of Regulations (CEQA Guidelines) mandate procedures to be followed, including that construction or excavation be stopped in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery until the county coroner or medical examiner can determine whether the remains are those of a Native American. . Note that §7052 of the Health & Safety Code states that disturbance of Native American cemeteries is a felony.
- √ Lead agencies should consider avoidance, as defined in §15370 of the California Code of Regulations (CEQA Guidelines), when significant cultural resources are discovered during the course of project planning and implementation

Please feel free to contact me at (916) 653-6251 if you have any questions.

Sincerely,



Dave Singleton
Program Analyst

Attachment: List of Native American Contacts

Cc: State Clearinghouse

Native American Contacts
San Diego County
January 29, 2009

Barona Group of the Capitan Grande
Rhonda Welch-Scalco, Chairperson
1095 Barona Road Diegueno
Lakeside , CA 92040
sue@barona-nsn.gov
(619) 443-6612
619-443-0681

La Posta Band of Mission Indians
Gwendolyn Parada, Chairperson
PO Box 1120 Diegueno
Boulevard , CA 91905
(619) 478-2113
619-478-2125

Manzanita Band of Kumeyaay Nation
Leroy J. Elliott, Chairperson
PO Box 1302 Kumeyaay
Boulevard , CA 91905
(619) 766-4930
(619) 766-4957 Fax

San Pasqual Band of Mission Indians
Allen E. Lawson, Chairperson
PO Box 365 Diegueno
Valley Center , CA 92082
(760) 749-3200
(760) 749-3876 Fax

Santa Ysabel Band of Diegueno Indians
Johnny Hernandez, Spokesman
PO Box 130 Diegueno
Santa Ysabel , CA 92070
brandietaylor@yahoo.com
(760) 765-0845
(760) 765-0320 Fax

Sycuan Band of the Kumeyaay Nation
Danny Tucker, Chairperson
5459 Sycuan Road Diegueno/Kumeyaay
El Cajon , CA 92021
ssilva@sycuan-nsn.gov
619 445-2613
619 445-1927 Fax

Viejas Band of Mission Indians
Bobby L. Barrett, Chairperson
PO Box 908 Diegueno/Kumeyaay
Alpine , CA 91903
daguilar@viejas-nsn.gov
(619) 445-3810
(619) 445-5337 Fax

Kumeyaay Cultural Historic Committee
Ron Christman
56 Viejas Grade Road Diegueno/Kumeyaay
Alpine , CA 92001
(619) 445-0385

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2009011040; CEQA Notice of Preparation (NOP); draft Environmental Impact Report (DEIR) for the Plaza Linda Verde Development Project at San Diego State University; San Diego County, California.

Native American Contacts
San Diego County
January 29, 2009

Campo Kumeyaay Nation
Monique LaChappa, Chairperson
36190 Church Road, Suite 1 Kumeyaay
Campo , CA 91906
chairman@campo-nsn.gov
(619) 478-9046
(619) 478-5818 Fax

Jamul Indian Village
Kenneth Meza, Chairperson
P.O. Box 612 Diegueno/Kumeyaay
Jamul , CA 91935
jamulrez@sctdv.net
(619) 669-4785
(619) 669-48178 - Fax

Mesa Grande Band of Mission Indians
Mark Romero, Chairperson
P.O. Box 270 Diegueno
Santa Ysabel , CA 92070
mesagrandeband@msn.com
(760) 782-3818
(760) 782-9092 Fax

Pauma & Yuima
Christobal C. Devers, Chairperson
P.O. Box 369 Luiseno
Pauma Valley , CA 92061
paumareservation@aol.com
(760) 742-1289
(760) 742-3422 Fax

Rincon Band of Mission Indians
Angela Veltrano, Rincon Culture Committee
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Valley Center , CA 92082
council@rincontribe.org
(760) 749-1051
(760) 749-8901 Fax

Kumeyaay Cultural Heritage Preservation
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Campo , CA 91906
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(619) 478-9046
(619) 478-9505
(619) 478-5818 Fax

Kwaaymii Laguna Band of Mission Indians
Carmen Lucas
P.O. Box 775 Diegueno -
Pine Valley , CA 91962
(619) 709-4207

Inaja Band of Mission Indians
Rebecca Osuna, Spokesperson
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(760) 737-7628
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This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2009011040; CEQA Notice of Preparation (NOP); draft Environmental Impact Report (DEIR) for the Plaza Linda Verde Development Project at San Diego State University; San Diego County, California.

Native American Contacts
San Diego County
January 29, 2009

Kumeyaay Cultural Repatriation Committee
Steve Banegas, Spokesperson
1095 Barona Road
Lakeside , CA 92040
(619) 742-5587
(619) 443-0681 FAX

Diegueno/Kumeyaay

San Luis Rey Band of Mission Indians
Carmen Mojado, Co-Chair
1889 Sunset Drive
Vista , CA 92081
cjmojado@slrmissionindians.org
(760) 724-8505
(760) 724-2172 - FAX

Luiseno

San Luis Rey Band of Mission Indians
Russell Romo, Chairman
12064 Old Pomerado Road
Poway , CA 92064
(858) 748-1586

Luiseno

Cupa Cultural Center (Pala Band)
Shasta Gaughen, Assistant Director
35008 Pala-Temecula Rd. PMB Box 445
Pala , CA 92059
cupa@palatribe.com
(760) 742-1590
(760) 742-4543 - FAX

Pauma Valley Band of Luiseño Indians
Bennae Calac, Chair - Repatriation Committee
P.O. Box 369
Pauma Valley , CA 92061
bennaecalac@aol.com
(760) 617-2872
(760) 742-3422 - FAX

Luiseno

Clint Linton
P.O. Box 507
Santa Ysabel , CA 92070
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cjlinton73@aol.com

Diegueno/Kumeyaay

Ewilaapaayp Tribal Office
Michael Garcia, Vice-Chairman/EPA Director
PO Box 2250
Alpine , CA 91903-2250
michaelg@leaningrock.net
(619) 445-6315 - voice
(619) 445-9126 - fax

Kumeyaay

This list is current only as of the date of this document.

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This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2009011040; CEQA Notice of Preparation (NOP); draft Environmental Impact Report (DEIR) for the Plaza Linda Verde Development Project at San Diego State University; San Diego County, California.

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Alumni Interfraternity Council

San Diego State University

January 30, 2009

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

Dear Ms. Cooper:

The Alumni Interfraternity Council (AIFC) is an advisory board of volunteer alumni advisors and housing corporation officers of the fraternities that comprise San Diego State University's undergraduate Interfraternity Council.

We received a copy of the "Notice of Preparation of Draft Environmental Impact Report and Initial Study for Plaza Linda Verde, San Diego State University" and were alarmed to discover that the University is proposing to expand its boundaries south to Montezuma Road. The proposed boundaries include the entirety of the Fraternity Designated Area (FDA) in the City of San Diego's community plan for the College Area. The FDA includes the western ends of Lindo Paseo Drive and Hardy Avenue. All proposed phases of the Plaza Linda Verde project will be built in the area that is east of the FDA, and the project description shows no proposed use for lots in the FDA, so we don't understand why this area is included in the boundary expansion.

By City ordinance, all new fraternity developments must be located within the FDA, and any development within the area must either be directly related to fraternity use or be convertible to fraternity use in the future. There is little undeveloped or underdeveloped land available within the FDA, making the number of future fraternity sites very limited. Additionally, there are 14 existing fraternity houses located within the proposed area to be annexed into the SDSU Master Plan.

If the University acquires property within the FDA, it would not be subject to the City ordinances preserving it for fraternity use. Additionally, despite assurances that it is not the University's current intention to acquire property through eminent domain, once the area becomes part of the Master Plan, the use eminent domain would be a tool available to future administrations with different intentions.

The university supported the establishment of the FDA at its current location. The FDA provides an appropriate space, away from single-family neighborhoods, for future fraternity development. As the University enrollment expands, per the existing Master Plan, there will be a need for new fraternities to establish at SDSU. Additionally, fraternities currently located outside the FDA that may relocate within the FDA, and some of the nonresidential culturally-based fraternities may also be seeking housing sites.

It is incumbent on the University, therefore, to preserve the FDA to meet these future needs. We look forward to learning how SDSU will address this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron Smith", with a stylized flourish at the end.

Ron Smith, AIFC President
1237 Laura Lane
Escondido, CA 92025
Phone: 760-480-8190

cc: Dr. Stephen L. Weber, SDSU President
Dr. James R. Kitchen, SDSU Vice President for Student Affairs
College Area Community Council
College Community Redevelopment Project Area Committee

g

DEPARTMENT OF TRANSPORTATION

DISTRICT 11

4050 Taylor St., MS 240

SAN DIEGO, CA 92110

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FAX (619) 688-4299

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February 5, 2009

11-SD-8
PM 8.20
SCH 2009011040

Ms. Lauren Cooper
California State University Board of Trustees
San Diego State University
5500 Campanile Drive
San Diego, CA 92182-1624

RE: Plaza Linda Verde, San Diego State University

Dear Ms. Cooper:

The California Department of Transportation (Caltrans) appreciates the opportunity to have reviewed the Notice of Preparation for the Draft Environmental Impact Report (DEIR) for the proposed Plaza Linda Verde, San Diego State University (SDSU) project. Caltrans has the following comments:

Caltrans suggests, for mitigation to Interstate 8 (I-8) and College Avenue, that the preferred mitigation approach should include a Project Study Report (PSR) to identify specific design improvements to the I-8 and College Avenue Interchange. In addition, Caltrans provided to SDSU engineering cost estimates for proposed mitigation to I-8 and College Avenue identified in the SDSU Campus Master Plan Environmental Impact Report (EIR) in order to calculate the appropriate fair share responsibility.

A traffic impact study is necessary to determine this proposed project's near-term and long-term impacts to the State facilities – existing and proposed – and to propose appropriate mitigation measures. The study should use as a guideline the *Caltrans Guide for the Preparation of Traffic Impact Studies*, which is located at the following website:

<http://www.dot.ca.gov/hq/traffops/developserv/operationalsystems/reports/tisguide.pdf>.

Minimum contents of the traffic impact study are listed in Appendix "A" of the TIS guide.

The LOS for operating State highway facilities is based upon Measures of Effectiveness (MOE) identified in the Highway Capacity Manual (HCM). Caltrans endeavors to maintain a target LOS at the transition between LOS "C" and LOS "D" on State highway facilities; however, Caltrans acknowledges that this may not always be feasible and recommends that the lead agency consult with Caltrans to determine the appropriate target LOS. If an existing State highway facility is operating at less than this target LOS, the existing MOE should be maintained. In general, the region-wide goal for an acceptable LOS on all freeways, roadway segments, and intersections is "D". For undeveloped or not densely developed locations, the goal may be to achieve LOS "C".

All State-owned signalized intersections affected by this project should be analyzed using the intersecting lane vehicle (ILV) procedure from the Caltrans Highway Design Manual, Topic 406, page 400-21.

The geographic area examined in the traffic study should include as a minimum all regionally significant arterial system segments and intersections, including State highway facilities where the project will add over 100 peak hour trips. State highway facilities that are experiencing noticeable delays should be analyzed in the scope of the traffic study for projects that add 50 to 100 peak hour trips.

A focused analysis may be required for project trips assigned to a State highway facility that is experiencing significant delay, such as where traffic queues exceed ramp storage capacities. A focused analysis may also be necessary if there is an increased risk of a potential traffic accident.

All freeway entrance and exit ramps where a proposed project will add a significant number of peak-hour trips that may cause any traffic queues to exceed storage capacities should be analyzed. If ramp metering is to occur, a ramp queue analysis for all nearby Caltrans metered on-ramps is required to identify the delay to motorists using the on-ramps and the storage necessary to accommodate the queuing. The effects of ramp metering should be analyzed in the traffic study. For metered freeway ramps, LOS does not apply. However, ramp meter delays above 15 minutes are considered excessive.

The data used in the TIS should not be more than 2 years old.

Caltrans endeavors that any direct and cumulative 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 to State facilities should be included in the traffic impact analysis. Mitigation identified in the traffic study, subsequent environmental documents, and mitigation monitoring reports, should be coordinated with Caltrans to identify and implement the appropriate mitigation. This includes the actual implementation and collection of any "fair share" monies, as well as the appropriate timing of the mitigation. Mitigation improvements should be compatible with Caltrans concepts.

The lead agency should monitor impacts to insure that roadway segments and intersections remain at an acceptable Level of Service (LOS). Should the LOS reach unacceptable levels, the lead agency should delay the issuance of building permits for any project until the appropriate impact mitigation is implemented.

Mitigation conditioned as part of a local agency's development approval for improvements to State facilities can be implemented either through a Cooperative Agreement between Caltrans and the lead agency, or by the project proponent entering into an agreement directly with Caltrans for the mitigation. When that occurs, Caltrans will negotiate and execute a Traffic Mitigation Agreement.

Ms. Lauren Cooper

February 5, 2009

Page 3

If you have any questions or require further information, please contact Christian Bushong at (619) 688-2510 or Christian.Bushong@dot.ca.gov.

Sincerely,



JACOB M. ARMSTRONG, Chief
Development Review Branch

cc: State Clearinghouse

h

Jamie Carr

From: Lauren Cooper [cooper12@mail.sdsu.edu]
Sent: Thursday, February 12, 2009 1:03 PM
To: Barreiros, Eliana
Cc: Thomas, Shannon; Berkey, Kendall; Ostrye, Maureen; Reisch, Kevin
Subject: Re: NOP - Plaza Linda Verde
Follow Up Flag: Follow up
Flag Status: Completed

Eliana,

Thank you for your e-mail regarding the Plaza Linda Verde Notice of Preparation/Initial Study (NOP/IS).

In response to your questions, Figure 5, Campus Master Plan Boundary Revision, depicts the existing, future, and proposed campus master plan boundaries utilizing 3 different line-type symbols. These symbols are listed in the Legend at the top of the figure. "Future" boundaries are boundaries that have been approved by the CSU Board of Trustees, but CSU does not yet own the subject property. "Existing" boundaries are those that have been approved and the property is owned by CSU. "Proposed" boundaries are the boundary revisions proposed by this project.

As to Figure 4, the primary purpose of the figure is to depict the location of the proposed project relative to the boundaries of the College Area Redevelopment Subareas. You are correct that the depiction of the existing Campus Master Plan boundaries in Figure 4 differs slightly from Figure 5. Figure 5 is the figure that is intended to accurately depict the existing, future, and proposed campus master plan boundaries, and it is the figure to rely on in this regard.

The revision to the campus master plan boundary as a component of the proposed project is addressed at NOP/IS page 13, second paragraph from the bottom of the page. As the NOP/IS notes, the proposed project would extend the southern boundaries of the campus master plan as described in the text in order to facilitate development of Plaza Linda Verde as well as support possible future purchases from willing sellers. As is the case with all of the project components, the proposed revision to the campus master plan boundaries will be discussed in greater detail in the EIR.

Please let me know if you have any further questions.

Laurie

At 10:56 AM 2/11/2009, Barreiros, Eliana wrote:

Lauren,

Is it possible for you to provide a better figure than the one shown on subject NOP which clearly illustrates the existing, future and proposed SDSU Campus boundaries? The one on the NOP (Figure 5) is unclear and does not appear to be consistent with the existing SDSU Campus boundaries as shown on the NOP, Figure 4 (see, for example, portions north of Interstate 8). Finally, can you provide any information of the "future" campus boundaries classification illustrated on Figure 5? There appears to be no discussion about this component of the project on the written

7/2/2009

portions of the NOP. This component of the project is only illustrated on Figure 5 with no further discussion.

Thanks for your time and consideration. eliana

Eliana Barreiros

Project Manager

Redevelopment Agency of the City of San Diego

1200 Third Avenue, Suite 1400, MS 56D

San Diego, CA 92101

Tel: 619.236.6267

Fax: 619.533.3219

website: www.sandiego.gov/cpci

Best Wishes,

Lauren Cooper

Director, Facilities Planning, Design & Construction

San Diego State University

San Diego, Ca 92182-1624

619.594.5224 (tel)

619.594.4500 (fax)

"Efforts and courage are not enough without purpose and direction." John F. Kennedy

X-Mailer: QUALCOMM Windows Eudora Version 6.2.1.2
Date: Fri, 13 Feb 2009 10:47:41 -0800
To: Doug Case <Doug.Case@sdsu.edu>
From: Lauren Cooper <cooper12@mail.sdsu.edu>
Subject: Re:
Cc: Jane Doubek <jdoubek@mail.sdsu.edu>
X-Junkmail-Status: score=10/56, host=mail.sdsu.edu
X-Junkmail-SD-Raw: score=unknown,
 refid=str=0001.0A090204.4995C059.0036,ss=1,fgs=0,
 ip=130.191.16.227,
 so=2008-09-22 23:22:13,
 dmn=5.7.1/2008-09-02,
 mode=single engine
X-Junkmail-IVF: false

Doug,

Thank you for sending the CACC comments in response to the Plaza Linda Verde Notice of Preparation. We appreciate the CACC's input and will be responding to these comments in the Draft Environmental Impact Report. In addition, it is our intention to continue to discuss and share project details with you and the CACC as we progress through subsequent phases of the Plaza Linda Verde development.

Laurie

At 10:00 AM 2/13/2009, you wrote:

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

RE: Notice of Preparation, Draft EIR and Initial Study for Plaza Linda Verde

Below is the motion that passed at the College Area Community Planning Board meeting on February 11, 2009:

The CACC request that SDSU address the following concerns in the EIR:

- 1.) Lack of parking for residential tenants, especially addressing the issue of displaced parking in the remote parking sites
- 2.) The EIR should include city staffs' input on the legal implication of the potential SDSU Master Plan boundary expansion upon existing development and future planned redevelopment in the area. (The CACC's concern is that private property [not currently owned or controlled by SDSU] is included in the Proposed Master Plan Boundary Expansion.)
- 3.) Concerns of the building bulk of Buildings One and Two and their setbacks along College Avenue, and the impacts there of.
- 4.) Concerns of vehicle and foot traffic mitigation to be addressed within the entire project, especially across Linda Paseo, Montezuma Blvd, and College Ave.
- 5.) Analysis on the impact of the fraternity designated area.
- 6.) The project should be as energy efficient, lead certified and as "green" as possible.

7.) Strongly encourage commitment from SDSU to continue to work the with the community on architectural design and the all aspects of the project.

Please acknowledge receipt of this email.

Thanks,

Doug Case, Chair
College Area Community Planning Board

Best Wishes,
Lauren Cooper

Director, Facilities Planning, Design & Construction
San Diego State University
San Diego, Ca 92182-1624

619.594.5224 (tel)
619.594.4500 (fax)

"Efforts and courage are not enough without purpose and direction." John F. Kennedy



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San Diego, CA 92101-4231
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www.sandag.org

February 13, 2009

File Number 7000300

Ms. Lauren Cooper, Interim Director
Facilities Planning, Design & Construction
Division of Business and Financial Affairs
San Diego State University
5500 Campanile Drive
San Diego, CA 92182-1624

Dear Ms. Cooper:

SUBJECT: Plaza Linda Verde Notice of Preparation

Thank you for the opportunity to comment on the Notice of Preparation (NOP) for the Plaza Linda Verde project, which proposes 465 student apartments, 90,000 square feet of retail space, parking for 560 vehicles, and recreation areas.

Our comments are based on policies included in the Regional Comprehensive Plan (RCP), the Regional Transportation Plan (RTP), and the Congestion Management Program (CMP), and are submitted from a regional perspective emphasizing the need for land use and transportation coordination and implementation of smart growth principles.

Smart Growth Opportunity Areas. A key goal of the RCP is to focus growth in smart growth opportunity areas. The proposed project is located within two existing smart growth opportunity areas, Community Center SD-CO-1 and Special Use Center SD-CO-2 identified on the Smart Growth Concept Map. The Community Center calls for a residential density of 20 units per acre with mixed uses, and the Special Use Center calls for an optional residential component and a minimum of 50 employees per acre. Transit service to support these place types currently exists in the project area.

Although more information is needed, it appears that this project would contribute toward the project area meeting the density and intensity targets of the Community Center and Special Use Center place types. SANDAG commends San Diego State University (SDSU) for the commitment to smart growth, walkable, transit-supportive development.

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Tribal Chairmen's Association
Mexico

Multi-modal Transportation Analysis

The 2030 RTP provides a multi-modal approach to meet the region's transportation needs. As such, it is requested that the traffic analysis for this project also consider balancing the needs of motorists, transit riders, pedestrians, and bicyclists, and include the following impact analysis.

Freeway Impacts. Address potential impacts to Interstates 8 and 15, freeways which are identified in the CMP and perform analysis required according to the CMP guidelines (attached).

Transit Impacts. Address potential impacts to existing and planned transit by identifying the transit mode share (bus and light rail) as a share of total project trips, existing or planned transit stop locations within/adjacent to the proposed project, and quantify any traffic delay on bus service resulting from the proposed project.

This analysis is desired as a reference to help quantify potential impacts on the transit system. In the case of significant or unusual impacts on the transit system, SANDAG may wish to explore fair-share mitigation.

Transportation Demand Management (TDM). In considering mitigation for regional transportation impacts, please consider alternatives to driving alone during peak periods, such as carpooling, vanpooling, telecommuting, flexible work hours for employees, and the potential of a Transportation Demand Management (TDM) plan as a part of this project.

Bicycle Access. This project includes/is adjacent to SDSU, as well as the SDSU Transit Center, Green Line Trolley, and local residences and businesses. Improved bicycle access to local destinations can help to mitigate the traffic effects of projects and provide mobility options for residents.

Consult with MTS and Caltrans. It is advised that the project applicant also consult with the Metropolitan Transit System (MTS), the transit service provider within the project area, and also with Caltrans to coordinate planned highway improvements.

Additionally, when analyzing future (2030) traffic conditions, SANDAG recommends using the transportation network included in the RTP Reasonably Expected funding scenario.

Other Comments

Master Plan. Please advice on how this project is related to the recently updated SDSU Master Plan.

Conclusion

We appreciate the opportunity to comment on this project. If you have any questions or concerns regarding my comments on this project, please contact me at (619) 699-1943 or sba@sandag.org.

Sincerely,

Susan Baldwin for

SUSAN BALDWIN
Senior Regional Planner

TCL/dsn

Attachment: CMP Land Use Analysis Program and Traffic Study

k



THE CITY OF SAN DIEGO

February 13, 2009

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

Subject: City of San Diego comments on the Notice of Preparation (NOP) for a Draft Environmental Impact Report (SCH No. 2009011040) for the proposed Plaza Linda Verde Project.

The City of San Diego ("City") has received and reviewed the Notice of Preparation (NOP) and Initial Study for a Draft Environmental Impact Report (EIR) for the proposed Plaza Linda Verde Project. In response to the NOP, the City has identified potential environmental issues that should be analyzed in the Draft EIR. Staff from the Development Services Department ("DSD") and the City Planning & Community Investment Department ("CPCI"), have reviewed the Notice of Preparation and Initial Study and have the following comments regarding the content of the DEIR:

**Development Services Department, Entitlements Division, Transportation
Development Section: Labib Qasem (619) 446-5358**

TRAFFIC

1. Provide a comprehensive traffic study that includes all of the reasonably anticipated projects that SDSU will be developing in the future, including the Plaza Linda Verde project, plus the 2007 SDSU Campus Master Plan, and any other redevelopment projects in the planning stages. In addition, the SDSU Master Plan calls for an increase of approximately 10,000 students, which has to be analyzed in the comprehensive traffic study.
2. The comprehensive traffic study should be based upon a reasonable trip generation for the proposed projects and any increase in student enrollment.



Development Services

1222 First Avenue, MS 501 • San Diego, CA 92101-4155
Tel (619) 446-5460

Because the trip generation rates assumed for the proposed project is the basis for all traffic analysis, it is recommended that SDSU provide this to City staff at our traffic scoping meeting for final approval.

3. The comprehensive traffic study should not assume a reduction in the existing SDSU traffic due to a shift in mode to transit. The Trolley and transit center have been in place for several years, and their usage is reflected in the existing traffic counts.
4. The comprehensive traffic study should be completed following the City of San Diego Traffic Impact Study Manual dated July 1998, the January 2007 City of San Diego, Development Services Department, California Environmental Quality Act (CEQA) Significance Determination Thresholds and the Santec/ITE Guidelines for Traffic Impact Studies in the San Diego Region dated March 2, 2000.
5. Please review the Final Program EIR for the College Community Redevelopment Project dated July 1993 for details of the traffic mitigations that were proposed for the study area.
6. The comprehensive traffic study should identify mitigation for all significant traffic impacts to the freeway, freeway ramps, streets and intersections.
7. All proposed mitigation should be presented to the affected agencies for concurrence of the proposed mitigation, including preliminary engineering plans and cost estimates.
8. As part of the proposed mitigation, a Transportation Demand Management Program should be included.
9. We recommend that the traffic engineering firm selected to complete the comprehensive traffic study schedule a scoping meeting with the City of San Diego staff prior to the initiation of the study.

**Development Services Department, Entitlements Division, Environmental Analysis
Section: Anne Jarque (619) 446-5341**

As the South Geographic Senior of the Environmental Analysis Section (EAS), I have reviewed the NOP and Initial Study for the Plaza Linda Verde, San Diego State University Project, dated January 13, 2009, in accordance with the Statutes and Guidelines of the California Environmental Quality Act (CEQA). The following comments are provided on behalf of the City of San Diego [City] as a Responsible Agency under CEQA for any approvals or permits that may be required under the City's jurisdiction. *See* Public Resources Code § 21069. The City requests that CSU/SDSU, as lead agency, adequately address and disclose the following environmental issues in the draft Environmental Impact Report for the Plaza Linda Verde, San Diego State University Project.

GREENHOUSE GAS (GHG) EMISSIONS

1. The NOP and Initial Study do not identify or address the project's GHG emissions, nor do they evince an intention to analyze this environmental issue. To comply with CEQA, the EIR should include a discussion regarding the project's cumulative contribution to greenhouse gas emissions and incorporate appropriate mitigation measures to reduce those emissions.

CEQA requires public agencies to identify the potentially significant effects on the environment of projects they intend to carry out or approve, and to mitigate significant effects whenever it is feasible to do so. While Assembly Bill 32, the California Global Warming Solutions Act, did not amend CEQA to require new analytic processes to account for the environmental impacts of GHG emissions from projects subject to CEQA, it does acknowledge that such emissions cause significant adverse impacts to human health and the environment. Further, Senate Bill 97, enacted in 2007, amended CEQA to clearly establish that GHG emissions and the effects of GHG emissions are appropriate subjects for CEQA analysis. Last, the California Attorney General has taken the position that agencies must address climate change in CEQA documents. Together, these state actions demonstrate that GHGs should be addressed in the EIR for this project.

State agencies have provided guidance for addressing GHG emissions in CEQA documents. In June 2008, the State of California Office of Planning and Research (OPR) released a Technical Advisory Bulletin titled CEQA AND CLIMATE CHANGE: Addressing Climate Change Through California Environmental Quality Act (CEQA) Review. The bulletin advises: "Lead agencies should make a good-faith effort, based on available information, to calculate, model, or estimate the amount of CO₂ and other GHG emissions from a project, including the emissions associated with vehicular traffic, energy consumption, water usage and construction activities. ... For these projects, compliance with CEQA entails

three basic steps: identify and quantify the GHG emissions; assess the significance of the impact on climate change; and if the impact is found to be significant, identify alternatives and/or mitigation measures that will reduce the impact below significance." In addition, OPR recently released Preliminary Draft CEQA Guidelines Amendments that specifically address and provide guidance for the mitigation of GHG emissions or the effects of GHG emissions caused by a project. Together, these documents provide substantial guidance to assist lead agencies in addressing GHG emissions under CEQA.

AIR QUALITY

2. The NOP and Initial Study state that the project may result in increased vehicle traffic on project area roadways. This will cause increased emissions of criteria pollutants from mobile sources and those emissions may result in potentially significant impacts to air quality. Furthermore, because of the project's proximity to SDSU, several preschools and elementary schools, the NOP and Initial Study state that sensitive receptors could be exposed to increased pollution concentrations during construction and operations.

Although the NOP and Initial Study state that the proposed project could result in cumulatively considerable emissions of non-attainment pollutants, the EIR should also address the direct impacts to sensitive receptors by preparing a carbon monoxide Hot Spot Analysis and a Human Health Risk Assessment. These analyses are not identified in the NOP and Initial Study. The analysis should also include the additional vehicle emission anticipated from the proposed project and the potential for cancer risks to sensitive receptors, as identified above.

ARCHAEOLOGICAL RESOURCES

3. The NOP and Initial Study state that impacts to archaeological resources will not be discussed further in the draft EIR. The City requests that substantial evidence be provided and discussed in the draft EIR to support the conclusion that there are no impacts that warrant further discussion in the environmental document.

Although the NOP and Initial Study state that the project area has been previously developed and disturbed and, therefore, it is unlikely that construction activities will unearth any resources, the project site is located in a high sensitivity area for the discovery of significant archaeological resources. Therefore, substantial evidence, such as reviews of as-built grading plans for the existing development and/or as-built geotechnical studies which identifies the underlying soils that could preclude existence of buried archaeological resources, must be addressed and disclosed. Furthermore, there could be a potential for native soils to contain buried archaeological resources if no grading occurred where pavement may have been placed over soils, thus capping resources. This may be the case with the

existing parking lots that are proposed to be demolished.

4. As supporting evidence, the lead agency should also determine the potential for significant archaeological/historic resources by preparing a records search at the South Coast Information Center (SCIC) at SDSU and coordinate with the Native American Heritage Commission (NAHC) for a Sacred Lands File Search. Any letters received from the NAHC and/or tribes, in addition to the verification of the records search at SCIC, should be included as an appendix to the EIR. If the substantial evidence, in light of the whole record, indicates a potential to impact buried resources; an archaeological survey report and testing should be conducted and the conclusions of the report included in the draft EIR. If the report recommends mitigation, these measures shall be included in the project's Mitigation, Monitoring and Reporting Program (MMRP).

PALEONTOLOGICAL RESOURCES

5. The NOP and Initial Study also state that paleontological resources will not be discussed in the draft EIR. Again, substantial evidence needs to be provided to support this conclusion and disclosed in the draft EIR. Although the site has been previously developed and disturbed, there could be a potential that previous grading in certain areas of the project site could have made formational soils more apparent and therefore any further grading could impact significant paleontological resources. As discussed in the Geology and Soils section of the Initial Study, the site is underlain with Stadium Conglomerate Formation. This formation is identified to have a high sensitivity rating to discover significant Paleontological resources. Although no grading quantities were provided, Phase I development would include a parking structure that would include one level of below grade parking and Phase II development would include an underground parking facility that would provide an additional 220 parking spaces.

Based on the City's Significance Thresholds, an impact to Paleontological resources would be considered significant if proposed construction grading would exceed 1,000 cubic yards of soil cut at a depth of 10 feet or more. For areas where formational soils are more apparent, less than ten feet of cut depth may impact resources and still require mitigation. The draft EIR should disclose the proposed grading quantities and proposed depth of cut and fill to prepare the site for development. Grading data should include any geotechnical work, hazardous material remediation required, and on-site/off-site public utilities work, in addition to the anticipated development. The grading data along with the underlying soil conditions must be used to determine if the project would therefore impact significant paleontological resources within formational soils and mitigate as appropriate.

GEOLOGY AND SOILS

6. EAS defers to any comments that LDR-Geology staff may have.

AESTHETICS/VISUAL QUALITY

7. EAS defers to CPCI Long-Range Community Planning regarding impacts to community character and visual quality.

HYDROLOGY and WATER QUALITY

8. EAS defers to any comments LDR-Engineer may have regarding implementation of Best Management Practices (BMPs) in accordance with City Standards and State regulations (Water Quality), hydrology (impervious surface runoff affect on storm drain system and damage to property); and flood plain issues. **NOTE: The NOP and Initial Study does not identify any construction or post-construction BMPs to be implemented.**

LAND USE PLANNING

9. EAS defers to LDR Planning, CPCI Long-Range Community Planning and Redevelopment Agency comments regarding zoning and land use issues.

PUBLIC SERVICES

10. EAS defers to CPCI Park Planning, Police Department, and Fire Department comments regarding adequate parks, police, fire facilities and response times.

TRANSPORTATION/TRAFFIC

11. EAS defers to LDR-Transportation Development staff and the memo provided by Labib Qasem, Senior Traffic Engineer, dated February 4, 2009 should be included in the City's Response to Comment to CSU/SDSU Plaza Linda Verde NOP and Initial Study.

UTILITIES AND SERVICE SYSTEMS

12. As directed by the CEQA Guidelines Appendix F, Energy Conservation, CEQA requires that EIRS include a discussion of the potential energy impacts of proposed projects. This discussion should include any sustainability (e.g. solar panels, water conservation, LEED certification) measures that can be incorporated in the project to reduce energy consumption, including reliance on natural gas and oils and renewable energy resources.

13. The Plaza Linda Verde Project as described in the Notice of Preparation of a draft EIR released by San Diego State University, would meet or exceed the thresholds set forth under SB610 and is therefore obligated to make a formal request to the City of San Diego Water Department for a Water Supply Assessment (WSA) as part of the environmental documentation for this project.
14. EAS defers to LDR-Wastewater Department to determine the proposed project's impacts to the City's sewer facilities and therefore require the preparation and submittal of a Sewer Study.

City Planning & Community Investment, Community Planning Division: Max Stalheim (619) 236-6153

The following comments are a general response to the Notice of Preparation and are intended to serve as a guide for project design and review, and an early indication of issues and concerns related to the San Diego General Plan and the College Area Community Plan. Additional comments and issues may be identified after the project is formally submitted.

DESCRIPTION

1. The proposed Plaza Linda Verde project is a mixed-use development that would provide additional student housing and retail uses south of the San Diego State University (SDSU) Transit Center and Aztec Walk in the San Diego College Area community. The proposed project would be developed in multiple phases, and at project buildout would include approximately 465 apartments to house approximately 1,850 students, and approximately 90,000 square feet of retail space. The proposed project will also include parking for approximately 569 vehicles, and a Campus Green that will feature both active and passive recreation areas for public use. To accommodate development of the Plaza Linda Verde project, the proposed project would also extend the SDSU south campus boundary to Montezuma Road. The location for the proposed project is described as south of the existing SDSU main campus boundary, generally north of Montezuma Road, on the east and west sides of College Avenue.

BACKGROUND

2. The City of San Diego General Plan incorporates the City of Villages Strategy which is intended to focus growth into mixed-use activity centers that are pedestrian-friendly districts linked to an improved regional transit system. The strategy is designed to sustain the long-term economic, environmental, and social health of the city and its many communities. A "village" is defined as the mixed-

use heart of a community where residential, commercial, employment, and civic uses are all present and integrated. Villages should increase personal transportation

3. The College Area Community Plan designates the site as Mixed Use (Commercial & Residential) with a density yield of 75-110 Dwelling Units per Net Residential Acre (DU/NRA). The project site is also located in the Core Sub-Area of the College Area Redevelopment Project, and is also one of five approved Pilot Village Program Project locations, and project known as The Paseo.

The Housing Element of the College Area Community Plan includes the following applicable recommendations – 1) new multifamily housing should be develop adjacent to the University, within a mixed-use area. New housing should be compatible with the bulk, scale, and character to adjacent development. Strong pedestrian links to the University, nearby commercial facilities and public transit facilities should be provided. Multiple or mixed-use development consisting of housing, retail, and University-oriented office facilities should be provided; and 2) all new multifamily development projects, including student housing, should provide a variety of on-site recreational facilities which may include, but not be limited to: swimming pool, spa, gym, tennis courts, picnic areas, barbecues, and lounge areas.

4. The San Diego State University Element of the College Area Community Plan includes the following applicable recommendations – 1) the University should develop a program to provide additional housing and parking facilities on or adjacent to campus to meet existing needs and to reduce the number of commuter students. Space and financial constraints of the University may be mitigated by developing multilevel parking/housing structures over existing University-owned garages and parking lots. Joint University/private development ventures could provide needed facilities within the cost constraints of the University; 2) The University should not expand beyond its present campus. The University's own Master Plan should be amended to remove any College Community Redevelopment Project area properties from its plans; 3) The Core Sub-Area should redevelop with University-oriented housing and commercial facilities. Redevelopment will be guided by the Community Plan and the Master Project Plan.
5. The overall objectives of the College Community Redevelopment Project are to 1) encourage creation of a community campus rather than a commuter campus at SDSU; 2) promote reduction of vehicular trips associated with the University, thereby helping to reduce local traffic congestions and improve air quality; 3) increase the availability of student residences and vehicular parking spaces in close proximity to campus; 4) provide cohesive, unified development adjacent to the campus that is physically and functionally linked to the University; and 5)

develop a strong pedestrian orientation between new residential and commercial development adjacent to the campus and the campus itself.

6. In general, the core-sub area will be redeveloped as a mixed-use area and will have the most diverse combination of uses and the greatest intensity of development. Both residential and commercial building heights should be graduated, with lower buildings located on the edges of the Core Sub-Area adjacent to the community, and higher buildings located toward the center of the Core. Heights are to be a maximum of four stories on the north side of Montezuma Road, and five stories along the portion of College Avenue north of Montezuma.

The Core Sub-Area Design Manual provides the criteria against which detailed design proposals can be evaluated for conformance with the design intent of each parcel and the overall goals of the redevelopment area. The Design Goals include 1) establish positive image and identity that respects the adjacent community and campus; 2) create links and extension into the community; 3) emphasize the pedestrian friendly environment; 4) recognize the benefits of mass transit at this location; 5) consider streets as part of the open space systems; 6) provide adequate on-site parking; 7) improve campus and community connections; 8) address security and safety; 9) consider alleys as "finer grain circulation" routes, and possibly as pedestrian ways; 10) reinforce pedestrian movements on campus; 11) reinforce campus entries and gateways, and assist in their clarification; 12) utilize materials and forms that are compatible with campus materials and forms; and 13) coordinate with the campus land uses to provide appropriate edges and interfaces.

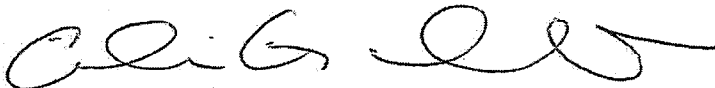
CONCLUSIONS

7. The proposed project does not appear to meet the minimum density requirements of the existing plan designation. The applicant should provide a detailed description of the project and describe the proposal in terms of Dwelling Units per Net Residential Acre (DU/NRA). The City strives to maximize the development potential of each residential project and presumes that each project will yield seventy-five percent (75%) of the allowed density range. In this instance, the City would encourage the project to yield approximately 82 DU/NRA. A proposal that yields less than 75 DU/NRA will require a Community Plan Amendment.
8. The proposal to extend the SDSU south campus boundary to Montezuma Road is incompatible with the recommendations of the College Area Community Plan, and will require a Community Plan Amendment. The impacts associated with extending the south campus boundary to Montezuma Road may result in significant impacts to the College Area Community Plan and Redevelopment Project.

9. The proposal does not appear to meet the intensity of development described in the Core Sub-Area Design Manual. Specifically, portions of Phase I, Building 2, and Phase II, Building 6, could be up to 8-stories in height. The applicant is encouraged to meet the intensity of development for the Core Sub-Area Design Manual. The applicant is also encouraged to use the Manual for design intent for specific parcels, streets and open spaces throughout the area.
10. Due to the project's location in one of only five approved Pilot Village Program Project sites, the proposed mixed-use development should exhibit a high caliber of architectural design and pedestrian-friendly design. Special attention should be given to connectivity with the SDSU campus and the adjacent neighborhoods, as well as transit services, and civic uses. Efforts should be made to reduce dependence on automobile trips and to encourage alternative modes of transportation including walking and bicycling.

Please contact the appropriate above-named individual(s) if you have any questions on the submitted comments. The City respectfully requests that you please address the above comments in the draft EIR.

Sincerely,



Cecilia Gallardo, AICP
Assistant Deputy Director
Development Services Department

cc: William Anderson, FAICP, Director, City Planning & Development
Max Stalheim, Senior Planner, City Planning & Community Investment
Keith Baurele, Deputy City Attorney, Office of the City Attorney
Anne Jarque, Senior Planner, Development Service Department
Cecilia Gallardo, Assistant Deputy Director, Development Services Department
Labib Qasem, Senior Traffic Engineer, Development Services Department
Marc Cass, Associate Planner, Development Services Department
Eliana Barreiros, Community Development Specialist, City Planning & Community Investment



THE CITY OF SAN DIEGO

February 13, 2009

SENT VIA ELECTRONIC MAIL AND CERTIFIED MAIL - RETURN REQUESTED

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

Dear Ms. Cooper,

The City of San Diego Redevelopment Agency [Redevelopment Agency] has received the Notice of Preparation (NOP) of a Draft Environmental Report and Initial Study – Plaza Linda Verde issued by San Diego State University. This letter shall serve as the Redevelopment Agency's response to said NOP.

- (1) The Redevelopment Agency as well as the City of San Diego are "responsible agencies" pursuant to CEQA § 21069.

A clear distinction between the Redevelopment Agency and the City of San Diego [City] must be made. The authority under which the Redevelopment Agency operates is conferred to the Redevelopment Agency through the State of California's Health and Safety Code (Section 33000-et.seq.), also known as the California Community Redevelopment Law [Redevelopment Law]. A redevelopment agency is generally recognized as a separate legal entity from the city that establishes it. Refer to *County of Solano v. Vallejo Redevelopment Agency*, 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. See *Andrews v. City of San Bernardino*, 175 Cal. App. 2d 459 (1959); *Walker v. Salinas*, 56 Cal. App. 3d 711 (1976); *Kehoe v. City of Berkeley*, 67 Cal. App. 3d 666 (1977). Therefore, the Redevelopment Agency is a separate legal entity distinct from the City and, as a state agency, is not subordinate to the San Diego State University [SDSU] and/or any portion of the California State University [CSU] system.

The proposed project is located within the College Community Redevelopment Project Area. "Project Area" within this context is defined under the California Community Redevelopment Law as an area where redevelopment is necessary to effectuate the public purposes of said law. As such, the proposed project is subject to the Redevelopment Plan for the College Community Redevelopment Project Area [Redevelopment Plan], as amended, which was adopted on November 20, 1993. In accordance with specific provisions outlined in the Redevelopment Plan, all development proposals (put forth by private and/or public entities) that would be located within the Project Area are subject to Redevelopment Agency review and approval; therefore, SDSU can not implement the proposed project without the written consent of the Redevelopment Agency. The California Environmental Quality Act (CEQA) defines a "responsible agency" to



Redevelopment Agency

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City Planning & Community Investment

include "a public agency, other than the lead agency which has responsibility for carrying out or approving a project" (see CEQA § 21069). Because the Redevelopment Agency has approval authority with respect to SDSU's proposed project, and because the Redevelopment Agency is responsible for facilitating the implementation of the Redevelopment Plan, the Redevelopment Agency is a "responsible agency" for the proposed project under CEQA. As a responsible agency, the Redevelopment Agency must make independent conclusions with respect to the environmental impacts of the proposed project and is entitled, among other things, to consult with SDSU regarding the scope and environmental impacts of the proposed project, to identify feasible alternatives to the project, and to impose mitigation measures in connection with those parts of the project that the Redevelopment Agency decides to carry out or approve [see CEQA Guidelines Section 15096(g)].

Further, in 1991 the Redevelopment Agency and the San Diego State University Foundation [Foundation] entered into the "Agreement for Processing a Redevelopment Plan and Land Use Entitlements" [Agreement]. The Agreement represented the Foundation's formal request to the Redevelopment Agency to commence the process of preparing and processing a Redevelopment Plan. Pursuant to the terms of the Agreement, the Foundation provided funding that covered a portion of the Redevelopment Agency's costs for the consideration and subsequent adoption of the Redevelopment Plan and the Foundation committed to processing land use entitlements for all projects that would be located within the Project Area through the City's entitlement process, thereby ensuring that development projects would be consistent with applicable regulations and policies and would mitigate impacts on public infrastructure and facilities. For further details and background, please refer to the enclosed letter to Mr. Dan M. Gilbreath, Executive Director of the Foundation, dated July 1, 2008.

While it is SDSU rather than the Foundation that is proposing the project described in the subject NOP, it is important to note that the letter dated July 31, 2008 from Mr. Dan M. Gilbreath, Executive Director of the Foundation (enclosed), to the Redevelopment Agency reads as follows:

The Foundation, as a California State University auxiliary organization established under the California Education Code, exists for the sole purpose of advancing the goals and objectives of the University it was formed to support. See, e.g., Title 5, Cal. Code of Regulations § 42402: "auxiliary organizations operate as an integral part of the overall campus program. Therefore, for the campus president to exercise his authority over the entire campus program, he shall require that auxiliary organizations operate in conformity with policy of the [CSU Trustees] and the campus."

A portion of a separate letter to the Redevelopment Agency from SDSU President Weber dated June 7, 2005 (enclosed) reads as follows:

.... you have created a distinction between San Diego State University and the SDSU Research Foundation that is not material. The SDSU Research Foundation is an auxiliary of our university; it was founded for the express and sole purpose of supporting SDSU. In that capacity, representatives of SDSURF have been acting on the university's behalf and as an instrument in accomplishing the goals defined and authorized by the university.

Given the relationship between SDSU and the Foundation, as described and understood by both entities, the Redevelopment Agency expects SDSU to honor the commitments and obligations made by the Foundation because the Foundation, in entering into contractual obligations and

written commitments with the Redevelopment Agency, was acting as an instrument and agent for SDSU and conducting business under its direction.

Given the above, both the Redevelopment Agency and the City of San Diego are "responsible agencies" pursuant to CEQA § 21069.

- (2) The project as proposed is inconsistent with the Redevelopment Plan and appears to be inconsistent with numerous applicable land use regulations and policies which the project is subject to given specific provisions of the Redevelopment Plan.**

The main goals of the Redevelopment Plan are to redevelop the area in a manner which eradicates the existing blighting conditions throughout the Project Area; mitigate the problems with traffic, parking congestion, and mini-dorms in the surrounding community as a result of SDSU's growth; and enhance the utilization of scarce land resources through parcel consolidation, relocation, and the intensification of land use. The proposed project would result in piecemeal development which would preclude addressing the circulation and traffic issues in a comprehensive manner and impede the much more efficient use of limited space which can only be achieved through master planning efforts.

SDSU is proposing the kind of troublesome piecemeal development which the Foundation and the Redevelopment Agency sought to stop with the adoption and subsequent implementation of the Redevelopment Plan.

The subject NOP (see page 36) incorrectly states that the conflict with applicable land use plans will amount to less than a significant environmental impact. The draft EIR should analyze and disclose all of the significant impacts that may result from any and all inconsistencies of the proposed project with the following applicable land use documents:

- (1) College Community Redevelopment Plan;
- (2) College Community Redevelopment Project Area - Five Year Implementation Plan;
- (3) College Community Redevelopment Project - Master Project Plan;
- (4) College Community Redevelopment Project - Core Sub-Area Design Manual;
- (5) College Area - Public Facilities Financing Plan;
- (6) City of San Diego General Plan;
- (7) College Area Community Plan;
- (8) City of San Diego - Municipal Code.

Environmental factors taken into consideration under CEQA likely to be significantly affected due to the project's failure to achieve consistency with land use regulations and policies include, but are not limited to: Aesthetics and Visual Quality; Noise; Public Services; Transportation and Circulation; Cultural Resources; Parking; Recreation; Air Quality; Utilities and Service Systems; Population and Housing; Water Quality; Water Supply; and, Cumulative Impacts. It is important to note that the Redevelopment Agency and the City of San Diego apply their own policies and thresholds in determining significant impacts and appropriate mitigation measures.

- (3) The draft EIR should include as part of the alternative analysis, a project which is carried out by the Redevelopment Agency in collaboration with the private sector; a project that is consistent with the policies and objectives of the Redevelopment Plan, the City of San Diego General Plan and related planning documents; as well**

**as a project which does not extend SDSU campus boundaries into the
Redevelopment Project Area.**

CEQA requires discussion of a range of reasonable alternatives to the proposed project or to the location of the project that could feasibly attain the basic objectives of the project. The draft EIR should evaluate the comparative merits of alternatives and should focus on alternatives capable of eliminating any significant adverse environmental effects or reducing them to a level of insignificance, even if the alternative would impede to some degree the attainment of the project objectives, or would be more costly.

In June of 2008, the Redevelopment Agency released a Request for Qualifications [RFQ] for a redevelopment project within a portion of the Core Sub-Area of the Project Area which is also affected by the current SDSU proposal (RFQ copy enclosed). The implementation of the project described in the RFQ should be evaluated as a part of the CEQA alternative analysis. A project carried out by the private sector in partnership with the Redevelopment Agency would be subject to all applicable City exactions and, as such, it is expected to result in lesser environmental impacts in the areas of Public Services; Transportation and Circulation; Parking; Recreation; Utilities and Service Systems; Land Use and Planning; Population and Housing; and, Cumulative Impacts. That is, by full payment of all Development Impact Fees as well as any other applicable exactions, a public/private project carried out in accordance with the provisions outlined in the Redevelopment Agency issued RFQ would result in physical changes to the environment that would not only be environmentally superior compared to those that would result from the proposed project but are also likely to be beneficial to the community at large (e.g., by providing funding for capital improvement projects related to public infrastructure). It is also of concern to the Redevelopment Agency whether SDSU would carry out any mitigation measures required under CEQA or whether SDSU would choose to allege infeasibility of mitigation measures due to funding, legal, administrative or other such constraints. The positive responses to the Redevelopment Agency issued RFQ and continued interest by numerous and capable private parties in pursuing this opportunity demonstrate that the project is feasible as required by CEQA in the consideration of alternatives.

In conjunction with the alternative project noted above and/or as a separate alternative project, the draft EIR should evaluate a project which is consistent with the goals, objectives and policies of the Redevelopment Plan, City of San Diego General Plan and all other applicable planning documents and regulations. Such a project would be environmentally superior to the proposed project as it is highly likely that such a project would result in less impacts to most, if not all, environmental areas of concern.

Further, an alternative project should also be explored which does not extend SDSU campus boundaries into the Redevelopment Project Area. The proposed new campus boundaries as well as the desire expressed in the NOP to further SDSU acquisition of parcels from private parties within the Project Area, would be detrimental to the implementation of the Redevelopment Plan, and it would further aggravate existing conditions imposed by SDSU and its auxiliary organizations on the Redevelopment Agency by taking actions which deprive the Redevelopment Agency of tax increment funds necessary to implement the Redevelopment Plan. The proposed extension of SDSU campus boundaries would result in adverse effects to the environment, by precluding implementation of the Redevelopment Plan within the Core Sub-Area of the Project Area. In an effort to remediate the piecemeal development that was occurring in the area and which continues to make SDSU a troublesome neighbor in the College Community, the Redevelopment Agency (at the urging of the Foundation) proposed to create an urban village

within the Core Sub-Area. The proposed urban village is envisioned as a high-density mixed use project that includes a significant residential component, appropriate commercial uses to meet the needs of the SDSU population as well as those of the affected community and public spaces that are well-integrated into the site as well as the immediate neighborhood. The project envisioned would meet and surpass all City requirements which address the facilities, services, and infrastructure needs attributed to the development and would capitalize on the unique attributes of the site by meeting the circulation, mobility, and parking needs of the area through a master plan effort. Such a project would be environmentally superior to the project currently proposed by SDSU which instead would result in piecemeal development and include minimal or no parking for the housing component and commercial development that is poorly planned. The current proposed project is not carefully thought out and fails to address the larger needs of the area in terms of parking, infrastructure, circulation, mobility and public facilities.

(4) The draft EIR should evaluate the whole of the action proposed.

For a project of this magnitude, which includes specific development projects, outlines real property acquisitions goals of SDSU as well as newly proposed campus boundaries, the CEQA Guidelines provide solutions. Per CEQA Guidelines (Section 15168(a)), an agency can use a "program EIR," for "a series of actions that can be characterized as one large project and are related either: (1) Geographically, (2) As logical parts in the chain of contemplated actions, . . . or (4) As individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways." Section 15385 of the Guidelines provides for "tiering" of EIR's, which is "the coverage of general matters in broader EIRs (such as on general plans or policy statements) with subsequent narrower EIRs"

CEQA precludes analysis of a "project" (as defined under CEQA § 21065) in a piecemeal fashion. This standard is consistent with the principle that "environmental considerations do not become submerged by chopping a large project into many little ones -- each with a minimal potential impact on the environment -- which cumulatively may have disastrous consequences" (Bozung v. Local Agency Formation Commission (1975) 13 Cal.3d 263, 283-284). "Drafting an EIR . . . involves some degree of forecasting. While foreseeing the unforeseeable is not possible, an agency must use its best efforts to find out and disclose all that it reasonably can" (CEQA Guidelines Section 15144.). SDSU is expected to make informed judgments as to probable future activities associated with campus expansion and its development.

The NOP Figure 5 does not clearly illustrate the existing, future and proposed SDSU campus boundaries. Figure 5 is unclear and does not appear to be consistent with the existing SDSU campus boundaries as shown on the NOP, Figure 4. The draft EIR should provide clear information about the "future" campus boundaries classification illustrated on Figure 5. This component of the project is only illustrated with no further discussion provided.

(5) The draft EIR should expand and clarify the following in regard to the newly proposed as well as future campus boundaries:

The NOP notes that SDSU campus boundaries would be extended to "facilitate development" (page 13). Please clarify as to how the extension of campus boundaries would facilitate development: If there are any distinctions as to how SDSU and/or the CSU Trustees determine

CEQA impacts, applicable mitigation measures and their implementation within versus outside campus boundaries, such distinctions should be explicitly identified in the draft EIR.

Additionally, clarify how do the newly proposed campus boundaries relate to the existing SDSU Master Plan adopted by the CSU Trustees in 2007. Do the newly proposed campus boundaries require an amendment to the SDSU Master Plan?

Finally, the Redevelopment Agency will take this opportunity to again go on the record to remind SDSU of our significant concerns regarding SDSU's apparent disregard for the obligations and commitments made to the Redevelopment Agency and the City of San Diego associated with the adoption of the College Community Redevelopment Project Area (see enclosed correspondence).

The Redevelopment Agency and the Foundation went to considerable lengths to gain community support for adoption of the Project Area. The community's frustration with and distrust of SDSU for its unwillingness to mitigate impacts associated with its growth prevented the community from supporting adoption of the Redevelopment Plan until SDSU and the Foundation provided two assurances. First, in a July 1993 letter, former SDSU President Thomas Day stated SDSU would remove from its master plan boundaries all SDSU-owned properties located within the Core Sub-Area of the Project Area. SDSU's position was later reaffirmed by the current SDSU President Stephen Weber in a July 1997 letter. Second, the Foundation committed to processing land use entitlements for all projects that would be located within the Project Area through the City's customary development entitlement processes, thereby ensuring that development projects would mitigate impacts on public infrastructure and facilities.

The Redevelopment Agency and the City also relied on the commitments made by both SDSU and the Foundation in determining the feasibility of implementing the Redevelopment Plan and ensuring that subsequent redevelopment projects would be consistent with the City's General Plan as well as applicable policies and implementing regulations. These commitments were needed to ensure that the Project Area would have an adequate tax increment revenue stream to meet the Agency's goals and obligations associated with the adoption of the Redevelopment Plan.

While the CSU Board of Trustees may have authority over the use of state property and development of associated facilities, the Trustees may not take actions that are inconsistent with other laws of the state (California Education Code, Section 89030). As such, the Redevelopment Agency presumes that any action taken by the Trustees in relation to properties within the Project Area must take into consideration how said actions are consistent with all applicable provisions of the California Community Redevelopment Law. Given the proposal's salient inconsistencies with the Redevelopment Plan, it is the Redevelopment Agency's position that the Trustees will not be able to approve the project as proposed.

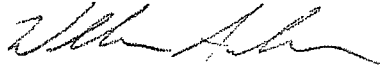
The Redevelopment Agency requests that SDSU consult with the Redevelopment Agency as a "responsible agency" concerning the proposed project in compliance with CEQA and that SDSU adhere to the Redevelopment Plan and all related planning documents in connection with the evaluation of the proposed project. The Redevelopment Agency is also hereby making an official request to meet with SDSU representatives to discuss the scope and content of the environmental information to be evaluated in the draft EIR. CEQA Guidelines Section 15082(c) allows any responsible agency to make such a request. We request such a meeting be scheduled within a reasonable time upon the receipt of this letter and no later than March 15,

Ms. Lauren Cooper
February 13, 2008
Page 7 of 7

2009. The Redevelopment Agency reserves the right to raise additional concerns and issues regarding the proposed project at the appropriate time and as more details emerge about the scope and environmental impacts of the project. It is the Agency's intention that this letter and all attachments hereto will be included in the record of the administrative proceedings with respect to the proposed project.

The Redevelopment Agency remains committed to implementing the Redevelopment Plan and will continue to attempt do so in collaboration with SDSU provided SDSU is willing to negotiate in good faith and honor previous commitments and obligations, its own as well as those of its auxiliary organizations.

Sincerely,



William Anderson
Assistant Executive Director
Redevelopment Agency

EPB/epb

CC: Jay Goldstone, Chief Operating Officer, City of San Diego
Janice Weinrick, Deputy Executive Director
Kendall Berkey, Agency General Counsel
Kevin Reisch, Agency General Counsel
Murray Kane, Agency Special Counsel
Cecilia Gallardo, Assistant Deputy Director
Maureen Ostrye, Redevelopment Project Coordinator
Eliana Barreiros, Redevelopment Project Manager

Enclosures: See attached Index of Enclosures

Index of Enclosures to February 13, 2009 letter from Mr. William Anderson, Assistant Executive Director - City of San Diego Redevelopment Agency, to Ms. Lauren Copper, Director – Facilities Planning, Design and Construction, Business and Financial Affairs, San Diego State University

- August 18, 2008 Letter
RE: Cash Depository Agreement Dated March 3, 2005 and Agreement for Processing a Redevelopment Plan and Land Use Entitlements Dated December 3, 1991
From: Janice Weinrick, Deputy Executive Director, City of San Diego Redevelopment Agency
To: Dan M. Gilbreath, Executive Director, San Diego State University Research Foundation
- July 31, 2008 Letter
RE: San Diego State University Research Foundation / Redevelopment Agency of the City of San Diego / College Community Redevelopment Plan
From: Dan M. Gilbreath, Executive Director, San Diego State University Research Foundation
To: Janice Weinrick, Deputy Executive Director, City of San Diego Redevelopment Agency
- July 31, 2008 Letter
RE: San Diego State University Research Foundation/Rights Under cash Depository Agreement
From: Dan M. Gilbreath, Executive Director, San Diego State University Research Foundation
To: Janice Weinrick, Deputy Executive Director, City of San Diego Redevelopment Agency
- July 1, 2008 Letter
RE: College Community Redevelopment Plan
From: Janice Weinrick, Deputy Executive Director, City of San Diego Redevelopment Agency
To: Dan M. Gilbreath, Executive Director, San Diego State University Research Foundation
- July 1, 2008 Letter
RE: Foundation's Right of First Offer Request Pursuant to Cash Depository Agreement
From: Janice Weinrick, Deputy Executive Director, City of San Diego Redevelopment Agency
To: Melinda Coil, Chief Financial Officer, San Diego State University Research Foundation
- April 4, 2008 Letter
RE: Foundation's Request Pursuant to Cash Depository Agreement
From: Maureen Ostrye, Redevelopment Coordinator, City of San Diego Redevelopment Agency
To: Melinda Coil, Chief Financial Officer, San Diego State University Research Foundation
- March 10, 2008 Letter
RE: San Diego State University Research Foundation/Cash Depository Agreement
From: Melinda Coil, Chief Financial Officer, San Diego State University Research Foundation
To: Maureen Ostrye, Redevelopment Coordinator, City of San Diego Redevelopment Agency

- April 4, 2006 Letter
RE: Paseo Project
 From: James T. Waring, Deputy Chief, Land Use and Economic Development, City of San Diego
 To: Sally Roush, Vice President, Business and Financial Affairs, San Diego State University
- July 5, 2005 Letter
 From: Stephen L. Weber, President, San Diego State University
 To: Jim Madaffer, Councilmember, City of San Diego
- June 28, 2005 Letter
 From: Hank Cunningham, Assistant Executive Director, City of San Diego Redevelopment Agency
 To: Stephen L. Weber, President, San Diego State University
- June 7, 2005 Letter
 From: Stephen L. Weber, President, San Diego State University
 To: Hank Cunningham, Assistant Executive Director, City of San Diego Redevelopment Agency
- May 10, 2005 Letter
RE: Disposition and Development Agreement for the Paseo
 From: Hank Cunningham, Assistant Executive Director, City of San Diego Redevelopment Agency
 To: Stephen L. Weber, President, San Diego State University
- March 18, 2005 Letter
RE: Draft Environmental Impact Report and SDSU 2005 Campus Master Plan Revision
 From: Hank Cunningham, Assistant Executive Director, City of San Diego Redevelopment Agency
 To: W. Anthony Fulton, Director of the Office of Facilities Planning and Management, San Diego State University
- March 24, 2004 Letter
RE: Business Terms for Paseo DDA
 From: Steven A. Bloom, Chief Operating Officer, San Diego State University Research Foundation
 To: Todd G. Hooks, Deputy Executive Director, City of San Diego Redevelopment Agency
- July 30, 1997 Letter
 From: Stephen L. Weber, President, San Diego State University
 To: Alice Buck, Chair, College Redevelopment Project Area Committee and Paul Thomas, President, College Area Community Council
- January 18, 1995 Letter
RE: College Community Redevelopment Project Agreement between San Diego State University Foundation and Redevelopment Agency of the City of San Diego
 From: Harry R. Alberts, General Manager, San Diego State University Research Foundation
 To: Patricia K. Hightman, Deputy Executive Director, City of San Diego Redevelopment Agency

- December 14, 1994 Letter
RE: College Community Redevelopment Project
From: Patricia K. Hightman, Deputy Executive Director, City of San Diego
Redevelopment Agency
To: Harry R. Alberts, General Manager, San Diego State University Research Foundation
- July 12, 1993 Letter
From: Thomas B. Day, President, San Diego State University
To: Alice Buck, Chair, Alice Buck, Chair, College Redevelopment Project Area
Committee
- Request for Qualifications for the College Community Redevelopment Project Area on
issued by the City of San Diego Redevelopment Agency on June 27, 2008



SAN DIEGO STATE
UNIVERSITY

Research Foundation

July 31, 2008

Via E-Mail and First-Class U.S. Mail

Ms. Janice Weinrick
Deputy Executive Director
Redevelopment Agency of the City of San Diego
City Planning and Community Investment
1200 Third Avenue, Suite 1400
San Diego, California 92101

Re: San Diego State University Research Foundation ("Foundation")/
Redevelopment Agency of the City of San Diego ("Agency")/
College Community Redevelopment Plan ("Redevelopment Plan")

Dear Ms. Weinrick:

I write in response to your letter of July 1, 2008, which contained serious allegations relating to the Foundation's dealings with the Agency over the past fifteen years in connection with the Redevelopment Plan, the Agreement for Processing a Redevelopment Plan and Land Use Entitlements between the Foundation and the Agency dated as of December 3, 1991 ("Processing Agreement"), the Cash Depository Agreement between the Foundation and the Agency dated as of March 3, 2005 ("CDA"), and other related documents and undertakings. Terms used below without further definition (*e.g.*, the "Project Area") have the same meanings as in your letter.

As I did in my separate response to your other July 1 letter to Ms. Coil (relating to the CDA), I reject categorically your letter's assertions that the Foundation failed in any respect to perform its obligations relating to the Redevelopment Plan.

Before turning to any specifics of your letter, I want to be clear that both the Foundation and San Diego State University ("University"), the institution it exists to support, remain committed to the goals identified nearly twenty years ago for the Redevelopment Plan and the related University Area Support Plan ("UASP"): *i.e.*, the improvement and redevelopment of the Project Area and University neighborhood in ways that respond to the current and future needs of the University and the surrounding community. The Foundation expended over \$12 million in the redevelopment process before concluding a new approach was needed to achieve those shared goals. While our goals for the University area may remain shared by the University and the Agency, it has become increasingly clear that there exist strong differences of opinion as to

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how those shared goals are to be translated into specific development projects. Your July 1 letter, and the Agency's recent request for qualifications ("RFQ") from third-party developers relating to redevelopment of a portion of the Project Area, are two recent indications of these differences. The Foundation and the University, while still hopeful of reaching consensus with the Agency and City as to the contours of specific projects, simply cannot afford to invest additional time—*i.e.*, beyond the more than sixteen years since we entered into the Processing Agreement—before addressing the pressing needs of the University.

With the foregoing as context, and without responding to every allegation in your letter, I want to address three of its broad assertions:

1. Agency Assertion: The Foundation committed to processing land use entitlements through the City's processes, to ensure that future development would be "consistent with the City's General Plan as well as applicable policies and implementing regulations." The letter also alleges that Foundation and University development projects within the Project Area are subject to the review and approval of the Redevelopment Agency.

Response: Section 701 of the Processing Agreement explicitly recognizes that the Foundation is not required to process entitlements through the City, and that its agreement to do so is solely for the purpose of affording the public an opportunity to comment (which purpose has surely been fulfilled in the more than sixteen years since the Processing Agreement):

The parties acknowledge that Foundation, because of its relationship with the State of California, *is entitled to the protection of sovereign immunity* for certain governmental uses which may be planned in the Redevelopment Project. Therefore, *certain developments within the Redevelopment Project, which are governmental in nature, are not required to process Land Use Entitlements with City.* Nevertheless, without waiving any of its sovereign immunity, *Foundation agrees to be responsible for the processing of Land Use Entitlements with City for the sole purpose of affording a broad and comprehensive public review of the Foundation's proposed development.*
[Emphasis added.]

Contrary to the repeated allegations and implications in your letter, as indicated by the emphasized text above, neither the Foundation nor the University ever ceded ultimate decision-making authority to the Agency or to the City's planning processes. Moreover, your sweeping claim that development by the Foundation and/or University within the Project Area is subject to Agency review and approval processes, is simply incorrect, both as a statement of law and as an interpretation of the Processing Agreement.

2. Agency Assertion: The Foundation breached an obligation to maximize tax increment in the Project Area, thereby creating a "deficit" in the projections of \$4-million in tax increment and raising "significant concerns . . . whether the Foundation and University

are indeed abiding by their commitments and contractual obligations." Examples cited in support of this are the acquisition by the Foundation, the University and other auxiliaries of real property in the Project Area, thus removing it from the tax rolls.

Response: While I was pleased to see your letter acknowledge the Agency's current \$3-million debt to the Foundation for Redevelopment Plan adoption costs and related expenses, I cannot accept its implication that the Agency's reimbursement obligation is excused because the parties may have projected a tax increment of \$4-million when at present it is only \$852,000. As set forth in Section 108 of the Processing Agreement, the Foundation is entitled to reimbursement of processing costs from the Project Area tax increment, not tax increment in excess of \$4-million or any other floor number. In any case, the burden of unmet tax increment expectations has been and is being borne by the Foundation, which has been delayed in reimbursement of funds that it expended many years ago. In addition, as you well know, it has all along been understood that the UASP and related redevelopment would occur largely on land owned by the Foundation, the University or other auxiliaries.

3. Agency Assertion: In June 2005, the Redevelopment Plan and UASP were "derailed when the SDSU administration removed the Foundation from the proposed project."

Response: The Foundation, as a California State University auxiliary organization established under the California Education Code, exists for the sole purpose of advancing the goals and objectives of the University it was formed to support. *See, e.g.,* Title 5, Cal. Code of Regulations §42402: "auxiliary organizations operate as an integral part of the overall campus program. Therefore, for the campus president to exercise his authority over the entire campus program, he shall require that auxiliary organizations operate in conformity with policy of the [CSU Trustees] and the campus." As noted above, the University assumed direct responsibility from the Foundation when a change to CSU system-wide financing policies made it no longer feasible for the Foundation to take the lead. This change in responsibility is not a shift in goals or a lessening of commitment, but only recognition that the University itself, rather than its auxiliary organization, would henceforth be the best instrumentality to advance those goals. Furthermore, the statements of past and present University presidents relating to the Project Area merely reflected the circumstances existing at the time they were made.

From the foregoing, it should be clear to you that the Foundation intends to vigorously assert and/or defend its positions that:

- The Foundation has performed its material obligations under the Processing Agreement, is not in breach thereunder, and remains entitled to reimbursement from Project Area tax increment, on the terms of Section 108 of the Processing Agreement, of all expenses incurred by the Foundation in connection with the Redevelopment Plan.

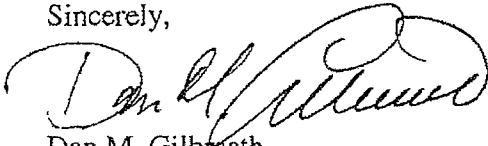
Ms. Janice Weinrick
July 31, 2008
Page 4 of 4

- The Foundation is not in breach of the CDA, remains entitled to exercise the FMV Purchase Right and the Right of First Refusal (as described in my companion letter of this date relating to the CDA), and to reimbursement of Acquisition Costs advanced by the Foundation.
- The Foundation is not in breach of any other obligations it may have relating to the Redevelopment Plan.

The Foundation has advanced millions of dollars and devoted years of time in a good faith effort to advance goals it shares with the Agency and the City. Your two letters' repudiation of the Agency's reimbursement obligations under the Processing Agreement and its reimbursement and property conveyance obligations under the CDA has placed the Agency, not the Foundation, as the party in material breach.

I trust the foregoing makes our position clear. Please do not hesitate to contact me if you wish to discuss this matter further.

Sincerely,



Dan M. Gilbreath
Executive Director

c: Stephen L. Weber, President, San Diego State University
Melinda S. Coil, Chief Financial Officer, San Diego State University Research Foundation



THE CITY OF SAN DIEGO

August 18, 2008

Via Facsimile and First Class U.S. Mail

Dan M. Gilbreath
Executive Director
San Diego State University
Research Foundation
5250 Campanile Drive
San Diego, California 92182-1947
Facsimile No. (619) 594-3224

RE: *Cash Depository Agreement Dated March 3, 2005 and Agreement for Processing
a Redevelopment Plan and Land Use Entitlements Dated December 3, 1991*

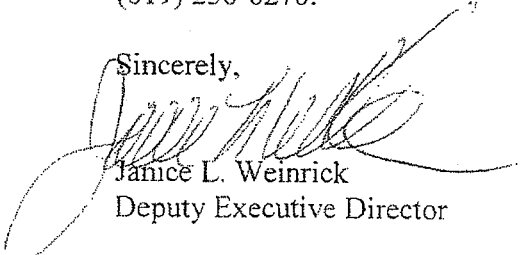
Dear Mr. Gilbreath:

The Redevelopment Agency of the City of San Diego ("Agency") is in receipt of both of your letters dated July 31, 2008 regarding the above-referenced agreements duly entered into by and between the San Diego State University Research Foundation ("Foundation") and the Agency.

Please be advised that the Agency's position as set forth in our letters dated July 1, 2008 and addressed to you and to Ms. Melinda Coil, remains unchanged. However, we will brief the governing body of the Agency ("Board") on the Foundation's position regarding the above-referenced agreements and on the Foundation's allegations regarding the Agency's obligations under said agreements, as evidenced in your letters. Since the Agency Board is currently on recess, we will brief the Board when it reconvenes in the fall.

If you have any questions regarding the above matters, please do not hesitate to contact the undersigned or Maureen Ostrye, Community Development Coordinator with the Agency, at (619) 236-6270.

Sincerely,


Janice L. Weinrick
Deputy Executive Director

cc: Jerry Sanders, Mayor and Agency Executive Director
William Anderson, Assistant Executive Director
Jim Madaffer, District 7 Councilmember
Murray Kane, Agency Special Counsel
Kendall Berkeley, Agency General Counsel
Maureen Ostrye, Community Redevelopment Coordinator

Redevelopment Agency

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City Planning & Community Investment





SAN DIEGO STATE
UNIVERSITY
Research Foundation

July 31, 2008

Via E-Mail and First-Class U.S. Mail

Ms. Janice Weinrick
Deputy Executive Director
Redevelopment Agency of the City of San Diego
City Planning and Community Investment
1200 Third Avenue, Suite 1400
San Diego, California 92101

Re: San Diego State University Research Foundation/Rights Under Cash Depository Agreement

Dear Ms. Weinrick:

I write in response to your letter of July 1, 2008 to Melinda Coil, which was itself a reply to Ms. Coil's March 10, 2008 letter exercising the purchase rights of San Diego State University Foundation (now known as San Diego State University Research Foundation and referred to as the "Foundation") arising under the Cash Depository Agreement dated as of March 3, 2005 ("Agreement") between the Foundation and the Redevelopment Agency of the City of San Diego ("Agency"). Terms used below without further definition (*e.g.*, the "Property") have the same meanings as in the Agreement.

Ms. Coil's March 10, 2008 letter was intended to constitute formal exercise of the Foundation's right under Paragraph 8(d) of the Agreement ("FMV Purchase Right")—*i.e.*, "to purchase the Property at a cost equal to the current fair market value of the Property, less the portion of the Developer's Advance previously allocated towards the purchase price." Your letter, however, characterized the March 10 letter as being a "request" to exercise the FMV Purchase Right. That should have sufficed to exercise the Foundation's FMV Purchase Right, but to ensure there is no confusion (while not conceding your position), I trust you can accept this letter as confirming the Foundation's exercise of the FMV Purchase Right. We intend to acquire the Property at its current fair market value, which we are prepared either to negotiate with you or to have determined by some objective process.

Turning to the substance of your letter, I want first to reject your assertions that the Foundation failed to perform its obligations under the Agreement. Those obligations consisted of (i) advancing the funds to acquire the Property, which was done, and (ii) managing the Property during the Agency's ownership, as required under Paragraph 5 of the Agreement, which was also

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Ms. Janice Weinrick
July 31, 2008
Page 2 of 3

done. In fact, during the entire period from the Agency's acquisition of the Property with the Foundation's funds in March 2005 until your July 2008 letter, the Agency has never commented upon the Foundation's performance under the Agreement, nor has it claimed or asserted that the Foundation failed to perform thereunder. In this regard, the Foundation further disagrees with the claim that "the Foundation has breached Section 5 of the Agreement due to its failure to make the required [tax payments]." The assertion ignores the fact that no taxes have ever been assessed against the Property. To the extent the Agreement also imposed any obligations on the Foundation with respect to negotiation of the Paseo DDA, the record will show that the Foundation and then the University itself engaged in serious and substantive discussions and negotiations from March 2005 until at least December 2007, a period of more than 30 months that you documented in detail on page 2 of your letter.

Second, even if your assertions regarding the Paseo DDA were correct (and they are not), they would not alter the obligations of the Agency under Paragraph 8 of the Agreement, which come into force if "for any reason" the Foundation and the Agency had not executed the Paseo DDA by January 1, 2006:

- The Agency is obligated to "use its reasonable good faith and best efforts to expeditiously dispose of the Property to a third party," subject to the Foundation's FMV Purchase Right and to the separate Right of First Refusal described below, and to apply the proceeds of sale to repayment of the funds advanced by the Foundation to acquire the Property. In the more than 30 months since this deadline, the Agency has, as best the Foundation can tell, taken no steps to perform this obligation.
- If, "despite Agency efforts," no third-party sale has been closed by September 1, 2007, the Agency is obligated to sell the Property to the Foundation following its exercise of the FMV Purchase Right which was the subject of Melinda Coil's March 10 letter. By your letter of July 1, the Agency has repudiated this obligation and thereby committed an anticipatory breach of the Agreement.
- In addition, whether before or after September 1, 2007, the Agency is obligated to comply with the Right of First Refusal provisions of Paragraph 8(e) of the Agreement. Again, your letter of July 1, announcing the Agency's intent to proceed with the disposition of the Property as part of a third-party Paseo project redevelopment deal, repudiated this obligation and thereby committed another anticipatory breach of the Agreement.

Moreover, your proposed remedy is without legal basis. The Foundation advanced millions of dollars for the Property to be acquired. You now propose that the Agency keep both the money and the Property. Even if the Foundation had breached the Agreement in the manner you claim, the Agency has not sustained any harm that would justify such a result.

Ms. Janice Weinrick
July 31, 2008
Page 3 of 3

The Foundation intends to protect its rights under the Agreement, and pursue all of its available remedies, unless by August 15, 2008 the Agency takes the following actions, demand for which is hereby made:

1. The Agency must retract its claims in the July 1 letter that the Foundation has materially breached the Agreement, and recognize the continued existence and validity of the FMV Purchase Right, the Right of First Refusal, and the Agency obligation (if the previous rights are not exercised) to reimburse the Foundation for the Acquisition Costs.
2. The Agency must agree that in any RFQ or other solicitation of third party developers for the Paseo project, the existence of the Foundation's FMV Purchase Right and Right of First Refusal will be disclosed and recognized, with any DDA or disposition of the Property expressly made subject to those rights.
3. The Agency must either (i) propose and support a valuation of the Property that is acceptable to the Foundation, or (ii) agree to an objective valuation methodology whereby each party would appoint an MAI appraiser, the two appraisers would appoint a third MAI appraiser, and the three appraisers would determine the Property's fair market value.
4. The Agency must deliver a memorandum in recordable form, to be signed and acknowledged by the Agency and the Foundation, that addresses not only the matters described in clause (ii) of the next-to-last sentence of the Agreement's Paragraph 5, but also provides public notice of the Foundation's FMV Purchase Right and Right of First Refusal.

We look forward to your favorable response by August 15, 2008.

Sincerely,



Dan M. Gilbreath
Executive Director

c: Stephen L. Weber, President, San Diego State University
Melinda S. Coil, Chief Financial Officer, San Diego State University Research Foundation



THE CITY OF SAN DIEGO

July 1, 2008

Via Facsimile and First Class U.S. Mail

Mr. Dan M. Gilbreath
Executive Director
San Diego State University Research Foundation
Gateway Center
5250 Campanile Drive
San Diego, CA 92182

RE: College Community Redevelopment Plan

Dear Mr. Gilbreath:

The Redevelopment Agency of the City of San Diego ("Agency") has significant concerns regarding the San Diego State University Foundation's (Foundation) apparent disregard for the obligations and commitments it made to the City of San Diego and the Agency associated with the adoption of the College Community Redevelopment Project Area.

In December 1991, the Agency and the Foundation entered into the Agreement for Processing a Redevelopment Plan and Land Use Entitlements ("Agreement") which represented the Foundation's formal request to the Agency to commence the process of preparing and processing a Redevelopment Plan. Pursuant to the terms of the Agreement, the Foundation provided funding of the Agency's costs for the plan adoption. The Agreement also provided for the Foundation to be reimbursed for those costs from tax increment revenue generated by the College Community Redevelopment Project Area.

The Foundation's request was the result of actions of the Trustees of the California State University ("CSU") who appointed a Task Force to address the issue of student housing in the CSU system and to recommend solutions. In 1986, the Task Force issued its report which provided three specific recommendations for campus presidents to consider in addressing the situation: 1) initiate programs for the development of private funding sources to assist in securing student housing; 2) encourage private development of housing facilities on- or off-campus that complements the University's educational mission; and 3) seek housing alternatives using auxiliary organizations to assist in financing student housing projects. Due to the specific problems that existed at San Diego State University ("SDSU") and the surrounding area and to the provisos made by the Trustee's Task Force, then President Thomas Day asked the SDSU Foundation to assess the feasibility of addressing the situation through the private sector. In response, the Foundation developed a master plan for the coordinated development of the area surrounding the campus.

Redevelopment Agency

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City Planning & Community Investment



The Foundation's Master Plan became the basis for the College Community Redevelopment Plan ("Redevelopment Plan"). The goal was to redevelop the area in a manner which would eradicate the existing blighting conditions throughout the Project Area; mitigate the problems with traffic, parking congestion, and mini-dorms in the surrounding community as a result of SDSU's growth; and enhance the utilization of scarce land resources through parcel consolidation, relocation, and the intensification of land use. In an effort to remediate the piecemeal development that was occurring in the University area and which continues to make the University a troublesome neighbor in the College Community, the Agency and the Foundation proposed to create an urban village, which became the centerpiece of the Foundation's Master Plan.

The San Diego City Council adopted the College Community Redevelopment Plan ("Redevelopment Plan") for the College Community Redevelopment Project Area ("Project Area") in November 1993. The Project Area encompasses approximately 131 acres and is generally located adjacent to or within close proximity to the SDSU campus.

The Agency and the Foundation went to considerable lengths to gain community support for adoption of the Project Area. The community's frustration with and distrust of the University for its unwillingness to mitigate impacts associated with its growth prevented the community from supporting adoption of the Redevelopment Plan until the University and the Foundation provided two assurances. First in a July 1993 letter, former SDSU President Thomas Day that the University would remove from its master plan boundaries all SDSU-owned properties located within the Core of the Project Area. The University's position was later reaffirmed by the current SDSU President Stephen Weber in a July 1997 letter. Second, the Foundation committed to processing land use entitlements for all projects that would be located within the Project Area through the City's processes, thereby ensuring that development projects would mitigate impacts on public infrastructure and facilities.

The City and the Agency also relied on the commitments made by both the University and the Foundation in determining the feasibility of implementing the Redevelopment Plan and ensuring that subsequent redevelopment projects would be consistent with the City's General Plan as well as applicable policies and implementing regulations. These commitments were needed to ensure that the Project Area would have an adequate tax increment revenue stream to meet the Agency's and Foundation's goals and obligations associated with the adoption of the Redevelopment Plan.

Tax increment projections prepared during the plan adoption process estimated that by fiscal year 2008, the Project Area would generate in excess of \$4.0 million. Current estimates of tax increment revenue for fiscal year 2008 are \$852,000. This deficit of tax increment revenue is a direct result of the actions of the Foundation and the University, which have raised significant concerns for the Agency and have led the Agency to question whether the Foundation and University are indeed abiding by their commitments and contractual obligations. The Agency currently owes the Foundation over \$3.0 million for plan adoption costs, including principal and

interest.

The cornerstone of the Redevelopment Plan and the Foundation's Master Plan was development of a large scale mixed use project within the Core of the Project Area. While almost fifteen years have passed since the adoption of the Redevelopment Plan, only two redevelopment projects have come to fruition under the leadership of the Foundation: Piedra del Sol, a 66-unit residential project on Hardy Avenue that is completely off the property tax rolls and Fraternity Row, a mixed fraternity and apartment housing project which is partially off the tax rolls. In addition, in 2000 the El Conquistador, a student housing development and one of the largest properties in the Project Area, was acquired from the private sector by Aztec Shops (another auxiliary organization of SDSU) and removed from the tax rolls. Its removal from the tax rolls resulted in a significant and damaging reduction of tax increment revenues.

Lastly, the Foundation has acquired numerous properties within the Project Area since the adoption of the Redevelopment Plan. As a result of these acquisitions, tax increment funds have been severely affected as most of these properties have been removed from the property tax rolls. An analysis conducted by Keyser Marston Associates in early 2004, estimated that the overall economic loss to the Project Area due to SDSU and/or Foundation acquisition of property since the adoption of the Redevelopment Plan approximated \$6,296,000 (this figure represents 2004 dollars and has not been adjusted for inflation).

For close to fifteen years, the parties had collaborated on making the urban village envisioned as the centerpiece of the Foundation's Master Plan a reality. The Agency and the Foundation worked cooperatively toward the approval of a Disposition and Development Agreement ("DDA") for The Paseo project with the Foundation as the developer of The Paseo project. With the cooperation of the Agency, the Foundation acquired the majority of the property needed within the footprint of The Paseo. However, in June 2005, at the time that the DDA was scheduled for approval by the Redevelopment Agency Board, the project was derailed when the SDSU administration removed the Foundation from the proposed project. Responding to the Agency's concerns, SDSU President Weber stated in a letter to Councilmember Madaffer dated July 5, 2005,

It is unfortunate that the decision of the university to rescue The Paseo project has been misunderstood by the Redevelopment Agency and the community as putting the prior commitments made by the Foundation (as contained in the draft EIR) somehow at risk. To the contrary, as I stated during our meeting and in my letter to Mr. Hank Cunningham dated June 7, SDSU is fully committed to the completion of The Paseo project and the related mitigation program as proposed by the Foundation. (Weber's emphasis.)

Since that time, and contrary to President Weber's assurances, the Agency has attempted to no avail to move the Paseo project forward with the University in the same spirit of good faith and cooperation that have characterized our interactions with the Foundation since the inception of

the Redevelopment Plan. In December 2007, after numerous meetings over the last two years, Agency staff met with Mr. Robert Schulz, SDSU Associate Vice President for Operations, in an attempt to reach agreement on the future of the Paseo or a Paseo-like project. At that time, Agency staff was informed that the University's goals for the former Paseo footprint are no longer for a mixed use project. The University envisions significant University-operated housing to support younger students with no affordable housing component, minimal or no parking, and commercial development that would provide no competition to on-campus commercial interests. Mr. Schulz would not commit to ensuring that such project would go through the customary City/Agency entitlements process and stated that such project would be largely off the tax rolls.

While the Agency recognizes the importance of University input in the development of properties in close proximity to the campus, development of the Project Area must occur within the confines of the Redevelopment Plan. As such, the Agency seeks to participate in and provide assistance to redevelopment projects that: (1) incorporate affordable housing to the maximum practicable extent; (2) seek and incorporate community input; (3) provide for the commercial needs of students as well as those of the adjacent community; (4) incorporate parking in accordance with City regulations; and (5) are on the property tax rolls.

Given its current position, it appears that the University is planning to extend its customary development practices to parcels outside campus boundaries and within the Project Area. Said practices would be contrary to the commitments and assurances made to the Agency and the community. Further, because the University has stated that there are no current plans for development of the parcels within the Project Area, the Agency is concerned that these properties will continue to be held under public ownership for long periods of time with little or no reinvestment and thus continue to contribute to the blight, deterioration and underutilization that characterize much of the Project Area.

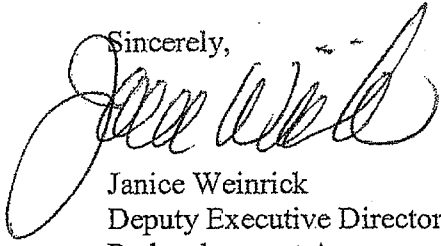
Further, in accordance with the Redevelopment Plan all development in the Project Area is subject to the review and approval of the Redevelopment Agency. The authority to develop and implement the Redevelopment Plan is conferred on the Agency by the State through the California Community Redevelopment Law (Health and Safety Code Sections 33000, et seq.). While the CSU Board of Trustees has authority over the use of state property and development of associated facilities, the Trustees may not take actions that are inconsistent with other laws of the state (California Education Code, Section 89030). As such, the Agency presumes that any action taken by the Trustees in relation to properties within the Project Area must take into consideration how said actions are consistent with all applicable provisions of the California Community Redevelopment Law as well as the College Community Redevelopment Plan.

The University and the Foundation have proven that they have no intention of working in good faith to accomplish the goals of the Redevelopment Plan, nor to uphold the commitments made to the community. By its inaction the Foundation has abandoned the Redevelopment Plan and has failed to perform pursuant to the Agreement, the Redevelopment Plan, and the Cash Depository Agreement. The Agency, therefore, is proceeding to request that the Agency Board

Mr. Dan M. Gilbreath
July 1, 2008
Page 5 of 5

take appropriate actions with respect to these material breaches including without limitation the withholding of reimbursement for costs associated with adoption of the Redevelopment Plan, and the refraining of conveyance of title to the Sanctuary Suites property. The Agency is exploring all its options with the intent of ensuring that the Foundation and the University do nothing to hinder the Agency's ability to advance the goals and objectives of the Redevelopment Plan.

Sincerely,

A handwritten signature in black ink, appearing to read "Janice Weinrick", written over the word "Sincerely,".

Janice Weinrick
Deputy Executive Director
Redevelopment Agency

cc: Jerry Sanders, Mayor and Agency Executive Director
William Anderson, Assistant Executive Director
Jim Madaffer, District 7 Councilmember
Murray Kane, Agency Special Counsel
Kendall Berkey, Agency General Counsel
Maureen Ostrye, Community Redevelopment Coordinator



THE CITY OF SAN DIEGO

July 1, 2008

Via Facsimile and First Class U.S. Mail

Ms. Melinda Coil
Chief Financial Officer
San Diego State University
Research Foundation
5250 Campanile Drive
San Diego, California 92182-1947
Facsimile No. (619) 594-3224

RE: Foundation's Right of First Offer Request Pursuant to Cash Depository Agreement

Dear Ms. Coil:

The Redevelopment Agency of the City of San Diego ("Agency") has reviewed your letter dated March 10, 2008, in which you request, on behalf of the San Diego State University Research Foundation ("Foundation"), to exercise the Foundation's right of first offer to purchase property located at 5840-5846 Hardy Avenue, San Diego, California ("Property"). This request was made pursuant to Section 8(d) of the Cash Depository Agreement ("Agreement") entered into on March 3, 2005, by and between the Foundation and the Agency.

From our review of the Agreement and the actions of the Foundation since the effective date of the Agreement, it appears that the Foundation has failed to perform certain material obligations required of it under the Agreement. This failure of the Foundation to perform critical obligations constitutes a material breach of the Agreement. As such, the Agency is excused from having to consider the Foundation's offer to purchase the Property under Section 8(d) of the Agreement, and is proceeding with the issuance of a Request for Qualifications for the Paseo project to potentially dispose of the Property to a third party.

As you know, the proposed Paseo project consists of approximately 100,000 square feet of office space, 265,000 square feet of ground floor retail including a multiplex theater, 470 student apartment units, and a two-level subterranean parking structure with approximately 2,000 spaces. Pursuant to Section 2 of the Agreement, the Foundation and the Agency are obligated to use good faith efforts to negotiate a DDA for the Paseo project. In this regard,



City Planning & Community Investment

1200 Third Avenue, Suite 1400 • San Diego, CA 92101

Tel (619) 236-6700 Fax (619) 533-3219

since May of 2005, the Foundation has exhibited a complete lack of good faith efforts to negotiate a DDA, as otherwise required by it pursuant to Section 2 of the Agreement.

Specifically, in May of 2005, only two months after the parties' execution of the Agreement, the Foundation abruptly ceased negotiations with the Agency on the proposed Paseo DDA. Such action by the Foundation in and of itself constitutes a complete lack of good faith efforts on the part of the Foundation to negotiate the Paseo DDA. Shortly thereafter, however, San Diego State University ("SDSU") specifically agreed to assume the obligations of the Foundation and complete the Paseo project as contemplated in a proposed DDA. Notwithstanding written assurances made to the Agency by Stephen L. Weber, President of SDSU, and continued negotiations with the SDSU administration, SDSU abruptly terminated said negotiations with the Agency in December of 2007 and advised that it has no intention of honoring the written assurances of President Weber.

As detailed in a letter dated July 5, 2005, and addressed to Councilmember Jim Madaffer, President Weber specifically states on Page 1 that *"SDSU is fully committed to the completion of the Paseo project and the related mitigation program as proposed by the Foundation."* President Weber further states on Page 2 that *"[S]ince the Foundation does not have the resources . . . with which to build The Paseo and cannot borrow the money to do so, if the project is to be built the university must step forward to assume that responsibility. Given this reality, I am prepared, as president of the university, to make use of the SDSU debt capacity to ensure that The Paseo project can proceed as planned."* As further assurances, on Page 3 of the letter, President Weber states that *"[I]t is the university's intention to complete The Paseo project and to see it built substantially in accordance with the plans that now exist."*

Due to the assurances received from President Weber and the ongoing discussions regarding the development of The Paseo between the SDSU administration and the Agency from 2005 through December 2007, the Agency was deceptively led to believe that a mixed use development was possible within the footprint of The Paseo project and that a proposed DDA would be negotiated between the Agency and SDSU on behalf of the Foundation. Consequently, the Agency did not have any opportunity during this time to assert its rights and remedies under the Agreement, including proceeding with the disposal of the Property to a third party as specifically permitted by Section 8(a) of the Agreement.

In December 2007, the Agency was informed by Mr. Robert Schulz, SDSU Associate Vice President for Operations, that the SDSU administration has no intention of honoring the assurances provided to the Agency by President Weber in his letter dated July 5, 2005. Further, the most recent press release issued on Friday, June 20, 2008, by SDSU's Division of University Relations Development announcing SDSU's plans for an innovative mixed use development without Agency involvement within the boundaries of the Paseo project is further evidence of the Foundation's complete abandonment of the Paseo project as contemplated by the parties and its refusal to negotiate a DDA as required by Section 2 of the Agreement.

Ms. Melinda Coil
July 1, 2008
Page 3 of 3

In light of the turn of events, the Agency is excused from having to further perform under the Agreement and will not consider the Foundation's offer to purchase the Property under Section 8(d) of the Agreement. In addition, the Agency is proceeding with the issuance of a Request for Qualifications for the Paseo project, which includes the subject Property, to potentially dispose of the Property to a third party, consistent with the Agency's obligations under the Community Redevelopment Law and the College Community Redevelopment Plan.

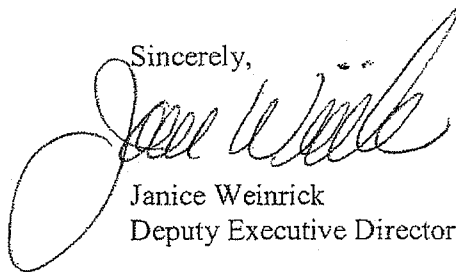
In addition to the above, it appears that the Foundation has failed to comply with Section 5 of the Agreement. Specifically, Section 5 provides that the Foundation, as manager of the Property, is required to *"perform all functions customarily associated with property management, including but not limited to maintenance, repairs, the payment of taxes, and the collection of rents"* and to *"pay all costs of and arising from its management (including, but not limited to: payments on any deeds of trust, fire insurance premiums and owner's liability insurance . . . and possessory interest taxes)"*.

Unless the Foundation can provide accurate and reliable evidence to the contrary, it appears the Foundation has breached Section 5 of the Agreement due to its failure to make the required payments to the County of San Diego of all possessory interest tax incurred as a result of the uses of the Property.

In light of the Foundation's breach of the Agreement for failing to negotiate in good faith a DDA for the Paseo project and for failing to pay required possessory interest taxes to the County of San Diego, the Agency will consider pursuing, if necessary, all remedies at law and in equity in order to address the Foundation's actions in this matter.

If you have any questions regarding the above matters, please do not hesitate to contact the undersigned or Maureen Ostrye, Community Development Coordinator with the Agency, at (619) 236-6270.

Sincerely,

A handwritten signature in black ink, appearing to read "Janice Weinrick", written over a large, stylized loop.

Janice Weinrick
Deputy Executive Director

cc: William Anderson, Assistant Executive Director
Kendall D. Berkey, Deputy General Counsel
Maureen Ostrye, Community Development Coordinator



THE CITY OF SAN DIEGO

April 4, 2008

Ms. Melinda Coil
Chief Financial Officer
San Diego State University
Research Foundation
5250 Campanile Drive
San Diego, CA 92182-1947

RE: Foundation's Request Pursuant to Cash Depository Agreement

Dear Ms. Coil:

The Redevelopment Agency of the City of San Diego ("Agency") is in receipt of your letter dated March 10, 2008, in which you request, on behalf of the San Diego State University Research Foundation ("Foundation"), to exercise the Foundation's right of first offer to purchase property located at 5840-5846 Hardy Avenue, San Diego, California ("Property"), pursuant to the Cash Depository Agreement entered into by and between the Foundation and the Agency on March 3, 2005.

The Agency will review the Foundation's request referenced above and respond after we have had an opportunity to review the various rights and obligations of the Agency and Foundation under the Cash Depository Agreement and any other pertinent agreements entered into by and between the parties.

In the interim, should you have any questions or comments regarding this matter, please do not hesitate to contact my office.

Sincerely,

Maureen Ostrye
Redevelopment Coordinator



Redevelopment Agency

1200 Third Avenue, Suite 1400, MS 560 • San Diego, CA 92101-4110

Tel (619) 236-6700 Fax (619) 533-3219

City Planning & Community Investment



SAN DIEGO STATE
UNIVERSITY
Research Foundation

March 10, 2008

Ms. Maureen Ostrye
Redevelopment Coordinator
San Diego Redevelopment Agency
City Planning & Community Investment
1200 Third Avenue, Suite 1400 – MS56D
San Diego, California 92101

Re: San Diego State University Research Foundation/Cash Depository Agreement

Dear Ms. Ostrye:

I am writing you in regards to San Diego State University Research Foundation's ("SDSURF"), right of first offer to purchase real property located at 5840-5846 Hardy Avenue in San Diego. SDSURF acquired this right of first offer to purchase the property via a Cash Depository Agreement dated as of March 3, 2005 by and between San Diego State University Foundation and the Redevelopment Agency of the City of San Diego.

I have enclosed a copy of the Agreement for your reference. Paragraph 8(d) of the Agreement states that SDSURF has the right of first offer to purchase the property at fair market value less any previous advances if the Agency has not disposed of the property by September 1, 2007. SDSURF would like to exercise its right of first offer as provided for in the Agreement and purchase the Property for its fair market value less any cash advances previously made.

Please contact me as soon as you are able as we would like to attain title of the Property as expeditiously as possible.

Sincerely,

Melinda S. Coil
Chief Financial Officer

Enclosure: copy of Agreement
MSC:rlp

Finance & Accounting
5250 Campanile Drive
San Diego, CA 92182-1947
Tel: 619-594-5771
Fax: 619-594-3224
www.foundation.sdsu.edu

FURTHERING THE EDUCATIONAL,
RESEARCH AND COMMUNITY-SERVICE
MISSION OF SAN DIEGO STATE UNIVERSITY



JERRY SANDERS
MAYOR

April 4, 2006

Ms. Sally Roush, Vice President
Business and Financial Affairs
San Diego State University
5500 Campanile Drive
San Diego, CA 92182-1620

RECEIVED

APR 06 2006

COMMUNITY DEVELOPMENT

Re: Paseo Project

Dear Ms. Roush:

Unfortunately, I can not attend Friday's meeting, but I want to confirm the critical elements of the agreement between Mayor Sanders and President Weber. As the City and University move forward toward the construction of a successful Paseo project, it is important to minimize the public suspicion of our stated goals. During the 6 month term of our agreement:

The City of San Diego will:

- Not act to condemn any foundation property within the Paseo footprint.
- Not issue an RFP for developer interest in the project.

The University will:

- Not act toward the inclusion of the Paseo footprint in the SDSU master plan.
- Not act to acquire title to parcels currently titled in the name of the Foundation.

The City and University will move forward to expeditiously prepare the final agreement reflecting the above points and the other elements we will be working on during the next 6 months. A draft was emailed today. While each of those details is important, it is the verification of the key promises summarized above that will give the City and the University to public space to make the Paseo a reality.

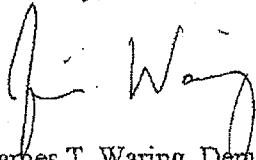
Page 2

Ms. Sally Roush, Vice President

April 4, 2006

We suggest a press conference with the Mayor and the President to affirm these key points. Please let me know your thoughts on how a press conference might be best organized and conducted.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Waring". The signature is fluid and cursive, with the first name "J." and the last name "Waring" clearly distinguishable.

James T. Waring, Deputy Chief
Land Use and Economic Development

cc: Honorable Mayor Jerry Sanders
Ronne Froman, Chief Operating Officer
Michael Fortney, Project Manager, Redevelopment
Susan Cola, Deputy City Attorney
Scott Burns, Associate Vice President, SDSU



San Diego State University
3500 Campanile Drive
San Diego, CA 92182-8000
Tel: 619 594-5201
Fax: 619 594-8894

THE PRESIDENT

July 5, 2005

The Honorable Jim Madaffer
Councilmember, 7th District
City Administration Building
202 C Street
San Diego, CA 92101

Dear Councilman Madaffer:

Let me begin by thanking you for our meeting on June 29 in which we had an opportunity to review the current status of the proposed Paseo project and the relationship between San Diego State University and the SDSU Research Foundation as it relates to this project. It was helpful to have the opportunity to provide you with some background about the debt financing challenges that we have overcome to ensure that The Paseo will be funded and completed as proposed to the City. (As promised during our meeting, I will be happy to meet to discuss the Master Plan as well; I believe that meeting has tentatively been scheduled for 1:30 pm on July 15.)

It is unfortunate that the decision of the university to rescue The Paseo project has been misunderstood by the Redevelopment Agency and the community as putting the prior commitments made by the Foundation (as contained in the draft EIR) somehow at risk. To the contrary, as I stated during our meeting and in my letter to Mr. Hank Cunningham dated June 7, SDSU is fully committed to the completion of The Paseo project and the related mitigation program as proposed by the Foundation.

As we discussed during our meeting, the purpose of this letter is to clarify San Diego State's position with regard to The Paseo project. Let me begin by explaining some of the ways (beyond either the university's or the Foundation's control) in which the California State University system rules with regard to debt have changed.

- Post-Enron, rating agencies have fundamentally changed the way in which they regard institutional debt. Basically, they are no longer prepared to ignore debt held through ancillary or auxiliary organizations.
- In response to that change, the CSU Trustees have adopted a new policy with regard to debt. They did this in large part so that the CSU could obtain the lowest possible cost of money and, in turn, provide the greatest possible service to the citizens of California. Under the new policy, all CSU debt has been consolidated.

- For San Diego State University that means two things. First, the Trustees are prepared to grant us a portion of that combined CSU-wide debt capacity. And second, the debt of all of our auxiliaries (the Foundation) now counts against SDSU's debt capacity.
- For the Foundation, it means that it no longer has independent debt capacity to proceed with The Paseo project.
- For The Paseo project, it means that the Foundation cannot itself borrow the funds needed to complete the project.
- As background, I have attached a letter from Richard West, Executive Vice Chancellor, (the letter I provided to you during our meeting) which informs me that any debt for The Paseo will be applied to the SDSU campus debt capacity.

Use of SDSU debt capacity will facilitate completion of The Paseo

Since the Foundation does not have the resources (approximately \$350 million dollars) with which to build The Paseo and cannot borrow the money to do so, if the project is to be built the university must step forward to assume that responsibility. Given this reality, I am prepared, as president of the university, to make use of the SDSU debt capacity to ensure that The Paseo project can proceed as planned.

Direct involvement of the university will strengthen the project team

There are, however, constraints with regard to how the university must conduct its business. Since the university has agreed to use its debt to advance The Paseo project, it has no choice but to be directly responsible for the debt. In effect, these are CSU dollars that require public accountability through the university's management team—a team that has extensive experience in construction management, having completed approximately \$500 million in capital improvements during the last decade. That management team (including representatives from the Foundation) will now be responsible to ensure that the project is completed substantially as promised to the community.

The university is committed to completing the project and to funding proposed mitigations

As I said in our meeting on Wednesday afternoon, there seems to be an understandable confusion in the minds of some community members with regard to what the university can or cannot do concerning The Paseo project (as distinct from the Master Plan). While we cannot fund mitigations for the Master Plan, we are not barred from mitigating The Paseo project because the project retail will produce revenues as well as tax increments that can support these mitigations. Indeed, there are approximately \$8.5 million dollars of proposed mitigations that are of great importance to the community and to the success of this project that are detailed in draft EIR. The university intends to complete them as set forth in the EIR.

The Honorable Jim Madaffer
Page 3
July 5, 2005

It is the university's intention to complete The Paseo project and to see it built substantially in accordance with the plans that now exist. I say "substantially" only because neither we nor any other developer can anticipate how costs may escalate and what design changes may consequently be required.

We have recently completed a third party "due diligence" review both of the anticipated costs of the project and of the schedule of its completion. This review has confirmed our belief that the project is still doable within the projected budget and that the project can be completed by 2009.

Conclusion

I am hopeful that this letter will help to assure you and our neighbors of the university's strong commitment to save this project.

Both the university and the community have an abiding interest in completion of The Paseo. I believe we all agree that this project will help to address many of the concerns we share with the community for more on-campus housing and creation of a more self contained campus that minimizes impacts on the neighboring communities.

Through no fault of its own, the Foundation is no longer in a position to assume responsibility for the completion of The Paseo project. If it is to be done, there is in my judgment no alternative but to have the university step forward and assume that responsibility. That is why, as president of San Diego State University, I am prepared to commit a very large portion of our future debt capacity to save this project. I have made that decision in a sincere effort to complete the project for the good of the university and for the good of the community.

Sincerely,



Stephen J. Weber
President

SLW/tal

Enclosure

- c: Alice Buck, Chair, CCRP Project Area Committee
Scott Moomjian, President, College Area Community Council
Steve Laub, Chair, CACC Planning Committee



THE CITY OF SAN DIEGO

June 28, 2005

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

Dear Dr. Weber:

I am in receipt of your letter dated June 7th responding to my letter of the prior month (both letters are attached) detailing the Redevelopment Agency's ("Agency") concerns regarding implementation of The Paseo. I am pleased with the confirmation of your continued commitment to seeing The Paseo project through to completion. However, I am distressed to read in your letter that the University's Vice President for Business and Financial Affairs is to assume the lead in moving The Paseo forward despite the Agency's clear written concern about any attempt to transfer responsibility of The Paseo from the SDSU Foundation. It is clear from your letter that it is important for the Agency to elaborate on the basis for its concerns and position regarding The Paseo's implementation and related disposition and development agreement ("DDA").

In your letter, you suggested that the Agency's concerns were based upon a misunderstanding as to the distinctions between SDSU and SDSU Foundation. You wrote that any such distinctions between SDSU and SDSU Foundation are not material, and that, because SDSU Foundation was acting as "SDSU's agent", a transfer of the project to the University did not represent a change in the Agency's development partner. I wish to reiterate that the Agency, as well as the City of San Diego and the broader community, believe there is a clear distinction between SDSU and SDSU Foundation.

I write this letter in an effort to call your attention to the very real legal, operational, cultural, and perceptual differences between SDSU and SDSU Foundation from the Agency's perspective.

In general, the SDSU Foundation and its representatives continually interact with the Agency, City and community in an open and good faith manner, giving real consideration to relevant issues related to its projects and activities. Most importantly, SDSU Foundation has been willing to accept responsibility for its project's impacts through negotiation and mitigation.



Redevelopment Agency

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

Community and Economic Development

Unfortunately, the University's approach is much different than that of the SDSU Foundation. The University has a history of making unilateral decisions in the interest of the University, disregarding the interests of the Agency, City and local community. Your office of Business and Financial Affairs has been at the center of many of these decisions. Frequent actions of SDSU have caused significant damage to the Agency and City including loss of tax increment revenues and cumulative impacts of past and proposed University projects that have placed significant burdens on the community. The clear differences between the University and SDSU Foundation appear to me to be deeply engrained in the culture of each organization.

I am hopeful that with an articulation of recent examples of conduct and actions by the University – actions which are of significant concern to the Agency – you will better understand the Agency's position in regards to the terms and conditions of the DDA for The Paseo.

In the early 1990's, the College Community Redevelopment Project ("CCRP") was established substantially as a result of several key circumstances: (1) the highly underutilized and blighted nature of property immediately surrounding SDSU; (2) the very negative impact that growth of the University was having on the local community regarding traffic, parking and neighborhood intrusion; and (3) the growing distrust of the University by the local community resulting from the University's repeated assertions of its "sovereign immunity" and often blatant disregard for concerns of the community regarding the growth of the University. These concerns and distrust were so significant, that the community, City and Agency only approved creation of the CCRP conditioned upon the commitment of SDSU to remove all properties in the CCRP area from its master plan and a related commitment that it would not reintroduce these properties into its master plan in the future. These commitments were evidenced in a letter from President Thomas B. Day dated July 12, 1993 and reaffirmed by yourself in a letter dated July 30, 1997 (both attached hereto for reference). Several actions taken in recent years, including most recently the proposed transfer of The Paseo to the University, are clear breaches of the community commitments set forth in those letters.

The following examples of University actions demonstrate the very real difference between the culture, approach and relationship summarized above. Particularly troubling actions include:

- **Cox Arena** – For more than seven years in the late 1980's and early 1990's, construction of Cox Arena was delayed as a result of litigation brought by the local community over SDSU's plans to build the arena without appropriate mitigation. With no end in sight, and upon request of then Chief of Staff and now Councilmember Jim Madaffer, Dr. Day finally turned the situation over from SDSU's Office of Business and Financial Affairs to SDSU Foundation, representing the University, for resolution. In a matter of months, SDSU Foundation negotiated a compromise with the local community to fund

mitigations that enabled the project to gain community support and commence construction.

- **SDSU Trolley Station** – Prior to commencement of construction of the SDSU Trolley Station, SDSU worked with MTDB to study various alternative site locations for the station. Early in this process, several options were shown to the community, and concerns of conflict with the CCRP were voiced on several options – most notably one that sited the station underneath Hardy Avenue in a location that would have effectively severed the Super Block of The Paseo. Despite significant community opposition to this alternative, SDSU selected this option anyway and asked MTDB to seek approval from its Board for that alignment. That decision was made by SDSU and forwarded to the MTDB Board without ever being presented to the community. It wasn't until Councilmember Judy McCarty learned of this circumvention of the community, that she was able to convince the MTBD Board to reject this location. Today, as a result of City and community efforts, the SDSU Trolley Station is about to open at Aztec Walk in the optimal location to serve SDSU and The Paseo project.
- **El Conquistador** – In 2000, Aztec Shops acquired this private dormitory, and the property was removed from the tax roles. As one of the largest and most significant properties in the CCRP area, this created an immediate and damaging reduction in property tax increment from which the Agency has still not recovered. In May 2001, I wrote a letter to Ms. Sally Roush of SDSU's Business and Financial Affairs outlining the impact of this action and requested the University work cooperatively with the Agency in order to gain an institutional exemption from the County that would partially mitigate the impacts of that transaction. To date, I have not received a response to my request, and the issue remains unresolved.
- **2005 SDSU Campus Master Plan Revision** – The Agency's lengthy list of issues with SDSU's 2005 Master Plan update and draft environmental impact report ("DEIR") were detailed in our official response to comments to the DEIR. Key items most related to the content of the response include:
 - **Mitigation** – Once again, the University is absolving itself of responsibility for mitigating the impacts of its Master Plan and has designated the Agency as the responsible party for the mitigation of transportation impacts. The existing traffic problems in the community are largely the result of cumulative unmitigated impacts generated by the University. It is equally irresponsible to implement development of SDSU's Adobe Falls property without mitigating significant impacts to the adjacent single-family neighborhood.
 - **Alvarado Sub-Area** – The Alvarado Sub-Area is a major part of the CCRP. The University now proposes to use this area to expand the University outside

the jurisdiction of the City or Agency. Importantly, the traffic mitigation and (partial) tax increment that would have been provided under an SDSU Foundation development of this property will not occur under University development. In addition to the Agency's strong opposition to this proposal, we have also been advised that nearby Alvarado Hospital is also opposed.

- **SDSU Hotel** – A hotel was originally planned in the CCRP on the University's A-Lot. Following concept design for The Paseo and relocation of the trolley line from its originally proposed freeway alignment to its current route through campus, University and SDSU Foundation representatives advised that the hotel was better suited at an alternative site within the CCRP at the north-west corner of Montezuma Road and Campanile Drive (Aztec Inn). In fact, a formal owner participation process was initiated by the Agency at SDSU Foundation's request to implement the Aztec Inn project. The SDSU Master Plan now proposes to move the hotel completely out of the CCRP onto state land east of College Avenue at Alvarado Road. This will again deprive the Agency of much needed tax increment that would have been generated by either of the alternate locations.
- **55th Street** – The Agency has recently learned that the University plans to acquire all of the property within the 55th Street Sub-Area of the CCRP and develop housing in that location outside the jurisdiction of the Agency and City. Should this plan be carried out, this would represent yet another breach of the commitment made to implement redevelopment through the Agency and City.

The most recent example of the University's unilateral approach to decision making was the decision to have the CSU System issue State Revenue Bonds ("SRBs") to finance The Paseo project. My staff has requested that information detailing the specifics of these SRBs be made available to Keyser Marston Associates, the Agency's financial consultant in order to analyze the validity of the economic gap of The Paseo, which was previously negotiated with the understanding that the SDSU Foundation would finance the project. Without this information, Agency staff can not continue its recommendation for Agency financial participation in The Paseo project. It is unfortunate that this decision was made without Agency input or advisement, as it has effectively delayed approval and implementation of The Paseo for at least two weeks.

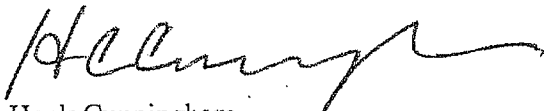
Far from isolated incidences, it appears to the Agency that the University has been navigating a wholesale take over of most major areas of the CCRP (The Paseo, El Conquistador, Alvarado and 55th Street) in order to avoid the very commitments you made to process these areas with SDSU Foundation through the Redevelopment Agency and City. Needless to say, after more than 15 years of pursuing implementation of the CCRP in good faith with SDSU Foundation, it now appears that SDSU has no intent of living up to its commitments and obligations.

Dr. Stephen L. Weber
June 28, 2005
Page 5 of 5

I understand that the SDSU Foundation Board of Directors has not yet acted upon your decision to transfer The Paseo from SDSU Foundation to SDSU. It is my hope that you will reconsider this approach before presenting it to the SDSU Foundation Board. Regardless of your decision, I must now insist that before Agency staff can recommend approval of the draft DDA to the Agency Board, a vote of the SDSU Foundation Board confirming that SDSU Foundation and its key development team members will remain the developer of The Paseo must be secured. Without that commitment, Agency staff will withdraw the DDA including property acquisition assistance and \$26.5 million in proposed Agency financial assistance (\$16.0 million tax increment and \$10.5 million for the student affordable housing program) for The Paseo.

I would very much like to move forward with The Paseo project on the terms and conditions set forth in the draft DDA. I would also welcome the opportunity to meet and further discuss this situation, should that assist in a positive resolution on how to move forward with this exciting project.

Sincerely,



Hank Cunningham
Assistant Executive Director, Redevelopment Agency

cc: Honorable Mayor and City Councilmembers
City Attorney Michael Aguirre
City Manager Lamont Ewell
SDSU Foundation Board of Directors
Scott Moomjian, President, College Area Community Council
Alice Buck, President, CCRP Project Area Committee
Murray Galinson, Chairman, CSU Board of Trustees
Dr. Thomas B. Day, President Emeritus, SDSU
Deputy City Attorney Susan Cola
Murray Kane, Kane, Ballmer & Berkman
Frea E. Sladek, CEO, SDSU Foundation
Steven A. Bloom, COO, SDSU Foundation
Leslie R. Levinson, CFO, SDSU Foundation
Paul Robinson, Hecht, Solberg, Robinson, Goldberg, and Bagley
Fred Pierce, President, The Pierce Co. Inc.
Debra Fischle-Falk, Assistant Director, Community and Economic Development
Maureen Ostrye, Deputy Director, Community and Economic Development
Michael Fortney, Project Manager, Redevelopment Agency



Koush
Sladek

San Diego State University
5500 Campanile Drive
San Diego, CA 92182-8000
Tel: 619 594-5201
Fax: 619 594-8894

THE PRESIDENT

June 7, 2005 RECEIVED

JUN 10 2005

HSRGB

Mr. Hank Cunningham
Assistant Executive Director
Redevelopment Agency
600 B Street, Suite 400, MS 904
San Diego, CA 92101-4506

Dear Mr. Cunningham:

Thank you for your letter of May 10 with regard to San Diego State University and The Paseo project. I recognize and appreciate the fact that the Redevelopment Agency has worked cooperatively and collaboratively with the San Diego State University Research Foundation in implementing the College Community Redevelopment Project. We share your belief that "the timely implementation of The Paseo is very important to the Redevelopment Agency and the City of San Diego." In fact, the project is also important to San Diego State University.

I believe, however, that your letter is based on a misunderstanding: you have created a distinction between San Diego State University and the SDSU Research Foundation that is not material. The SDSU Research Foundation is an auxiliary of our university; it was founded for the express and sole purpose of supporting SDSU. In that capacity, representatives of the SDSURF have been acting on the university's behalf and as an instrument in accomplishing the goals defined and authorized by the university.

Over the last several years, many changes have taken place within the California State University system. Several of these changes have impacted how an individual campus utilizes auxiliary organizations to accomplish its goals.

One of the most significant of these changes has been the implementation of a comprehensive debt acquisition and management plan appropriate to the size and structure of the California State University. (Given the challenges facing the City of San Diego, I am sure you can appreciate the CSU's efforts to rigorously manage debt and the treatment of that debt by the credit-rating agencies.) As a consequence of these debt acquisition and management program changes within the CSU system, San Diego State University must reevaluate the responsibilities and authorities of Paseo team members and, hence, the composition of the team.

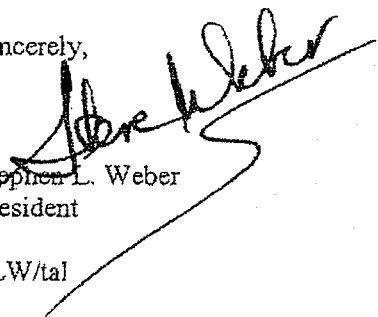
Mr. Hank Cunningham
June 7, 2005
Page 2

You write that "we firmly believe that any change in our development partner will jeopardize the development schedule and program." Let me reiterate that your development partner is not changing, because the SDSURF was always acting as SDSU's agent. Therefore, your statement "if such an unapproved transfer were to occur, Redevelopment Agency staff would immediately recommend that the Agency Board evaluate its options, including the issuance of a . . . (RFP) to solicit interest from other developers . . ." is not applicable. A change in project team membership does not constitute a transfer to some other development partner.

Given the amount of time all of the parties have spent on predevelopment of The Paseo, I believe we share a common goal to continue moving The Paseo project forward in a financially responsible manner. The project will benefit from the significant financial advantages available to the university (tax-exempt financing and debt capacity) that make this project less attractive to private developers.

The Vice President for Business and Financial Affairs for the university will be assuming the lead over the next few weeks to move this project forward. All of us within the university, including SDSU Research Foundation staff, are as committed as ever to seeing The Paseo through to completion. We trust that the Agency and the City share that commitment to work together with the university to accomplish our common goal: completion of The Paseo.

Sincerely,



Stephen L. Weber
President

SLW/tal



THE CITY OF SAN DIEGO

May 10, 2005

Dr. Stephen L. Weber
President
San Diego State University Foundation Board of Directors
5500 Campanile Drive
San Diego, CA 92182

Re: Disposition and Development Agreement for The Paseo

Dear Dr. Weber:

The City of San Diego Redevelopment Agency ("Redevelopment Agency") is very pleased that SDSU Foundation's dynamic project, The Paseo, is nearing completion of the public review for the draft EIR ("DEIR") and that this DEIR and the project are strongly supported by the local community and Project Area Committee. The Redevelopment Agency is looking forward to the culmination of the environmental review process and concurrently taking action anticipated in July 2005 on the Disposition and Development Agreement ("DDA") with SDSU Foundation in order to implement the project. As you know, having been selected a City of Villages "Pilot Village" Demonstration Project, the timely implementation of The Paseo is very important to the Redevelopment Agency and the City of San Diego. We know this is also a critically important project for San Diego State University ("SDSU"), SDSU Foundation and the local community.

Since inception of the College Community Redevelopment Project ("CCRP") in 1993, the Redevelopment Agency has worked cooperatively and collaboratively with SDSU Foundation in implementing the CCRP. The Redevelopment Agency and the local community have a high degree of trust and confidence in SDSU Foundation, and literally thousands of man-hours invested with the key principals responsible for implementation of The Paseo. With the project's current momentum regarding environmental review, the proposed development agreement and project entitlements, The Paseo is quickly approaching final approvals that will lead towards commencement of construction beginning early 2006.



Redevelopment Agency

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Community and Economic Development

The Paseo project is not just an SDSU Foundation project. It is a public-private partnership between SDSU Foundation and the Redevelopment Agency. My staff has been negotiating in good faith with the SDSU Foundation addressing the details of this extremely complex redevelopment project since the Redevelopment Agency approved the Exclusive Negotiating Agreement ("ENA") in March, 2003. This ENA was entered into only after my staff conducted an exhaustive Owner Participation process.

That being said, it has come to our attention that SDSU is considering acquiring SDSU Foundation's interest in The Paseo project and implementing development, construction and operation of the project on its own without the SDSU Foundation.

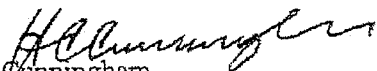
Based upon the significant investment of time and effort with SDSU Foundation, as well as our confidence and trust in the SDSU Foundation and its key principals and development team, we firmly believe that any change in our development partner will jeopardize the development schedule and program.

The Paseo DDA, as currently drafted, specifies that the SDSU Foundation is the developer and that no assignment or transfer of the DDA will be permitted without the express, written consent of the Redevelopment Agency.

If such an unapproved transfer were to occur, Redevelopment Agency staff would immediately recommend that the Agency Board evaluate its options, including the issuance of a Request for Proposals (RFP) to solicit interest from developers for the site. Given the fact that all of the negotiations over the past two years have led to the draft DDA, and that it is expected to be ready for Redevelopment Agency Board consideration in July, our preference is for the SDSU Foundation to remain the developer of The Paseo project. Given the complexity of The Paseo and the impact of losing the experience and knowledge of the SDSU Foundation development team, the implementation and construction of The Paseo would, at best, be delayed by several years and quite possibly not developed as currently proposed.

We very much look forward to implementation in the very near future of The Paseo project, and working with the SDSU Foundation team to make this project a tremendous success. Please do not hesitate to call if you would like to discuss. I can be reached at 619-533-5350.

Sincerely,


Hank Cunningham
Assistant Executive Director, Redevelopment Agency

cc: Councilmember Jim Madaffer



THE CITY OF SAN DIEGO

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.

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;



Redevelopment Agency

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Community and Economic Development

- Any assistance to the mitigation of traffic impacts as a result of SDSU's 2005 Campus Master Plan Revision is highly unlikely due to the fact that SDSU is exempt from paying property tax and therefore no tax increment is expected to be generated;
- 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;
- 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
 - 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; and
 - SDSU'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.
- 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.

BACKGROUND

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. *County of Solano v. Vallejo Redevelopment Agency*, 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. *See Andrews v. City of San Bernardino*, 175 Cal. App. 2d 459 (1959); *Walker v. Salinas*, 56 Cal. App. 3d 711 (1976); *Kehoe v. City of Berkeley*, 67 Cal. App. 3d 666 (1977). Therefore, the Redevelopment Agency is a separate legal entity distinct from the City.

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.

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.

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.

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 &

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

- 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.

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.

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.

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
Anne Lowry, Senior Planner, City of San Diego EAS
Ann French Gonsalvez, Senior Traffic Engineer, City of San Diego DSD
Marlon Pangilinan, Planner, City of San Diego Long Range Planning
Jim Lundquist, Associate Engineer - Traffic, City of San Diego DSD
Maureen Ostrye, Deputy Director, Redevelopment Agency
James Davies, Redevelopment Coordinator, Redevelopment Agency
Michael Fortney, Project Manager, Redevelopment Agency
College Community Redevelopment Project Area Committee

March 24, 2004

Mr. Todd G. Hooks
Deputy Executive Director
City of San Diego Redevelopment Agency
600 "B" Street, Fourth Floor, MS-904
San Diego, CA 92101

Re: Business Terms for Paseo DDA

Dear Mr. Hooks:

SDSU Foundation ("SDSUF") is in receipt of your letter dated March 4, 2004 ("Agency Letter") which outlines the basic proposed business terms and issues presented by the City of San Diego Redevelopment Agency ("Agency") pertaining to the negotiation of a Disposition and Development Agreement ("DDA") for The Paseo project. SDSUF presented our verbal response and counter proposal to the terms and issues raised in the Agency Letter at our regularly scheduled meeting on March 4, 2004. Per your request, this letter memorializes our response and counter proposal. For easy reference, our comments outlined below are numbered to correspond to the specific paragraph numbers in the Agency Letter.

1. Site Control Pertaining to Webber Property and Religious Centers:

- **Webber Property** – As we discussed, SDSUF continues its attempt to acquire the Webber Property which is currently under construction with an 11-unit apartment building with ancillary retail space (known as "The Sanctuary"). At a meeting with the Webber's and their attorneys on March 5, 2004, a proposed transaction was discussed by the parties whereby SDSUF and Renovation and Restoration LLC (the entity controlled by the Webber's that holds title to the subject property) would enter into a binding agreement for the purchase and sale of the subject property, with the value to be determined subsequent to entering into the contract through a to-be-agreed upon process involving three MAI appraisers (one

OPERATIONS AND PROPERTY DEVELOPMENT

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appointed by each party and a third to be mutually selected by the two appointed appraisers). The Webber's and their attorneys have taken this under advisement, and are due to respond back to SDSUF at any time. Should these negotiations result in an agreement between the parties, SDSUF tentatively plans, when completed, to have The Sanctuary's building improvements physically moved and installed on an SDSUF parcel of land (of identical dimensions to the Webber Property) six parcels to the west of the Webber Property (the "Relocation Site"). SDSUF is also willing to consider a transaction whereby the parties would exchange properties and SDSUF would have The Sanctuary building improvements moved and installed on the Relocation Site (as outlined above) and transfer title to Renovation and Restoration upon completion of this relocation.

Due to the extreme valuation difference communicated by the parties to date regarding the projected completed value of The Sanctuary, should a transaction along one of the lines outlined herein not be achieved, SDSUF will very likely require the Agency's assistance in regards to this property acquisition. Under no terms or circumstances would SDSUF consider redesigning The Paseo at this most critical project location to accommodate The Sanctuary as a permanent improvement. Also, SDSUF will continue to attempt to resolve this acquisition through the time when a DDA is approved, but does not agree that the new Paseo ENA specifies any time table or requirement to do so.

- **Religious Centers** – Per the last comment regarding the Webber Property above, SDSUF also holds that the new Paseo ENA also does not specify any time table or requirement to complete relocation agreements for the Religious Centers prior to approval of a DDA. The new ENA does specify that one of the terms of the DDA would be to have SDSUF designated as the "Redeveloper" effective upon approval and execution of the DDA. SDSUF also believes it inaccurate that the Agency/CCRC agreement exempts these institutions from condemnation. Rather, the Agency/CCRC agreement outlines the negotiation process for a relocation agreement required of the Redeveloper, and that, should that process fail to resolve the issue, the Agency/CCRC agreement specifies the terms and conditions on which the Agency could use its power of eminent domain to relocate a religious center(s).

All that being said for clarification, we understand that on March 22, 2004 the Agency initiated the Owner Participation Process in accordance with SDSUF's request to enter into an exclusive negotiating agreement ("ENA") for our Religious Center's project (including seven parcels of land on Lindo Paseo and three parcels on Hardy Avenue). We appreciate your moving forward with that critical process, and believe that is an important step forward towards successful negotiation of relocation agreements with the religious centers. SDSUF will negotiate in earnest with the religious centers between now and approval and execution of the DDA in hopes of reaching agreements prior to having to follow the more formal and rigid process required of a Redeveloper.

2. Affordable Housing – We expect to have a memorandum outlining outside counsel's (Stradling Yocca Carlson & Rauth) opinion regarding an affordable student housing program available for Agency review by March 24, 2004. We understand that the financial implications of such a plan are not included in the current financial analysis, and that the parties will need to address this, in addition to the calculated "Economic Gap", as part of the DDA.
- 3&7. Cost Allocation – We understand and concur with the adjustments made by Keyser Marston & Associates ("KMA") in the tables attached to the Agency Letter.
4. Focus on Private Use Components – We understand and concur with KMA's analysis that produces a \$9.54 million Economic Gap for the retail portion of The Paseo (after the cost allocation adjustments referenced in paragraph 3).
5. Tax Increment Distribution – We understand the Agency's proposal to be that SDSUF would receive all of the discretionary tax increment generated from the Paseo retail and theater components (the "Tax Increment") in an amount not to exceed \$532,000 per year. It was not clear in the Agency Letter how this specifically related to the "Economic Gap", nor the mechanics for amortization of that amount, although we did further discuss this in our March 4 meeting. SDSUF offers the following counter proposal in terms of tax increment distribution and the Economic Gap:
 - a. The parties mutually agree that the Economic Gap for The Paseo is \$9.54 million.
 - b. Per the KMA analysis, the parties agree that the capitalized value (at a 4.5% cap rate) of The Paseo's Tax Increment is \$11.82 million.
 - c. The \$9.54 million Economic Gap would be recorded as a loan payable by the Agency to SDSUF (the "Gap Loan") bearing interest at 4.5% per year (the cap rate) and amortized over 30 years ("Term"). Based upon these terms, the full loan payment ("Full Loan Payment") would be approximately \$614,000 per year.
 - d. The annual payment required from the Agency to SDSUF for the Gap Loan would be the lesser of 100% of the Tax Increment or the Full Loan Payment calculated pursuant to the Gap Loan terms set forth under subparagraph (c) above. Should the Tax Increment be insufficient to make the Full Loan Payment in any given year, a new Full Loan Payment would be recalculated the next year based upon the then unamortized balance of the Gap Loan and using an amortization period equal to the remaining Term of the Loan.

6. Capitalized Value of Tax Increment – As set forth in paragraph 5b above, SDSUF concurs with the range set forth in the Agency Letter and the specific assumption of a 4.5% cap rate.
8. Agreed.
9. Excess of Capitalized Tax Increment Value over Economic Gap – We understand that the \$11.82 million capitalized value of Tax Increment exceeds the Economic Gap of \$9.54 million by an estimated \$2.28 million. We understand the Agency proposes to use this surplus to apply to the existing Agency Loan (“Existing Agency Loan”) payable (or a portion thereof) to SDSUF (the current balance of which is to be reviewed and agreed to by the parties). It was not clear from the Agency Letter how the terms of the Existing Agency Loan would be restructured under the proposal to use the excess Paseo Tax Increment Value as a source of repayment. Given tax increment projections, it appears to us that repayment under the Agency’s proposal would likely take the form of higher annual payments in future years (e.g. more than the Agency’s proposed cap at \$532,000 per year or a longer repayment amortization period or a combination of both). SDSUF prefers the quicker projected repayment and senior lien status on College Community Redevelopment Project (“CCRP”) overall tax increment (per the terms of the existing reimbursement agreement), but remains open to consider the restructuring of this loan in connection with The Paseo DDA. SDSUF’s counter proposal is to maintain the current terms of the reimbursement agreement, but carve out The Paseo’s Tax Increment from that agreement (as set forth in paragraph 5 above) and, subordinate to the payments outlined above for the Gap Loan, provide the Existing Agency Loan a second lien position on The Paseo’s Tax Increment. This could potentially allow for the quicker amortization of the Existing Agency Loan.
10. Pilot Village Incentives – Agreed. SDSUF will provide to the Agency an updated list of requested Pilot Village incentives.
11. In-Lieu Property Tax Payments – In order to protect the Agency from property tax “decrement” from the future removal of properties from the tax roles, we understand the Agency’s proposal is that SDSUF would agree to make a payment in lieu of property taxes (and in an amount equal to the shortfall, if any, between the property taxes payable immediately prior to implementation of a new project and the property taxes payable by the new project) for future projects implemented by SDSUF or San Diego State University. SDSUF cannot make commitments on behalf of San Diego State University (“SDSU”) and SDSU has indicated it cannot make any commitment that would compromise its sovereignty as a State Agency. Contingent upon resolving all outstanding issues related to the DDA, SDSUF would be willing to make in-lieu payments to the Agency for its future projects in an amount equal to the shortfall, if any, between the specific project’s property taxes (if any) and the CCRP base year property taxes (1993-

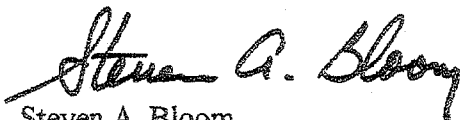
94). The Religious Centers project, which would not involve any long term ownership by SDSUF, would be exempted from this provision.

Under the "Next Steps" section of the Agency Letter, SDSUF also has a few comments.

- Second Bullet Point – Please elaborate.
- Third Bullet Point – We understand the Agency to propose that it has the right to audit The Paseo's development costs and lease rates (at SDSUF expense) and to "look back" at two different points, specifically just prior to the bond sale and at the completion of construction. The Agency proposal is that if revenues are higher or costs are lower, that the amount of the "Economic Gap" would be reduced and, therefore, so would be the Tax Increment payment. SDSUF is willing to provide for a look back and an appropriate adjustment to the Economic Gap, however any such provision must be reciprocal. As such, if revenues are lower or costs are higher, SDSUF would be entitled to an equitable increase in the Economic Gap and related Tax Increment payment. Under such a reciprocal provision, we would suggest that either party have the right to have an "audit" of the costs or revenues and that the requesting party would be responsible for the cost of the audit. Finally, SDSUF is also willing to negotiate a final agreement regarding the Economic Gap and Gap Loan without such a look back provision and to take the risk regarding any future equitable adjustments.

In closing, SDSUF appreciates that thought and effort that went into the Agency Letter and looks forward to continuing meaningful progress towards a mutually agreeable DDA for The Paseo. If you have any questions, please contact me or Fred Pierce, The Pierce Company, Inc. (619-594-5762).

Sincerely,
SDSU FOUNDATION



Steven A. Bloom
Chief Operating Officer

cc: Fred Pierce, President, The Pierce Company, Inc.
Leslie Levinson, CFO, SDSU Foundation
Jim Darrish, Sr. Project Manager, SDSU Foundation
Paul Robinson, Hecht Solberg Robinson Goldberg & Bagley

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JUL 24 2003

COMMUNITY AND ECON.
DEVELOPMENT

July 16, 2003

Mr. Hank Cunningham
Executive Director
Redevelopment Agency of the City of San Diego
202 C Street, MS 9B
San Diego, CA 92101

Dear Mr. Cunningham:

Pursuant to Section 3, Paragraph (e), of the Exclusive Negotiating Agreement (ENA) between the Redevelopment Agency of The City of San Diego (Agency) and the San Diego State University Foundation (SDSUF), I am writing to confirm the commitment and source of equity dollars needed to complete the financing of "The Paseo" mixed-use redevelopment project. SDSUF previously submitted to the Agency a pro forma dated April 10, 2003, as required under Section 3, Paragraph (b) of the ENA. This equity commitment is based on the pro forma and an added assumption that Agency financial assistance will flow to the project under a negotiated Disposition and Development Agreement.

SDSUF is able, under current practice and policy of its Board of Directors, to provide equity for its projects in an amount not to exceed the value of the land. SDSUF intends, therefore, to acquire all the land needed for "The Paseo", either directly or with Agency assistance, and contribute that land to meet equity requirements. This commitment is qualified with the assumption that the aggregate net cost to SDSUF for the land does not exceed the budget of \$24.1 million as set forth in our pro-forma, and further, that the return on equity, after consideration of Agency financial assistance to the project, establishes a financially feasible project.

Should conditions change and increase the equity requirement beyond the value of the land, SDSUF has several available options for securing additional equity dollars and/or reducing the need for equity with subordinate financing. SDSUF, working with its investment banker, Salomon Smith Barney, is in a strong position to secure all of the financing needed for "The Paseo."

OPERATIONS AND PROPERTY DEVELOPMENT

5250 Campanile Drive
San Diego, CA 92162-1940
TEL 619.594.5788
FAX 619.593.5499
www.foundation.sdsu.edu

FURTHERING THE EDUCATIONAL,
RESEARCH AND COMMUNITY-SERVICE
MISSION OF THE UNIVERSITY

Todd
X35433
FAX 35250

09/11/2003

15:13

CED → 35250

NO.182

D02

SDSUF believes the above meets the requirements of ENA Section 3, Paragraph (e). We would appreciate your written confirmation that this item has been completed.

Sincerely,



Leslie Levinson
Chief Financial Officer



San Diego State University
5500 Campanile Drive
San Diego CA 92182-8000
619-594-5201
FAX: 619-594-8894
E-mail: steve.weber@sdsu.edu

A Century Of Learning 1897-1997
THE PRESIDENT

July 30, 1997

Ms. Alice Buck
Chair, Project Area Committee

Dr. Paul Thomas, President
College Area Community Council

Dear Ms. Buck and Dr. Thomas:

I am writing to restate the University's commitments as we prepare jointly to move forward with the first phase of our long-awaited redevelopment project. Since the initial agreements were undertaken before I came to San Diego State, I thought it appropriate to reaffirm our intentions.

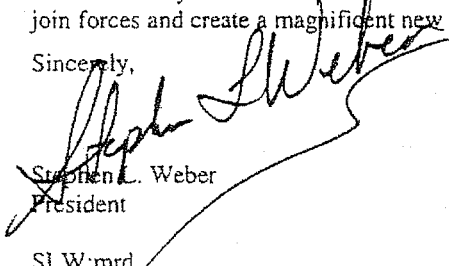
First, I want to reiterate my strong support for the project. From my first days on the campus, I have viewed this project as a tremendously exciting opportunity and as a catalyst to provide new visual, functional and financial vitality to our community. The redevelopment project remains one of the University's highest priorities.

In addition, I want to assure you that I view the commitments made by my predecessor, Dr. Thomas B. Day, as San Diego State University commitments. I intend to stand by those commitments. With regard to those properties along the north side of Hardy Avenue that are located in both the redevelopment area and the SDSU Master Plan area, the University will initiate action to have those properties removed from the Master Plan after the design guidelines are agreed to. The one exception, as previously understood, is "J" Lot, which, as long as it is State property, cannot be removed. As previously agreed, "J" Lot will be made available for acquisition when a site-specific project involving that property is approved. As you are aware, the Master Plan amendment requires final approval by the CSU Board of Trustees.

I have been impressed by the spirit of mutual cooperation that has brought the project to the brink of fruition. You and your colleagues in the community deserve a great deal of credit for persisting over the past nine years. The fact that the project "stayed alive" through economic downturns and other crises speaks volumes about your commitment and, clearly, about the importance of the project to all of us. We at San Diego State will do our best to be reasonable and cooperative neighbors during this mutually beneficial process. It is clear that because many questions/issues inevitably lie ahead in a project of this magnitude, we will also have to rely on the community's continued patience, understanding, and cooperation if we are to make this dream a reality.

I look forward to joining with you in the near future to celebrate as we break ground and initiate the rebirth of our community. I am confident that this project will prove, for all time, that the University and its neighbors can join forces and create a magnificent new environment for the 21st Century.

Sincerely,


Stephen L. Weber
President

SLW:mrd

11-07-2003 10:45

FROM-SDSUF FINANCIAL MANAGEMENT

6195943224

T-392 P.001

F-488

San Diego State University
FOUNDATION

San Diego, CA 92182-1900

*name agree
Rem L.*
SDSU

January 18, 1995

Ms. Patricia K. Hightman
 Deputy Executive Director
 Redevelopment Agency
 City of San Diego
 1200 Third Avenue
 San Diego, California 92101-4178

RE: College Community Redevelopment Project
 Agreement between San Diego State University Foundation and
 Redevelopment Agency of the City of San Diego

Dear Pat:

This letter responds to your letter of December 14 regarding owner participation and the Agency/SDSU Foundation Regulation and Reimbursement Agreement (Regulation Agreement).

I agree with your suggestion that we defer proceeding with the proposed Regulation Agreement until such time as the Foundation is in a position to present a specific development proposal for Agency consideration.

It is our intention to rely upon the terms of our existing December 3, 1991 agreement with the Redevelopment Agency for repayment of the Foundation's expenditures in support of redevelopment plan adoption. The budget included with that agreement (total \$1,597,744) was amended by mutual agreement at several points during the Redevelopment Plan Adoption Process. Total expenditures now subject to repayment by the Redevelopment Agency total \$1,893,583. Enclosed is documentation verifying this figure which was confirmed in your correspondence of April 27. The terms of our agreement also require that the Agency receive \$10,000 annually for administering the redevelopment plan, an obligation superior to our repayment. These administrative costs are increased by the consumer price index or five percent (5%), which ever is greater.

With due regard for your concerns regarding the equitable provision of owner participation opportunities for property owners, we continue to rely on our reimbursement agreement as a separate issue. The San Diego State University Foundation has met it's obligation under the terms of the reimbursement agreement and will claim payment from tax increment revenue as described by the terms of the agreement.

Post-it* Fax Note	7671	Date	2005 7 NOV	# of pages	22
To	Maria Weston	From	Bobbi Pointer		
Co./Dept	City of SD	Co.	SDSUF		
Phone #		Phone #	619.594.7225		
Fax #	533.3998	Fax #			

bpointer@foundation.sdsu.edu

MARIA -
 Send msg when
 received. Bobbi

bpointer@foundation.
 sdsu.edu

Ms. Patricia K. Highrman
January 18, 1995
Page two

With respect to owner participation opportunities, the Foundation will assert its rights as a major property owner within the College Community Redevelopment Project and will expect to be granted all the opportunities provided for by the California Community Redevelopment Law with respect to owner participation at such time as a development proposal is presented.

We look forward to working with you to achieve our mutual development objectives in this important project area.

Sincerely,



Harry R. Albers
General Manager

cc: Councilmember Judy McCarty
Maureen A. Stapleton, Assistant Executive Director
Allison L. Thomas, Agency General Counsel
attachments

SAN DIEGO STATE UNIVERSITY FOUNDATION
College Community Redevelopment Project
Expenditures June 1, 1987 - January 31, 1994

Prior Expenditures

(Exhibit B - Redev Plan Agreement
 for the period 6/1/87 - 11/1/91)

441,274

Approved Budget

(Exhibit C - Redev Plan Agreement)

Deposits to City of San Diego	381,000	
Deposit to City for EIR	172,484	
Misc. Consultant Payments	152,449	
PMW	216,706	
Legal	66,805	
SDSU Foundation Staff/Overhead	145,105	
Community Relations	12,384	
Miscellaneous	<u>9,537</u>	
Subtotal		1,156,470

Expenses Exceeding Approved Budget

1,557,744

Rick Engineering	45,340	
Keyser Marston	37,986	
Keyser Marston budget remaining	455	
Lessor Marketing Study Update	18,000	
City Design	2,125	
Community Planning and Community Relations	<u>13,217</u>	
Subtotal		<u>117,123</u>

Total Expenses for the College Community Redevelopment Project	1,714,867	*
Cumulative Interest (Through 1/31/94)	<u>178,716</u>	

Total

1,893,583

propcity/budfin2

February 2, 1994

REIMBURSABLE RE DEVELOPMENT COSTS
(Including Accrued Interest Calculation)

Period Covered	Monthly Expenditures	Cumulative Principal Balance	Quarterly Weighted Average Principal Balance	Interest Per Annum	Quarterly Interest Accrued	Cumulative Interest
6/1/87 - 11/1/91		\$441,274				
Nov-91	\$22,226	\$463,500				
Dec-91	\$22,094	\$485,594	\$463,456	7.02%	\$8,134	\$8,134
Jan-92	\$17,169	\$502,763				
Feb-92	\$32,186	\$534,949				
Mar-92	\$46,329	\$581,278	\$539,663	7.02%	\$9,471	\$17,605
Apr-92	\$29,223	\$610,500				
May-92	\$17,681	\$628,181				
Jun-92	\$43,556	\$671,737	\$636,806	7.02%	\$11,176	\$28,781
Jul-92	\$99,543	\$771,280				
Aug-92	\$16,273	\$787,553				
Sep-92	\$32,511	\$820,064	\$792,966	7.02%	\$13,917	\$42,697
Oct-92	\$103,218	\$923,282				
Nov-92	\$66,141	\$989,423				
Dec-92	\$62,428	\$1,051,850	\$988,185	7.02%	\$17,343	\$60,040
Jan-93	\$184,198	\$1,236,049				
Feb-93	\$116,134	\$1,352,183				
Mar-93	\$48,877	\$1,401,059	\$1,329,764	7.02%	\$23,337	\$83,377
Apr-93	\$81,127	\$1,482,186				
May-93	\$22,883	\$1,505,069				
Jun-93	\$92,684	\$1,597,753	\$1,528,336	7.02%	\$26,822	\$110,200
Jul-93	\$18,727	\$1,616,480				
Aug-93	\$23,119	\$1,639,599				
Sep-93	\$17,273	\$1,656,872	\$1,637,650	7.02%	\$28,741	\$138,940
Oct-93	\$11,061	\$1,667,933				
Nov-93	\$33,680	\$1,701,613				
Dec-93	\$13,254	\$1,714,867	\$1,694,804	7.02%	\$29,744	\$168,684
Jan-94	\$0	\$1,714,867	\$1,714,867	7.02%	\$10,032	\$178,716

INTERES3.XLS

1/17/95

02/23/2005 12:25
11-07-2003 10:46 FROM-SUSP FINANCIAL MANAGEMENT
6195843224
7-332 P 004/022 P-489



December 14, 1994

(619) 236-6038

FAX

(619) 236-5512

Harry R. Albers
General Manager
San Diego State University Foundation
San Diego, CA 92182-1900

SUBJECT: College Community Redevelopment Project

Dear Mr. Albers:

Thank you for your letter of October 31, 1994, regarding owner participation and the pending Agency / SDSU Foundation Regulation and Reimbursement Agreement (regulation agreement).

Before addressing the matter of the pending regulation agreement, I want to reiterate the Redevelopment Agency's commitment to repayment of the Foundations' expenditures in support of redevelopment plan adoption under the December 3, 1991 agreement for processing a redevelopment plan and land use entitlements (1991 agreement). Per the terms of that agreement, the Agency will repay \$1,597,744 in principal debt (plus accumulated interest) to the Foundation in accordance with section 108 thereof. We recognize that there are additional Foundation costs were incurred in conjunction with redevelopment plan adoption that should be reviewed for possible reimbursement.

As we and the College Area Community understand, the Foundation has stated its intent (per section 701 of the 1991 agreement) to comply with City development regulations that have been established for the College Community Project Area.

Regarding the rate of interest that is applied to outstanding debt (per the 1991 agreement), we understand that the interest rate must be adjusted to reflect the tax exempt rate at which the Foundation borrowed funds to finance plan adoption. This change must occur before the Agency commences to repay Foundation debt. However, I

11-07-2003, 10:46

FROM-SDSUF FINANCIAL MANAGEMENT

6195943224

T-332 P.006/022 F-488

do not anticipate that this issue is of immediate concern given the small amount of tax increment that is estimated for the immediate future and the Agency's first claim of \$110,000 annually for administering the redevelopment plan. Agency expenditures for this purpose have been accumulating since plan adoption.

With regard to your October 31st letter regarding Agency liability and owner participation, I am sure that you understand that the Agency has to make its own interpretation regarding owner participation under the law. This responsibility would depend upon the facts of the transaction at the time it is formulated or presented to the Agency. Should the Foundation's Phase I development require Agency participation in the project, the issue of owner participation will become one of immediate and major concern to the Agency.

The Agency, by law, is required to provide opportunities for owner participation to property owners. We anticipate that this would be accomplished through owner participation agreements (OPA's) with participants, including the Foundation, at the time development is contemplated within the Project Area. Consequently, the Agency will not participate in the any phase of Foundation development (or any other project in the Project Area) until all Foundation debt is completely reimbursed or the 1991 agreement is amended to modify or waive all or a portion of the debt repayment for purposes of affording equal owner participation (to the extent that this is required in the Agency's judgement).

With regard to your latest draft of the Foundation / Agency Reimbursement and Regulation Agreement (dated October 10, 1994), I have discussed the document with Agency General and Special Counsel and Maureen Stapleton, the Assistant Executive Director. Based upon these discussions and the concerns addressed above, I cannot recommend proceeding with the proposed regulation agreement. I propose that we defer any action until such time that you have a development proposal that is ready for Agency consideration.

I hope that I have clearly stated the Agency's commitment regarding reimbursement of Foundation expenditures as long as the Foundation meets its responsibilities under the agreement. I hope that you also understand that the Agency's ability to participate in your project must take into account the Agency's financial ability to

11-07-2003 10:47 FROM-SDSUF FINANCIAL MANAGEMENT

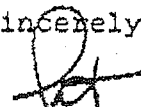
6195843224

T-332 P 007/022 F-488

meet its owner participation and other responsibilities under the law.

If you have any questions, please contact me at 236-6157.

Sincerely,



Patricia K. Hightman
Deputy Executive Director

Copy to:

Maureen A. Stapleton, Assistant Executive Director
Councilmember Judy McCarty

11-07-2003 10:47

FROM-SDSUF FINANCIAL MANAGEMENT

6185843224

T-332 P 008/022 F-488

Stephanie

ALAN C. McDONALD
 ANN HECHT
 JIM O. SOLBERG
 JEROME H. GOLDBERG
 PAUL E. ROBINSON
 THOMAS C. NELSON
 ROBERTA S. ROBINSON
 DAVID W. BAGLEY, III
 CHARLES R. GILL
 MICHAEL J. MAHER
 RICHARD A. SCHULMAN
 LAURIE CROCE STREETEN
 DAVID R. S. LITTLE

*SOLBERG & PROFESSIONAL CORPORATION

McDONALD, HECHT & SOLBERG
 A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
 ATTORNEYS AT LAW
 600 WEST BROADWAY, EIGHTH FLOOR
 SAN DIEGO, CALIFORNIA 92101

TELEPHONE
 (619) 238-3444
 TELECOPIER
 (619) 232-6820

*20
 10/6/99
 12:00 PM*

October 30, 1992

*CC Leslie L
 10/6/99*

Ms. Marilyn Whisenand
 Executive Vice President
 PMW Associates
 232 West Avenida Gaviota
 San Clemente, California 92672

W/Reimb. info

Re: San Diego State University Foundation/
 Redevelopment Agency of the City of San Diego Agreements

Dear Marilyn:

We have finally received from Ron Smith fully executed duplicate originals of each of the Agreements between the Foundation and the Redevelopment Agency of the City of San Diego. I am enclosing copies of each for your files. We will retain the duplicate originals in our files.

Sincerely,

Paul

Paul E. Robinson, A.P.C.
 McDONALD, HECHT & SOLBERG

PER/bar
 Enclosures

cc: Mr. Steven A. Bloom, (w/enclosures) ✓
 San Diego State University Foundation

SDSU

The President

July 12, 1993

Ms. Alice Buck, Chair
Project Area Committee
College Community Redevelopment Project
8839 Via Andar
San Diego, CA 92122

Dear Ms. Buck:

This letter responds to the Project Area Committee's request to address the San Diego State University (SDSU) Master Plan and the process for amending it. This letter supersedes and replaces our two previous letters dated May 28, 1993, and July 2, 1993.

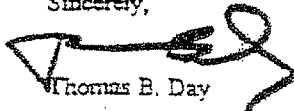
As you know, the SDSU Master Plan currently provides for the acquisition of property along the north side of Hardy Avenue between 55th Street and Campanile Drive. This property overlaps the proposed College Community Redevelopment Project.

While this is the case, SDSU and The California State University, including the Chancellor's Office and Board of Trustees, have supported the project development efforts of the San Diego State University Foundation in this area from the inception of the proposed plan. Accordingly, upon the adoption of the College Community Redevelopment Project by the City Council, I shall initiate actions to have the University's Master Plan revised to exclude those properties between Hardy Avenue and the campus (except for the one parcel of State property which cannot be removed). It is the University's intention that this State-owned parcel (J-Lot) be made available for development when a site-specific plan requiring this parcel is presented. The University also agrees that it will not reintroduce any of these properties between Hardy Avenue and the campus into its Master Plan given the continued viability of the redevelopment project.

The envisioned Master Plan change will take place through the University's request to the Board of Trustees according to its standard procedures for plan amendment. Approval by the Board of Trustees will be required for the changes to be formalized.

I appreciate the time and energy spent by the PAC, and others in the community, on this important project. With your support, we will revitalize the area to the benefit of the University and the College Area. It is my sense that through this effort we have set new standards of how the community, the City and the University can work together to achieve a worthwhile goal. I look to improving even upon these standards. Thank you for your and the PAC's efforts as we all work together to take a major step toward an improved community.

Sincerely,



Thomas B. Day

TBD:mrd

San Diego State University • San Diego, CA 92182

THE CALIFORNIA STATE UNIVERSITY



The President

July 12, 1993

Ms. Alice Buck, Chair
Project Area Committee
College Community Redevelopment Project
8839 Via Andar
San Diego, CA 92122

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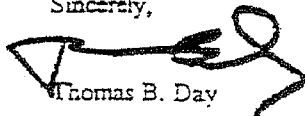
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Sincerely,



Thomas B. Day

TBD:mrd

San Diego State University • San Diego, CA 92182

THE CALIFORNIA STATE UNIVERSITY

REQUEST FOR QUALIFICATIONS

TO DEVELOP A VIBRANT AND SUSTAINABLE
MIXED USE DEVELOPMENT ON AN 11-ACRE SITE IN THE
COLLEGE COMMUNITY REDEVELOPMENT PROJECT AREA

June 27, 2008

Solicited by the
REDEVELOPMENT AGENCY
OF
THE CITY OF SAN DIEGO

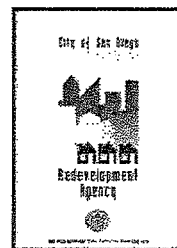


TABLE OF CONTENTS

EXECUTIVE SUMMARY	1
THE OPPORTUNITY	2
PROJECT SITE BACKGROUND	3
LAND USE AND ZONING	3
PROJECT DESCRIPTION.....	4
SPECIAL SITE CONSIDERATIONS	5
QUALIFICATION REQUIREMENTS	5
SUBMITTAL REQUIREMENTS.....	6
SUBMITTAL FORMAT.....	7
SELECTION CRITERIA.....	7
SELECTION PROCESS	8
SELECTION SCHEDULE	9
DEVELOPER PACKAGE.....	10
OTHER TERMS AND CONDITIONS	10
ATTACHMENT 1 SITE MAP	
ATTACHMENT 2 PROJECT SITE OWNERSHIP MAP	

EXECUTIVE SUMMARY

Opportunity

The Redevelopment Agency of the City of San Diego ("Agency") is seeking a qualified developer or development team to design and construct a vibrant sustainable mixed-use district on an 11-acre site within the College Community Redevelopment Project Area ("Project"). The Project is envisioned as an urban neighborhood constructed to meet environmental performance standards at the highest level of LEED™ certification that is economically feasible and to serve as a model for sustainable urban in-fill development. Creative and capable developers or development teams are invited to submit sufficient information regarding their development expertise to enable the Agency to consider the selection of a developer for this important redevelopment opportunity.

The Agency envisions a Project which is skillfully woven into the neighborhood and provides desirable services and amenities that meet the current as well as the long-term needs of the adjacent community, the University population, and the community at large. The Agency also believes that the site and situation of the Project present unique opportunities for diverse stakeholders to participate and collaborate in implementing lofty goals. The project should effectively advance the goals and objectives of the College Community Redevelopment Plan and the College Area Community Plan as well as those of the City of San Diego General Plan which was adopted in March of this year following an extensive public outreach process.

The Agency believes that an integrated approach to the project can greatly increase its chances for success and envisions applying a multidisciplinary approach to the Project where stakeholders are involved in the process on a collaborative basis.

Location

The Project site encompasses approximately 11 acres and is located immediately south of the SDSU campus, generally bounded by Montezuma Road to the south, SDSU campus boundaries to the east, Aztec Walk to the north, and Campanile Drive to the west. The project site is bisected by College Avenue. The Project's proximity to the oldest and largest university in San Diego and the fifth largest in California presents an ideal opportunity for a project that advances sustainable urban design and environmental performance principles that meet or exceed LEED™ platinum level standards.

Schedule and Selection Process

Responses are due at 5:00 p.m. on September 19, 2008. Respondents should prepare a comprehensive information package which describes the qualifications and relevant experience of the developer or development team, including information on each team member. The Agency will select a developer or development team based on the combination of qualifications and financing capacity.

Following its review of all submittals, the Agency may invite selected teams to make oral presentations and to present the details of their qualifications. These presentations will provide an opportunity for teams to elaborate on the materials presented in their responses to the Request for Qualifications ("RFQ").

This RFQ is not requesting a specific project proposal. The selected developer will have an opportunity to discuss design alternatives with the Agency at a future date.

THE OPPORTUNITY

The objective of the Request for Qualifications ("RFQ") is to invite prospective developers or development teams to submit sufficient information regarding financial capacity and expertise in and approach to: (1) mixed-use projects; (2) infill projects; (3) sustainable development; and (4) student housing development. The requested information will enable the Agency to consider the selection of a developer or developer team with which to exclusively negotiate the redevelopment of this key site in the College Community Redevelopment Project Area ("Project Area"). Note that the most qualified respondents to this RFQ may be asked to respond to a Request for Proposals ("RFP"), which will follow a process similar to the RFQ process. If the RFP process is implemented, Agency staff would then make a recommendation to the Agency Board for consideration to enter into an agreement with a specific developer or development team. The Agency Board will be the final approving authority in the selection of a developer or development team. Following the selection of a developer or development team, the Agency will work with the selected developer or development team and stakeholders in implementing a project that incorporates a mix of uses consistent with applicable standards and sustainable urban design strategies.

The Agency seeks to implement a financially feasible Project which incorporates technology and practices that emulate and surpass current norms for sustainable infill development. The Project should serve as a model of sustainable development within an urban in-fill setting by striving to achieve platinum-level LEED™ certification for new construction. Alternatively, the project would be expected to seek the highest level of LEED™ certification under the LEED™ program for Neighborhood Development (LEED-ND™) which is currently under development. With the goal of achieving the highest possible level of LEED™ certification, the Agency desires a model of development which incorporates and puts into practice many of the guiding principles of the City of San Diego's General Plan. The Agency will require that developers or development teams pursue all applicable strategies to achieve this goal.

Location

The Project site ("Project Site" or "Site") is immediately south of the San Diego State University ("SDSU") campus. The Site is approximately 11 acres comprised of two components: The "Super Block" bounded by Aztec Walk on the north, Montezuma Road on the south, Campanile Drive on the west and College Avenue on the east; and the "East Block" bounded by College Avenue on the north and west, Montezuma Road on the south and the alley between College Avenue and SDSU residential halls on the east (see Attachment 1 - Site Map, available on-line in the Developer Package).

The Project Site is located adjacent to the SDSU Transit Center, which is served by six bus lines and the Green Trolley Line inaugurated in July 2005. The underground trolley platform located under the SDSU campus was the first of its kind in San Diego and won a Grand Orchid award for local architectural achievement in 2007. The trolley provides transportation service to and from campus each day to over 4,500 students, staff, faculty, and visitors.

SDSU

SDSU has a student population of 33,000 and approximately 6,400 faculty and staff. It is the oldest and largest university in San Diego and the fifth largest in California. SDSU is home to top-ranking programs in international business, entrepreneurship, speech-language pathology, geography, and other areas. SDSU has been designated a "Research University" by the Carnegie Foundation. Peers in this group include George Washington University, Syracuse University, Texas Tech University, and the University of Oregon.

The Project as currently envisioned would complement SDSU's commitment to energy conservation and sustainable building practices as articulated under California State University Executive Order No. 987. Per said order, the California State University system will "cooperate with federal, state, and local government and other appropriate organizations in accomplishing energy conservation and utilities management objectives throughout the state; and inform student, faculty, staff and the general public of the need for and the methods of energy conservation and utilities management."

PROJECT SITE BACKGROUND

In 2003, the San Diego State University Research Foundation ("SDSU Foundation") proposed "The Paseo" project at this location. The Paseo project included approximately 100,000 square feet of office space, 265,000 square feet of ground floor retail including a multiplex theater, 470 student apartment units, and a two-level subterranean parking structure with approximately 2,000 spaces. The SDSU Foundation completed design plans and a draft environmental impact report; however, due to an organizational change in priorities and focus, the Foundation was unable to proceed with the project. The Paseo project was one of five projects designated a City of Village Pilot Project by the San Diego City Council. Designation as a Pilot Village, entitles a project to expedited processing of discretionary permits through the City's Development Services Department in a multi-cycle, multi-discipline preliminary review.

Given the current market and the focus on sustainability, the Agency is open to a new mix of uses. However, it is envisioned that a development on the Site which conforms to the City of Villages standards and criteria, would assume the benefits of the Paseo's Pilot Village designation.

The 11-acre Site currently consists of surface parking lots, single story retail including fast food restaurants, a dry cleaner, a gas station, a text book store, apartment units including one four-story mixed-use building, and three religious centers. As stated above, the underground SDSU trolley station is located adjacent to the Site. The SDSU Foundation and SDSU own approximately 50% of the property within the Project Site (see attachment 2 - Ownership Map, available on-line in the Developer Package). The Agency owns one property. The remaining properties are owned by various entities including three campus religious centers. The Agency has the ability to assist with assembling and disposing of land for redevelopment purposes.

LAND USE AND ZONING

Land use and zoning information can be found in the Developer Package which is described in another section of this RFQ.

The College Area Community Plan land use designation for the Site calls for mixed-use development integrating commercial and very high-density residential components (75-110 dwelling units per acre), with maximum building heights of 12 stories, enclosed or underground parking and strong pedestrian links to the university, nearby commercial facilities and public transit facilities.

The project site is zoned CN-1-2 (neighborhood commercial) which allows employment, shopping, services, recreation, and lodging uses. While the CN-1-2 designation allows development with an auto orientation, the characteristics of this site require development with a pedestrian orientation.

PROJECT DESCRIPTION

One of the principal objectives of adopting the College Community Redevelopment Project Area was to implement the SDSU Foundation's Master Plan for a mixed-use transit-oriented project adjacent to the SDSU campus that would increase the supply of student housing and alleviate the problem of "mini-dorms" and traffic that have plagued the community for decades.

The current vision for the Project Site is the creation of a vibrant urban neighborhood that provides a transition from the university to the community. The Project Site location adjacent to the university presents an ideal opportunity for a high-density mixed use project that advances sustainable urban design with environmental performance standards that strive to meet or exceed LEED™ platinum level standards. Desired components of the Project include high density student housing and commercial uses serving the needs of the student population as well as the residents of the surrounding community. It should be an attractive, dynamic development with a dense mix of uses which promote a high level of public activity throughout the day and night.

The desired Project will integrate the following elements:

- A significant residential component: The Agency seeks a project that captures the full potential of this unique opportunity and addresses critical housing needs of the SDSU student body (including graduate and undergraduate students).
- An appropriate commercial component: The Project Site provides an opportunity to incorporate a variety of commercial elements including office, retail, and community-serving uses that meet the current and long-term needs of both the University population and the surrounding residential community. The commercial component is expected to be developed in a way that allows for flexibility to meet changing economic and demographic conditions and can swiftly respond to future trends in the marketplace.
- Public spaces component: The Project should incorporate public spaces at appropriate scales to serve all users of the site (residents, employees, neighbors, customers, and passers-by) as well as to enhance the economic value of other Project elements by increasing their desirability. Public spaces should be well-integrated into the site as well as the immediate neighborhood, and contribute to a development which is vibrant and energetic throughout the day and establishes a sense of place.

- Facilities, services, and infrastructure needs: The Project should meet and surpass all City requirements intended to address the facilities, services, and infrastructure needs attributed to the development. The development must capitalize on the unique attributes of the Project's location and meet the circulation, mobility, and parking needs of the site.

Please note: **This RFQ is not requesting a specific project proposal.** The selected developer will have an opportunity to discuss design alternatives with the Agency at a future date.

SPECIAL SITE CONSIDERATIONS

As indicated above, approximately 50% of the property is owned by SDSU Foundation and SDSU. It should be noted that while SDSU recently announced intentions to construct, in phases, approximately 600 student housing units with 45,000 square feet of retail on a portion of the Project Site, the Redevelopment Agency will only consider a development concept that is consistent with the College Community Redevelopment Plan, the College Area Community Plan and the City of San Diego General Plan. The selected developer will be asked to work with SDSU and/or the SDSU Foundation, as appropriate, to implement a development project that is acceptable to the Agency. The Agency is open to all creative responses that include the desired components described in the previous section of this RFQ (Project Description) and is not bound by any predetermined mix of uses.

Three religious centers are located within the footprint of the Project Site. These include The Catholic Newman Center, The Lutheran Campus Council of San Diego, and the San Diego Stake of the Church of Jesus Christ of Latter-Day Saints. The Redevelopment Agency has a participation agreement with each of these religious centers which outlines the schedule and process for acquisition and relocation of their facilities. The selected developer will be designated "Redeveloper" for purposes of the Participation Agreement upon execution of an agreement with the Agency, which will obligate the selected developer to negotiate the relocation of each religious center currently located within the Project Site.

Environmental Conditions

Development within the Project Site will involve demolition of buildings which could contain asbestos and/or lead-based materials or other hazardous products. The Site also encompasses areas occupied by two gas stations that have been determined to have leaking underground storage tanks and SDG&E transformers which contain PCBs. A Phase I and a limited Phase II Environmental Site Assessments were conducted by Tetra Tech for the Site. These reports are available for review upon request.

The Agency utilizes the provisions of the Polanco Redevelopment Act, part of the Community Redevelopment Law (Health & Safety Code Section 33459), to assist in responding to properties in redevelopment project areas with hazardous substances. The Polanco Act prescribes processes for the cleanup of hazardous releases and provides immunity from liability for redevelopment agencies and subsequent property purchasers for sites cleaned up under a plan approved by the Department of Toxic Substances Control or a Regional Board.

QUALIFICATION REQUIREMENTS

The developer or development team selected to participate with the Agency on the Project will need to meet all City, Agency, and other applicable local, state, and federal requirements. The

selected developer or development team will be working primarily with Agency staff, but important review, advisory, or approval authority also rests with the College Community Redevelopment Project Area Committee, College Area Community Council, the City of San Diego City Council/ Redevelopment Agency Board.

The developer or development team selected must demonstrate experience and resources needed to design and develop a successful, high-quality sustainable mixed-use project. Prior experience with sustainable urban in-fill development, commercial and multifamily residential design, financing, construction, and knowledge of and experience with sustainable development incentive programs and resources will be critical elements in evaluating qualifications. Previous direct involvement in projects with a large university, current financial capacity or access to funding sources, and the ability to complete the project in a timely manner will also be important factors in considering the most qualified respondents.

A concise, professional, and complete response to this RFQ will help the Agency identify the most qualified development team(s) and will be indicative of the level of the Respondent's commitment to the project.

The duties of the developer shall include, but may not be limited, the following:

- Assist the Agency in negotiations with SDSU Foundation and/or SDSU, as appropriate, to implement a project that is consistent with the goals and objectives of the Redevelopment Plan, the College Area Community Plan and the City of San Diego General Plan.
- Overall responsibility for project performance including schedule and budget
- Coordination of all team members and government representatives
- Financial risk and legal responsibility
- Responsibility to obtain all required permits, entitlements, and City approvals

SUBMITTAL REQUIREMENTS

The response must include only the following information:

1. Developer or Development Team

Identification of the developer or development team, including any project architect(s) or consultants, who would be responsible for implementing the Project (include name of individual, firm address, and telephone number). Provide a very concise narrative addressing the availability of local resources, experience or capability to assure timely implementation of the proposed development.

2. Statement of Qualifications

Completed "Developer's Statement of Qualifications and Financial Responsibility" (See Developer Package)

3. Developer or Development Team Experience

A list of projects, conforming to the Qualification Requirements described above, completed by the developer, development team, and/or architect(s) (including photographs). Include the type of project, project address, unit count by type and size of unit, completed value, lenders involved (with contact references), and construction/completion dates. Identify projects built in close proximity to, or in partnership with a large university.

4. Developer or Development Team References

A concise schedule listing the developer or development team references, including consultant references. Each member should include three professional references (lenders, investors, major accounts, etc.), with full names, relationship to the team member, address and telephone number. Provide a concise narrative identifying development team experience with projects in a redevelopment area, in partnership with a large university, and/or in a public/private partnership, and providing references for the projects.

5. Project Financing

A description of current and former relationships with lending institutions or other funding sources, and other information documenting the financial strength and financial qualifications of the proposed developer, that would contribute to the feasibility of the Project. Describe experience using New Market Tax Credits and other incentive programs or resources available for sustainable projects.

6. Equal Opportunity Strategy

A statement of the developer or development team's commitment to complying with the San Diego Redevelopment Agency's Equal Opportunity Program.

SUBMITTAL FORMAT

Response packages must be organized and tabbed consistent with the order of the submittal requirements outlined above. Submittals must consist of 8-1/2" x 11" sheets and 11" x 17" foldouts as necessary.

The Agency reserves the right to request additional information during the evaluation of responses and to reject any or all RFQ responses.

Ten (10) paper copies and one (1) electronic version (stored in a CD in Portable Document Format preferably with financial information provided in a separate file) of the response package must be delivered no later than 5:00 p.m. local time on September 19, 2008 to the offices of the Redevelopment Agency.

SELECTION CRITERIA

Agency staff may ultimately select and recommend a developer/development team to the Agency Board for exclusive negotiations based on the following criteria: developer characteristics; financial resources and project financing; experience developing projects

according to sustainable development principles with high-quality architecture, planning, and design; and other pertinent factors.

The following is a guide to the criteria that will be used to evaluate developers and their development teams and proposals:

Proposal and Developer Characteristics

- 1) Quality of information submitted in response to the RFQ.
- 2) Evaluation of past projects and performance.
- 3) Experience of development team and identified individuals in developing projects in a redevelopment area, in partnership with a large university, and/or under public/private partnerships.
- 4) Experience of development team and identified individuals producing sustainable development projects.
- 4) Demonstrated commitment to comply with the City of San Diego Equal Opportunity Program.
- 5) Overall demonstration that developer is ready, willing and able to implement the Project.
- 6) Responses to the interview questions.

Financial Resources and Financing Strategy

- 1) Demonstrated ability to secure project funding, including current relationships with major lenders and past funding experience with sustainable projects.
- 2) Ability to provide sufficient equity to satisfy conventional lender requirements and assure timely implementation and completion of the project.
- 3) Experience with financial incentive programs and resources available for sustainable development projects.
- 4) Experience in providing effective marketing, leasing, and property management of rental properties.

Project Planning/Design/Construction

- 1) Demonstrated expertise in the areas of sustainable development, urban design, and construction of urban in-fill projects.
- 2) Demonstrated architectural and urban design experience on projects similar in quality and scale to the desired development.
- 3) Demonstrated experience with projects in a university setting.

SELECTION PROCESS

Agency staff will review and evaluate the responses to the RFQ. Consultants to the Agency may also review submitted proposals. Staff may meet with any or all of the development teams, conduct site visits, and check references as appropriate. The most qualified development teams may be asked to respond to a Request for Proposals ("RFP"), which will follow a process similar to the RFQ process. If the RFP process is implemented, Agency staff would then make a recommendation to the Agency Board for consideration to enter into an agreement. The Agency Board will be the final approving authority in the selection of a developer or development team. If a developer selection is approved, the Agency and selected developer(s) will enter into an agreement which will require a developer deposit (approximately \$60,000 to

\$75,000) to cover project related costs incurred by the Agency for legal, financial, and/or design services provided during the period of negotiations. The developer deposit will also serve as a good faith deposit to ensure developer's diligence in the implementation of the Project. The Agency reserves the right to reject any and all submitted proposals.

SELECTION SCHEDULE

Submittal Deadline

The submittals must be received **no later than 5:00 p.m., September 19, 2008**. To ensure fairness, **no submittals will be accepted after 5:00 p.m.** For those submittals that are not selected, only financial information will be returned. Faxes and electronic submittals will not be accepted. All responses shall be marked "College Community Mixed Use Project RFQ Response" on the outside of the submittal and addressed to:

Redevelopment Agency of the City of San Diego
1200 Third Avenue, Suite 1400, MS 56D
San Diego, CA 92101-4110
Attention: Eliana Barreiros

Submittals shall be signed by individuals authorized to bind the developer firm or development team to all terms and conditions of the submittal. All submittals shall provide the name, title, address, and telephone number of the individuals with authority to contractually bind the developer or development team, and the person(s) who may be contacted by the Agency during the evaluation process and selection process.

Schedule

The selection schedule will be tentatively as follows:

RFQ Pre-submission conference	Week of August 11, 2008
Responses due	September 19, 2008
Respondent Reviews/Interviews	October, 2008
Short-list and solicit proposals or developer agreement	November 2008

Questions regarding this RFP or any of the accompanying information provided must be submitted via electronic mail to EBarreiros@sandiego.gov no later than September 10, 2008. The subject line for questions should be limited to: Questions - College Community Mixed Use Project RFQ. No verbal inquiries will be accepted. Respondents to this RFQ are cautioned NOT to contact elected officials regarding the selection process. Inappropriate efforts to lobby or influence individuals or organizations involved in this selection may result, at the Agency's sole discretion, in dismissal from further considerations.

Interested respondents are encouraged to attend the RFQ Pre-submission conference scheduled for the week of August 11, 2008. The date, time and location will be noticed on the Agency's website. Interested respondents are also strongly encouraged to

review the Agency's website periodically as any addenda issued by the Agency in relation to this RFQ will ONLY be posted on the Agency's website.

Expenses

The developer or developer team shall be responsible for all expenses incurred during the solicitation and negotiation process with the Agency. This Request for Qualifications does not and shall not commit the Agency to enter into any agreement, to pay any costs incurred in preparation of the submittals, or to procure or contract for services or supplies. The Agency shall not incur any liability arising from the RFQ process.

The Agency reserves the right to amend this RFQ. All amendments shall be posted on the Agency's website.

DEVELOPER PACKAGE

Interested developers or development teams are encouraged to explore this potential redevelopment opportunity by reviewing the following documents in the Developer Package, which is available on the Agency's website at <http://www.sandiego.gov/redevelopment-agency/index.shtml>.

- 1) College Community Redevelopment Plan
- 2) College Area Community Plan
- 3) College Community Redevelopment Project Master Project Plan
- 4) College Community Redevelopment Project Core Sub-Area Design Manual
- 5) College Community Redevelopment Project Area Third Five-Year Implementation Plan
- 6) Urban Village Overlay Zone (City of San Diego Municipal Code, Chapter 13, Article 2, Division 11)
- 7) Council Policy 900-14: Sustainable Building Policy
- 8) Information Bulletin 538: Expedite Program for Affordable/In-Fill Housing and Sustainable Buildings
- 9) Commercial Base Zones (City of San Diego Municipal Code, Chapter 13, Article 1, Division 5)
- 10) Developer's Statement of Qualifications and Financial Responsibility

OTHER TERMS AND CONDITIONS

1. The Agency reserves the right to amend this Request for Qualifications by addendum prior to the final due date of the submittals.
2. The Agency reserves the right to modify aspects of the selection process, and to waive any defects of form or content in responses.
3. The Agency reserves the right to accept or reject any and all responses received as a result of this RFQ, and to cancel in part or entirely the RFQ. If all responses are rejected, the Agency may seek further proposals at a later time.
4. All reports, responses, or other data or materials, which are submitted, shall become the sole property of the Agency and a matter of public record. However, to the extent permitted by law,

all submittals will not be made public nor considered a public record until after the Redevelopment Agency Board takes action to enter into an agreement with the selected developer/team.

However, statements of financial capacity will be returned to all respondents, except for the selected Respondent, after award. Respondents must identify all copyrighted material, trade secrets, or other proprietary information that they claim are exempt from disclosure under the California Public Records Act (California Government Code sections 6250 et. seq.). In the event a Respondent claims such an exemption, the following statement must be included in the response:

"The Respondent shall indemnify the Agency and hold it harmless from any claim, damage, loss, liability cost or expense and defend any action brought against the Agency for Agency's refusal to disclose materials marked "confidential", trade secrets or other proprietary information to any person making a request therefore."

Failure to include such a statement shall constitute a waiver of the Respondent's right to exemption from disclosure and authority for the Agency to provide a copy of the submittals or any part thereof to the requester.

5. All products used or developed in the execution of any contract resulting from this RFQ shall remain in the public domain at the completion of this Project.

6. This RFQ is not, and shall not be construed to be an offer, but is merely a request for qualifications.

7. There is no obligation to enter any binding legal document until final approval by the Redevelopment Agency Board is received.

8. The firm selected will be required to provide evidence of public liability and property damage insurance with limits of not less than \$5 million dollars for injury to, or death of, persons and/or property damage arising out of a single accident or occurrence, insuring against all liability the City of San Diego, the Redevelopment Agency of the City of San Diego, their agents, officers, and employees, arising out of, or in connection with, the performance of work under the contract with the Agency. In addition, the firm selected will be required to provide evidence of automobile insurance and Workers' Compensation Insurance. The insurance shall be provided at the sole cost and expense of the firm selected, unless the requirement is modified or waived by the Agency.

14. Individuals, contractors, vendors, consultants, grantees, lessees, and banks contracting with the Agency must comply with the City of San Diego's Equal Opportunity Outreach Program.

The firm selected, and each of its subcontractors, shall comply with Title VII of the Civil Rights Act of 1964, as amended; Executive Orders 11246, 11375, and 12086; the California Fair Employment Practices Act; San Diego Municipal Code sections 22.2701 through 22.2707, and any other applicable federal and state laws and regulations hereinafter enacted. The selected firm shall not discriminate against any employee or applicant for employment based on race, religion, color, ancestry, age gender, sexual orientation, medical condition, or place of birth. The selected firm shall cause the above provisions to be inserted in all subcontracts for any work covered by the contract so that such provisions will be binding upon each subcontractor, if used.

9. The firm chosen must agree to comply with the Agency's Drug Free Workplace requirements set forth in Council Policy 100-17, adopted by Council Resolution No. R-277952. Respondent shall certify to the Agency that it will provide a drug-free workplace.

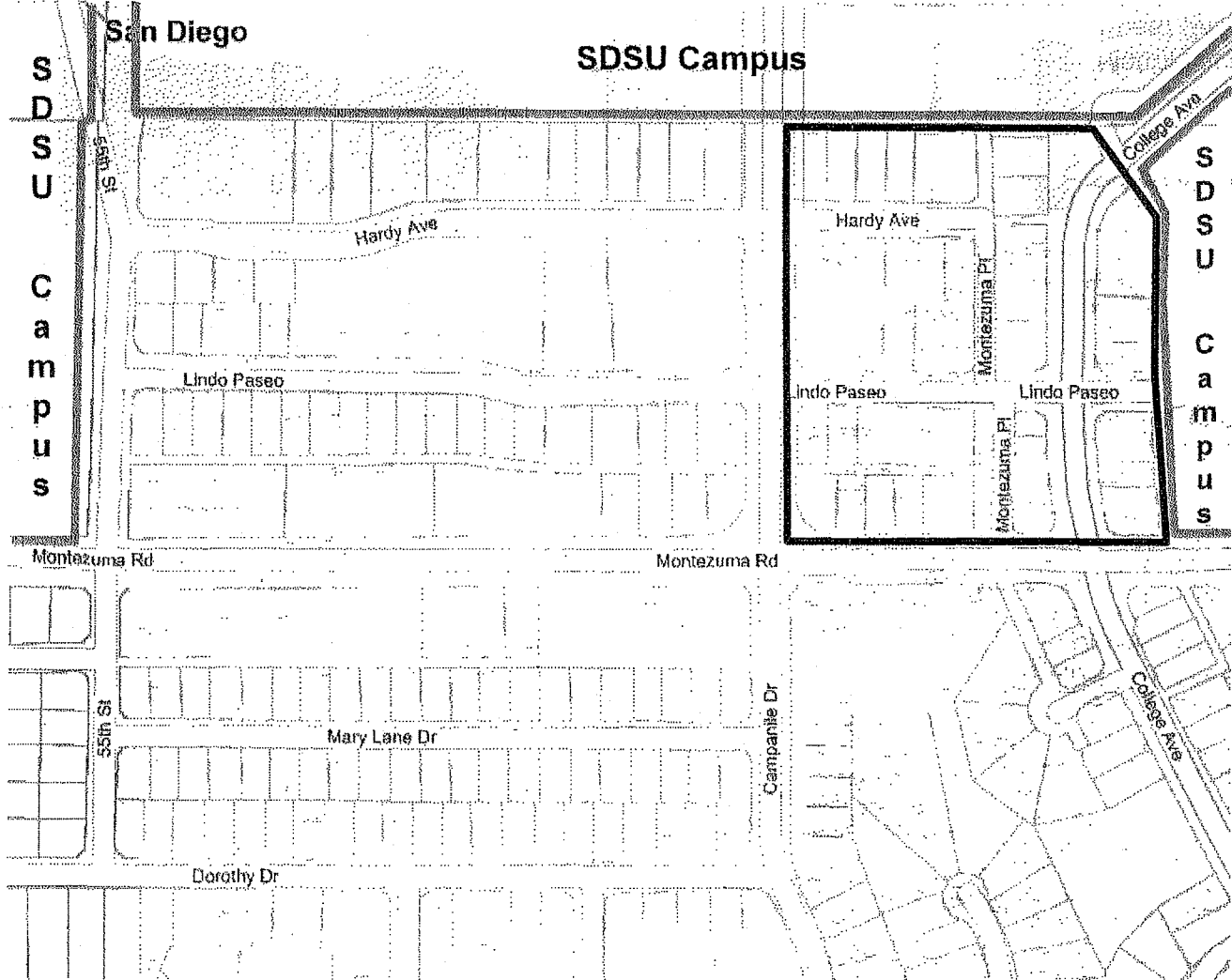
10. In addition to the foregoing, every person or organization awarded a contract by the Agency or the City of San Diego must acknowledge and agree to comply with Council Policy 100-04, adopted by Resolution No. R-282153, relating to the federally mandated Americans with Disabilities Act (ADA). Consultant will be individually responsible for its own ADA program.



Request for Qualifications

Attachment 1: Site Map



June 2008



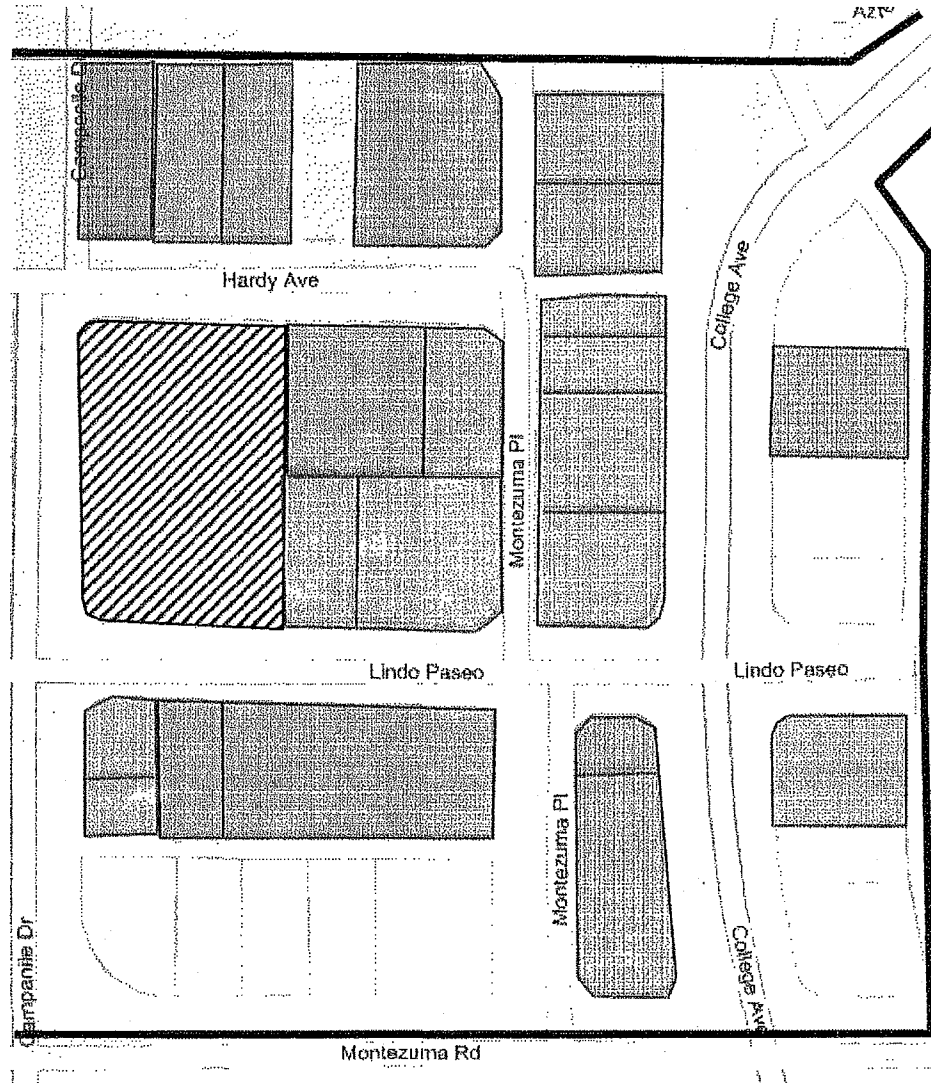
-  Project Site Boundary
-  SDSU Campus Boundary

Request for Qualifications

Attachment 2: Project Site Ownership Map



June 2008



-  Redevelopment Project Area Boundary
-  Not a Part of Redevelopment Project Area
-  SDSU Foundation-owned
-  Redevelopment Agency-owned
-  Religious Institution-owned
-  Metropolitan Transit Development Board (MTDB)

m

Jamie Carr

From: Lauren Cooper [cooper12@mail.sdsu.edu]
Sent: Friday, February 13, 2009 4:34 PM
To: robertmontana@cox.net; PlazaLindaVerde@sdsu.edu
Cc: Jane Doubek
Subject: Re: Comments on Initial Study for SDSU Plaza Linda Verde Attached

Bob,

Thank you for taking the time to comment on the Plaza Linda Verde Notice of Preparation. We appreciate your input and will be providing responses to your comments in the Draft Environmental Impact Report.

Lauren Cooper

At 03:57 PM 2/13/2009, robertmontana@cox.net wrote:

Dear Sir:

Please find below and attached (rtf format) my comments on the Notice of Preparation and Initial Study for SDSU Plaza Linda Verde.

Please feel free to contact me if you have any questions or concerns.

V/r

Robert Montana

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

Dear Ms. Cooper:

Thank you for the opportunity to comment on the initial study for the proposed SDSU Plaza Linda Verde Project.

In regard to the first question, whether or not an EIR is required to be prepared prior to implementation of the proposed project; it seems clear that traffic impacts will be significant, and potentially not mitigable. An additional 465 apartments, and 90,000 sq. ft. of commercial space will generate between 4,000 and 6,000 additional ADT. As you may be aware the intersection of College and Montezuma is currently operating at a LOS D or F, with significant time delay at peak hours. Any additional traffic brought to the neighborhood would exacerbate this poorly functioning intersection.

7/2/2009

Further, the university cannot credibly argue that the project is merely redistributing existing traffic since both the proposed apartments and the commercial uses are new additions to the neighborhood. Therefore, a ND, or mitigated ND is not an appropriate level of environmental review. Neither a ND, nor a mitigated ND would satisfy the university's obligation to fully involve the community in the decision-making process, nor would they adequately disclose enough information to the Board of Trustees; thus, denying that body a chance to make an informed decision.

The bulk of these comments will revolve around the need for the university to adequately describe and analyze reasonable alternatives to the proposed project. California redevelopment law was passed, in part, with the understanding that the redevelopment of a blighted area was an opportunity to improve upon poorly planned, or poorly operating urban environments. The main problem with the core area of the College Community Redevelopment Area is the existence of a grid road network. This grid system stymies pedestrian and bicycle access, and favors the overuse of autos to serve residential and commercial uses. Thus, the project should attempt to improve this poorly planned, and poorly functioning area.

It is noted, in section 1.7.2 of the initial study that the project would be designed as a, "pedestrian/bicycle-friendly, open-air, sustainable urban village..." It seems hard for the university to argue that point in light of the fact that nearly all of the existing roads are proposed to be maintained with implementation of the project. It is granted that the small alley between buildings 1 and 3, and the road between buildings 8 and 2 are proposed to be turned into a pedestrian path. But this seems insufficient to warrant the claim made in the initial study, as cited above.

Thus, an alternative that eliminates the existing grid road network in the redevelopment area bounded by Montezuma, Campanile, Hardy, and College should be included in the EIR. Only a design alternative that wipes the slate clean of existing roads can truly claim to offer a pedestrian and bicycle friendly, open air, sustainable urban village.

A further benefit of this alternative would be that areas now devoted for use as roads could, instead, be dedicated to commercial and residential uses. For example, there is no reason why you couldn't propose to put the parking structure located in building 3 in the middle of what is now Lindo Paseo with an underground entrance/exit to and from existing College Avenue. By moving the structure, you could widen, and lower it, while still maintaining the number of parking spaces.

In summary, it seems that the proposed design has unnecessarily constrained itself by assuming that the existing road network cannot be abandoned. Why for instance, are the alleys adjacent to buildings 6, 7, and 8 maintained? This alternative should propose their elimination.

An additional alternative should be considered that retains the road network with the exception that Lindo Paseo be stubbed (cul de sac) at the southeast corner of proposed building 3. This cul de sac would be due south of the proposed cul de sac at Hardy Avenue. In other words, the space between building 1 and 2 would be pedestrian only west of College Avenue. This would enhance pedestrian and bicycle access while forcing autos to use the main roads of College, Montezuma, and Campanile. At first blush, this alternative will appear to worsen the traffic congestion at the intersection of Montezuma and College. But, the analysis may show that the benefits accruing to pedestrians, both

college students and community residents, might outweigh the inconvenience to drivers. And if we do not analyze this alternative, we will never know whether or not said benefits are available.

Finally, an alternative that maintains the existing road network but changes Lindo Paseo into a one-way, west-bound road, from College Avenue to 54th Street should be included in the analysis of the proposed project. The benefit of this approach would be that you could divert college oriented traffic from the intersection of Montezuma and College Avenue. This might improve the LOS at that intersection. An additional benefit would be that you could narrow Lindo Paseo from College Avenue to 54th. It would be possible to widen the sidewalks and install traffic calming measures along this road. These measures would enhance pedestrian access and safety.

At this point, please consider some comments on a few minor items. First, figure 6 seems to indicate that buildings 4 and 8 will be built very close to Montezuma Road. The figure seems to show that the setback for building 2 is greater than that for buildings 4 and 8. Any new construction along Montezuma Road should match the setbacks of existing structures on that road. For instance, there are two sorority houses at the corner of Montezuma and Campanile. There is also an existing SDSU facility on Montezuma east of College Avenue and the existing gas station. New structures should not be built closer to Montezuma Road than these buildings.

Second, Lindo Paseo east of College is shown on Figure 6 as a green space. Why? It is hard to imagine that anyone will use this as open space. The road noise from College Avenue will deter such use. The proximity of the proposed tall buildings will also deter its use. If you want to keep it as open space, then something like Paley Plaza in Manhattan might work.

Third, figure 6 also shows a connection of the pedestrian path east of building 6 to College Avenue. This is currently a very dangerous intersection of an alley with College Avenue. Please assure the community that measures will be taken to prohibit any vehicular access at this intersection in the future.

Finally, the name is unimaginative, at best. The university has recently named new projects using words from the Aztec language. Perhaps this same approach could be used here. North of Hardy, near the trolley station, the buses, and Aztec Center, you propose the only real, new plaza. Please have your marketing types come up with a name that reflects an actual historical Aztec plaza, or a generic name for a gathering place, a marketplace, a transportation hub, or community center. There has to be a unique, memorable, and easily pronounceable word that could be used.

Once again, thank you for this opportunity to comment on the initial study. I look forward to working with you as you proceed with this project.

Very respectfully,

Robert Montana
6223 Mary Lane Drive
San Diego CA 92115

Best Wishes,

7/2/2009

Lauren Cooper

Director, Facilities Planning, Design & Construction
San Diego State University
San Diego, Ca 92182-1624

619.594.5224 (tel)
619.594.4500 (fax)

"Efforts and courage are not enough without purpose and direction." John F. Kennedy

n

Roy H. Seifert / Land Architect
10780 Queen Avenue La Mesa, California 91941
02-14-09

SDSU Expansion Plan Draft Environmental Impact Report

Chief Architect Lauren Cooper,

Director of Facilities Planning, Design and Construction

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

Project Title: SDSU Plaza Linda Verde Project

We have a Need to Develop a Nation of More Thoughtful, Caring and Concerned Citizens: To achieve this Goal depends on an immensely improved understanding of the behavioral impact of the built environment. It is here where the School Management System fails. Our communities will never improve if the behavioral impact of the built environment is continuously misunderstood and ignored by Presidents of Universities and School District Superintendents. School sites can be designed to further an educational goal of developing sensitivity to the goods of life.

The noise, the traffic the visual impact on the community as shown in Figure 3 describing the **College Area Community and the high rises and the traffic it will generate will negate the College Community Character.** The second obvious misleading comment in defining the **Plaza Linda Verde Project** is as similar in compactness and concentration of the adjacent community. That comment suggests that the adjacent community design meets the high level of subdivision design. It is s a normal design with low density. The Plaza Linda Verde Project concludes that it has the right to develop a design that if comparable, SDSU may design at that level. SDSU has high-rise buildings jammed into a downtown warehouse appearance. The density of the suggested structures is similar to most city downtown areas: High Density: Is this the method of design for a campus that would teach students that high density and the destruction of the few amenities of the college site is the way to develop a more human sensitivity to the goods of life?

There is a void of three critical missing professions in the conceptual stage of school planning: Land Architects, Social Biologists and Behavior Psychologists. The Land Architect selects and designs creative engineering solutions, inviting site entries, creative intimate spaces that invite students to feel comfortable where they are while maximizing land use for education. The Social Biologist will verify if the site design would be able to teach biological science with related creative engineering. The Behavior Psychologist can analyze how the school site's built environment affects how students feel, how it impacts their behavior and how efficient they would perform. The Psychologist will also define how well the Designed Environment functions as a setting for behavior, how it affects how you feel, how you perform and how you see things. The answer is coordinated with the Land Architect's knowledge of, the sensitivity, proximity and configuration to the closeness and arrangement of all physical features that comprises the built environment, to human positive response.

The SDSU Campus Design has a military-like jammed warehouse feeling to it, To accommodate the influx of students in a growing over-population state of affairs throughout our nation and the world there needs to be more school and university sites. The solution for SDSU is to develop a South County Campus that could give the students the education they deserve. The obvious, misleading assumption is that the campus as designed would not destroy a community asset: aesthetics and its residential value.

The next obvious mistake is in stating that the SDSU Plaza Linda Verde Project Area will fit into the College Community. This is simply not true. We need not go any further than to state that High Rise Structures do not fit into the College Area Community. The Plaza Linda Verde Project is destructive to the Community's Character.. High Rise adds to the density of the land. Density adds traffic. Traffic adds noise. All add up to negative values. There is a North County University Campus in San Marcos. The South County University Campus Area location is in the best interest for all.

Roy H. Seifert

Roy H. Seifert
Land Architect

Roy H. Seifert
Land Architect.... for Human Engineering
10780 Queen Avenue
La Mesa, California 91941
USA



0308 3390 0002 0684 8208

**"Rid the system of blocks and regularly aligned structures—
schools and cities should be built for security and happiness"
.....Aristotle**

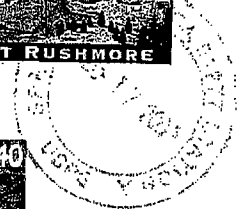
A Campus Design Concept Goal

Provide a built environment that motivates, inspires, and provides a learning environment.
"The curriculum for each student will be greatly enriched and extended over which is ordinarily possible in the classroom. I would think that the implementation of this concept would have two major values. One, the curriculum for each child in this school will be greatly enriched and extended over what is ordinarily possible in the classroom. Two. outdoor facilities should provide not only increased learning but greatly increased motivation for both the child and the staff."

R. A. Houseman
Coordinator, Educational Administrative Program
San Diego State University



Roy H. Seifert / Land Architect



**President Weber
San Diego State University**

**6363 Alvarado Court, Suite 103
San Diego, CA, 92182-2182....**

T. Slater

O



THE CITY OF SAN DIEGO

February 26, 2009

Lauren Cooper, Director
Facilities Planning, Design, and Construction
Business and Financial Affairs
San Diego State University
5500 Campanile Drive
San Diego, CA 92181-1624

RECEIVED
MAR 3 2009
Facilities Planning, Design
and Construction

Subject: City of San Diego comments on the Notice of Preparation (NOP) for a Draft Environmental Impact Report (SCH No. 2009011040) for the proposed Plaza Linda Verde Project.

Proposed Project

Residential: 465 student-housing units (1,850 students)
1,850 students represent 7.19% of the 2030 household population
Non-residential: 90,000 square feet of retail

Transportation

SANDAG Series 11 Year 2030 Traffic Volume Forecast: 234,300 ADTs
The following projects are adjacent to the proposed project:

Project Title	Redevelopment Funding PFFP, FY 1993	Unidentified Funding PFFP, FY 1993
College Ave: Lindo Paseo to Canyon Crest	\$4,836,000	\$2,964,000
College Ave at Montezuma Rd & Lindo Paseo Intersections	2,000,000	2,000,000
College Ave over I-8 Bridge & Approaches	1,984,000	1,216,000

Based on the impact to the above projects and other projects that maybe identified through future traffic analysis and EIR, a fair share contribution may be deemed necessary to mitigate these impacts. In addition, costs are subject to change upon Council approval of an update to the Public Facilities Financing Plan.

Library

There is no anticipated need to build additional libraries or to enlarge the existing facility in the College Area Community.

Park

"Students living in the Plaza Linda Verde residential buildings will be in close proximity to SDSU." Proposed project will provide "approximately 1 acre of active & passive open space areas for recreational use. Impact expected to be less than significant."

Fire

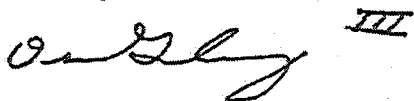
Fire protection for the College Area is provided by Station No. 10 located on 62nd Street, Station No. 17 located on Chamoune Avenue, and Station No. 31 located on Camino Rico. An additional station within this community area and the enhancement of the existing Fire Station 10 is necessary in order to achieve the City's standard emergency response times.

College Area PFFP, FY 1993

Residential			
DIF	465 units	\$2,484 per	\$1,155,060
RTCIP	465 units	\$1,865 per	867,225
Commercial			
DIF	90,000 sf	40 trips X \$175 trans	630,000
HTF	90,000 sf	\$.64 retail	57,600
TOTAL FEES			\$2,709,885

- Fees are subject to change upon Council approval of an update to the Public Facilities Financing Plan and/or at the beginning of the new fiscal year (July 1), requiring developer's verification of fees prior to finalization of the building permit process.

Sincerely,



Oscar Galvez III, Project Manager
Facilities Financing Division

cc: William Anderson, FAICP, Director, City Planning & Development
Charlene M. Gabriel, Facilities Financing Manager, CP&CI
John Tracanna, Facilities Financing Supervising Project Manager, CP&CI
Cecilia Gallardo, Assistant Deputy Director, Development Services Department
Keith Bauerle, Deputy City Attorney, Office of the City Attorney
Maxx Stalheim, Senior Planner, CP&CI
Labib Qasem, Senior Traffic Engineer, Development Services Department
Eliana Barreiros, Community Development Specialist, CP&CI

3. Public Scoping Meeting Sign-In Sheet, January 21, 2009



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~~20~~

~~21~~

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4. Reporter's Transcript of Proceedings, January 21, 2009

Certified Copy

REPORTER'S TRANSCRIPT OF PROCEEDINGS

SAN DIEGO, CALIFORNIA

JANUARY 21, 2009

Reported by Diane Delaney-Dauphine, CSR No. 3612



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20 REPORTER'S TRANSCRIPT OF PROCEEDINGS, taken at
21 San Diego State University, 550 Campanile Drive, Casa
22 Real, San Diego, California, on Wednesday, January 21,
23 2009, at 5:30 p.m., before Diane Delaney-Dauphine,
24 Certified Shorthand Reporter, in and for the State of
25 California.

SAN DIEGO, CALIFORNIA;

WEDNESDAY, JANUARY 21, 2009; 5:30 P.M.

MR. DANIEL OSZTREICHER: The student housing should be apartment styles similar to Piedra Del Sol, not residence halls with RAs. There should be a clear definition between the retail space and the entrance to the residence halls so that residents and customers don't intermingle, or you don't have to walk through a restaurant to get to your apartment. And three-bedroom apartments are too big. They need to be two-bedroom apartments and more single spaces for older students or more experienced students. Single rooms are definitely the way to go.

If you can, please add more -- instead of more student housing more classrooms because we desperately need more classrooms than student housing.

Oh, one more. The LEED component, the environment concerns, I strongly suggest that we re-evaluate the priorities of those and have everything possible and make it LEED platinum, not the lowest LEED certification.

There's no loading or unloading for move in and move out of the apartment building or residence halls, and that's going to be a big problem during heavy



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1 traffic when school starts and school gets out,
2 especially the amount of junk that everyone has when
3 they move out or when they move in. A solution to that
4 would be if all the apartments are fully furnished, and
5 you only ask people to bring their bare essentials of
6 computer and clothes really, and the university would
7 provide everything else so there's not this big huge
8 traffic jamb. There's just really a lot of foot
9 traffic.

10 MR. JAMES POET: I think it's already been
11 identified that traffic is one of the biggest concerns
12 for the community members in the area, and I think that
13 something needs to be done to relieve a lot of the
14 traffic. Currently there's already so much congestion,
15 and I've been in situations where it's taken me over
16 20 minutes to get from 55th going east to College which
17 is only a matter of a couple of blocks. A couple
18 suggestions I have other than widening College and
19 Montezuma, which I know is probably difficult, is to
20 extend Hardy all the way out to College and make it a
21 two-lane road and Lindo Paseo already connects 55th and
22 College and make that a two-lane road instead of
23 one-lane roads.

24 Another concern I have is the amount of student
25 housing. I understand that the university is going --

1 has its projected enrollment to increase by 10,000
2 students in 2025, but I know that next year we already
3 have an entire residence hall that's going to be closed
4 down that has over 600 beds in it. And I also know that
5 there's a lot of private developments going up around
6 the area that are targeting students providing thousands
7 of beds. So I'm not sure if student housing is a
8 necessity at this point. That's all I have.

9 MR. DAVID HARGARTEN: So two things. The first
10 one had to do with traffic impact. I'm just concerned
11 because, you know, there's already an existing issue
12 when any type of event is going on like, for example,
13 tonight there is a concert, and so College and Montezuma
14 has become bumper to bumper. So any additional, you
15 know, shopping, things like that, especially the retail
16 and the student housing, I'm wondering who becomes
17 responsible for actually addressing how you're going to
18 move all these people now that are coming to this
19 destination. Because I asked and it seemed like the
20 answer I was getting was probably the City, but we don't
21 know. So that was the first thing.

22 Then the second one is just related to the
23 height of the buildings. I used to live in Uptown over
24 in the Hillcrest area, and that was just the perfect
25 configuration because you had an urban sense in about a

1 three-story project, retail on the first floor with the
2 second and third were condominiums or apartments. And
3 it was high enough -- and it was kind of a mid-level
4 height -- it was high enough to make it feel urban,
5 still cozy but not like block -- you know, block the
6 daylight. It didn't make the street dark when you
7 walked down because the buildings were so tall and the
8 streets were so narrow. So something that is mid-rise I
9 think is attractive and still can meet the needs of what
10 is trying to be done. So I would use, you know, Uptown
11 as a really good example of something that is working in
12 the San Diego area.

13 MR. CHIP GREENE: I would just say my wife and
14 I are both alumni at San Diego State. My son is now a
15 student here, and we all fully support the Plaza Linda
16 Verde project. We think that it will be a great
17 improvement to the area. The area surrounding the
18 school has not changed in 30 years since I attended
19 school here. So it's nice to see the effort being put
20 in to enhance the area.

21 I think the school really needs traditional
22 retail like is being proposed in this project as well as
23 additional student housing.

24 I have a comment regarding the housing that's
25 going to be targeted toward the sophomores or juniors.

1 My son was in the Cuicacalli dorm, and the rules were
2 very, very strict, and kids were always getting in
3 trouble, and so by the end of the year they swore they
4 would never live in the dorm again. So my suggestion is
5 in preparing these dorms for sophomores and juniors is
6 to let them know that the rules may not be quite as
7 strict. It will be a little looser environment than the
8 dorms they lived in as freshmen, and that will encourage
9 more kids to live in those dorms.

10 I'm concerned about the traffic increase at the
11 intersection of College Avenue and Montezuma but don't
12 feel that it should be an impediment to getting this
13 project improved. That's it.

14 The only other thing I would add is to
15 encourage the addition of restaurants that provide
16 healthy food for the kids that are quick and convenient
17 for them to use on their way to and from school. That's
18 it.

19 MR. MITCH YOUNGER: Egress from the community
20 to the Plaza Verde development is an opportunity to bind
21 the community with SDSU, and I think the corridor where
22 the Phase I and Phase II are proposed lends itself to a
23 natural undergrounding of College Avenue. If we could
24 somehow look at, especially with Phase II, when the
25 underground parking goes into the Phase II project, if

1 we could look at somehow trenching College Avenue. And
2 I understand it's economical to reutilize the land for
3 commercial venture above ground. If we can trench the
4 underground. That was one point.

5 The bicycle pathing in cooperation with
6 developers along the Alvarado corridor there's an
7 interesting company coming in later this year to develop
8 in cooperation with Alvarado Hospital. If we could talk
9 to them about bicycle pathing into the campus along
10 Alvarado, and Alvarado Hospital is also talking about
11 walking paths for the individuals at Alvarado Hospital.
12 So we could extend that walking path from the project
13 and onto campus. They're also going to pay their fair
14 share of widening Alvarado into a three lane, and if
15 somehow Plaza Verde can back up to their own property
16 and the Alvarado property, the three-lane commitment in
17 there, that would certainly take the concern away from
18 the community about getting in and out.

19 The commercial -- insuring the commercial
20 parking space around the Phase I commercial space that
21 would be available for the community so that it's not a
22 plan that would enable it to be used for the retail
23 users rather than the students. We want to make sure
24 that's a 12-month venture as opposed to a seasonal
25 venture. When the kids aren't here, we want people in

1 the community to use it. Make sure that parking is
2 available to people from outside of the campus.

3 Can you think of anything else?

4 MR. ROB NELSON: Using the parking for other
5 uses for the community for access to the campus such as
6 the transit center. Currently there is no parking for
7 the community to use that transit center to go anywhere.
8 So that needs to be addressed, and it would be great if
9 they could address that with this project to enable the
10 community to take advantage of the facilities on campus
11 such as the gymnasium, swimming pool.

12 MR. MITCH YOUNGER: Sports events.

13 MR. ROB NELSON: And just make it more
14 community open instead of this corridor this is San
15 Diego State only, community only. I think that would go
16 a long way in getting everything approved with the
17 community.

18 The other issue was LEED certification. Having
19 the sustainable on-site solar for -- if there is just
20 enough solar to generate enough power for the common
21 spaces. Anything that would help out lower the impact
22 from energy usage so it's more done on the campus would
23 be fantastic on site. Instant hot water for all units
24 would be a tremendous cut in energy usage, whether it's
25 gas or electric for hot water. Solar panels again just

10

1 for whatever they could use to generate enough not only
2 for this project but for other projects on campus.

3 MR. MITCH YOUNGER: It might be interesting,
4 too, a community shuttle onto the retail space. We used
5 to have a red-black transit parking lots to bring kids
6 from the parking spots onto campus, even off campus onto
7 campus. It might be interesting to have some type of
8 transit, maybe mixed with Metropolitan Transit District,
9 subsidized by the Metropolitan Transit District to bring
10 the community on campus for different events and for
11 shopping and retail. And I don't know if that can be
12 done with the Plaza Verde project, but at some point I
13 think that could be incorporated.

14 MR. ROB NELSON: There was another one.

15 MR. MITCH YOUNGER: There's natural corridors
16 going down Camino -- Campanile. There's a natural
17 promenade that goes from the tower down Campanile and
18 off campus. It would be nice if we had a similar field
19 with the new development, large breezeways that
20 encourage people to come onto campus and off of campus.
21 Somehow make Montezuma more traversable in multiple
22 spots as opposed to the three corners that it currently
23 is so that the community can get on campus and get off
24 campus.

25 MR. ROB NELSON: Until it's addressed with

11

1 traffic flow problems on College and Montezuma, this
2 project is destined for failure, whether it's trenching
3 Montezuma and College or some sort of outside-the-box
4 thought process that has got to be addressed because
5 those two corridors are going to be nothing but
6 gridlock, worse than what it already is. You put a
7 45,000 square foot shopping area along those two
8 corridors you're inviting more and more problems than
9 you're solving. And San Diego State needs to take the
10 upper hand and address those things and be more with the
11 community.

12 MR. MITCH YOUNGER: It's got to be addressed.

13 MR. ROB NELSON: If they don't address it for
14 this, everything else is just null and void, and there's
15 going to be a lot more resentment if it's not addressed
16 from the community.

17 MR. MARIO INGRASCI: I think the whole project
18 should be designed as if they own all the land already,
19 and that way the Phase I can be built so that future
20 pieces as they're bought would fit in better. As it's
21 designed now, that probably won't happen. It could fit
22 better.

23 I think there should be -- in the long range
24 there should be more housing for the kids. I would put
25 the garage underneath the green, and that would provide

1 more space for more apartments or more retail or
2 something else. Maybe not the whole parking garage but
3 at least some of the parking garage. If you do build a
4 parking structure, you definitely need to have a ball
5 field or a grass field or something on top and
6 preferably real grass so it soaks in.

7 I think in the long range Paseo Lindo should be
8 closed in the long term. So designing plans not --
9 expecting not to have a big street in there so that you
10 can get your cars in from other places where the parking
11 garage -- you need that street. And if the street is
12 closed, I would give rid of the traffic signal on
13 Paseo -- Lindo Paseo because that's the biggest traffic
14 bog down along College. And also I would put a bridge
15 across College for -- a pedestrian bridge across College
16 so you wouldn't have to have any pedestrians crossing at
17 Paseo either and connectability. And if you do that,
18 maybe you put some more retail or some offices on the
19 second floor and then build higher with the students.

20 And then with the churches I don't want to
21 force anybody out, but I would try to work with them.
22 Tell them that they could -- you should be able to
23 provide them a space in the new project so that you can
24 make better use of the project. Don't buy them out.
25 Have them be a part of your project and have a really

1 nice building for them to use or whatever, site,
2 building, whatever, in the project for the students to
3 come. And they can do what they want to -- do their
4 work within the project instead of being this odd house
5 in the middle of all of these other offices. And that's
6 probably good.

7 I would just like to see a little more intense
8 project since it's right next to the university and the
9 trolly station and should be able to handle more
10 whatever, traffic. Not as big as the previous project
11 but bigger than what you got here. And that's it.

12 Use mixed-use No. 8 picture. That's very
13 attractive and desirable, and you need to get rid of
14 some of the public right-of-ways and put smaller
15 buildings on the ground floor so people can walk in
16 between buildings that looks like that. Like the dorms
17 could be bigger structure up above and smaller down
18 below you walk in between the buildings.

19 MR. RENE KAPRIELIAN: My comments are pretty
20 much try to make this thing aesthetically pleasing. It
21 always seems like a lot of times these projects start to
22 just look cookie cutter, not very attractive, very boxy.
23 I would like to see something that would really look
24 good in the community. Definitely try to have an
25 emphasis on walking, biking, try to get the car as much

14

1 out of this project as possible to where it becomes more
2 of a community type project, and I would highly
3 encourage or support any kind of environmental LEED
4 program. So if they can do anything for energy
5 efficiencies and so forth, I would highly encourage
6 that.

7 MR. TYLER BILK: First off, I am very much a
8 proponent of the density that they're talking about with
9 Plaza Linda Verde. Also it's part of the master plan.
10 Students are coming. It's going to be part of it.
11 Having lived in San Diego for the last 30 years, it
12 amazes me that this corridor has never been developed,
13 whether it be for the community or for the students.
14 You know, when you think about most universities, they
15 have emergent infrastructures that supports the campus.
16 This has a very, very small one. So I'm all for the
17 mixed-use idea. I -- personally I own a communications
18 business, so I'm a designer by trade, and I work with a
19 lot of architects and developers, so I'm maybe smarter
20 than the average bear when it comes to this but I -- let
21 me think.

22 What I would really like to see is, one, that
23 sustainability claim that they make and really follow
24 through with that to the highest degree. As I was
25 talking to some of the people that are here presenting

1 this tonight, that we -- it's one thing to be
2 sustainable, but that is almost a given today, and that
3 this could be truly a community icon. And when we think
4 about this corridor, the College-Montezuma corridor, it
5 is the gateway to our community. It is the gateway to
6 the university and those residents, including myself,
7 that live in this community. So it should become
8 iconic. We should look to the best architects, and I
9 was telling Bob Schultz that you would be much better
10 not hiring one great architect but looking at multiple
11 architectural firms to help support this development so
12 that you get a rich eclectic fabric. And that there's
13 review and concern about the complimentary architectural
14 issues but that it has a -- more of an organic growth to
15 it than a huge monolithic development infrastructure.

16 Again, urban density, this area has been
17 designated with the trolly system here, urban villages,
18 and I would encourage that. I would encourage
19 pedestrian traffic. I would also discourage vehicular
20 traffic. Although there's -- I imagine College Avenue
21 is one of the busiest streets in the city, but I think
22 of UCLA, Westwood, and how when you come into that
23 mixed-use corridor that things actually slow down. You
24 have to slow down, and it's much more pedestrian
25 friendly than vehicular. Simple things like brick

1 pavers at the pedestrian crosswalks and possibly even
2 brick pavers further down College Avenue. I see some of
3 my community Jewish members fighting for their lives
4 trying to get over to the synagogue trying to cross
5 College Avenue. There's no stop light there. So -- and
6 there's, I think, actually a 25-mile per hour zone that
7 nobody ever follows.

8 So it would be great to, as we increase the
9 density of the campus community, that we really pay
10 attention to a more pedestrian-friendly environment. I
11 don't think I've missed anything.

12 MS. LAUREN FAIR: So I'll start with the water
13 feature I would like to see added to the project. I
14 think it would really add a lot to the environment, the
15 overall ambiance of the project, if some sort of water
16 feature could be incorporated into the project. I
17 understand that it's not the best thing in terms of
18 sustainability, but nonetheless I think it should be
19 incorporated somehow. I don't know if that could
20 somehow be combined with the conservation of water --
21 rainwater rather issue. I'm not sure whether there
22 could be some sort of art incorporated into the
23 conservation of water instead of a water feature like --
24 for example, like the gargoyles on Notre Dame that sort
25 of have the water flowing out of the mouth. Just



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1 something interesting with water. It doesn't have to be
2 a big, you know, water feature but something would be
3 nice, and I think it would really add to the overall
4 goal of it being more green and using more natural
5 resources.

6 Secondly -- I'll kind of start with the first
7 station next. The initial study checklist, there are a
8 number of categories on there. It talks about how much
9 of an impact whoever, you know, designed that chart
10 believes the different areas listed will have an impact
11 on. And my concern would be the population and housing
12 category, and it's marked as having less than a
13 significant impact. I think that it would really have
14 quite more of an impact than less than a significant
15 impact. A potential total increase in the housing by
16 1,850 students is very significant. It would bring a
17 lot more people into the area and a very small area I
18 think a lot greater increase in density. So I think
19 that that would have a lot more than just a small, you
20 know, impact on the community.

21 Also, I'm not sure whether it can be evaluated,
22 but what, you know, potential increase in crime there
23 may be by adding that many people into such a small
24 area.

25 Moving on to parking. I think that the parking

1 plan is wholly insufficient. For Phase I 340 of the
2 spaces -- that that's the totality of the spaces to be
3 included in Phase I supposedly is all for retail space.
4 And so the 600 beds that are part of Phase I there are
5 no parking spaces for it. I understand the goal of the
6 project is for it to be a sustainable
7 pedestrian-friendly community; however, I think it's
8 entirely unrealistic that those students will not have
9 parking. I also understand that there are supposedly
10 spaces available in the parking structures on the
11 perimeter of campus. However, I think there are serious
12 safety concerns, especially for requiring large numbers
13 of young women to walk from parking structures on the
14 perimeter of campus to those buildings aligning College
15 Avenue in the dark.

16 Phase II parking I think is even worse.
17 There's not even parking for half the number of beds
18 that are there. There's insufficient parking in the
19 neighborhood now. I think it will only be exacerbated
20 by this project.

21 I wholly support this project in general. I
22 just think that parking is entirely unrealistic. We
23 haven't even begun to consider the amount of people that
24 will be coming to the area for retail purposes only.
25 That's not even including them. It's just including the



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1 students that will be here.

2 I understand that the trolley is being
3 encouraged to be utilized by those students, but I think
4 that given that the goal of housing students in the new
5 buildings for those students to be of upper division
6 status most of those students are going to end up having
7 cars. They'll have jobs off campus. I think that the
8 parking is just severely under provided for.

9 On the mixed-use examples that are presented,
10 sort of different choices about the architectural style.
11 I would suggest number one or number five. I think
12 number four is really overdone in recent years and
13 fairly unimaginative. I would strongly suggest
14 maintaining the Old Mission feel of what San Diego State
15 used to be, like Hepner Hall. Although it may be a
16 higher cost, I think it's worth preserving some of the
17 history of the university rather than opting for more
18 cost effective box-type architecture.

19 With regards to the green space of the park or
20 open green area that's to be on the edge of campus near
21 the bus turnaround area, I think that it should
22 incorporate more trees. I'm not sure whether that plan
23 is fully developed or whether it's just marked as a
24 green space and subject to further clarification, but
25 using -- rather planting grass there would use way too

1 much water. Incorporating at least more trees into that
2 I think would add to the aesthetic value of the project
3 in the community and would also just be, you know, lower
4 maintenance greenery in general rather than planting a
5 hundred percent grass.

6 On the retail issue, I think a less than
7 national chain sit-down restaurant would be preferable.
8 I think there could be a national chain, but it would be
9 better to at least add a local chain or independently
10 owned restaurant to have more options than just the
11 standard chains that you're seeing everywhere.

12 Also with regard to the land use, I had a
13 question as to why SDSU is not seeking to redevelop that
14 dilapidated building on Hardy next to the Sanctuary
15 apartments. It's in terrible disrepair, and we're just
16 kind of curious why there are no plans to develop that
17 property. And I think that concludes my
18 recommendations. Thank you.

19 MS. LISA BRUCE: The initial study checklist,
20 population in housing I think shouldn't be considered a
21 less significant impact. They're proposing to build a
22 housing and increased population in this neighborhood.
23 So I think population and housing should be considered
24 potentially significant.

25 With that comes the availability of resident

1 parking. I was shocked to find out that for the first
2 phase, 600 residents, no parking for any of those
3 residents included a place in which to reside. All the
4 parking that's proposed right now is for retail. That's
5 pretty much a joke.

6 I think that when it comes to the safety of the
7 residents they should be at least offered a chance at a
8 parking space in their building. If they're going to be
9 paying rent for that building, it should be wise there
10 would be a parking space associated with it. If they
11 couldn't offer enough parking spaces, then I think the
12 overflow should be a parking structure.

13 I wondered on the initial study checklist why
14 there wasn't a category for a crime statistic. Maybe
15 looking to see what increasing the neighborhood by 2,000
16 people would be as far as crime.

17 In the project overview, the buildings that
18 were displayed in -- as far as the picture, I don't know
19 if those were accurate or not or really being
20 considered. Nobody was over there who really could
21 specify, but I think that none of the buildings
22 photographed really have a feel for what SDSU is or used
23 to be in the Old Mission style, like Hepner Hall, Piedra
24 Del Sol, but maybe the university is going away from
25 that style.

1 When it comes to those photographs for the
2 residential housing, I didn't notice any available
3 balconies for the residents.

4 And then lastly comes to sustainability. I
5 don't know if the open areas of green are just a plot
6 land space for open areas. But if the university is
7 really putting in grass, I think it's irresponsible. It
8 takes four times as much water to water a lawn than it
9 does a tree. They can produce a forest and water it
10 with less water than it would take to water a lawn.
11 Right now they're proposing open grass areas on at least
12 three different sites when they already have an open
13 grass area right across from the trolley. They also
14 have that open spot of grass that is right near the
15 entrance where the buses turn in, and if they actually
16 look at the condition of the grass that the university
17 already has, it's really not even worth watering. The
18 grass in that open area near the bus entrance and in
19 front of Zura Hall half the time looks brown. They
20 might as well plant some drought tolerant native plants
21 that might only need to be watered four or five days a
22 month. Those, I think, were all of my issues.

23 (The proceedings concluded at 9:00 p.m.)

24 * * *

REPORTER'S CERTIFICATION

I, Diane Delaney-Dauphine, Certified Shorthand Reporter, in and for the State of California, do hereby certify:

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

IN WITNESS WHEREOF, I have subscribed my name this 27th day of January, 2009.

Diane Delaney-Dauphine
Diane Delaney-Dauphine, CSR No. 3612



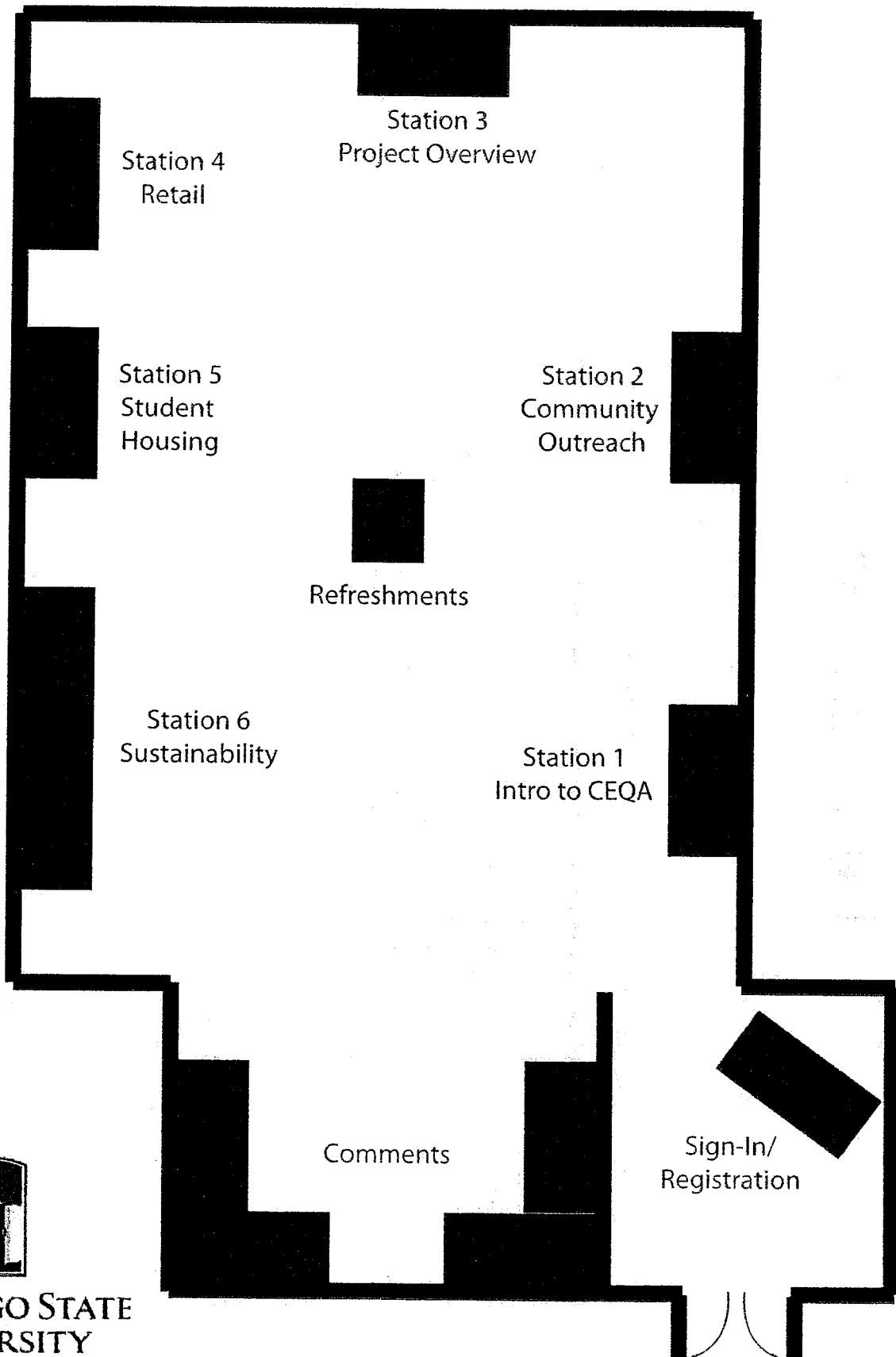
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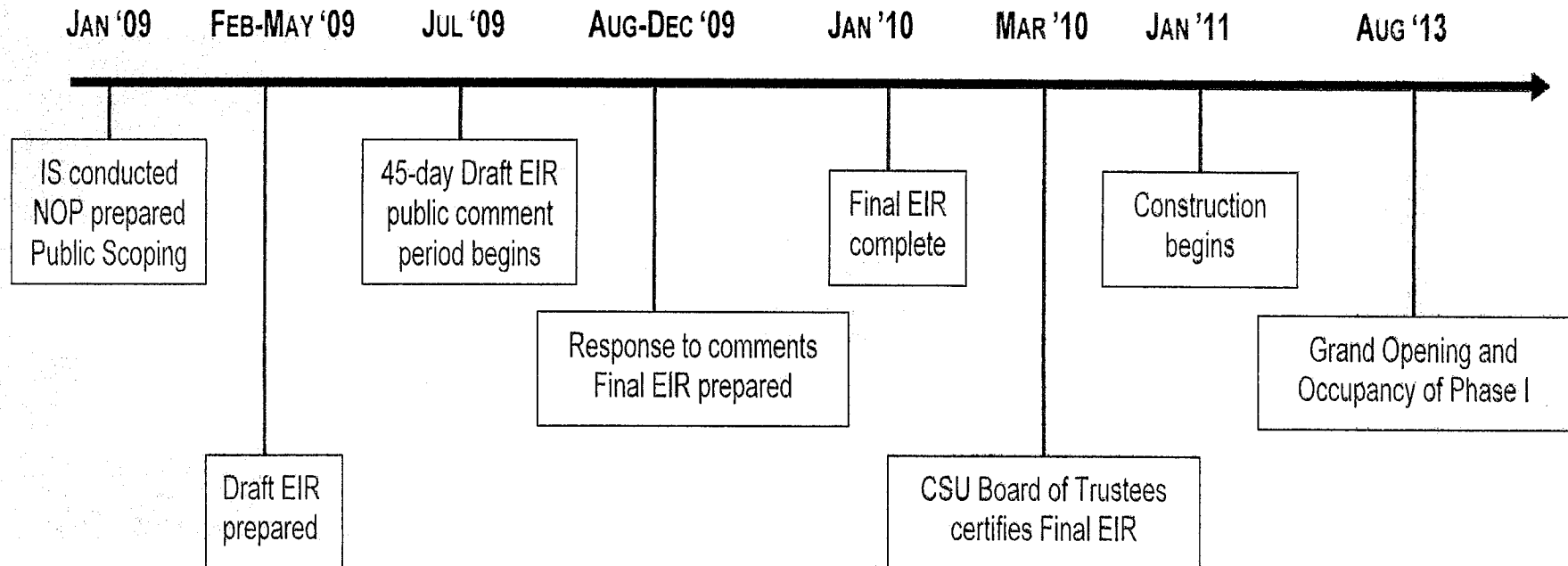
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CEQA Timeline for Plaza Linda Verde





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PLAZA LINDA VERDE

Responses To Community Survey Help Guide SDSU Mixed-Use Project

As the first step toward developing an innovative, mixed-use project to serve the campus and its neighboring communities, San Diego State University sought input from nearby residents about topics ranging from student housing to potential retail uses to open space to traffic through a community survey mailed to more than 17,000 households. The intent of this survey was to gather community input early in the process to determine what project features are important to the community. More than 1,500 surveys were returned, providing valuable guidance as SDSU develops the specific plans for the Plaza Linda Verde project.

Plaza Linda Verde is intended to provide additional student housing and much-needed retail to benefit the university and its neighbors. SDSU intends to create a gateway between the community and the campus that will be a continuing source of pride for the entire College Area. In support of that effort, SDSU sought input from the community early in the process in order to gain input about topics and project features that are important to them.

Based on the survey results, the issues of primary interest to the community include community beautification, student housing and traffic improvements. The type of retail uses attracting significant community interest included a community food/grocery market, a book store, and a drug store.

These potential retail uses, which will be determined in part by market conditions, are under consideration by university planners for inclusion in Plaza Linda Verde. SDSU is working on developing project specifics that are responsive to the needs of both the university and the community.

The community survey results will be used as discussion points at future community meetings and will be considered as the project progresses into its specific design and development phases.

For more information ...

Please visit the project website at www.sdsu.edu/plazalindaverde or contact Tyler Sherer, SDSU's Director of Government and Community Relations, at (619) 594-2522 or community@sdsu.edu.

Plaza Linda Verde Survey Results

Public Scoping Meeting / Open House

January 21, 2009

1. SDSU's primary goals in building Plaza Linda Verde are to increase student housing, provide retail services that benefit the community and the university, and reduce traffic by getting students out of their cars. As development is pursued in this area, what do you feel are the most important issues to be addressed?

	Not Important	Somewhat Important	Important	Very Important	Extremely Important	Rating Average	Response Count
Student housing	7.4% (107)	12.7% (185)	23.0% (335)	20.9% (304)	36.0% (524)	3.65	1,455
Traffic improvements	1.7% (25)	3.2% (48)	12.1% (179)	22.2% (328)	60.8% (900)	4.37	1,480
Increasing local shopping and dining	12.0% (174)	18.9% (274)	26.3% (380)	20.2% (292)	22.6% (327)	3.22	1,447
Customer parking	6.8% (100)	10.3% (150)	22.7% (331)	27.2% (397)	33.0% (482)	3.69	1,460
Community beautification	4.9% (71)	10.0% (145)	23.4% (339)	23.8% (345)	37.8% (548)	3.80	1,448
Other	2.0% (3)	2.0% (3)	5.9% (9)	9.8% (15)	80.4% (123)	4.65	153
					Other (please specify)		151
					answered question		1,495
					skipped question		6

2. In addition to providing retail outlets and student housing, Plaza Linda Verde is proposed as a pedestrian/bicycle-friendly and transit-oriented project that encourages people to walk, bike and take public transit. It will incorporate a public space element, as well as public walkways through the retail center. What other features are important to make these public spaces attractive and usable for the community?

	Not Important	Somewhat Important	Important	Very Important	Extremely Important	Rating Average	Response Count
Lawns and landscaping	5.9% (85)	10.1% (146)	23.5% (339)	26.9% (389)	33.6% (485)	3.72	1,444
Information kiosks	21.5% (304)	30.2% (426)	28.2% (398)	12.3% (173)	7.9% (111)	2.55	1,412
Outdoor dining	13.6% (195)	22.5% (323)	27.7% (397)	21.5% (309)	14.7% (211)	3.01	1,435
Benches	8.3% (119)	17.7% (255)	33.4% (481)	25.0% (361)	15.7% (226)	3.22	1,442
Public art	20.4% (290)	27.7% (394)	24.5% (349)	14.6% (208)	12.7% (181)	2.72	1,422
Outdoor performance space	25.7% (364)	27.6% (391)	23.3% (331)	14.5% (206)	8.9% (127)	2.54	1,419
Bike amenities (e.g. bike racks, paths)	6.3% (91)	10.7% (155)	22.6% (326)	28.1% (406)	32.2% (465)	3.69	1,443
Other	2.7% (3)	0.0% (0)	3.6% (4)	15.2% (17)	78.6% (88)	4.67	112
					Other (please specify)		117
					answered question		1,477
					skipped question		24

3. Landscape improvements will be a significant element of Plaza Linda Verde. What type of landscape improvements do you feel are the most important to incorporate in the landscape plan?

	Not Important	Somewhat Important	Important	Very Important	Extremely Important	Rating Average	Response Count
Landscaped medians	11.0% (152)	14.2% (196)	28.2% (389)	24.5% (338)	21.9% (302)	3.32	1,377
Drought-tolerant plants	3.6% (51)	6.4% (92)	14.6% (208)	22.5% (322)	52.9% (756)	4.15	1,429
Tree-lined walkways	6.4% (89)	10.1% (142)	22.8% (319)	27.5% (385)	33.2% (465)	3.71	1,400
Water feature	27.1% (373)	20.9% (288)	22.1% (304)	14.8% (204)	15.1% (208)	2.70	1,377
Direction signage (e.g. to Trolley station)	7.4% (104)	10.6% (148)	25.1% (350)	27.4% (383)	29.4% (411)	3.61	1,396
Other	6.7% (5)	0.0% (0)	10.7% (8)	13.3% (10)	69.3% (52)	4.39	75
					Other (please specify)		75
answered question							1,442
skipped question							59






4. Plaza Linda Verde will have a retail component that includes a community market/grocery store (for example, Trader Joe's, Windmill Farms, Henry's), as well as shops and one or more restaurants. Which services would you be most likely to patronize? Retail Services

	Never	A few times a year	A few times a month	Weekly	Daily	Rating Average	Response Count
Community market/grocery store	11.3% (160)	12.7% (180)	22.0% (312)	40.3% (571)	13.8% (195)	3.33	1,418
Dry cleaner	45.4% (637)	32.6% (457)	15.5% (218)	5.1% (72)	1.4% (19)	1.84	1,403
Mail services	32.1% (451)	32.4% (455)	22.9% (322)	9.0% (127)	3.5% (49)	2.19	1,404
Electronics	38.5% (538)	44.8% (625)	13.2% (184)	2.4% (33)	1.1% (16)	1.83	1,396
Specialty clothing	39.6% (551)	38.6% (538)	16.4% (228)	4.4% (61)	1.1% (15)	1.89	1,393
Books/Entertainment	15.9% (223)	32.4% (455)	33.0% (464)	14.5% (204)	4.2% (59)	2.59	1,405
Drug store	24.9% (349)	29.1% (407)	29.5% (413)	13.7% (192)	2.9% (40)	2.41	1,401
Video rental/Sales	45.4% (631)	28.7% (398)	17.3% (240)	6.8% (94)	1.9% (26)	1.91	1,389
Sporting goods	41.3% (570)	40.1% (554)	13.5% (187)	3.4% (47)	1.7% (23)	1.84	1,381
Other Retail Services	11.6% (8)	7.2% (5)	26.1% (18)	33.3% (23)	21.7% (15)	3.46	69
					Other Retail Services		82
					answered question		1,441
					skipped question		60

5. Plaza Linda Verde will have a retail component that includes a community market/grocery store (for example, Trader Joe's, Windmill Farms, Henry's), as well as shops and one or more restaurants. Which services would you be most likely to patronize? Restaurant Types

	Never	A few times a year	A few times a month	Weekly	Daily	Rating Average	Response Count
Full-service lunch and dinner restaurant	11.2% (153)	30.8% (422)	31.5% (431)	18.0% (246)	8.6% (118)	2.82	1,370
24-hour restaurant that serves breakfast, lunch and dinner	17.3% (235)	33.4% (455)	25.1% (342)	15.1% (205)	9.2% (125)	2.65	1,362
Group of small, quick-service restaurants with a common seating area	23.3% (317)	30.0% (408)	25.7% (350)	14.5% (197)	6.5% (89)	2.51	1,361
Other	12.0% (10)	8.4% (7)	20.5% (17)	31.3% (26)	27.7% (23)	3.54	83
Other Restaurant Type (please specify)							79
answered question							1,407
skipped question							94

6. Please tell us about yourself:

		Response Percent	Response Count
Campus Neighbor		85.2%	1,211
Faculty/Staff		5.3%	75
Student		13.9%	197
Alumni		23.7%	337
Other (please specify)		2.2%	31
answered question			1,421
skipped question			80



SDSU Plaza Linda Verde Project
NOP and Initial Study



Figure 6
Proposed Site Plan

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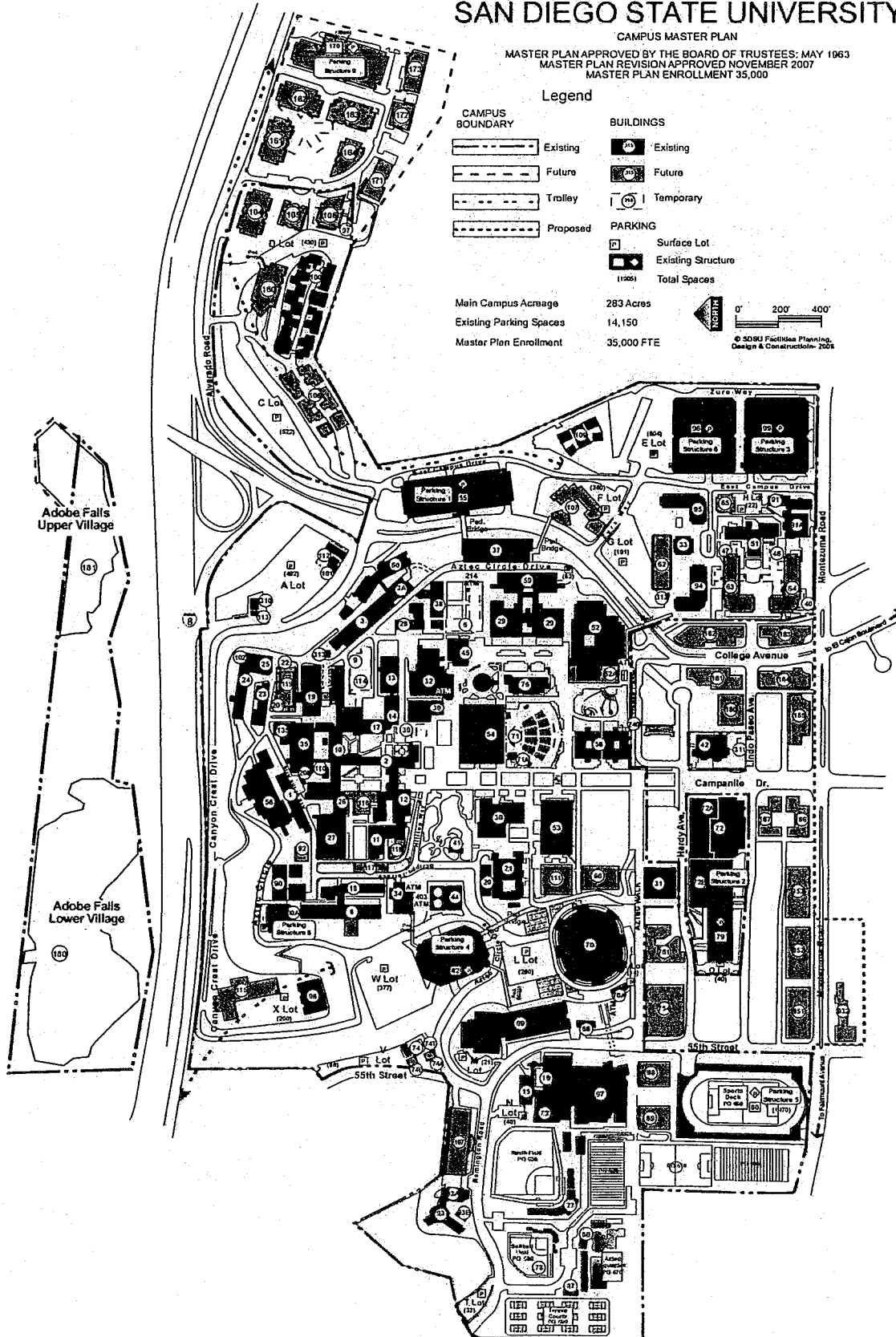
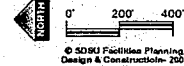
CAMPUS MASTER PLAN

MASTER PLAN APPROVED BY THE BOARD OF TRUSTEES: MAY 1963
 MASTER PLAN REVISION APPROVED NOVEMBER 2007
 MASTER PLAN ENROLLMENT 35,000

Legend

CAMPUS BOUNDARY		BUILDINGS	
	Existing		Existing
	Future		Future
	Trolley		Temporary
	Proposed	PARKING	
			Surface Lot
			Existing Structure
			Total Spaces

Main Campus Acreage	283 Acres
Existing Parking Spaces	14,150
Master Plan Enrollment	35,000 FTE





PLAZA LINDA VERDE

FREQUENTLY ASKED QUESTIONS

What is Plaza Linda Verde?

Plaza Linda Verde is a mixed-use (student housing and retail) development project proposed by San Diego State University. Phase 1 is located on university-owned property south of the transit center and Aztec Walk. Plaza Linda Verde will address long-standing university and community needs within a sustainable, pedestrian / bicycle-friendly development.

Why is SDSU proposing to build Plaza Linda Verde?

SDSU is proposing development of this mixed-use project on property south of campus to create a dynamic new gateway between the community and campus. It will include much-needed student housing and retail and that will help to revitalize this blighted area.

What features and amenities will be included in this project?

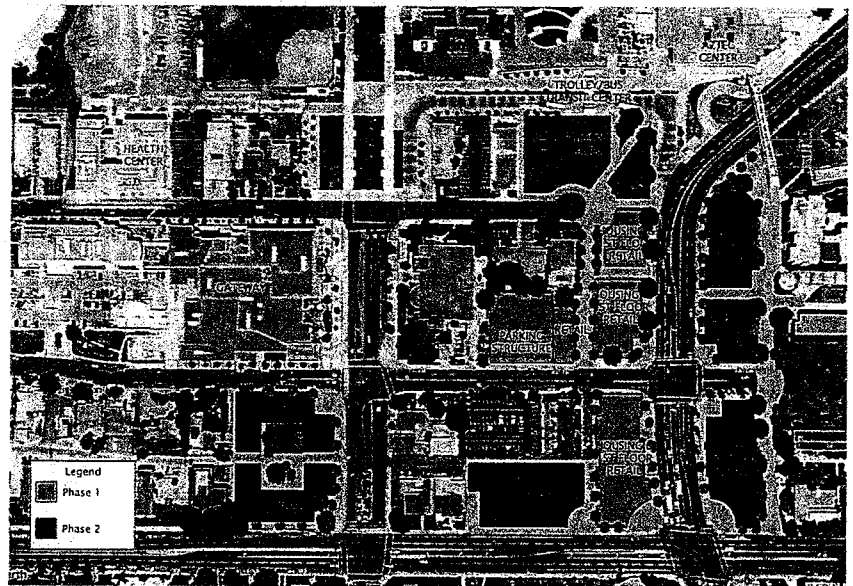
In response to community input, Phase I of Plaza Linda Verde proposes housing for 600 students and 47,000 square feet of retail development with on-site parking to support the retail. Retail uses that will likely be included are a community food/grocery market, a national brand restaurant, and other retail shops. A second phase, which would require property acquisition, would include housing for an additional 1,250 students and another 43,000 square feet of retail.

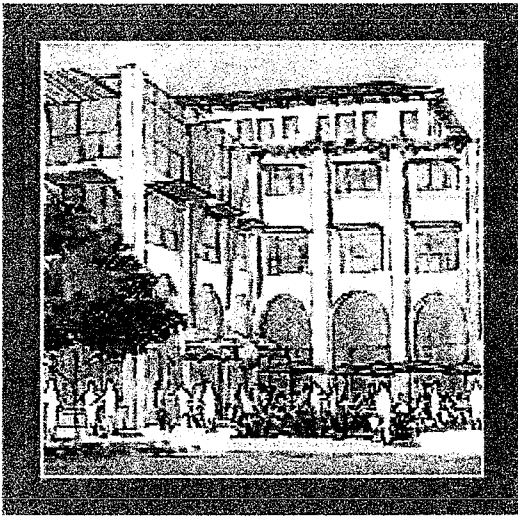
Since SDSU is committed to preserving our environment and promoting sustainability, this project will be built utilizing green building guidelines and practices. Plaza Linda Verde will include tree-lined streets, outdoor dining and gathering spaces in a pedestrian / bicycle-oriented environment, creating a more liveable neighborhood that benefits both SDSU and the surrounding community.

Why is SDSU proposing to adjust its master plan boundary as part of this project?

As part of the development process for Plaza Linda Verde, SDSU has requested a master plan boundary adjustment. This boundary adjustment will include all properties proposed for potential development as part of the Plaza Linda Verde project, as well additional property between Aztec Walk & Montezuma Road.

Plaza Linda Verde: Phase 1 & 2





SDSU's proposed master plan boundary adjustment will not adversely impact privately held property in the area. Including these parcels in the master plan boundary will provide the university with the option to purchase and develop them in the future if private property owners wish to sell their property to the university.

While SDSU currently controls more than 70% of the property in this area, it does not currently own all of the parcels included in the Plaza Linda Verde plans. SDSU intends to continue to assemble the parcels needed to develop all phases of Plaza Linda Verde, but will acquire property from willing sellers only – eminent domain will not be used to obtain property in this area.

What experience does the university have developing similar developments?

SDSU has extensive experience in building capital projects including student housing, parking and retail. Overall, the university has built more than \$600 million in projects over the last 10 years.

Will SDSU mitigate traffic, parking and other potential impacts resulting from Plaza Linda Verde?

Yes, the university is in the process of preparing an Environmental Impact Report (EIR) for Plaza Linda Verde, and will mitigate potentially significant impacts identified by this process consistent with the requirements of CEQA.

Will Plaza Linda Verde generate tax revenues for the City of San Diego?

Yes, Plaza Linda Verde will generate much-needed tax revenue for the City, including sales tax and in-lieu tax increment fees from the retail uses, at a time the City is facing budget constraints. Most important, since the project would be funded by the university, the City would not bear the burden of financing the project.

Will there be any opportunities in the future for the community to provide input on Plaza Linda Verde?

Yes, working with the community on Plaza Linda Verde is a priority for the university. In October 2008, SDSU issued a community survey to more than 17,000 neighbors asking for input on features of the project. More than 1,500 responses were received, and this input is helping to inform university planners as they develop the specific details of Plaza Linda Verde. SDSU also conducted a community forum in October 2008 to discuss the survey results and seek further input.

There will be additional public meetings held during the environmental review process, and SDSU will continue to work closely with neighboring residents, businesses and campus groups throughout the process. Please check the project's website at www.sdsu.edu/plazalindaverde, or contact Tyler Sherer, Director of Community & Government Relations at tsherer@mail.sdsu.edu or (619) 594-2522, for more information about future meetings and opportunities to participate.

If this project is approved by the CSU Board of Trustees, when will construction start?

If approved, construction of Plaza Linda Verde could begin as early as summer 2011, with restaurants, stores and much-needed student housing opening by fall 2013.



SAN DIEGO STATE UNIVERSITY

PLAZA LINDA VERDE

In June 2008, San Diego State University announced its intention to build an exciting new mixed-use project adjacent to the SDSU Transit Center. Called Plaza Linda Verde, this project will incorporate much-needed student housing with shops and restaurants to serve the campus and the community.

Plaza Linda Verde will be located on property immediately south of the SDSU Transit Center and Aztec Walk. This property has sat undeveloped for many years. Throughout, SDSU and its neighbors have shared the goal of revitalizing this blighted area.

Plaza Linda Verde

Plaza Linda Verde will address long-standing university and community needs by providing student housing and retail uses within a sustainable, pedestrian/bicycle-friendly and transit-oriented development.

Plaza Linda Verde will create a dynamic gateway between the campus and community with tree-lined streets, outdoor dining and gathering spaces that will provide an attractive and exciting environment.

While project details are still being finalized, the first phase of the proposed project will include:

- Housing for 600 students
- A community food/grocery market
- One or more restaurants
- Shops
- A parking structure with 340 spaces for shoppers and diners
- Public open space

A second phase of Plaza Linda Verde is proposed to include housing for 1,250 more students and additional retail and parking.

Sustainable Development

The university is committed to utilizing "green" building practices and will seek LEED certification for the project. Plaza Linda Verde will also be designed with pedestrian/bicycle circulation in mind, and is proposed as a transit-oriented development. Because of its focus on neighborhood-serving retail uses and location adjacent to the SDSU Transit Center, Plaza Linda Verde will encourage the use of public transit and generate far less vehicle traffic than previous proposals for a large shopping center.





Project Development Process

As part of the development process for Plaza Linda Verde, SDSU is requesting a master plan boundary adjustment. This boundary adjustment will include properties proposed for development as part of Plaza Linda Verde, as well as additional property between Aztec Walk & Montezuma Road. While all of the property included in Phase I is owned by the university, the realization of the entire proposed project will require the acquisition of additional property. SDSU will continue to pursue available parcels to develop the entire project, but all property acquisitions will involve voluntary sellers only.

SDSU commenced the environmental review process for Plaza Linda Verde with the issuance of a Notice of Preparation in January 2009. This begins the environmental analysis process which will assess

potential impacts that could result from the project's development, as well as propose mitigation to reduce or eliminate impacts. The final environmental analysis is anticipated to be completed in early 2010.

It is projected that the university could break ground on Plaza Linda Verde by the summer of 2011, and complete the first phase by fall 2013.

Community input

The university is committed to communicating with and seeking input from neighboring residents, businesses and other important groups in San Diego throughout the review process for Plaza Linda Verde. As a part of this effort, a community survey was distributed to more than 17,000 households in October 2008 asking for input on project features. More than 1,500 surveys were returned, and the input received is being used to develop detailed plans for Plaza Linda Verde. The university also conducted a community forum in October 2008 to share survey results and gain further input to help inform the design of the project. Additional public meetings will be held during the environmental review process to give community members the opportunity to comment on the scope and findings of the environmental review.

Throughout the process, SDSU representatives will continue to work closely with groups including the College Area Community Council, College Community Redevelopment Project Area Committee, College Neighborhood Foundation, Navajo Community Planners, and Rolando Community Council and SDSU's Associated Students.

For more information ...

Please visit the project website at www.sdsu.edu/plazalindaverde or contact Tyler Sherer, SDSU's Director of Government and Community Relations, at (619) 594-2552 or tsherer@mail.sdsu.edu.



SAN DIEGO STATE
UNIVERSITY

PLAZA LINDA VERDE

Public Scoping Meeting
January 21, 2009

Name Ashley Hernandez

Address 944 Loring Street

City Pacific Beach CA

Zip 92119

Email ~~ah~~ ahernandez@mail.sdsu.edu

Phone 951-296-7029

Your comments or suggestions: There is something like 500 parking

spaces for 1,000 beds. Where will all the students park if they
live in the apartments? if this is not a state funded
project ~~with~~ ~~the~~ how long will it take for this project to be
paid for using the "bonds" (seems like its a mortgage).

Since ~~the~~ school only ^{owns} ~~owns~~ some of the buildings how
is it a for sure thing that the other property's
will be bought for this project? (what if the owners
don't want to sell or we do not have enough money
to buy the property.



SAN DIEGO STATE
UNIVERSITY

PLAZA LINDA VERDE

Public Scoping Meeting
January 21, 2009

Name Martha & Dan Casselman

Address 5376 SAXON ST

City San Diego CA

Zip 92115

Email mcasselman@mail.sdsu.edu

Phone 619-286-1326

Your comments or suggestions:

Make buildings' facades look less
industrial - more ~~like~~ along the lines
of Spanish Colonial. ~~At least~~ like Balboa
Park promenade.

Will rooftops have solar panels? (Green)



SAN DIEGO STATE
UNIVERSITY

PLAZA LINDA VERDE

Public Scoping Meeting
January 21, 2009

Name BOB STEWART
Address 5739 E FALLS VIEW
City SD Zip 92119
Email BBS2@cox.net Phone 619 2863630

Your comments or suggestions:

HOPE FOR

A BOOK STORE

AND DRUG STORE

IN THE PROJECT



SAN DIEGO STATE
UNIVERSITY

PLAZA LINDA VERDE

Public Scoping Meeting
January 21, 2009

Name Jacqueline Sabanos

Address 5154 Rincon St

City San Diego

Zip 92115

Email jsabanos@yahoo.com

Phone 619-583-7113

Your comments or suggestions:

Students need some ~~new~~ affordable entertainment options in this project. I wasn't clear if the greenery zones were part of Phase I or II. I support taking over the buildings areas that SDSU does not own to complete Phase II -- the area occupied by KB Books + Jack in the Box + gas station is an eyesore.



SAN DIEGO STATE
UNIVERSITY

PLAZA LINDA VERDE

Public Scoping Meeting
January 21, 2009

Name _____

Address _____

City _____

Zip _____

Email _____

Phone _____

Your comments or suggestions: _____

I think the project has very few holes and would overall benefit the community. My fear, however, is that there may be too much of an emphasis on SDSU becoming a residential campus. Too few locals want to stay in residence halls - does this mean the University will need to tailor itself more to attract out-of-towners? I'm not sure how it works, but this could increase enrollment competition and decrease accessibility to higher education for San Diegans.



SAN DIEGO STATE
UNIVERSITY

PLAZA LINDA VERDE

Public Scoping Meeting
January 21, 2009

Name John Putman
Address 5640 Campanile Way
City San Diego CA Zip 92115
Email putman@mail.sdsu.edu Phone 619-283-2554

Your comments or suggestions:

- Glad SDSU is moving forward with this plan.
- The mixed-retail idea is attractive because retail will help community see direct benefits beyond helping alleviate housing problems in adjacent neighborhood.
- Would urge planners to consider including Building 7 (Corner Campanile Dr / Montezuma) in earlier phase because it serves as entry point to campus.



SAN DIEGO STATE
UNIVERSITY

PLAZA LINDA VERDE

Public Scoping Meeting
January 21, 2009

Name Kimberly Dodson
Address PO Box 2155
City La Mesa Zip 91943
Email Kdodson33@gmail.com Phone 619 843 6252

Your comments or suggestions:

Please have more than 1 restaurant (open later than 6pm) in ~~and~~ the retail area. A market w/ pre-made meals (not a whole Foods-too expensive) would be great. Open on nites & weekends. For example Henry's or Sprouts would be great. A deli would also be nice.

A Shuttle Service would be helpful from the housing to transit center for ADA Services.

Security at nite would be great!



SAN DIEGO STATE
UNIVERSITY

PLAZA LINDA VERDE

Public Scoping Meeting
January 21, 2009

Name JERRY BICE

Address 6233 DOROTHY DR

City SD Zip 92115

Email JERRYBICE@GMAIL Phone 619-246-6441

Your comments or suggestions:

I AM EXCITED TO SEE THIS PROJECT
PROGRESS. I AM NOT ~~OPPOSED~~ OPPOSED
TO EMMENT DOMAIN FOR THE PROJECT'S
BENEFIT + OVER ALL BENEFIT TO THE
COMMUNITY I WOULD LIKE TO SEE THE
PARKING LOTS TURNED INTO PART OF THE
PROJECT.

PLEASE LET ME KNOW IF I CAN HELP
OUT.



SAN DIEGO STATE
UNIVERSITY

PLAZA LINDA VERDE

Public Scoping Meeting
January 21, 2009

Name Dan and Rita Conaty
Address 4626 55th St
City San Diego Zip 92115
Email dan.conaty@parsons.com Phone _____

Your comments or suggestions:

The Bend or curve area on College avenue
is already very congested. How will this project
alleviate the already grid locked areas? Also
more green space would be appreciated.

Add a wide landscaped median on Campanile
betw. Hardy & Montezuma



SAN DIEGO STATE
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PLAZA LINDA VERDE

Public Scoping Meeting
January 21, 2009

Name Arminia Zheva Kuhlman Kristy Higdon
Address 5069 Catoctin Dr 5015 Catoctin
City _____ Zip 92115
Email _____ Phone 619 582-1962 (Kuhlman)

Your comments or suggestions:

Why isn't the Slabby Fraternity at
5141 Campanile included in phase II?

Please allow adequate setback for trees &
landscaping on Montezuma College Ave.

Consider expanding Phase II to include
more student housing (as 5141 Campanile).

Put solar panels or green space on top
of housing buildings. Include operable windows
in housing. Good to hear about reclaimed water use.
Reduce ~~exterior design~~ heat island effect in design.

Include more of possibly features in project
as energy efficiency, ventilation etc



SAN DIEGO STATE
UNIVERSITY

PLAZA LINDA VERDE

Public Scoping Meeting
January 21, 2009

Name James Ballentine

Address 6544 Roxy Lane

City San Diego, CA

Zip 92115

Email jfballan2@hotmail.com

Phone 619-286-7437

Your comments or suggestions:

I am very supportive of this project. I am very
supportive of redevelopment in the University / College
area. I hope that phase I & phase II both occur
and in addition I hope that other redevelopment
occurs in the college area.



SAN DIEGO STATE
UNIVERSITY

PLAZA LINDA VERDE

Public Scoping Meeting
January 21, 2009

Name LISA BRUCE
Address LINDO PASO
City SAN DIEGO Zip 92115
Email — Phone 619. 778. 9009

Your comments or suggestions:

- ① Initial Study Checklist - Population & Housing should not be considered "A Less Than Significant Impact" since you're proposing building housing & increasing population! It should be a Potentially Significant Impact.
- ② Any way to put CRIME INCREASE on Study Checklist?
- ③ 340 parking spaces for 600 RESIDENTS IN PHASE I!! ARE YOU KIDDING! THAT'S NOT ENOUGH! ADD RETAIL - WHAT A JOKE!
- ④ Project Overview - NONE of the buildings displayed really look like they should be at SDSU. It would be nice if SDSU would build & honor the MISSION style HERITAGE like Hepner Hall - even Piedra del Sol was a nice addition - Piedra also offered residents balconies.
- ⑤ Open Grass Area? Lawns? Really? How irresponsible - way too much water.



SAN DIEGO STATE
UNIVERSITY

PLAZA LINDA VERDE

Public Scoping Meeting
January 21, 2009

Name Dustine Gallagher

Address 5130 Norris Rd.

City SD Zip 92115

Email Dustine323@gmail.com Phone 619/287-5130

Your comments or suggestions: Overall general plan is good
idea! I would like to see the plan integrate
more ~~other~~ places of interest for the surrounding
community. As residents we would like to walk
to great restaurants & markets ie:- Whole Foods
* Tree lined walkways } - Speciality Foods
Bike lanes } These places } - Spaghetti Factory
* Restaurants on the } can also } - Cheese &
outskirts of campus } provide jobs } - Wine bar
so residents can } for students } - Vegetarian restaurant
access them easily. } - Seafood Restaurant

I understand that the university is implementing the
plan & paying for it but it would be nice as someone
needing retirement age to co-mingle w/ younger people in a
cool neighborhood!



SAN DIEGO STATE
UNIVERSITY

PLAZA LINDA VERDE

Public Scoping Meeting
January 21, 2009

Name MARISA PAPITTO
Address 5130 NORRIS RD.
City SD Zip 92115
Email mpapitto@aol.com Phone 619/287-5130

Your comments or suggestions:

ALTHOUGH I'M DISAPPOINTED "THE PASEO"
WAS SCRATCHED, I AM LOOKING FORWARD
TO HAVING A COMMUNITY I CAN ONCE
AGAIN BE PROUD TO BE A PART OF. A
VILLAGE TO ENJOY SPENDING TIME & MONEY.
WHOLE FOODS MARKET W/ A VARIETY OF
"HEALTHY" FOODS BOTH PREPARED OR PURCHASE
TO PREPARE. GOOD LUCK & WE ARE
HAPPY TO SEE MORE OF SDSU'S LOVELY
GROWTH! THANKS



SAN DIEGO STATE
UNIVERSITY

PLAZA LINDA VERDE

Public Scoping Meeting
January 21, 2009

Name Lauren Fair

Address Lindo Paseo

City San Diego

Zip 92115

Email BelleFleurLauren@aol.com

Phone (619) 417-0537

Your comments or suggestions: ① Add a water feature (could be combined w/ ^{conservation} ~~each~~ ^{off} ~~water~~)

② Initial Study Checklist → "Population of Housing" could have more than a "less than significant impact." A potential total increase in housing by 1850 students is very significant. Additionally, what about the potential increase in crime?

③ Insufficient parking - For Phase I, 340 beds spaces for 600 beds is entirely insufficient (and that isn't even counting commuters at this point).

Phase 2 parking is even worse - not even parking for 1/2 of beds!

④ Mixed Use Examples - My choice would be #1 or #5. #4 is overdone & unimaginative. Strongly suggest maintaining old mission feel of old SDSU (even w/ at high cost).

⑤ Open space - Should incorporate more trees. Use too much water to sustain all grass. Adding other low-maintenance greenery would add to the aesthetic appeal of the project to the community.

⑥ Retail - A less than, natural chain sit-down restaurant would be preferable. There could be a national chain, but it would be better to at least add a local chain or independently-owned restaurant.

⑦ Hard Dix - Why is SDSU not seeking to redevelop the dilapidated building on Hardy next to the Sanctuary?

⑧ Add Parking Issues - Asking students (especially female students) to walk from perimeter parking structures poses a serious safety risk. While there may be sufficient parking in perimeter structures now, given that the President has a goal of increasing enrollment by

10,000 students, how long will those structures continue to be sufficient? If completed as proposed, it will create a parking nightmare. Must add subterranean parking!! If the 3rd spaces are to be constructed, this means no add'l parking for Phase I housing (and very little for Phase 2). This is totally unrealistic. I fully support this project in theory, but the parking plan must be revised.

**7. E-mail from SDSU Government & Community Relations Office re
SDSU's Plaza Linda Verde Public Scoping Meeting/Open House,
January 22, 2009**

Jamie Carr

From: SDSU Government & Community Relations [community@sdsu.edu]
Sent: Thursday, January 22, 2009 3:28 PM
To: Michael Haberkorn; Bob Schulz
Subject: CONFIDENTIAL ATTORNEY CLIENT Fwd: SDSU's Plaza Linda Verde Public Scoping Meeting/Open House
Attachments: Forum Sign in sheet1.xls; invite list.csv; zipcode92115-92110_email1.xls

Michael - Here are all of the recipients of our invitation to the scoping meeting.

In Raw numbers, we sent it to 3,161 individual email addresses, the Rolando Community Council put it in its newsletter which is hand-delivered to 1,500 homes and emailed to about 220 people. (Total 4,881 including the RCC newsletter.)

Two stories appeared in our enewsletter SDSUniverse with details about the event. Additionally, I made public announcements about the meeting at the College Area Community Council and Rolando Community Council meetings.

Attached, are the lists of addresses that received our emailed invitations. Those listed and highlighted below are not on the excel lists.

Date: Mon, 12 Jan 2009 17:24:53 -0800
 To: community@sdsu.edu
 From: SDSU Government & Community Relations <community@sdsu.edu>
 Subject: Fwd: SDSU's Plaza Linda Verde Public Scoping Meeting/Open House
 Bcc: mtrunzo@bsps-sd.org, executivedirector@collegeareabid.com, Virginia and Joe Scarcella, "Winn Raleigh" <RaleighWD@ldscs.org>, "Arkan Somo" <arkan@somoassociates.com>, "Mike McIntyre" <mike2853@gmail.com>, Molly Knutson-Keller <mollykk@hotmail.com>, Alice Buck <bucklesq@earthlink.net>, "Karina Shaver" <KARINA@ARDELLGROUP.COM>, axopresident@yahoo.com

Dear Neighbor:

You are invited to participate in a Public Scoping Meeting/Open House for the SDSU Plaza Linda Verde project. The purpose of this Open House is to provide an opportunity for you to review information about Plaza Linda Verde and for us to solicit your comments about what issues need to be studied in the environmental analysis for this project.

Plaza Linda Verde is a proposed mixed-use project located south of the SDSU transit center and Aztec Walk. This project will revitalize the blighted area at the south entrance to the campus and address long-standing community needs by providing student housing, quality retail outlets, and other amenities that are mutually beneficial to the university and surrounding community.

SDSU is committed to building a sustainable, pedestrian/bicycle-friendly, transit-oriented project utilizing "green" building practices. Plaza Linda Verde

7/2/2009

will include tree-lined streets, outdoor dining, and gathering spaces to create an attractive and exciting environment for the community-at-large. Because of its focus on neighborhood-serving retail use, this project will generate far less vehicle traffic than previous proposals for a large regional shopping center.

This Public Scoping session will be an "open house" format from 5:30 to 9:00 p.m. on Wednesday, January 21, 2009 at the Casa Real room in the Aztec Center on the SDSU Campus. Please feel free to drop in any time during this period and stay for as long as you would like. Free parking will be available in Parking Structure 1 ("PS 1") on Levels 1 - 3. (Directions and further instructions are included below.)

We look forward to seeing you on January 21! In the meantime, if you have any questions or would like to RSVP for the event, please feel free to contact me at (619) 594-2522 or send an email to community@sdsu.edu.

Sincerely,
Tyler Sherer
Director of Government and Community Relations

 □

San Diego State University



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moanajenson@gmail.com
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danenz07@yahoo.com
keklinge@yahoo.com
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vss490@gmail.com
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**8. Meeting Notes, City of San Diego Traffic Meeting to Discuss
Plaza Linda Verde DEIR Traffic Study, March 12, 2009**

City of San Diego Traffic Meeting
to discuss Plaza Linda Verde DEIR Traffic Study
3/12/09

With Labib Qasum, City of SD Traffic

Also attending: John Boarman & Laurie Cooper

City representative wanted to go back to the concepts in the 1993–Redevelopment EIR Traffic Study

Thinks we should develop one big study (2007 MP + PLV + Future Development) to determine overall traffic mitigation plan (essentially start over)

With private developers the City has been using the following requirements:

- 2 ADT per student or 6 ADT per unit (John pointed out that 1993 EIR study used maximum of 3.1 ADT per unit)
- 0.75 parking spaces per student (typical non-transit-oriented City standard is 1 space per student)
- Looking for overall fair share contribution of \$1,000 per ADT generated. This would be for the City only and not SANDAG (MTS) and Caltrans.

Wants to work together to accomplish improvements:

- Wants a study that we all agree with to start
- Then wants us to agree to further studies for Caltrans, MTS
- Wants to analyze worst case scenario

Comments: ‘otherwise in a few years we may all be doing another study’

Still talking \$30 Mil total for all improvements

**9. Redevelopment Agency-City of San Diego SDSU Plaza Linda Verde
Meeting Agenda, April 21, 2009**

Redevelopment Agency - City of San Diego

SDSU Plaza Linda Verde Meeting Agenda

April 21, 2009

- I. Introductions
- II. Purpose of Meeting
- III. Agency as Responsible Agency under CEQA
- IV. Proposed Project
 - a. Goals
 - b. Scope
 - c. Relation to 2007 Campus Master Plan
 - d. Timeline
- V. General Questions
 - a. Type of EIR
 - b. Timeline
 - c. Technical Reports
 - d. Thresholds of Significance
 - e. Off vs. on-campus analysis and determinations
- VI. Initial Study Checklist
 - a. Aesthetics/Visual Quality
 - b. Land Use Planning
 - c. Public Services & Facilities
 - d. Transportation/Traffic
 - e. Utilities & Services
 - f. Other
- VII. Alternatives
- VIII. Significant Irreversible Changes
- IX. Mitigation
- X. Agency staff is available for subsequent consultation
- XI. Other?

**10. [Revised] Notice of Preparation of Draft Environmental Impact
Report and Initial Study, Plaza Linda Verde, San Diego State University,
April 22, 2009**

**[REVISED] NOTICE OF PREPARATION
OF DRAFT ENVIRONMENTAL IMPACT REPORT
AND INITIAL STUDY
PLAZA LINDA VERDE, SAN DIEGO STATE UNIVERSITY**

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**

April 22, 2009

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

On January 13, 2009, a Notice of Preparation of Draft Environmental Impact Report; Initial Study ("NOP/IS") was circulated in connection with the Plaza Linda Verde project at San Diego State University. Since that date, SDSU has determined to revise the proposed project to eliminate one of the student housing apartment buildings (Building No. 8), and to clarify that certain existing streets/alleys will be closed to vehicular traffic and converted to pedestrian only use. In all other respects, the proposed project remains the same as the one described in the January 13, 2009 NOP/IS. This revised NOP/IS illustrates the revisions to the January 13, 2009 NOP/IS in a document compare format, with new text shown in **boldface** type, and deleted text shown in ~~strikeout~~.

Notice: California State University ("CSU")/San Diego State University ("SDSU") will prepare an environmental impact report ("EIR") pursuant to the requirements of the California Environmental Quality Act ("CEQA"), Public Resources Code §§21000 et seq., to analyze the potential environmental effects associated with development of the proposed Plaza Linda Verde project ("Proposed Project"), a mixed-use development that would provide additional student housing and retail uses south of the SDSU Transit Center and Aztec Walk in the San Diego College Area community. The Proposed Project would be developed in multiple phases, and at project buildout would include approximately ~~400~~**465** apartments to house approximately ~~1,600~~**1,850** students, and approximately 90,000 square feet of retail space. The Proposed Project also will include parking for approximately 560 vehicles, ~~and a Campus Green that will feature both active and passive recreation areas for public use, and pedestrian malls in place of existing streets/alleys.~~ **Development of certain project components as proposed herein, including primarily the pedestrian malls, would be contingent upon the vacation of certain existing vehicular rights-of-way; if the vacation is not approved, the Proposed Project would proceed on a modified basis.** To accommodate development of the Plaza Linda Verde project, the Proposed Project also would extend the SDSU south campus boundary to Montezuma Road. A more-detailed description of the Proposed Project, the project location, and the potential environmental effects associated with development of the Proposed Project, are provided in the Initial Study, which follows this notice.

The CSU Board of Trustees will be the lead agency with respect to preparation of the EIR for the project. CSU/SDSU needs to know the views of your agency regarding the scope and content of the EIR relative to the environmental information that 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 January 13, 2009 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 January 13, 2009 NOP/IS.

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, 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. Written responses also may be sent by e-mail to PlazaLindaVerde@sdsu.edu.

Project Title: SDSU Plaza Linda Verde.

Location: South of the existing SDSU main campus boundary, generally north of Montezuma Road, on the east and west sides of College Avenue, in the College Area community of 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 in Section 6.0 of the attached initial study.

INITIAL STUDY

PREFACE

On January 13, 2009, a Notice of Preparation of Draft Environmental Impact Report; Initial Study ("NOP/IS") was circulated in connection with the Plaza Linda Verde project at San Diego State University. Since that date, SDSU has determined to revise the proposed project to eliminate one of the student housing apartment buildings (Building No. 8), and to clarify that certain existing streets/alleys will be closed to vehicular traffic and converted to pedestrian only use. In all other respects, the proposed project remains the same as the one described in the January 13, 2009 NOP/IS. This revised NOP/IS illustrates the revisions to the January 13, 2009 NOP/IS in a document compare format, with new text shown in **boldface** type, and deleted text shown in ~~strikeout~~. **Please note that all written comments submitted in response to the January 13, 2009 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 January 13, 2009 NOP/IS.**

1.0 INTRODUCTION

California State University ("CSU")/San Diego State University ("SDSU") is proposing the development of the Plaza Linda Verde project ("Proposed Project"), a mixed-use development that would provide additional student housing and retail uses south of the SDSU Transit Center and Aztec Walk in the San Diego College Area community. The Proposed Project would be developed in multiple phases, and at project buildout would include approximately ~~400~~**465** apartments to house approximately ~~1,600~~**1,850** students, and approximately 90,000 square feet of retail space. The Proposed Project also will include parking for approximately 560 vehicles, and a Campus Green that will feature both active and passive recreation areas for public use, **and pedestrian malls in place of existing streets/alleys.** **Development of certain project components as proposed herein, including primarily the pedestrian malls, would be contingent upon the vacation of certain existing vehicular rights-of-way; if the vacation is not approved, the Proposed Project would proceed on a modified basis.** To accommodate development of the Plaza Linda Verde project, the Proposed Project also would extend the SDSU south campus boundary to Montezuma Road. A more-detailed description of the Proposed Project, the project location, and the potential environmental effects associated with development of the Proposed Project, are provided below.

This initial study has been prepared by SDSU Facilities Planning, Design, and Construction to address the potential environmental effects associated with development of the Proposed Project; the Board of Trustees of CSU is the lead agency for the Proposed Project. The purpose of this Initial Study is to provide information to use as the basis for determining whether to prepare an EIR, a mitigated negative declaration (MND), 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 to be potentially 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, and is intended to satisfy the "content" requirements of CEQA Guidelines, Section 15063(d)(1)-(6).

1.1 PROJECT TITLE

Plaza Linda Verde

1.2 LEAD AGENCY NAME AND ADDRESS

Board of Trustees of the California State University
401 Golden Shore
Long Beach, California 90802
562.951.4700

1.3 CONTACT PERSON AND PHONE NUMBER

Lauren Cooper
Director, 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

South of the current SDSU main campus boundary, in the College Area community,
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

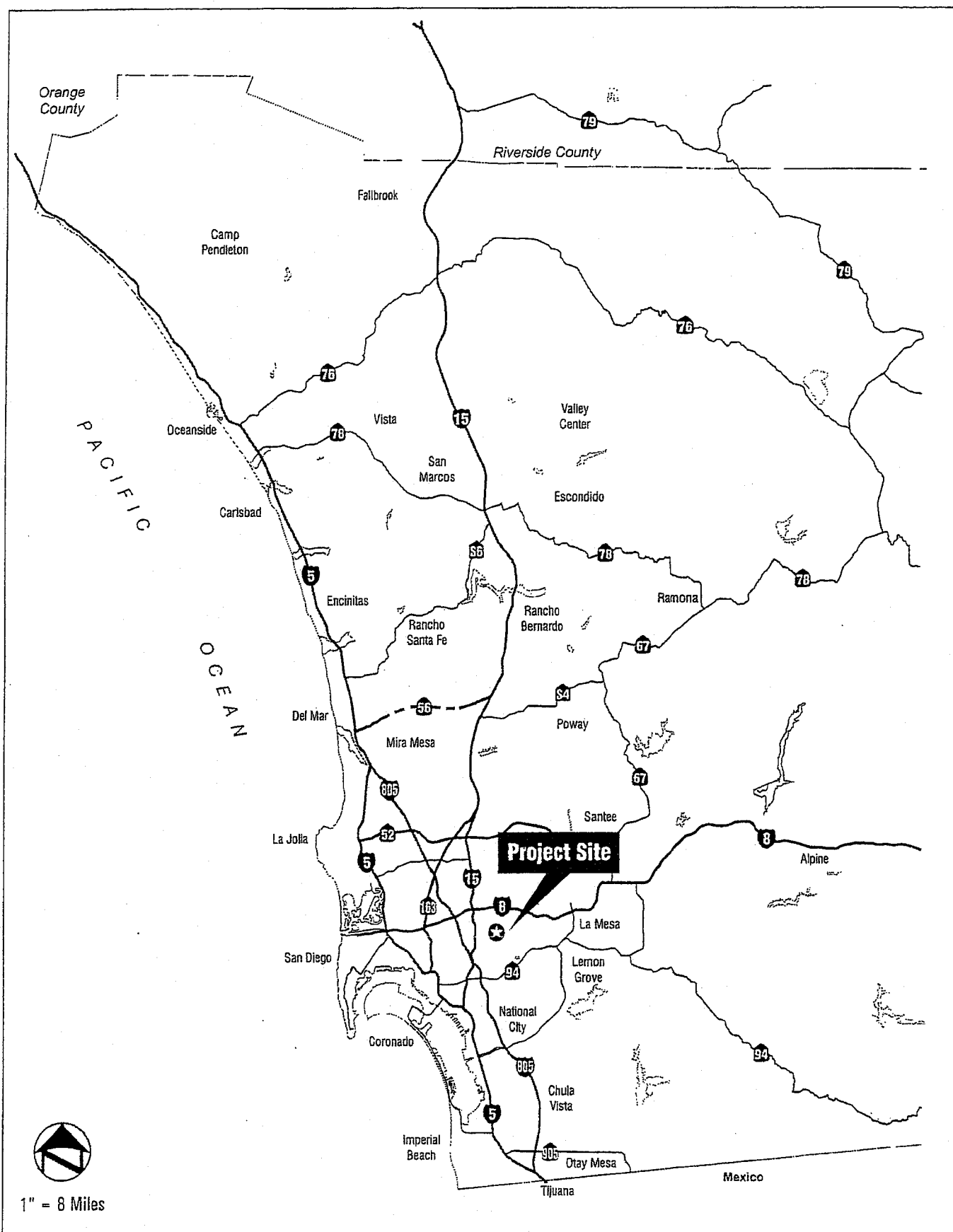
1.6 GENERAL PLAN/COMMUNITY PLAN DESIGNATION/ZONING

General Plan:	Multiple Uses
Community Plan:	Undeveloped, Commercial, Single-Family Residential, Communication Utilities (Transportation Related), Institutional
Zoning:	CN-1-2 and RM-3-9

1.7 PROJECT DESCRIPTION

1.7.1 Local and Regional Setting

The Proposed Project would be located adjacent to the main SDSU campus, which is located approximately 8 miles east of downtown San Diego (see **Figure 1, Regional Map**). As shown



SDSU Plaza Linda Verde
NOP and Initial Study



Figure 1
Regional Map

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on **Figure 2, Vicinity Map**, the Proposed Project would be developed on CSU-owned property south of the existing Campus Master Plan boundary, generally between Aztec Walk and Montezuma Road. The existing boundaries of the SDSU campus generally are Aztec Walk and Montezuma Road on the south, East Campus Drive on the east, 55th Street/Remington Road on the west, and Adobe Falls Road/Del Cerro Boulevard (north of Interstate 8 (I-8)) on the north. See **Figure 2, Vicinity Map**.

The Proposed Project would be located within the College Area community of the City of San Diego and the College Community Redevelopment Project Area of the City of San Diego Redevelopment Agency. **Figure 3, College Area Community**, and **Figure 4, College Area Redevelopment Area Subarea Boundaries**, shows the general boundaries of the College Area and College Community Redevelopment Project Area in relation to the Proposed Project. The College Area Community Plan, which is a component of the City of San Diego General Plan, designates parcels included in the area of the Proposed Project as a mixture of land uses, including "Undeveloped," "Commercial, Single-Family Residential," "Communication Utilities (Transportation Related)," and "Institutional." The College Community Redevelopment Project Area includes the Proposed Project site within its Core Subarea.

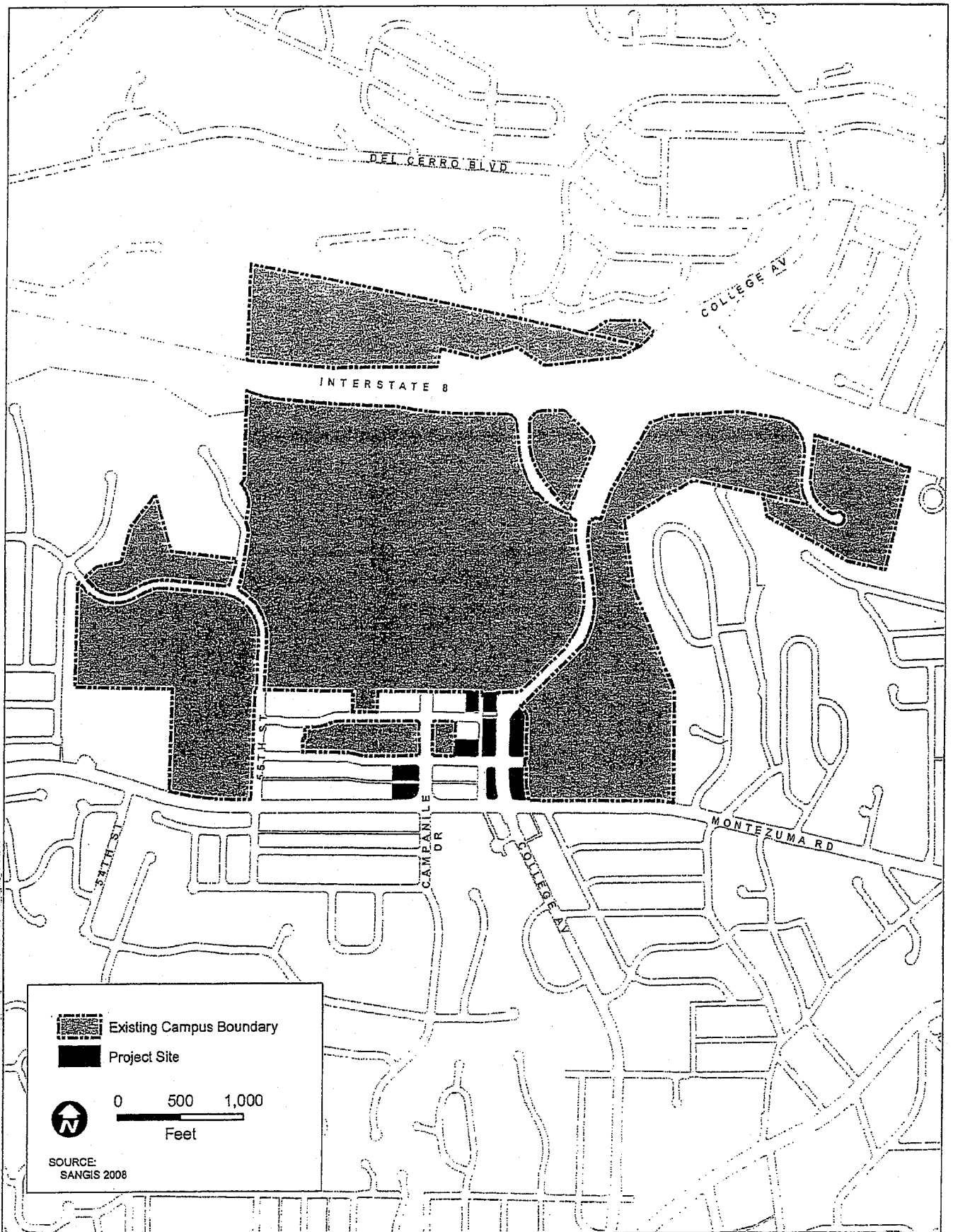
The Proposed Project would be developed in multiple construction phases. Phase I of the project would entail the development of parcels currently owned by SDSU, while Phase II would involve the development of land presently owned by the SDSU Research Foundation and private parties. CSU/SDSU will acquire the Phase II development parcels it presently does not own or control from willing sellers only; eminent domain will not be utilized to acquire property for the Proposed Project.

1.7.2 Description of Proposed Project

The Proposed Project includes development of the SDSU Plaza Linda Verde project, the demolition of existing structures to allow for project construction, and a revision to the SDSU Campus Master Plan boundary. **The Proposed Project also may include the vacation of existing vehicular rights-of-way.**

The proposed Plaza Linda Verde project, which was developed in coordination with community input, would be a transit-based, mixed-use development that would provide several ground-floor commercial and upper floor student housing buildings, a campus green featuring a public promenade, an apartment complex for student housing, and a five-story above grade (plus one level below grade) parking structure to accommodate primarily retail customers, and pedestrian malls in place of existing streets/alleys. **Development of certain portions of the project as proposed, including primarily the pedestrian malls, would be contingent upon the vacation of certain existing vehicular rights-of-way; if the vacation is not approved, the Proposed Project would proceed on a modified basis.** The Proposed Project would be designed as a pedestrian/bicycle-friendly, open-air, sustainable urban village that will utilize "green" building practices, drought-tolerant landscaping, and other environmentally sustainable measures; CSU/SDSU will seek Leadership in Energy and Environmental Design ("LEED") certification for the Proposed Project. The Plaza Linda Verde project would enable SDSU to provide additional on-campus student housing and retail services to support the campus and surrounding

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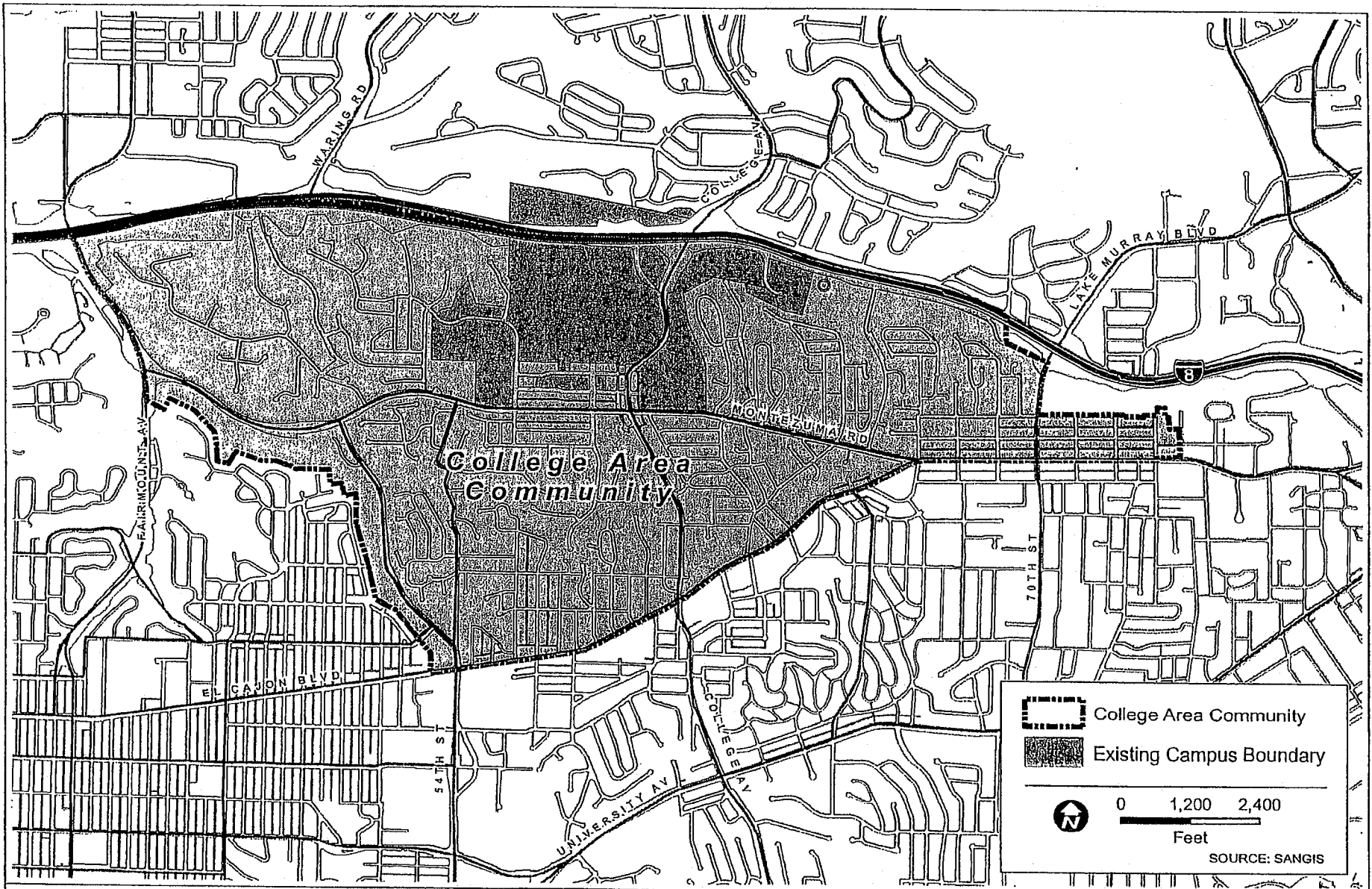


SDSU Plaza Linda Verde
NOP and Initial Study



Figure 2
Vicinity Map

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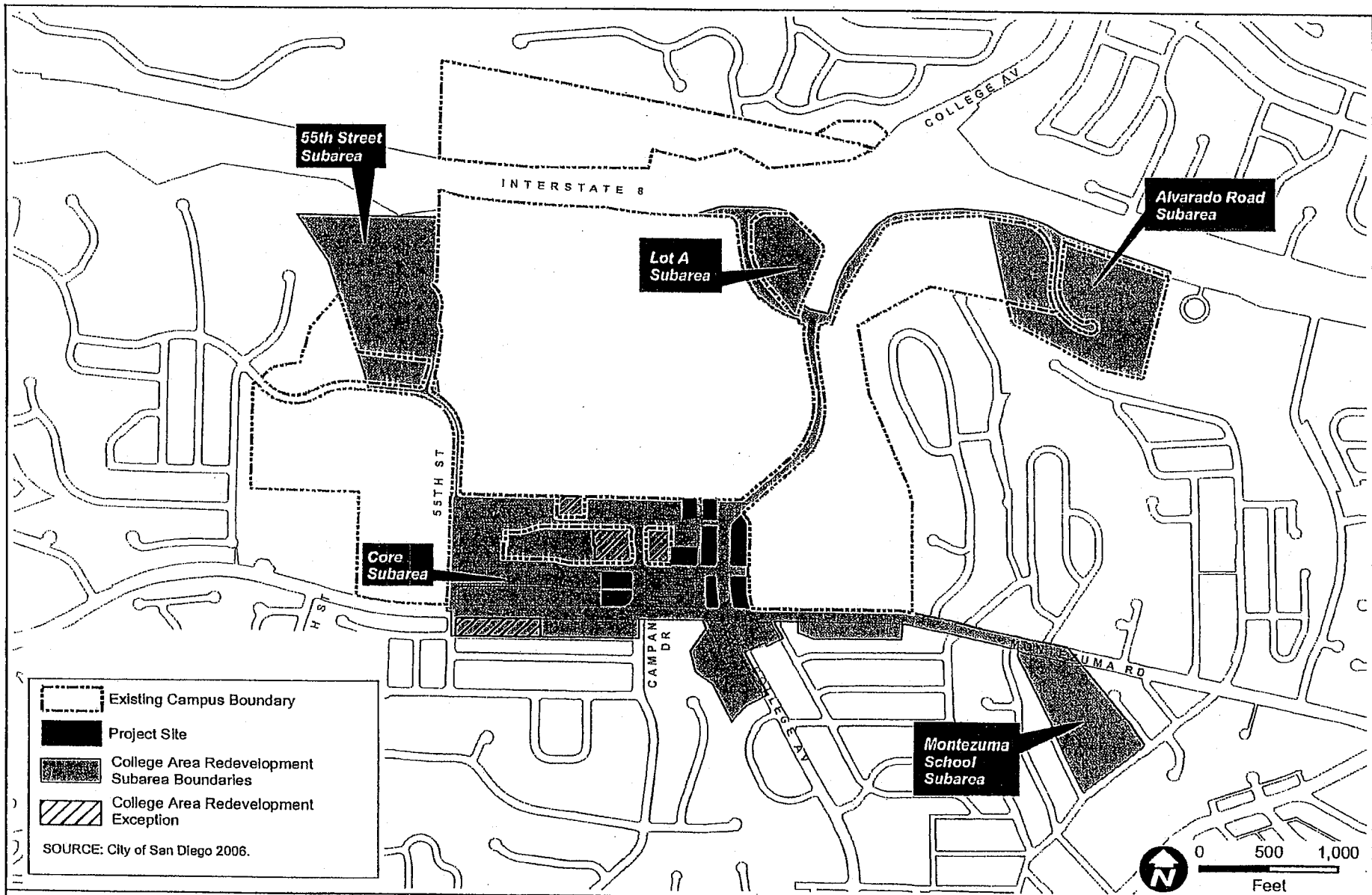


SDSU Plaza Linda Verde
NOP and Initial Study



Figure 3
College Area Community

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SDSU Plaza Linda Verde
NOP and Initial Study



Figure 4
College Community Redevelopment
Subarea Boundaries

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community, and represents an opportunity to decrease the prevalence of nuisance rental property housing in the College Area community surrounding SDSU.

To facilitate development of the Proposed Project, the existing southern boundary of the SDSU Campus Master Plan between 55th Street and one block east of College Avenue would be extended south to Montezuma Road to incorporate the Proposed Project parcels within the Campus Master Plan boundaries. The boundary will be extended further south of Montezuma Road at the southeast corner of the Montezuma Road/55th Street intersection to incorporate the University Towers complex and adjacent parking lot, which are owned and operated by CSU/SDSU. The existing and proposed Campus Master Plan boundaries are depicted in **Figure 5, Campus Master Plan Boundary Revision**.

The Proposed Project generally would consist of the development of ~~five~~four land use types: (i) Mixed-Use Retail/Student Housing; (ii) Student Apartments; (iii) Parking Structure; ~~and~~ (iv) Campus Green; and (v) Pedestrian Malls. Each of these development components is described below:

- I. ***Mixed-Use Retail/Student Housing.*** This project component, which would be developed in two phases, consists of the construction of ground-floor retail and upper-floor residential buildings on sites located south of Hardy Avenue, north of Montezuma Road, and west and east of College Avenue immediately south of the main SDSU campus. See **Figure 6, Proposed Site Plan**.

Phase I would consist of the construction of two buildings located west of College Avenue. See **Figure 6, Proposed Site Plan**, Buildings 1 and 2. Building 1 will include approximately 25,000 gross square feet ("GSF") of ground-floor rentable retail space and four floors of apartments consisting of approximately 90 student apartments. Building 2 would include **up to** approximately 20,000 GSF of ground-floor rentable retail space and four floors of apartments consisting of approximately 60 student apartments. SDSU envisions that the retail portion of the building would include three to four destination retail shops, including a grocery store, a national sit-down chain restaurant with outdoor dining areas, and a clothing store. Smaller service stores and food service options also will be available. **Construction of the westerly portion of Building 2 would require approval of the vacation of an existing street easement along the easterly side of Montezuma Place between Lindo Paseo and Montezuma Road. If the vacation is not approved, the Proposed Project could proceed with development of a smaller footprint building and modified commercial uses.**

Phase II would consist of the construction of two buildings east of College Avenue, directly across from Buildings 1 and 2. See **Figure 6, Proposed Site Plan**, Buildings 4 and 5. A similar development plan (ground-floor retail and upper-floor student housing) is proposed for Buildings 4 and 5 in Phase II of development. Building 4 would include approximately 60 student apartments and approximately 20,000 GSF of rentable retail space. Building 5 would include approximately 90 student apartments and approximately 23,000 GSF of rentable

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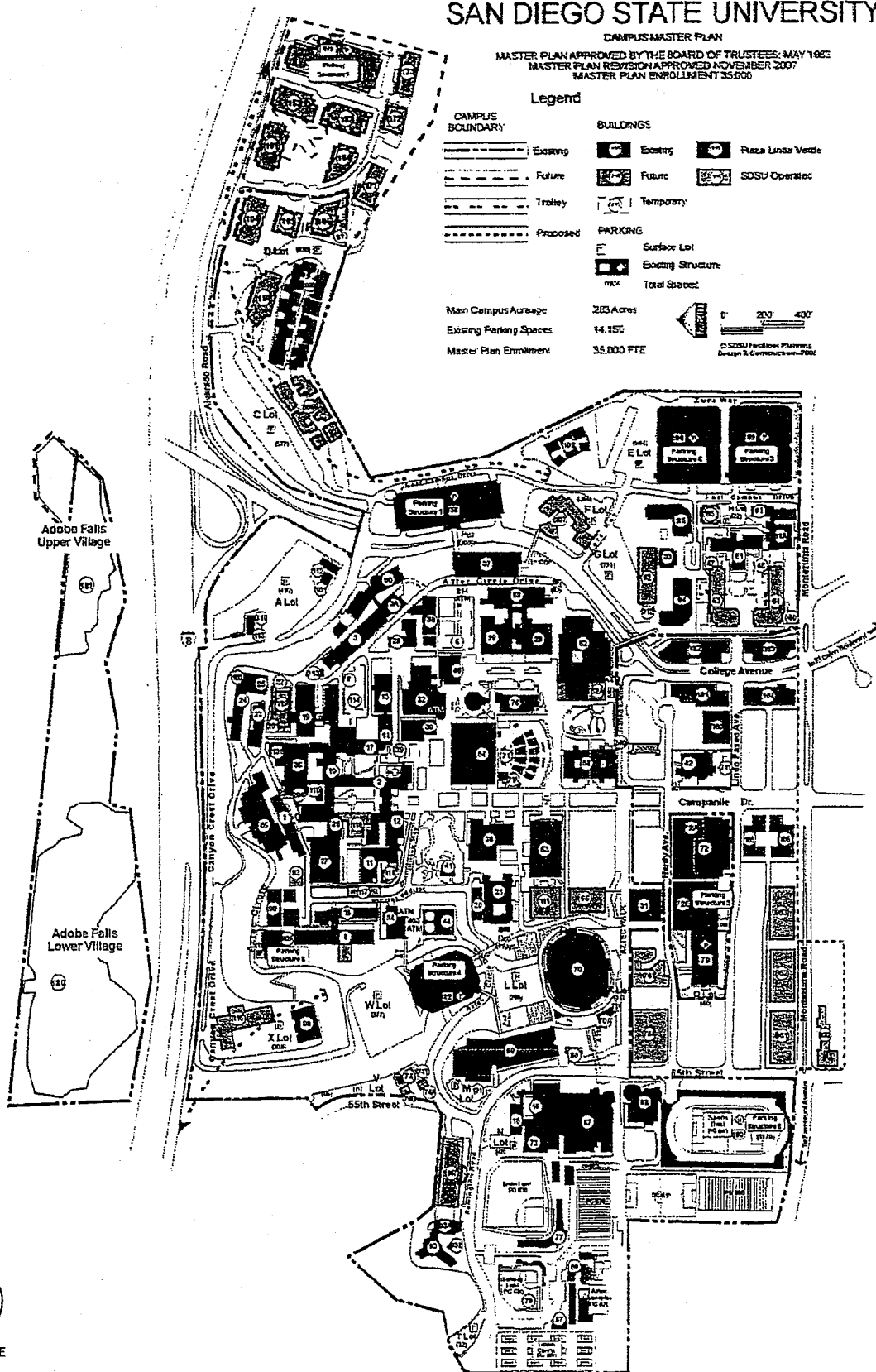
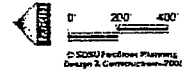
SAN DIEGO STATE UNIVERSITY

CAMPUS MASTER PLAN

MASTER PLAN APPROVED BY THE BOARD OF TRUSTEES, MAY 1983
 MASTER PLAN REVISION APPROVED NOVEMBER 2007
 MASTER PLAN ENROLLMENT 35,000

Legend

CAMPUS BOUNDARY	BUILDINGS	PARKING
Existing	Existing	Surface Lot
Future	Future	Existing Structure
Trolley	Temporary	Total Spaces
Proposed		
Man Campus Acreage	283 Acres	
Existing Parking Spaces	14,150	
Master Plan Enrollment	35,000 FTE	



NOT TO SCALE

Source: SDSU 2009

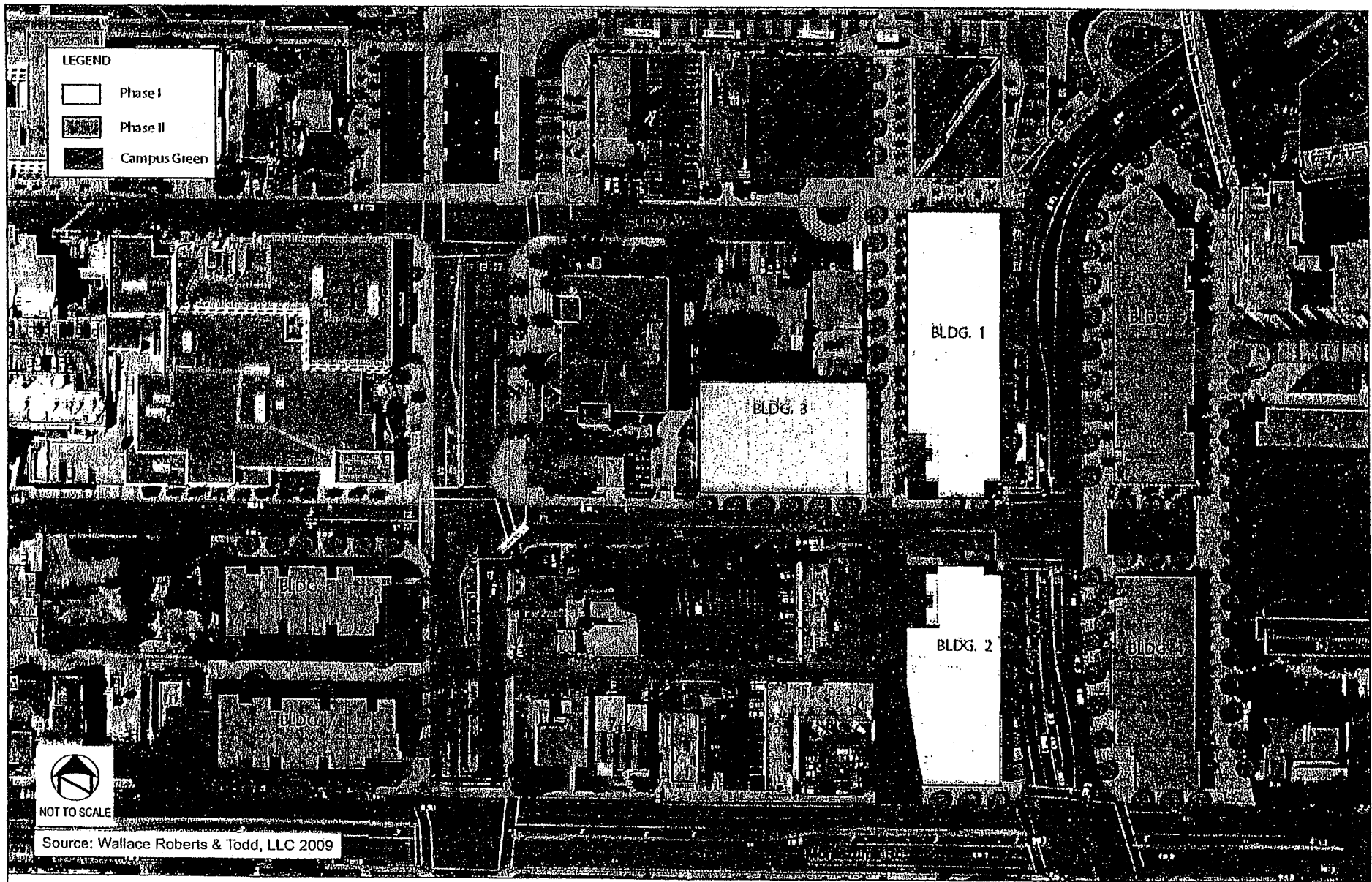
SDSU Plaza Linda Verde
 NOP and Initial Study



SAN DIEGO STATE
 UNIVERSITY

Figure 5
 Campus Master Plan
 Boundary Revision

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SDSU Plaza Linda Verde

NOP and Initial Study



Figure 6
Proposed Site Plan

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retail space. The mixed-use retail/residential buildings will be designed and constructed with environmental sustainability in mind and will seek a LEED rating.

Development of the Mixed-Use Retail/Student Housing would include the following Phase I and Phase II construction activities:

Phase I:

- (i) Demolition of the existing structures at 5178 and 5168 College Avenue, and demolition of the parking lots at 5164 and 5140 College Avenue and the parking lot bound by Lindo Paseo to the north, College Avenue to the east, Montezuma Place to the west, and Montezuma Road to the south.
- (ii) Development of two new five-story buildings (120,000 GSF and 85,000 GSF, respectively) for retail and student housing uses. Phase I also will provide landscaping along the west side of College Avenue.

Phase II:

- (i) Acquisition and demolition of existing structures at 5185, 5157, 5155, 5141, 5131, 5119, and 5111 College Avenue.
- (ii) Development of two new five-story buildings (120,000 GSF and 150,000 GSF) for retail and student housing uses. Phase II also will provide landscaping along the east side of College Avenue.

- II. Student Apartments.** This project component, which would be developed in Phase II, would consist of two buildings to be located north of Montezuma Road, west of Campanile Road, and south of Lindo Paseo; ~~and one building to be located north of Montezuma Road west of Montezuma Place.~~ See **Figure 6, Proposed Site Plan**, Buildings 6; ~~and 7; and 8.~~ The Student Apartments component would provide student housing in close proximity to the campus and SDSU transit station. The two buildings to be constructed west of Campanile Road would each be 4-story structures, approximately 60,000 GSF in size, and each would provide approximately 50 student apartments. ~~The building to be constructed on the northwest corner of Montezuma Road and Montezuma Place would be a 4-story structure, approximately 85,000 GSF in size, and would include approximately 65 student apartments.~~

Development of the Student Apartments would include the following Phase I and Phase II construction activities:

- (i) The demolition of existing structures at: 5721 and 5723 Lindo Paseo; 5734, 5742, and 5750 Montezuma Road; ~~5824 and 5844 Montezuma Road;~~ and, the demolition of an existing parking lot at 5118 Campanile Drive.
- (ii) The development of two new 4-story buildings (approximately 60,000 GSF each) ~~and one new 4-story structure (approximately 85,000 GSF).~~

III. Parking Facilities. A parking structure, which would be developed in Phase I, would be located north of Lindo Paseo and west of the Mixed-Use Retail/Student Housing Building 1, at the northwest corner of Lindo Paseo and Montezuma Place. See Figure 6, Proposed Site Plan, Building 3. The parking structure would be five-stories above grade, and it would provide five levels of above ground parking and one level of below ground parking. The structure would provide approximately 340 parking spaces in support of the retail component of the Proposed Project. The eastern portion of the parking structure would feature a ground-floor rentable retail space approximately 2,000 GSF in size. This space would be accessible to pedestrians via an entrance opening to the adjacent public promenade.

In Phase II, an underground parking facility would be constructed below, and in conjunction with, the Mixed-Use Retail/Student Housing Buildings 4 and 5 that will be constructed east of College Avenue. The underground parking facility would provide approximately 220 additional parking spaces.

Development of the Parking Facilities would include the following Phase I and Phase II construction activities:

- (i) Demolition of the existing structures at 5830 and 5822 Lindo Paseo.
- (ii) Development of a new five-story parking structure to provide approximately 340 parking spaces.
- (iii) Development of underground parking in conjunction with the Mixed-Use Retail/Student Housing construction to provide approximately 220 parking spaces.

IV. Campus Green. This project component, which would be developed in Phase I, would be located north of the proposed Mixed-Use Retail/Student Housing Building 1 and would be bisected by a public promenade. This "campus green" area would feature both active and passive recreation areas for public use. The western portion of the campus green would be minimally landscaped to allow for open play, while the eastern portion would feature trees, swales, and a pathway leading north towards the campus. The public promenade would bisect the campus green and extend south to ~~Hardy Avenue~~ Lindo Paseo. The public promenade would include pedestrian plazas, benches, and public art. In conjunction with development of the Campus Green, SDSU will conduct pre-construction surveys for nesting birds within the Proposed Project area. If any nesting birds are found, a buffer would be established, as determined by a qualified biologist, and the nesting area would be avoided during project construction until the young have fledged. **Construction of the Campus Green as proposed would require vacation of the existing street easement on Montezuma Place north of Hardy Avenue. If the vacation is not approved, this component of the Proposed Project would proceed on a modified basis.**

Development of the Campus Green would include the following Phase I and Phase II construction activities:

- (i) Demolition of existing parking lots at 5850 Hardy Avenue, 5186 and 5194 College Avenue.
- (ii) Development of approximately 1 acre of active and passive open space areas for recreational use.

V. *Pedestrian Malls.* This project component would be ancillary to the Mixed-Use Retail/Student Housing and would not be essential to development of the overall project site. As shown on Figure 6, Proposed Site Plan, the pedestrian malls would be developed primarily along portions of existing Montezuma Place and the alley east of proposed Buildings 4 and 5, between Montezuma Road and College Avenue. The areas would be designed as pedestrian/bicycle-friendly, open-air spaces that would provide access to both existing uses, such as the transit center, and to the future buildings. To facilitate development of the pedestrian malls, it would be necessary to close or "vacate" the following rights-of-way to vehicular traffic:

Montezuma Place between Lindo Paseo and Hardy Avenue;

Unnamed alley between Montezuma Place and College Avenue, and convert the eastern end of Hardy Avenue at the intersection with Montezuma Place to a cul-de-sac;

Lindo Paseo east of College Avenue; and,

Alley Way east of College Avenue between Montezuma Road and College Avenue.

The Pedestrian Malls component is contingent upon approval of the vacation of the above streets/alleys. If not approved, the Proposed Project would proceed without this component.

As outlined above, construction of the Proposed Project will occur in multiple phases. The Phase I demolition of existing structures is anticipated to begin in early 2011, with construction commencing in the summer of 2011. Occupancy of the new buildings will occur some time in 2013. Phase II demolition and construction is anticipated to begin in 2013, with occupancy projected for 2015.

SDSU is committed to working with the community throughout planning and development of the Proposed Project. In an effort to gain input from the surrounding communities, SDSU distributed a survey to approximately 17,000 residents; approximately 1,500 surveys were returned. Thereafter, SDSU hosted a community forum attended by approximately 40 residents to review the survey results and solicit additional feedback. Similar forums will be held throughout the planning process.

2.0 OTHER AGENCIES WHOSE APPROVAL MAY BE REQUIRED

The CSU Board of Trustees is the lead agency for the proposed SDSU Plaza Linda Verde Project. Other known public agencies whose approval may be required as a prerequisite to future construction and/or implementation of the project **components** include:

- State Historic Preservation Office (for approval of federally funded projects affecting significant archaeological and historical resources, if necessary)
- Division of the State Architect (handicapped 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, 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 vacation of certain specified public rights-of-way**)
- Water, wastewater, and sanitation special district approval, if necessary.

3.0 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental topics checked below potentially would be 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

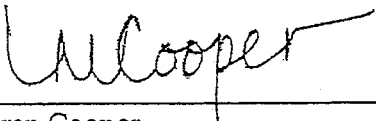
- ☒ Air Quality
- ☐ Energy and Mineral Resources
- ☒ Land Use and Planning
- ☒ Population and Housing
- ☒ Mandatory Findings of Significance
- ☒ Water Quality/Hydrology

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,
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 Proposed 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 also is 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 Proposed Project would alter, though not substantially degrade, the existing visual character of the College Area community, particularly the area immediately north of the College Avenue/Montezuma Road intersection. Construction of the retail/residential buildings north of the intersection will alter the appearance of the existing underdeveloped/commercial sites to a primarily mixed-use retail/residential land use. Changes in land use, such as construction and development of a campus green and a five-story above ground parking structure in locations currently occupied by a parking lot and multi-family residential housing, also will have the potential to alter visual quality and community character. The effects of exterior lighting and glass surfaces on any buildings proposed for construction also will have the potential to alter visual quality or community character. It is not anticipated that the Proposed Project would significantly affect a public scenic vista or substantially damage scenic resources. A separate visual resources 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: According to the San Diego County Important Farmlands Map (California Department of Conservation 2006), parcels included in the Proposed Project area are designated as "Urban and Built-Up Lands." The project area does not include any lands designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Therefore, development of the Proposed Project would not convert agricultural land to non-agricultural uses. The project area does not include any land under a Williamson Act contract. Impacts to agricultural resources are not anticipated to occur as a result of the Proposed Project and agricultural resources will not be discussed further in the draft EIR.

Issues (and Supporting Information Sources)	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 and the surrounding College Area community are located within the San Diego Air Basin ("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 (8-hour) and is in attainment for carbon monoxide (CO) (San Diego APCD 2007). Ozone is the principal air-quality problem in San Diego County, although carbon monoxide also is a growing problem as a result of increased vehicle emissions. Implementation of the SDSU Plaza Linda Verde Project may result in increased vehicle traffic on project area roadways, which will result in increased emissions of criteria pollutants from mobile sources. These emissions may result in potentially significant impacts to air quality. Additionally, due to the Proposed Project's location adjacent to SDSU and several preschools and elementary schools, sensitive receptors could be exposed to increased pollution concentrations during construction and operations. The Proposed Project, combined with known and reasonably foreseeable growth in the region, could result in cumulatively considerable emissions of non-attainment pollutants. Earthwork and demolition activities of the Proposed Project will result in the emission of diesel fumes and other odors normally associated with construction; however, these odors are not expected to significantly impact a substantial number of people. Analysis of the Proposed Project's potential air quality impacts and related mitigation measures will be provided in the draft EIR.*

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, etc.) 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:

- (a) *No candidate, sensitive, or special-status species identified by local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service (referred to as "special-status species") were observed during a biological field investigation conducted November 13, 2008. No habitat for special-status species is*

present on the project site. There are ornamental trees and shrubs that may provide suitable nesting habitat for urban-adapted birds. Breeding birds can be affected by short-term construction-related noise, which can result in the disruption of foraging, nesting, and reproductive activities. As described in the Project Description (above), pre-construction nesting bird surveys will be conducted prior to ground-disturbing activities. If any nesting birds are found during these surveys, a 300-foot buffer (or a buffer deemed appropriate by a qualified biologist) will be established around the nest where no construction will occur until the young have fledged. Therefore, the Proposed Project will not impact nesting birds. No impacts to special-status plants or wildlife will result from the Proposed Project.

- (b) Based upon a November 13, 2008, biological field investigation, there are no riparian habitats or other sensitive natural communities identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service present on the project site. No impacts to riparian or other sensitive natural communities will result from the Proposed Project.
- (c) The Proposed Project will not have a substantially adverse effect on federally protected wetlands. The site is located in an urban setting and is currently developed, and there are no jurisdictional waters of the U.S., including wetlands, on or near the project site. No impacts to federally protected wetlands as defined by Section 404 of the Clean Water Act will result from the Proposed Project.
- (d) The site is located in an urban setting and is fully developed. Please see (a) regarding potential impacts to breeding birds. The Proposed Project will not interfere with migratory wildlife corridors or wildlife dispersal.
- (e) The City of San Diego has a Tree Protection Policy that regulates the removal of designated tree resources that meet certain criteria (landmark tree, heritage tree, parkway resource tree, or preservation grove). None of the trees in the project area meet these criteria. Therefore, the Proposed Project will not conflict with any local policies or ordinances protecting biological resources. No impacts will result.
- (f) The City of San Diego has adopted a Multi-Species Conservation Program Subarea Plan (Subarea Plan) and a Multi-Habitat Plan Area (MHPA). Although SDSU is not a "permittee" under this umbrella plan/City Subarea Plan, the Proposed Project is within the Subarea Plan boundary, but is not located within the MHPA (City of San Diego 1997). Therefore, the Proposed Project will not conflict with conservation outlined in any formal habitat conservation plans or natural community conservation plans. No impacts will result.

As stated in responses a–f, above, implementation of the Proposed Project will not result in impacts to biological resources. Therefore, biological resources will not be discussed further in the draft EIR.

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, Section 15064.5?		✓		
(b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines, Section 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: Due to the age of residential structures located on parcels within the College Area community, implementation of the Proposed Project could potentially impact significant historical resources. Parcels included in the project area have been previously developed and disturbed and, therefore, it is unlikely that construction activities will unearth any archaeological or paleontological resources. Therefore, archaeological and paleontological resources will not be discussed further in the draft EIR. Historical resources and their importance in California history, however, will be analyzed fully as part of the EIR analysis. A historical resources technical report will be prepared that will inventory existing historical resources for each project component and determine if any existing historical 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 sewers 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 and the project area immediately south of the campus boundary are located within seismically active Southern California, the area could be subject to severe ground shaking during a major earthquake. The*

project area is relatively flat and no landslides have been mapped in the Proposed Project vicinity, which suggests the potential for future landslides is low. Generally, excavation activities proposed for the project will pass through fill materials above the groundwater level and poorly-graded sand-dominated materials within the Stadium Conglomerate formation that underlies the project area. However, this will be fully analyzed in the EIR. The project area's underlying geological and soil characteristics will be analyzed further in the draft EIR.

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, Section 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 2 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 wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				✓

DISCUSSION: *Operation of the Proposed Project will not require the routine transport, use, or disposal of hazardous materials through the surrounding community. In the event that hazardous materials are transported or used, compliance with all applicable health and safety requirements will decrease potential hazards associated with implementation of the Proposed Project. The Proposed Project area includes parcels that have been used previously as fueling stations. Construction activities at these sites potentially could encounter contaminated soils and could result in the accidental release of hazardous materials to the environment and release of materials within 0.25 mile of an existing school (SDSU and College Park Preschool are located within 0.25 mile of the various components of the project). The demolition of residential and commercial buildings on parcels included in the Proposed Project area potentially could result in the release of contaminated materials, such as asbestos and hazardous dry-cleaning chemicals (which may be present on parcels included in Phase II of the project). The Proposed Project site is not located within an airport land use plan nor is it located within 2 miles of a public airstrip (the closest airport is Montgomery Field, located approximately 5 miles northwest of the project area). Therefore, hazards associated with airports and air travel will not be discussed further in the draft EIR. A Phase I and Phase II environmental site assessment will be conducted to analyze potential impacts associated with the Proposed Project.*

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 will be located in developed areas immediately adjacent to campus. Development in these areas will be designed so that stormwater runoff will be collected and discharged to the existing storm drain system. The existing capacity of local stormwater drainage systems is expected to be adequate to serve the Proposed Project. As a result of the Proposed Project, changes in stormwater flows are not expected to be substantial. The project area exhibits a low potential for inundation by seiche, tsunami, or mudflow. Located on "Montezuma Mesa," the Proposed Project area is situated at a higher elevation than surrounding land and is located approximately 9 miles east of the Pacific Ocean and 2 miles southwest of the nearest lake (Lake Murray). Similarly, the Proposed Project will not expose people or structures to a significant risk due to flooding as the result of the failure of a levee or dam due to the elevation of the project site compared to the nearest dam (Lake Murray), which is lower in elevation. Further, the delineated dam inundation zone for Lake Murray does not include the project area (SanGIS 2006). A hydrology/water quality technical report will be prepared for the draft EIR that will evaluate the impacts of the project and improvements on surface water quality and groundwater hydrology and provide mitigation as appropriate. Impacts to local storm drain systems and adjacent land uses as a result of flooding and runoff 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 Proposed 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 will be consistent with adopted General Plan/Community Plan Planned Land Use Maps and the College Area Redevelopment Plan for the Core Subarea. Located in the Core Subarea of the College Area Community Redevelopment Plan, the Proposed Project is consistent with that Plan's designation of the area for high-density residential and neighborhood serving commercial land uses. 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 is not located within the boundaries of the City of San Diego's Multiple Habitat Planning Area and as such will not conflict with any applicable conservation plan.

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 Proposed Project elements are located within MRZ-3 Zones, as indicated on the State of California Department of Conservation Division of Mines and Geology (Generalized Mineral Land Classification Map of Western San Diego County, California 1996). MRZ-3 Zones are defined as areas containing mineral deposits the significance of which cannot be evaluated from available data. The project area is fully developed and has been previously disturbed; therefore, the Proposed Project will not result in the loss of availability of existing, usable mineral resources. Additionally, the project area does not include any locally important mineral resource recovery sites.*

The City of San Diego General Plan contains existing conditions language relating to minerals rather than specific mapped zones or avoidance/conservation guidelines. The College Area Community Plan does not include mineral resource zone overlays or avoidance directives (City of San Diego 2005). While SDSU's status as a state agency does not necessitate compliance with local plans or policies, including mineral resource protection guidelines, the Proposed Project will not conflict with local policies in the General Plan or community plans that pertain to mineral protection. Therefore, no impacts will occur and mineral resources will not be discussed further in the draft EIR.

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 2 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 residential uses into several areas currently used as parking lots, and alterations in traffic patterns that will occur with implementation of the project. Construction of the Proposed Project also will introduce nuisance noise and groundborne vibration and noise to the area. A noise analysis will be conducted that will evaluate the effects of building 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 also will document impacts related to construction activities. SDSU and the College Area community are not located within the vicinity of any airport or private airstrip; therefore, this consideration will not be discussed in the noise analysis or in the draft EIR.

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: *The residential portion of the Proposed Project is intended to address the current need and demand for additional on-campus housing for upper-division students. The project also is intended to decrease the prevalence of nuisance rental property housing in the surrounding College Area community. Therefore, the Proposed Project would centralize the student population and relocate them from the surrounding community to on-campus housing. While the Proposed Project would result in the demolition of one existing multi-family residential building, it would do so in order to provide a significant amount of new student housing units to the area. The resulting impacts of the Proposed Project on population and housing will be discussed further in the draft EIR.*

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 Proposed 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 will increase demand for these public services, and will 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 draft 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: *Future student residents of the SDSU Plaza Linda Verde Project would not be expected to regularly use existing neighborhood and regional parks. Students living in the Plaza Linda Verde residential buildings will be in close proximity to SDSU and as students they will have access to campus recreation facilities (such as the Aztec Center) and open space areas. Students are not expected to use City parks and recreation facilities while living at the Plaza Linda Verde such that their use would result in accelerated physical deterioration of City facilities. The environmental impacts of potential use and/or strain on local recreational facilities will be evaluated in the draft 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/additional traffic not previously analyzed will be generated due to the project components. The traffic analysis also will determine the potential shift in traffic volumes and patterns that will occur with implementation of the Proposed Project; the EIR also will address potential related effects on emergency access. 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 2006 California Supreme Court decision in *City of Marina v. Board of Trustees of California State University*. The parking analysis will assess the Proposed Project's impact on existing parking facilities in the surrounding community.

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 effects?		✓		
(d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements 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 will necessitate public services, such as electricity, natural gas, communication systems, water, sewer, and storm drainage. Electric, heating, and air conditioning required for all project components are expected to be generated on site at the SDSU Cogeneration Plant and Chill Plant. This facility was designed to serve additional uses, such as those proposed. Therefore, capacity shortfalls are not anticipated. The public services needs of each Proposed Project component will be analyzed in the draft EIR.*

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 do not support substantial populations of rare, threatened, or endangered plant or animal species or sensitive plant communities. For this reason, the Proposed Project would not 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. The Proposed Project is located on land characterized as urban and developed and construction of the project would have a less than significant impact on biological resources. Therefore, biological resources will not be discussed further in the draft EIR.*

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 Proposed Project's transportation and circulation impacts when combined with existing and planned future traffic increases within the College Area community. Potentially significant cumulative impacts may result.

6.0 DISTRIBUTION LIST

This initial study and notice of preparation of the draft EIR for the proposed SDSU Plaza Linda Verde 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

This initial study was prepared by SDSU Facilities Planning, Design, and Construction. The persons participating in the initial study include: (a) Lauren Cooper, Director, Facilities Planning, Design, and Construction; (b) June Collins, Principal, Environmental Services, Dudek; (c) Sarah Lozano, Environmental Planner, Environmental Services, Dudek; and (d) Mark J. Dillon and Michael S. Haberkorn, Gatzke Dillon and Ballance LLP.

8.0 REFERENCES

California Department of Conservation, Division of Mines and Geology. 1996. Generalized Mineral Land Classification Map of Western San Diego County, California.

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Redevelopment Agency. 2005. The Paseo at San Diego State University Final Environmental Impact Report. July 2005.

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SANDAG. 2006. GIS Layer "Dam Inundation Areas."

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 22, 2009, I served the attached document: [REVISED] NOTICE OF PREPARATION OF DRAFT ENVIRONMENTAL IMPACT REPORT AND INITIAL STUDY PLAZA LINDA VERDE, SAN DIEGO STATE UNIVERSITY, 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.

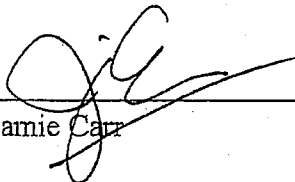
I further served the attached document by placing a true copy thereof, enclosed in a sealed envelope, with First Class/Certified Mail/Return Receipt Requested postage thereon fully prepaid, in the United States mail at Carlsbad, California, addressed as follows:

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 1 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 22, 2009, in Carlsbad, California.



Jamie Carr

**Attachment A
Golden State Overnight**

**U.S. Fish And Wildlife Service
Carlsbad Fish And Wildlife Office**
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U.S. Certified Mail/Return Receipt

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11. Comment Letters on the Revised NOP/IS

a



ARNOLD SCHWARZENEGGER
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE of PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



CYNTHIA BRYANT
DIRECTOR

Notice of Preparation

April 23, 2009

To: Reviewing Agencies
Re: Plaza Linda Verde Development Project
SCH# 2009011040

RECEIVED
APR 27 2009
Facilities Planning, Design
and Construction

Attached for your review and comment is the Notice of Preparation (NOP) for the Plaza Linda Verde Development Project 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 Board of Trustees
San Diego State University
5500 Campanile 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
Assistant Deputy Director & Senior Planner, State Clearinghouse

Attachments
cc: Lead Agency

Document Details Report State Clearinghouse Data Base

SCH# 2009011040
Project Title Plaza Linda Verde Development Project
Lead Agency California State University Trustees

Type NOP Notice of Preparation
Description The proposed Plaza Linda Verde project, which was developed in coordination with community input, would be a transit-based, mixed-use development that would provide several ground-floor commercial and upper floor student housing buildings, a campus green featuring a public promenade, an apartment complex for student housing, a five-story above grade (plus one level below grade) parking structure to accommodate primarily retail customers, and pedestrian malls in place of existing streets/alleys.

Lead Agency Contact

Name Lauren Cooper
Agency California State University Board of Trustees
Phone 619-594-5224 **Fax**
email
Address San Diego State University
 5500 Campanile Drive
City San Diego **State** CA **Zip** 92182-1624

Project Location

County San Diego
City San Diego
Region
Cross Streets Aztec Walk, Montezuma Rd, East Campus Dr, 55th St, Remington Rd, Adobe Falls Rd, Del Cerro Blvd
Lat / Long
Parcel No.

Township	Range	Section	Base

Proximity to:

Highways I-08
Airports
Railways
Waterways
Schools
Land Use General Plan: Multiple Uses

Community Plan: Undeveloped, Commercial, Single-Family Residential, Communication Utilities (Transportation Related), Institutional
 Zoning: CN-1-2 and RM-3-9

Project Issues Geologic/Seismic; Soil Erosion/Compaction/Grading; Noise; Public Services; Traffic/Circulation; Archaeologic-Historic; Recreation/Parks; Air Quality; Landuse; Population/Housing Balance; Water Quality; Other Issues

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

Date Received 04/23/2009 **Start of Review** 04/23/2009 **End of Review** 05/22/2009

Note: Blanks in data fields result from insufficient information provided by lead agency.

SCH# 6008011040

Last Updated on 03/24/2009

b

STATE OF CALIFORNIA

Arnold Schwarzenegger Governor

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
 SACRAMENTO, CA 95814
 (916) 653-6251
 Fax (916) 657-5380
 Web Site www.nahc.ca.gov
 e-mail: ds_nahc@pacbell.net



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May 1, 2009

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Facilities Planning, Design
and Construction

Ms. Lauren Cooper
 CALIFORNIA STATE UNIVERSITY BOARD OF TRUSTEES
 SAN DIEGO STATE UNIVERSITY
 5500 Campanile Drive
 San Diego, CA 92182-1624

Re: SCH#2009011040 CEQA Notice of Preparation (NOP); draft Environmental Impact Report (DEIR); for the Plaza Linda Verde Development Project located on the campus of San Diego State University, San Diego County, California

Dear Ms. Cooper:

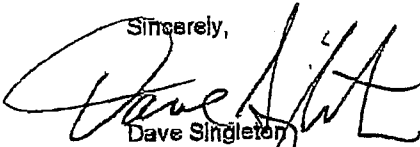
The Native American Heritage Commission (NAHC) is the state 'trustee agency' pursuant to Public Resources Code §21070 designated to protect California's Native American Cultural Resources. The California Environmental Quality Act (CEQA) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the California Code of Regulations §15064.5(b)(c)(f) CEQA guidelines). Section 15382 of the 2007 CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including.... objects of historic or aesthetic significance.' In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE)' and if so, to mitigate that effect. To adequately assess the project-related impacts on historical resources, the Commission recommends the following action:

- ✓ Contact the appropriate California Historic Resources Information Center (CHIRIS) for possible 'recorded sites' in locations where the development will or might occur. Contact information for the Information Center nearest you is available from the State Office of Historic Preservation (916/653-7276) <http://www.ohp.parks.ca.gov>. The record search will determine:
 - If a part or the entire APE has been previously surveyed for cultural resources.
 - If any known cultural resources have already been recorded in or adjacent to the APE.
 - If the probability is low, moderate, or high that cultural resources are located in the APE.
 - If a survey is required to determine whether previously unrecorded cultural resources are present.
- ✓ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
 - The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological information center.
- ✓ The Native American Heritage Commission (NAHC) performed:
 - A Sacred Lands File (SLF) search of the project 'area of potential effect (APE)': The results: No known Native American Cultural Resources were identified within one-half mile of the 'area of potential effect' (APE). However the NAHC SLF is not exhaustive and local tribal contacts should be consulted from the attached list and there are Native American cultural resources in close proximity..
 - The NAHC advises the use of Native American Monitors, also, when professional archaeologists or the equivalent are employed by project proponents, in order to ensure proper identification and care given cultural resources that may be discovered. The NAHC, FURTHER, recommends that contact be made with Native American Contacts on the attached list to get their input on potential IMPACT of the project (APE) on cultural resources. In some cases, the existence of a Native American cultural resources may be known only to a local tribe(s) or Native American individuals or elders.
 - ✓ Lack of surface evidence of archeological resources does not preclude their subsurface existence.
 - Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5 (f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.

- Again, a culturally-affiliated Native American tribe may be the only source of information about a Sacred Site/Native American cultural resource.
- Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.
- ✓ Lead agencies should include provisions for discovery of Native American human remains or unmarked cemeteries in their mitigation plans.
 - CEQA Guidelines, Section 15064.5(d) requires the lead agency to work with the Native Americans identified by this Commission if the initial Study identifies the presence or likely presence of Native American human remains within the APE. CEQA Guidelines provide for agreements with Native American, identified by the NAHC, to assure the appropriate and dignified treatment of Native American human remains and any associated grave liens.
- ✓ Health and Safety Code §7050.5, Public Resources Code §5097.98 and Sec. §15064.5 (d) of the California Code of Regulations (CEQA Guidelines) mandate procedures to be followed, including that construction or excavation be stopped in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery until the county coroner or medical examiner can determine whether the remains are those of a Native American. Note that §7052 of the Health & Safety Code states that disturbance of Native American cemeteries is a felony.
- ✓ Lead agencies should consider avoidance, as defined in §15370 of the California Code of Regulations (CEQA Guidelines), when significant cultural resources are discovered during the course of project planning and implementation

Please feel free to contact me at (916) 653-6251 if you have any questions.

Sincerely,



Dave Singleton
Program Analyst

Attachment: List of Native American Contacts

Cc: State Clearinghouse

San Diego County

May 1, 2009

Barona Group of the Capitan Grande
 Edwin Romero, Chairperson
 1095 Barona Road Diegueno
 Lakeside , CA 92040
 sue@barona-nsn.gov
 (619) 443-6612
 619-443-0681

Viejas Band of Mission Indians
 Bobby L. Barrett, Chairperson
 PO Box 908 Diegueno/Kumeyaay
 Alpine , CA 91903
 daguilar@viejas-nsn.gov
 (619) 445-3810
 (619) 445-5337 Fax

San Pasqual Band of Mission Indians
 Allen E. Lawson, Chairperson
 PO Box 365 Diegueno
 Valley Center , CA 92082
 (760) 749-3200
 (760) 749-3876 Fax

Kumeyaay Cultural Historic Committee
 Ron Christman
 56 Viejas Grade Road Diegueno/Kumeyaay
 Alpine , CA 92001
 (619) 445-0385

Santa Ysabel Band of Diegueno Indians
 Johnny Hernandez, Spokesman
 PO Box 130 Diegueno
 Santa Ysabel , CA 92070
 brandietaylor@yahoo.com
 (760) 765-0845
 (760) 765-0320 Fax

Jamul Indian Village
 Kenneth Meza, Chairperson
 P.O. Box 612 Diegueno/Kumeyaay
 Jamul , CA 91935
 jamulrez@sctdv.net
 (619) 669-4785
 (619) 669-48178 - Fax

Sycuan Band of the Kumeyaay Nation
 Danny Tucker, Chairperson
 5459 Sycuan Road Diegueno/Kumeyaay
 El Cajon , CA 92021
 ssilva@sycuan-nsn.gov
 619 445-2613
 619 445-1927 Fax

Mesa Grande Band of Mission Indians
 Mark Romero, Chairperson
 P.O. Box 270 Diegueno
 Santa Ysabel , CA 92070
 mesagrandeband@msn.com
 (760) 782-3818
 (760) 782-9092 Fax

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2009011040; CEQA Notice of Preparation (NOP); draft Environmental Impact Report (DEIR) for the Plaza Linda Verde Development Project; located on the campus of San Diego State University; San Diego County, California.

**San Diego County
May 1, 2009**

Kumeyaay Cultural Heritage Preservation
Paul Cuero
36190 Church Road, Suite 5 Diegueno/ Kumeyaay
Campo, CA 91906
chairman@campo-nsn.gov
(619) 478-9046
(619) 478-9505
(619) 478-5818 Fax

Clint Linton
P.O. Box 507
Santa Ysabel, CA 92070
(760) 803-5694
cjlinton73@aol.com

Diegueno/Kumeyaay

Kwaaymii Laguna Band of Mission Indians
Carmen Lucas
P.O. Box 775 Diegueno -
Pine Valley, CA 91962
(619) 709-4207

Inaja Band of Mission Indians
Rebecca Osuna, Spokesperson
309 S. Maple Street Diegueno
Escondido, CA 92025
(760) 737-7628
(760) 747-8568 Fax

Kumeyaay Cultural Repatriation Committee
Steve Banegas, Spokesperson
1095 Barona Road Diegueno/Kumeyaay
Lakeside, CA 92040
(619) 742-5587
(619) 443-0681 FAX

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2009011040; CEQA Notice of Preparation (NOP); draft Environmental Impact Report (DEIR) for the Plaza Linda Verde Development Project; located on the campus of San Diego State University; San Diego County, California.

C

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF TRANSPORTATION

DISTRICT 11

4050 Taylor St., MS 240

SAN DIEGO, CA 92110

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FAX (619) 688-4299

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PM 8.20

SCH 2009011040

May 7, 2009

Ms. Lauren Cooper
California State University Board of Trustees
San Diego State University
5500 Campanile Drive
San Diego, CA 92182-1624

RE: Plaza Linda Verde, San Diego State University

Dear Ms. Cooper:

The California Department of Transportation (Caltrans) appreciates the opportunity to have reviewed the Notice of Preparation for the [Revised] Notice of Preparation of the Draft Environmental Impact Report (DEIR) for the proposed Plaza Linda Verde, San Diego State University (SDSU) project dated April 22, 2009. Caltrans would like to restate our previous comments dated February 5, 2009.

Caltrans suggests, for mitigation to Interstate 8 (I-8) and College Avenue, that the preferred mitigation approach should include a Project Study Report (PSR) to identify specific design improvements to the I-8 and College Avenue Interchange. In addition, Caltrans provided to SDSU engineering cost estimates for proposed mitigation to I-8 and College Avenue identified in the SDSU Campus Master Plan Environmental Impact Report (EIR) in order to calculate the appropriate fair share responsibility.

A traffic impact study is necessary to determine this proposed project's near-term and long-term impacts to the State facilities – existing and proposed – and to propose appropriate mitigation measures. The study should use as a guideline the *Caltrans Guide for the Preparation of Traffic Impact Studies*, which is located at the following website:

<http://www.dot.ca.gov/hq/traffops/developserv/operationalsystems/reports/tisguide.pdf>.

Minimum contents of the traffic impact study are listed in Appendix "A" of the TIS guide.

The LOS for operating State highway facilities is based upon Measures of Effectiveness (MOE) identified in the Highway Capacity Manual (HCM). Caltrans endeavors to maintain a target LOS at the transition between LOS "C" and LOS "D" on State highway facilities; however, Caltrans acknowledges that this may not always be feasible and recommends that the lead agency consult with Caltrans to determine the appropriate target LOS. If an existing State highway facility is operating at less than this target LOS, the existing MOE should be maintained. In general, the region-wide goal for an acceptable LOS on all freeways, roadway segments, and intersections is "D". For undeveloped or not densely developed locations, the goal may be to achieve LOS "C".

Ms. Lauren Cooper

March 7, 2009

Page 2

All State-owned signalized intersections affected by this project should be analyzed using the intersecting lane vehicle (ILV) procedure from the Caltrans Highway Design Manual, Topic 406, page 400-21.

The geographic area examined in the traffic study should include as a minimum all regionally significant arterial system segments and intersections, including State highway facilities where the project will add over 100 peak hour trips. State highway facilities that are experiencing noticeable delays should be analyzed in the scope of the traffic study for projects that add 50 to 100 peak hour trips.

A focused analysis may be required for project trips assigned to a State highway facility that is experiencing significant delay, such as where traffic queues exceed ramp storage capacities. A focused analysis may also be necessary if there is an increased risk of a potential traffic accident.

All freeway entrance and exit ramps where a proposed project will add a significant number of peak-hour trips that may cause any traffic queues to exceed storage capacities should be analyzed. If ramp metering is to occur, a ramp queue analysis for all nearby Caltrans metered on-ramps is required to identify the delay to motorists using the on-ramps and the storage necessary to accommodate the queuing. The effects of ramp metering should be analyzed in the traffic study. For metered freeway ramps, LOS does not apply. However, ramp meter delays above 15 minutes are considered excessive.

The data used in the TIS should not be more than 2 years old.

Caltrans endeavors that any direct and cumulative 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 to State facilities should be included in the traffic impact analysis. Mitigation identified in the traffic study, subsequent environmental documents, and mitigation monitoring reports, should be coordinated with Caltrans to identify and implement the appropriate mitigation. This includes the actual implementation and collection of any "fair share" monies, as well as the appropriate timing of the mitigation. Mitigation improvements should be compatible with Caltrans concepts.

The lead agency should monitor impacts to insure that roadway segments and intersections remain at an acceptable Level of Service (LOS). Should the LOS reach unacceptable levels, the lead agency should delay the issuance of building permits for any project until the appropriate impact mitigation is implemented.

Mitigation conditioned as part of a local agency's development approval for improvements to State facilities can be implemented either through a Cooperative Agreement between Caltrans and the lead agency, or by the project proponent entering into an agreement directly with Caltrans for the mitigation. When that occurs, Caltrans will negotiate and execute a Traffic Mitigation Agreement.

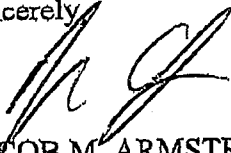
Ms. Lauren Cooper

March 7, 2009

Page 3

If you have any questions or require further information, please contact Eric Bassell at (619) 688-6075 or Eric_Bassell@dot.ca.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Armstrong', written over the word 'Sincerely,'.

JACOB M. ARMSTRONG, Chief
Development Review Branch

cc: State Clearinghouse

d



May 21, 2009

Via Courier Service

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MAY 26 2009

Facilities Planning, Design
and Construction

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

RE: [Revised – April 22, 2009] Notice of Preparation ("NOP") of Draft Environmental Impact Report ("DEIR") and Initial Study Plaza Linda Verde, San Diego State University ("SDSU" / "University")

Dear Ms. Cooper,

This letter shall serve as the comments of KB Books and its' President, Mr. Ken Appel, on the revised NOP dated April 22, 2009 for the Plaza Linda Verde proposed development ("Project"). KB Books has a vested interest in the proposed plan as a property lessee and business owner at 5187 College Avenue, within the boundary of the Proposed Project. The KB Books store has occupied this location as a successful business serving the students of SDSU and other local schools and colleges as well as local residents for the last 19 years.

In addition to our comments on the NOP described on the following page, we formally object to any proposal to extend the boundaries of the University to include the KB Books property. The NOP states that "eminent domain will not be utilized to acquire property for the Proposed Project", yet proposes a plan on property (east of College Avenue) over which it (1) does not have any ownership or control of property rights, and (2) does not have any regulatory or land use authority. Identifying these properties for acquisition and extending the boundaries of the SDSU campus may amount to a case of inverse condemnation, devaluing the properties and the businesses that occupy them.

We have reviewed the NOP and request the DEIR address the following comments regarding the proposed Project:

1. The DEIR should clarify how SDSU has the authority to adopt a plan over property that it does not own or control. Several properties east of College Avenue are privately owned

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Email: mesatext@kbbooks.com

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Email: info@kbbooks.com
www.kbbooks.com

CITY COLLEGE
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Fax (619) 232-8899
1045 14th St., Ste. 120
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Email: citytext@kbbooks.com



and occupied by private businesses. Land use of these properties is regulated by the City of San Diego through its General Plan, zoning ordinance and related documents, including the College Area Community Plan, the College Area Redevelopment Plan, and others. The DEIR should describe how the Project is consistent with those and other applicable plans, rules and regulations and how any redevelopment of the properties east of College Avenue would follow the City's and the Redevelopment Agency's development review processes. If eminent domain is not proposed, the DEIR should clearly state that its analysis and conclusions are not based on eminent domain as part of the Project Description.

2. In addition to addressing the impacts of full implementation of the Proposed Project, the DEIR must address the impacts of any partial implementation of the Project – i.e., in the event that only some or none of the privately owned properties east of College Avenue are acquired. This analysis of partial implementation must include the impacts of alley vacations, loss of right-of-way, loss of existing street and road easements, and loss of access on existing properties or businesses that choose not to sell their property to the University or are immediately adjacent to the Proposed Project. The DEIR should also address the impact on the remaining parcels due to partial implementation of the Project, including changes to traffic on remaining streets; vehicle access routes to remaining parcels for customers, deliveries, and emergency vehicles; disruption or elimination of on- and off-street parking for existing businesses; and changes to visibility of existing businesses from public thoroughfares. The DEIR should discuss whether full or partial implementation of the Project could cause blight or financial damage to existing businesses and private properties.
3. The NOP states that "electric, heating, and air conditioning required for all project components are expected to be generated on site at the SDSU Cogeneration Plant and Chill Plant". This statement implies that electricity and warmed or cooled air will be transported to all new buildings, including across College Avenue to the proposed Phase Two. The DEIR should clarify how these facilities will be connected and address the potential impacts of construction across College Avenue, including short term impacts to circulation and disruption of business. The DEIR should also address any potential impacts to public safety from pressurized lines under the road and near business and residential buildings.

We respectfully reserve the right to raise additional concerns and comments regarding the proposed Project and the DEIR as more information becomes available through the environmental review process. We request that these comments and your replies to these comments be included as part of the administrative record for the CEQA review of the Project.

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Ms. Lauren Cooper
May 19, 2009
Page 3 of 3



Please feel free to contact me directly at 619-993-8398 if you have any questions or wish to discuss these comments further.

Sincerely,

Ken Appel, President
KB Books

Cc: Councilwoman Marti Emerald, Council District 7
Mr. William Anderson, SD City Planning & Community Investment Department
Eliana Barreiros, College Area Redevelopment Project Manager, San Diego City Planning
& Community Investment Department
Mr. Stephen Laub, Land Solutions, Inc.
Cynthia L. Eldred, Attorney at Law

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**12. Memorandum, Meeting Minutes, Plaza Linda Verde Project and the
Transit Ridership the Project Would Generate, September 23, 2009**

MEETING MINUTES

Subject: Plaza Linda Verde project and the Transit
Ridership the project would generate Date: September 23, 2009

Attendees: John Boarman, (LLG) LLG Ref: 3-08-1857
Laurie Cooper (SDSU)
Dennis Desmond (MTS)

1. Laurie gave an overview of the project description.
2. John explained that based on the project consisting of student housing and retail, only a small amount of ridership would be added to the transit system.
3. Dennis agreed with John's opinion of low additional ridership due to the project.
4. Dennis outlined some of the transit related operational issues that MTS faces in the area unrelated to the proposed Plaza Linda Verde project.

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GREENSPAN**
engineers

Engineers & Planners
Traffic
Transportation
Parking

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