

9.3 RESPONSES TO COMMENTS

GENERAL RESPONSES

GENERAL RESPONSE 1

DEL CERRO ROADWAY CLASSIFICATIONS

The roadway classifications utilized in the EIR traffic impact analysis for the roadways in the Del Cerro community were determined based on multiple factors, including actual roadway conditions, the classifications provided in the Navajo Community Plan, and the information and guidance provided in the City of San Diego Street Design Manual, and the City Traffic Impact Study Manual. Additional discussion regarding Del Cerro residential street capacities is provided in Draft EIR Appendix N, Traffic Technical Report, *Traffic Impact Analysis, SDSU 2007 Campus Master Plan Revision*, Linscott, Law & Greenspan, Engineers, (June 1, 2007), pages 7-8.

COLLECTOR AND RESIDENTIAL LOCAL STREET CLASSIFICATIONS

A significant amount of time was spent by the EIR traffic engineers, Linscott, Law & Greenspan, Engineers ("LLG") driving through the Del Cerro community and conducting an overall assessment of the subject roadways. The purpose of these activities was to determine the appropriate classification (and hence carrying capacity) for use in the Del Cerro community roadway impacts analysis.

Based in part on these observations, a "Collector" designation was assigned to Del Cerro Boulevard. (See, e.g., Draft EIR ("DEIR") p. 3.14-11.) This classification was used for multiple reasons, including that the fronting uses on the roadway are both single-family residential and non-residential (e.g. schools and churches), which is indicative of a "Collector" roadway. (EIR Appendix N-1, City of San Diego Street Design Manual, p. 33.) Furthermore, Del Cerro Boulevard is signalized at College Avenue and the road serves to "collect" traffic from several residential local streets. (See, DEIR Figure 8-4.) In addition, Del Cerro Boulevard has a raised median through a portion of the roadway; a raised median serves to increase the capacity of a roadway by physically separating the two directions of travel, thereby reducing cross-section traffic conflicts.

The Navajo Community Plan, which contains the City's circulation element for the Navajo community, classifies Del Cerro Boulevard as a "2-Lane Collector Street." (EIR Appendix N-1, Navajo Community Plan, page 93.) The Community Plan defines a collector as distributing traffic from arterial thoroughfares, providing access to abutting

property, and providing street crossings at grade, all characteristics of Del Cerro Boulevard. (Navajo Community Plan, page 126.) Although the Community Plan provides that collectors are rarely divided, the fact that Del Cerro Boulevard includes a raised median through a portion of the roadway is a characteristic of roadways with higher, rather than lower, capacities. The Community Plan also provides that the maximum desirable ADT for a two-lane collector street is 5,000 vehicles per day. (Navajo Community Plan, p. 89).

For these reasons, the EIR traffic impacts analysis utilized the lowest Collector capacity available in *Table 2* of the City of San Diego Traffic Impact Study Manual for the Del Cerro Boulevard capacity analysis – 5,000 ADT, Level of Service C. (DEIR p. 3.14-11; EIR Appendix N-1, City of San Diego Traffic Impact Study Manual, p. 8.)

In contrast to the "Collector" classification utilized for Del Cerro Boulevard, a "Residential Local Street" classification was utilized for Rockhurst Drive, Lambda Drive, Genoa Drive, Capri Drive, Arno Drive and Adobe Falls Road. (DEIR pp. 3.14-11 to 13.) These roadways do not have a specific classification assigned to them by the City; there is no document that states the functional classification of these roadways. Therefore, a custom analysis of these streets was conducted based on a field review of the roadways and the associated driving conditions on each roadway to determine the appropriate classification.

Both the City of San Diego Street Design Manual and City Traffic Impact Study Manual provide various criteria that may be considered in determining the classification of a roadway. According to the City Street Design Manual, factors to be considered include the curb-to-curb width of the roadway and corresponding right of way, the design speed, the maximum grade, the minimum curve radii and the fronting land uses. (Street Design Manual, p. 31.) According to the City Traffic Impact Study Manual, the classification assigned to a particular roadway considers the number of lanes, the curb-to-curb width and corresponding right-of-way width, and the fronting uses. (Traffic Impact Study Manual, p. 8).

As explained below, based on an analysis of the Del Cerro community roadways utilizing the criteria provided in the City Street Design Manual and Traffic Impact Manual, the EIR traffic engineers determined that the Del Cerro roadways other than

Del Cerro Boulevard closely fit the characteristics of both a Residential Local Street (LOS C capacity of 1,500 ADT) and a "Sub-Collector" (LOS C capacity of 2,200 ADT). However, in order to be conservative and not understate traffic impacts, a capacity of 1,500 was utilized in the traffic analysis.

The City of San Diego Street Design Manual does not classify roadways, *i.e.*, it does not list specific roadways and assign to them a classification such as "Collector," "Sub-collector," etc. Instead, the Manual provides multiple design characteristics typically associated with each classification. Page 19 of the Manual provides the following characteristics for the "Residential Local Street" classification:

Width, Curb-to-Curb	32ft:
Width, Right of Way:	52-62 ft.
Design ADT:	1,500
Design Speed:	(none provided)
Maximum Grade:	15%
Minimum Curve Radius:	100 ft.
Land Use:	Large Lot Single Dwelling Residential, Single Dwelling Residential, Multiple Dwelling Residential, Open Space Park, Local Mixed Use

The curb-to-curb width of the Del Cerro roadways varies from 36-40 feet; none of the roads are narrower than 36 feet. Typical roadway rights-of-way are 20 feet; therefore, the rights-of-way through the community are expected to be greater than the 52-62 feet design range.

Although there is no "design speed" provided for residential streets, the "design speed" is typically defined as "the maximum safe speed that can be maintained over a specified section of roadway when conditions are so favorable that the design features of the road govern." (Street Design Manual, p. 148.) The "design speed" of a roadway generally is equivalent to the actual speed at which the 85th percentile of vehicles travel on the subject roadway (in fact, the design speed is actually higher than that number). Traffic data collected by LLG during surveys conducted in 2005 indicate that 85% of the vehicles traveling on Genoa Drive, between Capri Drive and Arno Drive, traveled at speeds averaging 30.4 mph (northbound) and 30.9 mph (southbound). (See, EIR

Appendix N-1, Adobe Falls Traffic Data Speed Histograms.) The data also indicates that 85% of the vehicles traveling on Capri Drive, between Genoa Drive and Helena Place, traveled at speeds averaging 25.1 mph (eastbound) and 27.3 mph (westbound). The fact that the average travel speed on Genoa Drive for 85% of the vehicles exceeded 30 mph, combined with the fact that the average travel speed for 85% of the vehicles on Capri Drive exceeded 25 mph, supports the EIR's classification of the subject roadways as Residential Local Streets since these types of streets have speeds in the 20-25 mph range. Additional support lies in the fact that all posted speed limits in the vicinity of Adobe Falls are 25 mph, with the exception of one segment of Genoa Drive, which is posted 20 mph on a downgrade. It should be noted that these speeds also support application of a sub-collector classification with a 2,200 ADT capacity.

With respect to the maximum grade, comments submitted on the DEIR refer to the Adobe Falls Road/Mill Peak Road grade as between 10-17%. Based on field observations, all of the subject roadways have a grade less than 10% with the exception of Adobe Falls Road/Mill Peak Road. This is consistent with the Residential Local Street maximum grade of 15%. Notwithstanding, the steep grade of Adobe Falls Road/Mill Peak Road was factored into the EIR traffic impacts analysis, which determined that vehicle speeds on the Adobe Falls streets could be viewed as a potentially significant impact. (DEIR p. 3.14-99.) For this reason, the EIR includes a mitigation measure requiring the preparation of a Traffic Calming Study following occupancy of the Adobe Falls Faculty/Staff Housing Upper Village to determine the methods available to control and/or reduce vehicle speeds on the Del Cerro community roadways, and further requires that SDSU contribute its fair-share of the costs to implement the feasible measures identified in the Study. (See Mitigation Measure TCP-23.)

As to the minimum curve radius, some of the curve radii on the subject roads range, generally, between 190 and 290 feet, consistent with the 100 foot minimum curve radii associated with the Residential Local Street designation. Lastly, the land uses abutting the residential roadways are primarily Single Dwelling Residential, consistent with the Street Design Manual's Residential Local Street classification.

Based on consideration and analysis of all of the factors outlined in the Street Design Manual, LLG determined that the subject roadways exhibit those characteristics generally of both a Residential Local Street and a Sub-Collector classification.

With respect to the Navajo Community Plan, the Plan's Circulation Element Map depicts the community's "primary arterials," "major streets" and "collector streets"; the Community Plan does not reference "sub-collectors" or "residential local streets." (Navajo Community Plan, page 93.) The Circulation Element Map classifies the western portion of Adobe Falls Road as a "2-Lane Collector Street." However, the map does not depict the eastern portion of Adobe Falls Road, nor does it depict any of the other streets in the subject community. Accordingly, the Navajo Community Plan does not assign a specific classification to these roads.

In an effort to validate the EIR's determination that the most accurate classification of these roadways is as a Residential Local Street, intersection analyses for two of the residential intersections were conducted, utilizing nationally accepted methodologies. The analyses were conducted at the intersections of Genoa Drive/Arno Drive, and Genoa Drive/Capri Drive, the two intersections where a majority of project traffic would travel. The results of the intersection analyses, which were conducted in 2005 and were based on development of 540 housing units (as compared to the 348 units presently proposed), indicate post-project delays of approximately 9 to 10 seconds at each of the intersections, with LOS B or better operations. (See EIR Appendix N-1, Genoa/Capri/Arno Intersection Analyses.) Thus, the intersections along the subject roadways are projected to operate well within their carrying capacities under post-project conditions.

The above finding is consistent with the EIR's determination that the related roadway segments would operate acceptably under post-project conditions, *i.e.*, it would be inconsistent for the intersections to operate at acceptable levels and the related street segments at unacceptable levels of service. Utilizing a roadway classification with a capacity less than a Residential Local Street with a corresponding reduced ADT capacity, as commentators have suggested, would result in post-project unacceptable operations on the street segments, conditions that would be inconsistent with intersections operating at post-project acceptable levels. The intersection analyses, therefore, validate that the Residential Local Street classification with a 1,500 ADT capacity is the correct classification to use for these roads in terms of estimating carrying capacity.

GENERAL RESPONSE 2

POPULATION AND HOUSING RELATED MATTERS

The Draft EIR determined that based on the number of existing and projected on-campus and off-campus multi-family housing available for students in the College Area community, the proposed project would not result in potential significant impacts to housing. (DEIR, p. 3.12-15 – 19). As indicated in Table 3.12-9 (DEIR, p. 3.12-16), a total of 4,942 beds are currently available to SDSU students through on campus housing or off campus housing that is managed by SDSU for the sole purpose of SDSU student use. In addition, through apartment complex owner interviews, SDSU estimates that approximately 90% of off campus housing units (that are within 0.5 mile of campus or that are serviced by a shuttle to/from SDSU), are occupied by SDSU students (approximately 3,336 students). There are another 1,983 multi-family housing units within 0.5 to 1.0 mile of campus that are also likely SDSU residences, however SDSU has not assumed that any students live in these units in an effort to present a conservative estimate of the number of students living within 1.0 mile of school. Therefore, SDSU estimates there are approximately 8,278 multi-family residential student beds on campus, off campus within SDSU managed housing, within 0.5 mile of campus or in multi-family residential complexes that provide a shuttle service to/from SDSU. Approximately 31 – 33% of existing students live within the units described above.

SDSU has estimated, that upon project build-out, on campus housing, off campus housing managed by SDSU, multi-family residential housing units within 1.0 mile of campus and housing units that provide shuttle service to SDSU, will total 11,919 beds potentially available to future students. This would result in on campus or off campus multi-family housing for approximately 50% of future students. SDSU believes that provision of housing for 50% of the ultimate student body population within the College Area Community (either on or off campus) or along trolley routes is adequate because of two main reasons. 1) SDSU students are quite often sensitive to price. As stated in the Draft EIR (DEIR, p. 3.12-19), based on existing SDSU student residence distribution patterns, as well as price considerations expressed in housing preference surveys, not all SDSU students will have the means to live away from home. A large percentage of SDSU's students are from San Diego County cities or communities; many of these students chose to commute to SDSU rather than move nearby out of pure economic necessity (i.e., it is cheaper to live at home than rent an apartment or move into campus

housing); 2) Some students have and will continue to chose to live along major transportation routes (i.e, I-8/Mission Valley, I-15/Serra Mesa) or in the beach communities due to convenience, unit preference and presence of amenities. It is unlikely that these housing preferences will drastically change over the build-out of the EIR. Therefore, the assumption that with the increase of students comes a 100% increase in student residential growth to the College Area Community is highly unlikely due to past student residential patterns as outlined above.

Nuisance Rentals ("Mini-Dorms")

The Draft EIR provides substantial discussion about the negative indirect effects of several students renting rooms or portions of rooms within single family homes (i.e., nuisance rentals or "mini dorms") in single family neighborhoods. Section 3.12.5.2.1.1 (DEIR, p. 3.12-20) describes issues relating to nuisance rentals (i.e., noise from increased densities of students in residential communities, increased traffic and parking demands, and the general compatibility of student versus neighborhood land use demands). The discussion in the Draft EIR further outlines the fact that mini dorm control involves not only SDSU and SDSU Police, but the City of San Diego, through local law enforcement and land use and entitlement regulation. Therefore, the solution to the rise of mini dorms in the College Area Community is multi-faceted.

Development of additional multi-family housing units in the College Area Community and along transit routes will help provide additional options for students and, through the effects of a free market economy, may help increase competition and therefore reduce the price of available private-sector units. The City of San Diego, through local land use and zoning controls, has already helped curb the flow of students utilizing single family homes as mini-dorms in the following ways:

- In July 2007, the City of San Diego City Council voted in favor to amend the Land Development Code to restrict the number of bedrooms in single family residential neighborhoods, limit the width of driveways and clarify the requirements for garage conversions (City of San Diego, City Council Meeting Minutes, July 9, 2007).

- A proposed “rooming house” ordinance is planned for hearing by the City Council in the Fall of 2007. This ordinance would restrict commercial lease activity of single family homes to multiple lease-holders in specific single family residential neighborhoods of the City.

The City of San Diego Police Department has and continues to be instrumental in reducing the negative impacts of mini-dorms. A six-month pilot program instituted by the City of San Diego Police Department and City’s Neighborhood Code Compliance Division has resulted in issuance of 30 \$1,000 citations as of early August 2007 (San Diego Union Tribune, August 5, 2007). Further, the City Council and San Diego Police Department continue to and have increased support/enforcement of the Community Assisted Party Program (“CAPP”) which provides a mechanism to combat chronic party houses (City of San Diego, City Council Meeting Minutes, July 9, 2007). SDSU-sponsored on-campus housing development (such as outlined in the proposed 2007 Campus Master Plan Revision) will assist in providing students with close and convenient living choices.

All of the above efforts constitute important components of the multi-faceted issue of mini-dorms. Because it is highly likely that all or many of these efforts will help curb the amount of, and negative community effects of mini-dorms, it can not be assumed that a single factor, such as the increase of SDSU students, will directly result in an increase in mini-dorms within the College Area Community.

GENERAL RESPONSE 3

CITY OF MARINA COMPLIANCE

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

This response documents CSU/SDSU compliance with the *City of Marina* decision relative to the 2007 Campus Master Plan Revision project. Following below is a summary of the requisite principles established by the Supreme Court in the *City of Marina* case, followed by a summary of the negotiations that have taken place to date among the various public agencies. The response concludes with a brief overview of the CSU legislative budget request process.

City of Marina Requisite Principles

The following are the requisite principles established by the California Supreme Court's decision in *City of Marina*, relative to the 2007 Campus Master Plan Revision project and EIR:

SDSU/CSU is encouraged to negotiate with applicable public agencies in an attempt to reach agreement on voluntary payments to be made to the agencies to mitigate the identified significant effects of the project. (39 Cal.4th at 361-62.)

SDSU/CSU is not required to pay more than is necessary to mitigate the project's effects; CEQA requires that mitigation measures be "roughly proportional" to the impacts of the project. (39 Cal.4th at 361-62.)

If an agreement cannot be reached regarding SDSU/CSU's "fair share" mitigation payment amount, CSU's determination of fair share prevails as long as the Board of Trustees does not abuse its discretion in determining the amount. (39 Cal.4th at 361-62.)

SDSU/CSU is obligated to request funding from the Legislature for mitigation, including funds for its local agency fair-share mitigation costs. (39 Cal.4th at 367.)

However, the power of SDSU/CSU to mitigate the project's effects through voluntary mitigation payments is ultimately subject to legislative control; if the Legislature does not appropriate the money, the power does not exist. (39 Cal.4th at 367.)

Thus, if the Legislature does not fund SDSU/CSU's fair share, the Board of Trustees has the authority to adopt a statement of overriding considerations and proceed with the 2007 Campus Master Plan Revision project. (39 Cal. 4th at 367.)

The SDSU 2007 Campus Master Plan Revision EIR was prepared with the *City of Marina* legal framework in place. Accordingly, when assessing impacts to traffic and circulation, the EIR proposes a series of mitigation measures that requires CSU/SDSU, subject to funding by the state Legislature, to contribute its "fair share" of the costs required to improve existing infrastructure, as needed. (Final EIR pp. 3.14-101 to 3.14-113.) The terms of these mitigation measures are consistent with the "statutory obligation to ask the Legislature for the necessary funds" identified in *City of Marina, supra*, 39 Cal.4th at p. 375. Further, the EIR determined that impacts related to traffic and circulation would be significant and unavoidable in light of the potential for the Legislature to deny CSU's or Caltrans' funding requests, or to grant less funding than requested, or to delay receipt of the funds. (Final EIR p. 3.14-120.) This determination is consistent with the Supreme Court's acknowledgement that where "the Legislature does not appropriate the money, the power [to mitigate] does not exist." (*City of Marina*, 39 Cal.4th at p. 367.)

City of Marina Negotiations

In furtherance of the Supreme Court's decision in *City of Marina*, SDSU representatives have met over the past several months with representatives of the City of San Diego, the City of La Mesa, the California Department of Transportation ("Caltrans"), and the San Diego Association of Governments ("SANDAG") in an effort to reach a negotiated agreement as to the amount of SDSU's fair-share contribution for roadway improvements within the respective jurisdictions of those agencies in which significant impacts were identified. A summary of the negotiations with each entity, and the status of the negotiations, follows below.

City of San Diego

Beginning in December 2006 and continuing through October 2007, representatives of the City of San Diego and SDSU met on approximately 18 separate occasions (most recently October 26, 2007), and held multiple telephone conference calls (most recently October 30, 2007), to discuss the Draft EIR and to engage in negotiations regarding the University's fair share mitigation obligations arising under *City of Marina* and relative to the City. Consistent with the *City of Marina* decision, the University initiated these meetings.

During the negotiations, the University made it clear that traffic impacts caused by the proposed project would require SDSU to request funding from the state Legislature for the project's fair-share contribution for various traffic-related improvements within the City of San Diego's jurisdiction identified as mitigation measures in the Draft EIR, Section 3.14, Transportation/Circulation and Parking. As discussed further below, there are no other potential significant impacts to City services identified in the Draft EIR that would require fair-share mitigation funding to the City; the project would result in less than significant impacts to all other City services.

A summary of each respective parties' position relative to each environmental impact category is provided below.

Traffic

With respect to traffic impacts, the University proposed to request from the Legislature the total sum of \$6,437,860.00 as mitigation for the potential significant traffic impacts to

roadways located within the City of San Diego, as identified in the 2007 Campus Master Plan Revision EIR. This proposal was made during meetings between the parties, and was reduced to writing by letter dated August 21, 2007. The letter also provided the City with a summary of the meetings between the parties to date, and a summary of each parties' respective positions to date. (A copy of the August 21, 2007, letter is provided as **Attachment 1** to this response.)

The \$6,437,860.00 amount is a calculation based on the EIR's technical analysis of SDSU's "fair-share" of the costs to mitigate the project's traffic impacts. The amount was calculated based upon City estimates of the costs to construct the subject roadway improvements, and multiplied by a fair-share percentage determined through a formula routinely used by the City. Further information concerning the University's fair-share traffic impact contribution is provided in the table entitled "Breakout of Near-Term and Horizon Year Percentages and Costs" ("Mitigation Funding Table"), which is provided as **Attachment 2** to this response. The Mitigation Funding Table lists the intersections and roadway segments within the City of San Diego that would be significantly impacted by the SDSU Campus Master Plan Revision, as identified in the Campus Master Plan Revision Draft EIR. (See Mitigation Funding Table, **Attachment 2**; and DEIR, pp. 3.14-100 to 3.14-101.) The Mitigation Funding Table calculated the proposed mitigation amount based on: (i) the Draft EIR recommended roadway improvement mitigation measures (DEIR 3.14-102 to 3.14-106; Final EIR pp. 3.14-102 to 3.14-108); (ii) the estimated cost of each improvement based on the College Area Capital Needs Study, adjusted for inflation; and (iii) the Campus Master Plan's fair-share contribution, which was calculated based on a formula used by the City for such purposes (DEIR, pp. 3.14-108 to 3.14-110; Final EIR pp. 3.14-111 to 3.14-112.)

The total amount proposed conforms with CEQA, which requires that mitigation be consistent with all applicable constitutional requirements, including those regarding proportionality and nexus. (CEQA Guidelines §15126.4(a)(4).) Under CEQA, the University is not required to pay more than is necessary to mitigate the significant traffic impacts of the proposed Campus Master Plan; CEQA also requires that mitigation measures be "roughly proportional" to the impacts of the project. (*City of Marina, supra*, 39 Cal.4th at pp. 361-62.)

The City's initial response to the proposal was that the amount is too low, contending that the SDSU Campus Master Plan project is responsible for 100% of certain roadway

improvement costs, not the percentage fair-share calculated in the EIR. The City also contends that the methodology utilized by SDSU to assess traffic impacts is incorrect. (See, City of San Diego City Attorney Comments, L2-6 through L2-25.)

The City subsequently presented multiple counter-proposals to SDSU, including: (i) a counter-proposal based on the SDSU mitigation model, but revised to allocate 100% of the costs of the subject roadway improvements to SDSU, thereby rejecting SDSU's fair-share percentage contribution calculated in the EIR. Based on the 100% allocation, the City proposed that SDSU's contribution for roadway improvements should be approximately \$30 million; and, thereafter, (ii) a counter-proposal that SDSU's contribution be approximately \$20 million. The \$20 million figure was calculated by multiplying the growth in student enrollment that would occur under the project (10,000 additional full-time equivalent students (FTES)) times \$2,000 per FTES, and would be payable in 20 annual installments, based on actual enrollment growth in each of the 20 years.

On October 30, 2007, after receiving SDSU's responses to the previous counter-proposals, the City submitted its final counter-proposal, which consisted of two alternatives. (A copy of the City's October 30, 2007 counter-proposal is provided as **Attachment 3** to this response.) Under Alternative 1, the City proposed that SDSU's contribution be \$11,079,860, subject to future adjustment increases based on future traffic counts; that CSU/SDSU guarantee funding for any upward adjustments whether or not the state Legislature grants CSU/SDSU's funding request; and, that SDSU limit development of the Adobe Falls Lower Village to 36 units. Under Alternative 2, the City proposed that SDSU's contribution be \$21,852,000, subject to future adjustment based on future traffic counts, and, that SDSU limit development of the Adobe Falls Lower Village to 36 units. SDSU rejected the two counter-proposal alternatives.

SDSU and the City ultimately were unable to reach agreement through negotiation. However, CSU, on behalf of SDSU, will submit a request to the state Legislature consistent with the \$6,437,860 calculated as SDSU's fair-share mitigation payment for the project's significant impacts to roadways within the City of San Diego. If the Legislature approves the funding request, or a portion of that request, it is anticipated the appropriated funds will be provided to the City in annual amounts corresponding to annual enrollment growth, provided that the City identifies a fund or traffic impact fee

program assuring that the funds will be expended solely in furtherance of the subject roadway improvements.

Off-Sets to Mitigation

The University's position is that the benefit of SDSU's economic impact on the City should be considered an off-set to mitigation. SDSU contributes approximately \$2.4 billion worth of spending annually to the San Diego region, and the University estimates that it will contribute approximately \$308 million to the regional tax base in tax year 2007. (San Diego State University: Measuring the Economic Impact on the Region, ICF International, July 19, 2007 ("ICF Report"), pp. 1-2 to 1-3; see also pp. 2-6 to 2-15.) Out-of-region students (*i.e.*, those students who would not reside in the San Diego region but for SDSU) alone spend approximately \$143.3 million in the San Diego Region, and SDSU is the 8th largest employer in San Diego, employing approximately 11,247 individuals in 2007. (*Ibid.*) (A summary of the ICF Report is provided as **Attachment 4** to this response. The ICF Report is provided in Final EIR Appendix Q.)

Notwithstanding SDSU's economic benefit to the San Diego region, the City's position is that the University's beneficial impact should not be considered an off-set to SDSU's fair-share mitigation costs.

Police

The parties are in agreement. The Campus Master Plan Revision would not result in significant impacts to the San Diego Police Department; and no mitigation is necessary.

Fire

The parties are in agreement. The Campus Master Plan Revision would not result in significant impacts to the San Diego Fire Department; and no mitigation is necessary.

Parks and Recreation

The University currently provides existing parks and recreation opportunities for its students and the adjacent community sufficient to accommodate the current and projected increased student enrollment. Future recreation opportunities will be provided on the Adobe Falls site, in addition to those provided on the main campus, adequate to meet the needs of the faculty/staff residents. Therefore, the Campus Master Plan Revision would not result in significant impacts relative to parks and recreation within the meaning of CEQA, and no mitigation is required.

The City's most recent position is that the University owes the City a population-based General Plan park development cost of \$740,000.00 attributable to the Adobe Falls development. In addition to the fact that SDSU/CSU as a state entity is not subject to the City's General Plan requirements, a population-based facilities analysis determined that the existing SDSU on-campus population and future on-campus population (which includes Adobe Falls residents) are/will be adequately served with respect to the City's 2.8 acre per 1,000 resident park/recreation facility requirement and, therefore, no development cost is required in any event. Additionally, the Adobe Falls faculty/staff residents will have access to all SDSU recreational facilities and, therefore, would not significantly impact City parks and recreation facilities. (See **Attachment 5** to this response, which provides in table format an inventory of SDSU recreational resources, and a summary analysis of SDSU Population-Based Park/Recreation Facilities Analysis. See the responses to comment letter L-4 for additional information regarding the analysis.)

Libraries

Based upon the Draft EIR, the Campus Master Plan will not result in any significant impacts to library services within the City; and, therefore, no mitigation is required under CEQA. The parties are in agreement that no mitigation funds are required in connection with the increased student enrollment in light of the existing SDSU library facilities available to students, faculty and staff on the main campus. The City contends, however, that SDSU is responsible for \$12,000 in mitigation fees attributable to the Adobe Falls Upper Village development.

Water Supply and Wastewater Services

The parties are in agreement. SDSU has historically paid, and will continue to pay, its fair-share for water and sewer services through user fees. No additional mitigation is necessary.

City of La Mesa

On August 16, 2007, representatives of SDSU met with La Mesa Mayor Art Madrid to discuss the project's significant impacts to roadways within the City of La Mesa, and SDSU's proposed fair-share contribution to the City for roadway improvements made necessary by the project. The Draft EIR determined that the proposed project would

result in potential significant impacts at the following two roadway intersections within the City: (1) Lake Murray Boulevard/Parkway Drive intersection; and (2) 70th Street/Alvarado Road intersection.

SDSU Facilities Planning, Design and Construction staff estimate the total cost of the roadway improvement necessary to mitigate the impact to the Lake Murray Boulevard/Parkway Drive intersection at \$500,000.00. (See **Attachment 6** to this response, Letter to La Mesa Mayor Art Madrid, dated August 28, 2007.) The project's fair-share contribution is calculated as eight percent (8%) of the total cost, or \$40,000.00. (See DEIR p. 3.14-110; Final EIR p. 3.14-112.)

With respect to the 70th Street/Alvarado Road intersection, based on the 1994 College Area Capital Needs Study, adjusted for inflation, the total cost of the roadway improvement mitigation measure is \$113,729.00. (See **Attachment 6** to this response.) The project's fair-share contribution is calculated as five percent (5%) of the total cost, or \$5,686.00. (See DEIR p. 3.14-110; Final EIR p. 3.14-112.)

Based on the above calculations, SDSU proposed at the August 16 meeting to request from the state Legislature the total sum of \$45,686.00 as mitigation for the potential significant traffic impacts in the City of La Mesa. If the Legislature approves the funding request, or a portion of that request, it is anticipated the appropriated funds will be provided to the City in annual amounts corresponding to annual enrollment growth, provided that the City identifies a fund or traffic impact fee program assuring that the funds will be expended solely in furtherance of the subject roadway improvements.

By letter dated August 28, 2007, SDSU confirmed in writing its proposal to the City to request \$45,686.00 in funding from the state Legislature for the necessary roadway improvements. (A copy of the August 28, 2007 letter is provided as **Attachment 6** to this response.)

Caltrans

The University initiated meetings with Caltrans representatives beginning in May 2007 and continuing through October 2007. During that time, Caltrans and SDSU representatives met on at least five separate occasions, in addition to holding multiple telephone conference calls. Consistent with *City of Marina*, the purpose of these

meetings and calls was to discuss the University's fair-share mitigation responsibility relative to Caltrans.

As stated in its Draft EIR comment letter dated July 26, 2007, Caltrans seeks both near-term and long-term mitigation funding from SDSU. In the near-term, Caltrans seeks to develop a Project Study Report ("PSR"), in conjunction with SDSU and the San Diego Association of Governments ("SANDAG"), to address the College Avenue overcrossing, and specific improvements designed to alleviate project-related traffic impacts. Caltrans seeks a fair-share contribution from SDSU towards preparation of the PSR, and a fair-share contribution towards construction of the PSR identified improvements. Caltrans also intends to conduct an I-8 Corridor Study to identify improvements to local and regional transportation facilities, and it seeks a fair-share contribution from SDSU towards the preparation and implementation of the Corridor Study, including fair-share contributions towards improvements identified in the Study. The fair-share contributions towards improvements identified in the Corridor Study would be payable in the near-term and in the long-term, consistent with the timeframe identified in the EIR.

As a result of the negotiations between SDSU and Caltrans, the two parties have reached a tentative agreement on those roadway improvements within Caltrans' jurisdiction that are made necessary by the project, the cost to construct each of those improvements, and the amount of the project's fair-share responsibility towards the improvement. The project's fair-share amount would be \$890,000 in the near-term (prior to year 2012), and \$9,250,000 in the long-term (prior to horizon year 2030). (See **Attachment 7**, SDSU Master Plan Mitigation Model, Caltrans - Fair-Share Calculations, October 15, 2007.) This amount was calculated by determining the total cost of the subject roadway improvements (as determined by Caltrans), multiplied by SDSU's fair-share, which was calculated based upon the formula routinely used by Caltrans.

The intent of the California Supreme Court's decision in *City of Marina, supra*, 39 Cal.4th 341, is to ensure that significant impacts under CEQA are mitigated and that *localities* recover the cost of CSU's impacts. The underlying logic of that decision does not apply to other state agencies, such as Caltrans, as these other state agencies are funded from the same source as CSU. It should be left up to the state policymakers to divide up monies amongst state agencies for the public good, and those agencies should not be

negotiating amongst themselves to redraw the budget priorities and allocations enacted by the Legislature and the Governor.

Accordingly, Caltrans should not assume that the CSU is responsible for providing or securing the necessary mitigation funding for capital improvement of state highway facilities. Instead, CSU/SDSU will support Caltrans in its efforts to obtain the level of funding agreed to by the parties through the annual state budget process, and will look to the City of San Diego and SANDAG to join in that support. (It is particularly incumbent upon SANDAG, in its role as a multi-jurisdictional, regional transportation and land-use planning agency, to support such requests through recommendations for the annual state budget process).

On October 25, 2007, SDSU sent a letter to Caltrans memorializing the agreement reached between the two parties as understood by SDSU. The letter summarizes eight (8) points of agreement, and notes that SDSU will support Caltrans in its efforts to obtain the fair-share funding amounts from the Legislature. (A copy of the SDSU October 25 letter [incorrectly dated October 26, 2007] is provided as **Attachment 8** to this response.) On October 26, Caltrans informed SDSU that it would respond to the letter after it consulted with SANDAG, the Metropolitan Transit System ("MTS"), and the City of San Diego. As of this writing (October 30, 2007), Caltrans has not submitted a response. Any response submitted by Caltrans prior to the date on which the CSU Board of Trustees takes action on the proposed project will be made available to the Board for its consideration.

SANDAG

Between March 2007 and August 2007, representatives of SDSU and SANDAG met on numerous occasions to discuss the proposed Campus Master Plan Revision project. Because the Draft EIR did not find that the proposed project would result in significant impacts to transit (*i.e.*, bus or trolley systems), it is SDSU/CSU's position that no mitigation is required.

SANDAG, however, contends that SDSU is responsible for regional transportation improvements, including primarily improvements to transit, which it estimates at

\$19,300 per capita, or roughly \$193-million (\$19,300/student x 10,000 FTES increase). SANDAG bases the \$19,300 number on the \$58 billion in expenditures necessary to address the region's transportation needs through the year 2030, as identified in the draft 2007 Regional Transportation Plan, divided by forecasted growth over that same period. According to SANDAG, this per capita cost figure could be used as an initial basis for determining SDSU's fair share contribution toward the regional impacts resulting from the project. (See, Letter from SANDAG, Robert A. Leiter, to SDSU, Anthony Fulton, dated August 31, 2007, and Mr. Fulton's response letter, dated October 26, 2007, included as **Attachments 9 and 10**, respectively, to this response.)

SANDAG has provided no evidence that the proposed Campus Master Plan Revision would result in significant impacts to transit within the meaning of CEQA, nor has it provided SDSU with a sufficient nexus study relative to the Master Plan project's impacts and the \$19,000/student mitigation payment it proposes. Notwithstanding, the Final EIR contains a mitigation measure that requires SDSU to develop a campus Transportation Demand Management ("TDM") program, in consultation with SANDAG and the Metropolitan Transit System, that would facilitate a balanced approach to mobility, with the ultimate goal of reducing vehicle trips to campus in favor of alternate modes of travel. (See Final EIR Mitigation Measure TCP-27.) For additional information responsive to SANDAG's mitigation position, please see the responses to SANDAG's comment letter on the Draft EIR, letter R2-1, dated August 8, 2007.

Legislative Budget Request

Consistent with the *City of Marina* decision, upon project approval by the CSU Board of Trustees, the CSU Chancellor will request from the Governor and the state Legislature, through the annual State Budget process, the funds necessary to fulfill the mitigation requirements of CEQA, as determined by the Board of Trustees.

Accordingly, CSU will, following the normal state budget timelines and process, submit a budget request to the Governor and Legislature that will seek funding for roadway improvement mitigation for the City of San Diego and the City of La Mesa. (With respect to those mitigation improvements lying within the jurisdiction of Caltrans, SDSU will support Caltrans's efforts to obtain funding for those improvements from the state Legislature.)

If the Legislature approves the CSU funding request, or a portion of that request, it is anticipated the appropriated funds will be provided to the City of San Diego and the City of La Mesa in annual amounts corresponding to actual annual enrollment growth, provided that each entity identifies a fund or traffic impact fee program assuring that the funds will be expended solely in furtherance of the subject roadway improvements.

Because CSU cannot guarantee that its request to the Governor and the Legislature for the necessary mitigation funding will be approved, or that Caltrans' request for funding will be approved, or that funding will be granted in the amount requested, or that the public agencies will fund the mitigation improvements that are within their responsibility and jurisdiction, if the project is approved, CSU will find that the impacts whose funding is uncertain remain significant and unavoidable, and CSU will adopt a statement of overriding considerations pursuant to CEQA.



SAN DIEGO STATE
UNIVERSITY

Business and Financial Affairs
San Diego State University
3500 Campanile Drive
San Diego CA 92182-1620
Tel: 619 - 594 - 6017
Fax: 619 - 594 - 6022
Email: sally.roush@sdsu.edu

Sally Roush
Vice President

August 21, 2007

William R. Anderson, Director
City Planning and Community Investment
City of San Diego
202 "C" Street, MS 5A
San Diego, CA 92101

Re: *San Diego State University 2007 Campus Master Plan Revision - Mitigation Negotiations*

Dear Mr. Anderson:

In preparation for our next meeting on Thursday, August 23, 2007, San Diego State University would like to take this opportunity to summarize, below, the meetings that have occurred to date to discuss, generally, the SDSU 2007 Campus Master Plan Revision ("Campus Master Plan") and, specifically, the University's mitigation obligations set forth in the Draft EIR for the Campus Master Plan, which are in accordance with the California Environmental Quality Act ("CEQA"). In addition, the letter memorializes our respective positions to date concerning the University's mitigation obligations.

As you know, over the past several months representatives of the City and the University have met on numerous occasions to engage in negotiations over the University's mitigation obligations arising from the recent California Supreme Court decision, *City of Marina v. Board of Trustees of the California State University* (2006) 39 Cal.4th 341. In that decision, the Supreme Court, for the first time, decided that the California State University ("CSU") has an obligation to negotiate with local public agencies its fair share of the costs of mitigating environmental impacts caused by its projects. The Court also clarified that CSU must request that the Legislature provide funds to cover the cost of environmental mitigation.

Consistent with the *City of Marina* decision, the University initiated meetings with City representatives, beginning in December 2006 and continuing through August 10, 2007. During that time, we met on 11 occasions to discuss the University's fair-share mitigation obligations to the City. A summary of those mitigation negotiation meetings is enclosed as **Attachment 1** to this letter.

During the negotiations, the University made it clear that traffic impacts caused by the proposed project will require the University to contribute its fair-share to the City for various traffic-related improvements identified as mitigation measures in the Draft EIR, Section 3.14, Transportation/Circulation and Parking. I'd like to note that there are no other potential significant impacts to City services identified in the Draft EIR that would require fair-share mitigation funding to the City.

Unfortunately, the University has been unable to reach a mutually acceptable "mitigation" agreement with the City, despite numerous meetings and mitigation proposals made by the University. As of this writing, the City has not provided the University with any counter-proposals with respect to the University's fair-share mitigation contribution toward the traffic improvements identified to reduce traffic impacts identified in the Draft EIR. For that reason, the University wishes to make a final attempt to reach agreement with the City at our upcoming August 23 meeting. In the meantime, the University reiterates that the Campus Master Plan and associated issues remain scheduled to go before the CSU Board of Trustees on September 18, 2007.

To facilitate our final negotiations, the University summarizes, below, the current status of our negotiations based upon the prior meetings.

Traffic

With respect to traffic impacts, the University reiterates its proposal to request from the Legislature the total sum of \$6,437,860.00 as mitigation for the potential significant traffic impacts identified in the Campus Master Plan EIR, as described further below.

First, the University believes that its mitigation proposal for traffic-related impacts represents a reasonable attempt to calculate its "fair-share" of the costs to mitigate the project's traffic impacts, and was calculated based upon the City estimates of the costs to construct the subject roadway improvements, multiplied by a fair-share percentage determined through a formula routinely used by the City.

For further information concerning the University's fair-share traffic impact contribution, please refer to the Revised Sample Model, which is enclosed as **Attachment 2** to this letter. The revised model lists each of the intersections and roadway segments that would be significantly impacted by the Campus Maser Plan, as identified in the Campus Master Plan Draft EIR. (See Revised Sample Model, **Attachment 2**; and Draft EIR, pp. 3.14-100 to 3.14-101.) The Model calculated the proposed mitigation amount based on: (i) the Draft EIR recommended roadway improvement mitigation measures (Draft EIR 3.14-102 to 3.14-106); (ii) the estimated cost of each improvement based on the College Area Capital Needs Study, adjusted for inflation; and (iii) the Campus Master Plan's fair-share contribution, which was calculated based on a formula used by the City for such purposes. (See Revised Sample Model, **Attachment 2**; Draft EIR, pp. 3.14-108 to 3.14-110.)

The total amount proposed conforms with CEQA, which requires that mitigation be consistent with all applicable constitutional requirements, including those regarding proportionality and nexus. (CEQA Guidelines §15126.4(a)(4).) Under CEQA, the University is not required to pay more than is necessary to mitigate the significant traffic impacts of the proposed Campus Master Plan; CEQA also requires that mitigation measures be "roughly proportional" to the impacts of the project. (*City of Marina, supra*, 39 Cal.4th at 361-62.)

Second, consistent with the *City of Marina* decision, SDSU/CSU will, following the normal state budget timelines and process, submit a budget request to the governor and state Legislature this fall that will include a mitigation dollar amount in accordance with the proposal set forth in this letter. If the Legislature approves the funding request, or a portion of that request, I anticipate SDSU/CSU will forward the appropriated funds to the City in annual amounts corresponding to annual enrollment growth, provided that the City identifies a fund or traffic impact fee program assuring that the funds will be expended in furtherance of the subject roadway improvements.

To date, the City's position with respect to traffic mitigation has been that the amount proposed by the University is too low, although the City has not presented a counter-proposal to the University, nor has it shared the basis for calculating an alternative fair-share contribution. The City also has not identified the requisite fund or fee program, or provided the University with appropriate assurances that funds deposited into such fund or program would be used solely for implementation of traffic improvements identified in the Draft EIR.

Police

The parties are in agreement. The Campus Master Plan would not result in significant impacts to the San Diego Police Department; and no mitigation is necessary.

Fire

Based upon the Draft EIR, the Campus Master Plan will not result in any significant impacts to fire service within the City; and, therefore, no mitigation is required under CEQA.

Parks and Recreation

The University currently provides existing parks and recreation opportunities for its students and the adjacent community sufficient to accommodate the current and projected increased student enrollment. Future recreation opportunities will be provided on the Adobe Falls site adequate to meet the needs of the faculty/staff residents. Therefore, the Campus Master Plan would not result in significant impacts relative to parks and recreation within the meaning of CEQA; and, therefore, no mitigation is required.

As of this writing, the City's position is that the University owes the City a population-based park development cost of \$21,114,000.00, based on an additional 3,000 on-campus student beds, which amount may be adjusted downward based on the University's current and proposed on-campus recreation facilities. Additionally, according to City staff, the University owes the City a

population-based park development cost of \$5,982,300.00 attributable to the Adobe Falls development. Thus, the City's park/recreation fee demand to the University is in the total amount of \$27,096,300.00.

Libraries

Based upon the Draft EIR, the Campus Master Plan will not result in any significant impacts to library services within the City; and, therefore, no mitigation is required under CEQA.

We are in agreement that no mitigation funds would be requested by the University in connection with the increased student enrollment in light of the existing SDSU library facilities available to students, faculty and staff on the main campus.

Water Supply and Wastewater Services

The parties are in agreement. SDSU has historically paid, and will continue to pay, its fair-share for water and sewer services through use fees. No additional mitigation is necessary.

Off-sets to Mitigation

The University's position is that the benefit of SDSU's economic impact on the City should be considered an off-set to mitigation. As of this writing, the City claims that SDSU's economic beneficial impact should not be considered an off-set.

In closing, I look forward to our meeting on Thursday, August 23, to discuss these issues further. In the interim, please do not hesitate to contact me if you should have any questions.

Respectfully yours,



Sally F. Roush
Vice President for Business and Financial Affairs
San Diego State University

**SUMMARY OF SDSU/CITY OF SAN DIEGO
MITIGATION NEGOTIATION MEETINGS**

December 14, 2006 Meeting. Initial meeting to discuss how to proceed generally. Immediately following this meeting, Ms. Roush sent her notes to City representatives memorializing the results of the meeting, and outlining a schedule for on-going discussions of the University's mitigation obligations. Thereafter, Ms. Roush proposed that the City and University representatives meet approximately every two weeks to continue discussions focusing on the University's mitigation obligations. Meeting attendees included Bill Anderson (City), Jim Waring (City), Sally Roush (SDSU), Tony Fulton (SDSU), and Scott Burns (SDSU).

January 12, 2007 Meeting. Review 2005 Campus Master Plan Revision project and proposed changes relative to 2007 project. Meeting attendees included Bill Anderson (City), Sally Roush (SDSU), and Tony Fulton (SDSU).

January 30, 2007 Meeting. City requested that the two sides wait until the SDSU 2007 Campus Master Plan Revision Draft EIR was released before holding any further meetings. Meeting attendees included Mary Wright (City), Terri Bumgardner (City), Sally Roush (SDSU), Tony Fulton (SDSU), and Scott Burns (SDSU).

March 5, 2007 Meeting. Meeting with City Police officials was held to discuss SDSU's role in providing police and public safety services in the area. Consensus view was that SDSU police services were an asset to the City by providing police services beyond the campus area, and assisting City police as necessary. Meeting attendees included Chief Maheu (SDPD), Captain Guy Swanger (SDPD), Chief Browning (SDSU), and Lauren Cooper (SDSU).

March 13, 2007 Meeting. Preliminary discussions took place regarding a method to calculate CSU/SDSU's fair share mitigation. The timeline was presented for completing the EIR and presenting the EIR and project to the Board of Trustees. The timeline was intended to make the legislative cycle deadline for fiscal year 2008-09. The City was advised that the Board of Trustees would meet in September 2007, and the EIR and project would be presented at that meeting. Meeting attendees included Bill Anderson (City), Terri Bumgardner (City), Sally Roush (SDSU), Tony Fulton (SDSU), and Scott Burns (SDSU).

April 25, 2007 Meeting. Discussions took place regarding the Campus Master Plan, the University's mitigation strategy, and confirmation that The Paseo is not part of the Campus Master Plan project. Meeting attendees included Janice Wenrick (City Redevelopment Agency), Mike Fortney (City Redevelopment Agency), Sally Roush (SDSU), and Scott Burns (SDSU).

June 6, 2007. Sally Roush (SDSU) provided Bill Anderson and Mary Wright (City) with a concept mitigation model prepared by the University, which set forth an approach for the University satisfying its fair-share mitigation obligations, and she requested that the parties begin the process of scheduling a series of meetings to discuss the fair-share topic.

June 12, 2007. The Draft EIR for the 2007 Campus Master Plan Revision was released for public review and comment.

June 29, 2007 Meeting. SDSU presented a summary of the events leading up to preparation of the 2007 Campus Master Plan Revision and associated EIR, a summary of the 2007 Campus Master Plan relative to the 2005 Campus Master Plan, and an overview of the method to be utilized by SDSU in calculating its fair-share of project impacts and related mitigation. Preliminary discussions addressed the following potential mitigation categories: Libraries; Police; Fire; Parks; Water Supply and Wastewater Services; Property and Real Estate Taxes; and Housing Impact Fees. Traffic was scheduled to be discussed at a separate meeting. Meeting attendees included Bill Anderson (City), Terri Bumgardner (City), Sally Roush (SDSU), Tony Fulton (SDSU), and Scott Burns (SDSU).

July 18, 2007 Meeting. SDSU reiterated the schedule for the EIR process leading up to the Board of Trustees' consideration of the EIR and project. The schedule provided as follows: Draft EIR's release date of June 12, 2007; EIR comments are due July 27, 2007; the revised Master Plan and EIR to be submitted to the Board of Trustees at its September 18, 2007 meeting; and mitigation negotiations with the City to be concluded well before Labor Day. Meeting attendees included Bill Anderson (City), Marianne Greene (City Attorney), Sally Roush (SDSU), Tony Fulton (SDSU).

At the July 18 meeting, SDSU presented the City with its initial mitigation payment proposal in the amount of \$7,475,489.00. The basis for the proposal was provided in a table distributed at the meeting entitled "SDSU Sample Model for Determining Mitigation Costs Per FTE Growth" ("SDSU Model"). The SDSU Model listed the potential impact categories, the associated proposed payment, and the basis for the proposed payment amount. The following is a summary of the information presented in the table:

Traffic Impact Costs: The SDSU Model listed each of the intersections and roadway segments that would be significantly impacted by the Campus Master Plan, as identified in the Campus Master Plan Draft EIR. (See Draft EIR, pp. 3.14-100 to 3.14-101.) The Model calculated the proposed mitigation amount based on: (i) the Draft EIR recommended roadway improvement mitigation measures (Draft EIR 3.14-102 to 3.14-106); (ii) the estimated cost of each improvement based on the College Area Capital Needs Study, adjusted for inflation; and (iii) the Campus Master Plan's fair-share contribution, which was calculated based on a formula used by the City for such purposes. (See Draft EIR, pp. 3.14-108 to 3.14-110.) The model listed SDSU's fair-share contribution at \$7,475,489.00, which was later revised downward to correct an inadvertent redundant listing of a project cost, and to adjust overall costs for inflation, as suggested by the City -- see note, below, summarizing **July 27, 2007 Meeting**.

Fire Services: Because the Campus Master Plan's impacts on fire services would be minimal, there are no potentially significant impacts, and no mitigation is necessary.

Police Services: Because the SDSU Department of Public Safety currently provides police services for the SDSU community and will continue to provide these services, there are no potentially significant impacts, and no mitigation is necessary.

Parks and Recreation: Because SDSU provides park area and recreation services to the SDSU community and will continue to provide these services, as well as increased park and recreational opportunities provided by the proposed Campus Master Plan Revision, there are no potentially significant impacts, and no mitigation is necessary. As documented in the SDSU Park and Recreation Space Log, SDSU presently provides: (i) 11.8 acres of on-campus open space parks; (ii) 25.5 acres of on-campus outdoor recreation and playfields; (iii) 363,000 square feet of on-campus indoor recreation space; and (iv) 6,650.7 acres of off-campus environmental preserve. Future on-campus park and recreation development includes 87,500 square feet of indoor recreation space on the central campus, and 13.8 acres of open space/park space, along with a community recreation center on the Adobe Falls site.

Water Supply: Because SDSU pays and will continue to pay water supply monthly charges and connection fees on a per project basis through development of the Campus Master Plan, there are no potentially significant impacts, and no mitigation is necessary.

Wastewater Services: Because SDSU pays and will continue to pay wastewater service monthly charges and connection fees on a per project basis through development of the Campus Master Plan, there are no potentially significant impacts, and no mitigation is necessary.

Possessory Use Tax (Faculty/Staff Housing): SDSU faculty/staff homeowners to pay housing possessory use taxes.

July 25, 2007 Meeting. Discussion centered around the Campus Master Plan's impacts to various impact categories, and how to determine SDSU's fair-share costs. City staff addressed the following impact categories and potential mitigation:

Library: The City's goal is two volumes per capita, and an allowance of \$25.00 per volume.

Fire: According to City staff, costs for responses to the SDSU campus were calculated using the following formula: Responses divided by population, multiplied by 1,000. The total cost would be \$25,808.10 for an increase of 10,000 students.

Parks and Recreation: According to City staff, costs for Adobe Falls: 348 dwelling units x 2.44 density per household (from SANDAG) = 849 people. 2.8 acres per 1,000 residents are needed. Cost of \$400,000.00 to develop each acre. Estimated total would be \$5,982,300.00.

According to City staff, costs for 3,000 beds (on-campus student residents) is \$21,114,000.00, less SDSU credits for self-provided recreation facilities.

Water and Sewer: Water and sewer charges are per hookup.

Police: San Diego City Police determined there would be no impacts resulting from the proposed Campus Master Plan revision.

Attendees at the July 25 meeting included Bill Anderson (City), Sally Roush (SDSU), Scott Burns (SDSU), Lauren Cooper (SDSU).

July 27, 2007 Meeting. The meeting addressed traffic impacts only. City staff's view was that SDSU is responsible for all necessary improvements to College Avenue, not just the calculated fair-share. SDSU did not concur with this view. In response to City staff's request, SDSU agreed that the roadway improvement cost estimates comprising the July 18, 2007 mitigation proposal needed to be adjusted upward for inflation to year 2009 rates by a larger amount than included in the previously provided sample model to reflect project implementation. While the individual project cost estimates increased due to this adjustment, there was a decrease in the total cost due to an inadvertent redundant listing of a project cost on the earlier version of the model. (The Revised Sample Model is included as **Attachment 2**. The revised model reflects the higher inflation rate and corrects the overall cost due to the inadvertent error. SDSU's fair-share contribution for the identified traffic impacts is in the total amount of \$6,437,860.) Attendees at the meeting were Labib Qasem (City), Tony Fulton (SDSU), and John Boarman (LLG Traffic Engineers).

August 10, 2007 Meeting. City and SDSU staff addressed mitigation payments relating to Parks, Fire, and Library:

Parks: City Staff to visit the SDSU campus to evaluate any offset or credit due to the university's existing recreation facilities.

Fire: The City proposed that SDSU and the City enter into a contract for fire services whereby the City would inform SDSU, at the end of each calendar year, of the number of fire response calls to the university, including the Adobe Falls site, and SDSU would pay to the City a previously agreed to dollar amount for each response call. The City was to investigate whether a facilities fee would be necessary, based on the remaining capacity in the system.

Library: According to City Staff, the SDSU library is adequate for the increased student enrollment and no mitigation payment is necessary. As to Adobe Falls, the City proposed the payment of \$100/capita for Adobe Falls residents. Under this formula, SDSU would pay the City the amount of \$87,000.00 for library services, determined as follows: 348 units x 2.5 persons/unit = 870 x \$100 per capita = \$87,000.00.

Attendees at the August 10 meeting included Bill Anderson (City), Scott Burns (SDSU), Lauren Cooper (SDSU).

BREAKOUT OF NEAR-TERM AND HORIZON YEAR PERCENTAGES AND COSTS

		FAIR- SHARE %	1993 TOTAL ESTIMATED COST	2007 TOTAL ESTIMATED COST	SDSU CONTRIBUTION ESTIMATE				
		Near-term % Only	Horizon Year % Only	Near-Term Cost Only	Horizon Year Cost Only	Total Near-Term and Horizon Year Combined (Source: 2007 DEIR)	From College Area Capital Needs Study (July 1993 ENR 5252) (Source: orig City estimates)	Dollars Adjusted for Inflation (July 2009 ENR 8775) (mult - 1.67)	Total Near-Term and Horizon Year Combined
TRAFFIC IMPACT LOCATIONS									
Intersections:									
E-2	55th Street/ Montezuma Road intersection (project 9)	0%	100%	\$0	\$17,034	12%	\$85,000	\$141,950	\$17,034
E-3	Campanile Drive/ Montezuma Road intersection (project 7)	0%	100%	\$0	\$4,676	8%	\$35,000	\$58,450	\$4,676
E-4	College Avenue/ Del Cerro Boulevard intersection	5%	95%	\$4,250	\$80,750	17%	Costs Not Estimated	\$500,000	\$85,000
E-7	College Avenue/ Canyon Crest Drive intersection (project 10)	6%	94%	\$69,138	\$1,083,162	23%	\$3,000,000	\$5,010,000	\$1,152,300
E-8	College Avenue/ Zura Way intersection (project 1)	3%	97%	\$62,525	\$2,021,635	16%	\$7,800,000	\$13,026,000	\$2,084,160
E-9	College Avenue/ Montezuma Road intersection (project 6)	2%	98%	\$14,696	\$720,104	11%	\$4,000,000	\$6,680,000	\$734,800
E-10	Alvarado Court/ Alvarado Road intersection (project 4)	0%	100%	\$0	Included in F-2	31%	Included in F-2 Below	Included in F-2 Below	Included in F-2 Below
E-11	Reservoir Drive/ Alvarado Road intersection (project 4)	0%	100%	\$0	Included in F-2	21%	Included in F-2 Below	Included in F-2 Below	Included in F-2 Below
Intersections Subtotal				\$150,609	\$3,927,361				\$4,077,970
Road Segments:									
F-1	Alvarado Road: E. Campus Drive to Reservoir Drive (project 4)	3%	97%	\$31,262	\$1,010,818	39%	\$1,600,000	\$2,672,000	\$1,042,080
F-2	Alvarado Road: Reservoir Drive to 70th Street (project 4)	3%	97%	\$19,238	\$622,042	24%	\$1,600,000	\$2,672,000	\$641,280
F-3	College Avenue: Del Cerro Boulevard to I-8 Eastbound Ramps	0%	100%	\$0	\$540,000	9%	Costs Not Estimated	\$6,000,000	\$540,000
F-4	College Avenue: I-8 Eastbound Ramps to Zura Way (project 1)	4%	96%	\$0	Included in E-8	18%	Included in E-8 Above	Included in E-8 Above	Included in E-8 Above
F-5	College Avenue: Zura Way to Montezuma Road (project 1)	0%	100%	\$0	Included in E-8	13%	Included in E-8 Above	Included in E-8 Above	Included in E-8 Above
F-6	College Avenue: South of Montezuma Road (project 8)	0%	100%	\$0	\$766,530	17%	\$2,700,000	\$4,509,000	\$766,530
F-7	Montezuma Road: Fairmont Avenue to Collwood Boulevard	0%	100%	\$0	\$0	15%	Considered Unmitigable		Unmitigable

BREAKOUT OF NEAR-TERM AND HORIZON YEAR PERCENTAGES AND COSTS

						FAIR- SHARE % CUM. IMPACT	1993 TOTAL ESTIMATED COST	2007 TOTAL ESTIMATED COST	SDSU CONTRIBUTION ESTIMATE
		Near-term % Only	Horizon Year % Only	Near-Term Cost Only	Horizon Year Cost Only	Total Near-Term and Horizon Year Combined (Source: 2007 DEIR)	From College Area Capital Needs Study (July 1993 ENR 5252) (Source: orig City estimates)	Dollars Adjusted for Inflation (July 2009 ENR 8775) (mult - 1.67)	Total Near-Term and Horizon Year Combined
F-8	Montezuma Road: 55th Street to College Avenue	0%	100%	\$0	\$270,000	15%	Costs Not Estimated	\$1,800,000	\$270,000
Road Segments Subtotal				\$50,501	\$3,209,389				\$3,259,890
Near-Term and Horizon-Year Totals				\$201,110	\$7,136,750				
All Project Intersection and Road Segment Subtotals									\$7,337,860
									less \$900,000 for land
Traffic Impact Sub-Total									\$6,437,860
ADDITIONAL SERVICES									
Fire Services:									
SDSU's impact on fire services is minimal.								Fire Services Sub-Total	\$0
Police Services:									
The SDSU Department of Public Safety currently provides police services for the SDSU community and will continue to provide these services.								Police Services Sub-Total	\$0
Parks and Recreation:									
SDSU provides park area and recreation services to the SDSU community and will continue to provide these services.								Parks and Recreation Sub-Total	\$0
Water Supply:									
SDSU continues to pay water supply monthly charges and connection fees on a per project basis.								Water Supply Sub-Total	\$0
Wastewater Services:									
SDSU continues to pay wastewater service monthly charges and connection fees on a per project basis.								Wastewater Services	As Applicable
Possessory Use Tax (Faculty Housing)									
SDSU Faculty/staff homeowners to pay housing possessory use taxes.								Possessory Use Tax	As Applicable
SDSU FAIR-SHARE CONTRIBUTION MITIGATION PAYMENT TO CITY OF SAN DIEGO TOTAL									\$6,437,860
SDSU CONTRIBUTION TO SAN DIEGO REGIONAL TAX BASE 2007									\$308,000,000
SDSU CONTRIBUTION TO SAN DIEGO REGIONAL TAX BASE 2025									\$588,000,000

BREAKOUT OF NEAR-TERM AND HORIZON YEAR PERCENTAGES AND COSTS

		Near-term % Only	Horizon Year % Only	Near-Term Cost Only	Horizon Year Cost Only	FAIR- SHARE %	1993 TOTAL ESTIMATED	2007 TOTAL	SDSU
						CUM. IMPACT	COST	ESTIMATED COST	CONTRIBUTION
						Total Near-Term and Horizon Year Combined (Source: 2007 DEIR)	From College Area Capital Needs Study (July 1993 ENR 5252) (Source: orig City estimates)	Dollars Adjusted for Inflation (July 2009 ENR 8775) (mult - 1.67)	Total Near-Term and Horizon Year Combined
TRAFFIC IMPACT LOCATIONS									
Intersections:									
E-2	55th Street/ Montezuma Road intersection (project 9)	0%	100%	\$0	\$17,034	12%	\$85,000	\$141,950	\$17,034
E-3	Campanile Drive/ Montezuma Road intersection (project 7)	0%	100%	\$0	\$4,676	8%	\$35,000	\$58,450	\$4,676
E-4	College Avenue/ Del Cerro Boulevard intersection	5%	95%	\$4,250	\$80,750	17%	Costs Not Estimated	\$500,000	\$85,000
E-7	College Avenue/ Canyon Crest Drive intersection (project 10)	6%	94%	\$69,138	\$1,083,162	23%	\$3,000,000	\$5,010,000	\$1,152,300
E-8	College Avenue/ Zura Way intersection (project 1)	3%	97%	\$62,525	\$2,021,635	16%	\$7,800,000	\$13,026,000	\$2,084,160
E-9	College Avenue/ Montezuma Road intersection (project 6)	2%	98%	\$14,696	\$720,104	11%	\$4,000,000	\$6,680,000	\$734,800
E-10	Alvarado Court/ Alvarado Road intersection (project 4)	0%	100%	\$0	Included in F-2	31%	Included in F-2 Below	Included in F-2 Below	Included in F-2 Below
E-11	Reservoir Drive/ Alvarado Road intersection (project 4)	0%	100%	\$0	Included in F-2	21%	Included in F-2 Below	Included in F-2 Below	Included in F-2 Below
Intersections Subtotal				\$150,609	\$3,927,361				\$4,077,970
Road Segments:									
F-1	Alvarado Road: E. Campus Drive to Reservoir Drive (project 4)	3%	97%	\$31,262	\$1,010,818	39%	\$1,600,000	\$2,672,000	\$1,042,080
F-2	Alvarado Road: Reservoir Drive to 70th Street (project 4)	3%	97%	\$19,238	\$622,042	24%	\$1,600,000	\$2,672,000	\$641,280
F-3	College Avenue: Del Cerro Boulevard to I-8 Eastbound Ramps	0%	100%	\$0	\$540,000	9%	Costs Not Estimated	\$6,000,000	\$540,000
F-4	College Avenue: I-8 Eastbound Ramps to Zura Way (project 1)	4%	96%	\$0	Included in E-8	18%	Included in E-8 Above	Included in E-8 Above	Included in E-8 Above
F-5	College Avenue: Zura Way to Montezuma Road (project 1)	0%	100%	\$0	Included in E-8	13%	Included in E-8 Above	Included in E-8 Above	Included in E-8 Above
F-6	College Avenue: South of Montezuma Road (project 8)	0%	100%	\$0	\$766,530	17%	\$2,700,000	\$4,509,000	\$766,530
F-7	Montezuma Road: Fairmont Avenue to Collwood Boulevard	0%	100%	\$0	\$0	15%	Considered Unmitigable		Unmitigable

BREAKOUT OF NEAR-TERM AND HORIZON YEAR PERCENTAGES AND COSTS

		FAIR- SHARE % CUM. IMPACT	1993 TOTAL ESTIMATED COST	2007 TOTAL ESTIMATED COST	SDSU CONTRIBUTION ESTIMATE				
	Near-term % Only	Horizon Year % Only	Near-Term Cost Only	Horizon Year Cost Only	Total Near-Term and Horizon Year Combined (Source: 2007 DEIR)	From College Area Capital Needs Study (July 1993 ENR 5252) (Source: orig City estimates)	Dollars Adjusted for Inflation (July 2009 ENR 8775) (mult - 1.67)	Total Near-Term and Horizon Year Combined	
F-8	Montezuma Road: 55th Street to College Avenue	0%	100%	\$0	\$270,000	15%	Costs Not Estimated	\$1,800,000	\$270,000
	Road Segments Subtotal			\$50,501	\$3,209,389				\$3,259,890
	Near-Term and Horizon-Year Totals			\$201,110	\$7,136,750				
								All Project Intersection and Road Segment Subtotals	\$7,337,860
								less \$900,000 for land	
								Traffic Impact Sub-Total	\$6,437,860
ADDITIONAL SERVICES									
	Fire Services:								
	SDSU's impact on fire services is minimal.							Fire Services Sub-Total	\$0
	Police Services:								
	The SDSU Department of Public Safety currently provides police services for the SDSU community and will continue to provide these services.							Police Services Sub-Total	\$0
	Parks and Recreation:								
	SDSU provides park area and recreation services to the SDSU community and will continue to provide these services.							Parks and Recreation Sub-Total	\$0
	Water Supply:								
	SDSU continues to pay water supply monthly charges and connection fees on a per project basis.							Water Supply Sub-Total	\$0
	Wastewater Services:								
	SDSU continues to pay wastewater service monthly charges and connection fees on a per project basis.							Wastewater Services	As Applicable
	Possessory Use Tax (Faculty Housing)								
	SDSU Faculty/staff homeowners to pay housing possessory use taxes.							Possessory Use Tax	As Applicable
								SDSU FAIR-SHARE CONTRIBUTION MITIGATION PAYMENT TO CITY OF SAN DIEGO TOTAL	\$6,437,860
								SDSU CONTRIBUTION TO SAN DIEGO REGIONAL TAX BASE 2007	\$308,000,000
								SDSU CONTRIBUTION TO SAN DIEGO REGIONAL TAX BASE 2025	\$588,000,000

SDSU Master Plan Fee Negotiations
28-Oct-07

City Proposal		SDSU Proposal		Reasons for Differences
<u>Estimated Fair Share Amount</u>				
Traffic Impacts				
Campus expansion & North Adobe Falls impacts	\$ 21,100,000	\$ 6,427,660		SDSU's trip-generation assumptions; land cost treatment
South Adobe Falls	n.a.	n.a.		SDSU's categorical exclusion of two-road segments
				Concurrence - determine at project level EIR
Parks				
On-campus students	\$ -	\$ -		Concurrence - credit for on-campus facilities
South Adobe Falls	n.a.	n.a.		Concurrence - determine at project level EIR
North Adobe Falls	\$ 740,000	\$ -		SDSU claims EIR didn't identify impacts; City does not concur
Public Safety				
Police	n.a.	n.a.		Concurrence - fee for service
Fire & Paramedics	n.a.	n.a.		Concurrence - fee for service
Libraries				
On-campus students	\$ -	\$ -		Concurrence - credit for on-campus facilities
South Adobe Falls	n.a.	n.a.		Concurrence - determine at project level EIR
North Adobe Falls	\$ 12,000	\$ -		SDSU claims credit for on-campus facilities; City does not concur
Sub-total	\$ 21,852,000	\$ 6,427,860		
Contingency	\$ -	\$ 964,179		SDSU proposes 15% contingency on their estimate
Total	\$ 21,852,000	\$ 7,392,039		
<u>Other Conditions</u>				
Distribution	20 years	20 years		Concurrence
Basis	Per Student Factor	Straightline		Unresolved
Cost Inflation Adjustment	Yes	?		Unresolved
City Commitment Not to Sue	?	Yes		Unresolved, requires Council action
<u>Reconciliation Proposal</u>				
Fee Adjustments Overtime				
Based on Periodic Traffic Re-counts	Yes	Yes		Concurrence
Schedule for Traffic Re-counts	Every 3 years	2012, 2025		Unresolved
Adjustments Retroactive, Higher or Lower	Yes	?		Unresolved
Changes in counts = changes in SDSU Fair Share Assumptions	?	?		Unresolved
Include the two road segments not analyzed in EIR (1)	Yes	No		Unresolved
<u>Other Issues</u>				
Process for Approval of Negotiated Agreement				
Legal Structure for Negotiated Agreement				
SDSU's Deadline for Submission to Trustees				

City's Position: Two Alternatives

Alternative 1		Alternative 2	
SDSU's Base Number	\$ 6,427,660	City's Base Number	\$ 15,100,000
Correction for SDSU's land cost discount (2)	\$ 900,000		
Plus North Adobe Parks	\$ 740,000	Plus North Adobe Parks	\$ 740,000
Plus North Adobe Library Impacts	\$ 12,000	Plus North Adobe Library Impacts	\$ 12,000
Plus Two Missing Road Segments (3)	\$ 3,000,000	Plus Two Missing Road Segments (4)	\$ 6,000,000
Total	\$ 11,079,660	Total	\$ 21,852,000
Distribution	20 years, per incremental student factor	Distribution	20 years, per incremental student factor
Cost Inflation	Per Construction Cost Price Index	Cost Inflation	Per Construction Cost Price Index
Fair Share Adjustments	Based on Traffic Re-counts every 3 yrs Adjustments retroactive and credited Negotiate a fair share ratio for future counts 36 unit cap unless traffic improvements mitigate Mutually agreed enforceable vehicle for terms	Present Value @ 5% discount rate Account Fair Share Adjustments	\$ 23,060,000 SDSU Fair Share Mitigation Account Based on Traffic Re-counts years 2012 & 2025 Credit Fair Share Mitigation Account 36 unit cap unless traffic improvements mitigate Mutually agreed enforceable vehicle for terms
Lower Adobe Falls		Lower Adobe Falls	
Agreement Vehicle		Agreement Vehicle	

Notes:

- (1) Montezuma from Fairmount to Colwood
Alvarado between Campus Drive and Reservoir Drive
for additional lanes
- (2) SDSU deducted \$900,000 land value for their portion of right-of-way; this was inaccurate since land costs were not included in the original cost estimates
- (3) Based on SDSU's trip-generation rate assumptions
- (4) Based on City's trip-generation rate assumptions

San Diego State University:
Measuring the Economic Impact on the Region (June 19, 2007)
Summary

On July 19, 2007, San Diego State University ("SDSU") released for distribution a report chronicling its economic contributions to the San Diego regional economy: *San Diego State University: Measuring the Economic Impact on the Region* ("Report"), prepared by ICF International. The Report presents a two-prong analysis of SDSU's quantitative and qualitative economic impacts, and concludes that SDSU's contributions to the economy are regionally significant. (A complete copy of the Report is included as Appendix Q to this Final EIR.)

The Report first uses an economic model (*i.e.*, the IMPLAN 509-industry input-output model) to "calculate the quantifiable impacts of university and student spending and the higher earning power of SDSU graduates." (Report, p. 1-1.) The economic model assesses present *and* future impacts, and the impact analysis for the latter timeframe uses year 2025 as the target date in light of the fact that SDSU expects to have an additional 10,000 full-time equivalent students ("FTES") by that date. The findings for the present and future economic impacts assessment are summarized below:

Present Economic Impact Assessment -- In sum, SDSU contributes approximately \$2.4 billion worth of spending annually to the San Diego region, which equates to roughly \$89,900 per FTES. In addition, SDSU contributes approximately \$308.3 million to the regional tax base, or approximately \$10,870 per FTES.

- **Institutional Expenditures:** SDSU's institutional expenditures amount to approximately \$705.5 million, in 2006 dollars; further, these same expenditures indirectly contribute a total of \$1.1 billion worth of additional spending to the San Diego regional economy. This \$1.1 billion output impact is associated with an additional 12,186 jobs in the regional economy and \$153.5 million in tax revenues.
- **Student and Alumni Spending:** In addition to the institutional expenditures, the Report also finds that out-of-region students (*i.e.*, those who would not reside in the San Diego region but for SDSU) spend approximately \$143.3 million in the San Diego region. In addition, the increased earning potential of SDSU graduates translates to \$738.9 million annually spent in the local economy. Further, SDSU students and alumni indirectly contribute \$1.2 billion into the regional economy.

- **Employment:** SDSU is the 8th largest employer in San Diego; during 2007, SDSU has employed approximately 11,247 individuals. Also, approximately 700 jobs are created in the regional economy for every 1,000 FTES.

(Report, pp. 1-2 to 1-3; see also Report, pp. 2-6 to 2-15.)

Future (2025) Economic Impact Assessment -- In sum, it is estimated that SDSU will contribute approximately \$4.5 billion worth of spending annually in 2025, which amounts to approximately \$127,400 per FTES. Moreover, it is expected that SDSU will contribute \$587.7 million to the regional tax base, which translates to approximately \$16,800 per FTES.

- **Institutional Expenditures:** SDSU's institutional expenditures are forecasted to amount to approximately \$1.3 billion, in 2006 dollars. These expenditures would result in the indirect contribution of approximately \$2.1 billion worth of additional spending in the regional economy. This \$2.1 billion output impact would be associated with an additional 22,820 jobs in the regional economy and \$287.5 million in tax revenues.
- **Student and Alumni Spending:** Out-of-region students would spend approximately \$263 million in the San Diego region. In addition, the increased earning potential of SDSU graduates would translate to \$1.5 billion¹ annually spent in the local economy. Therefore, SDSU students and alumni indirectly would contribute \$2.0 billion into the regional economy.
- **Employment:** Every 100 SDSU students would support approximately 107 jobs.

(Report, pp. 1-3 to 1-4; see also Report, pp. 2-6 to 2-15.)

Second, the Report undertakes a "foundation impact analysis" to evaluate SDSU's impacts that are not easily revealed by modeling assumptions. The following categories were considered in this analysis: (i) workforce development; (ii) innovation and entrepreneurship; (iii) quality of life; (iv) housing and healthcare; (v) transportation, energy, police, and other services; and (vi) image and marketing. The Report concludes that "SDSU makes invaluable contributions to San Diego's foundations, strengthening the region as a desirable place to do business, and creating a strong positive impact on the regional economy." (Report, p. 1-4; see also Report, pp. 3-1 to 3-36.)

¹ Table 2 of the Report indicates that this figure is \$1.5 *million*; however, it appears to be a typographical error and is inconsistent with the general trend that SDSU's economic contributions to the San Diego regional economy will increase with time. (See Report, p. 1-3.)

In sum, SDSU's visible economic contributions to the San Diego regional economy, and its more discrete contributions to qualitative economic factors are found to have an "almost immeasurable impact" on the region. (Report, p. 1-11.) The institution itself, and its students, faculty and staff, all contribute to SDSU's direct and indirect fiscal impacts and qualitative impacts, each of which underscore SDSU's importance to the region and its residents.

SDSU Recreational Resource Inventory		
Resource	Recreational Character	Acres
Community/Neighborhood Facilities (City of San Diego "Population-Based" Park/Recreation Facilities)		
Aztec Green	relaxation, decompression	1
Campanile Walk	relaxation, social interaction	3
Centennial Mall	relaxation, decompression	1
Cox Arena Foreground	meeting point, pre-event activity	1
Cuicacalli Lawn	relaxation, decompression	0.3
Education Park	relaxation, social interaction	0.5
Hepner/Hardy Quad	relaxation, social interaction	0.7
Individual building gardens	relaxation, social interaction	0.5
Library Quad	relaxation, social interaction	0.8
Mediterranean Garden	relaxation, social interaction	0.4
Olmecca/Maya Quad	relaxation, decompression, play	0.8
Scripps Park - Scripps Cottage	passive recreation, contemplation, group meeting	1.7
Aquaplex Swimming Pool	training, competition, recreation	1.7
Cuicacalli residence halls pool	recreational pool, lounge area	0.1
Cuicacalli sand volleyball court	recreation, social interaction	0.1
Football practice field	intercollegiate training and competition	1.5
Open Air Theatre	live performance and congregation	2.5
PG 700 Field	training and recreational sports	2
Recreation Field PG 610	training and recreational sports	1.5
Recreation Field PG 620	training and recreational sports	1.5
Softball Field	intercollegiate training and competition	4.9
Sports Deck Soccer Field PG 660	intercollegiate training and competition	1.8
Sports Deck Track	intercollegiate training and competition	0.9
Tennis Center	recreation, social interaction	3
Tenochca pool	recreation, social interaction	
Tenochca sand volleyball	recreation, social interaction	
Tony Gwynn Field	intercollegiate training and competition	3.8
University Children's Center playyards	child development and decompression	0.2
Peterson Gymnasium	physical education, recreational development	0.9
Aztec Athletics Center	competitive training, personal fitness and health	1.8
Aztec Center Meeting Facility, Billiards, Bowling	recreation, skills development, social interaction	0.6
Aztec Recreation Center	restricted access, membership fee	1.7
Cox Arena	restricted access, entrance payment	3.3
TOTAL		45.5
Scenic or Natural Areas (City of San Diego "Resource-Based" Park/Recreation Facilities)		
A Lot	open space, scenic buffer, wetland habitat	1.2
C/D Lot	open space, walking, running	2.5
Mission Trails - Fortuna Mountain Research	open space	500
TOTAL		503.7
Note: SDSU facilities are divided into "population-based" park/recreation facilities or "resource-based" park/recreation facilities in accordance with the Final Public Review Draft City of SD General Plan Recreational Element, Table RE-3, Park and Recreational Guidelines and Equivalencies (October 2006)		

SDSU Population-Based Park/Recreation Facilities Analysis

Time Period	Total Residents	Total Park Acreage	Population Requirement	Amount Over/Under Requirement
2006/2007 Academic Year	4942	45.5	13.8	31.7
2024/2025 Academic Year	10653	42.5	29.8	12.7
Difference	5711	-3.0	16.0	~

Notes:

City of SD General Plan calls for 2.8 acres of Population-Based Parks per 1,000 Residents

2024/2025 resident population includes 835 Adobe Falls Faculty/Staff Residents (348 units x 2.5 residents per unit)

Column E = If SDSU facilities exceed City requirement, number is positive, if falls short of City requirement, number is negative



SAN DIEGO STATE
UNIVERSITY

Facilities Planning
and Management
Business and Financial Affairs
5500 Campanile Drive
San Diego, CA 92182-1624
Tel: 619 594-5224
Fax: 619 594-4500

August 28, 2007

Art Madrid, Mayor of La Mesa
8130 Allison Avenue
La Mesa, CA 91941

RE: San Diego State University
2007 Campus Master Plan Revision

Dear Mayor Madrid,

Thank you for taking the time to meet with us on August 16th to present the San Diego State University 2007 Campus Master Plan Revision concepts to you and to discuss the potential impacts this plan may have on the City of La Mesa. Representatives of the University have been encouraged to engage in discussions seeking input toward the Campus Master Plan Revision and, specifically, to engage in negotiations over the University's mitigation obligations arising from the development impacts of the plan. This is pursuant to the California Supreme Court's decision in *City of Marina v. Board of Trustees of the California State University* (2006) 39 Cal.4th 341.

As we discussed during our meeting, the Draft Environmental Impact Report ("EIR") prepared for the 2007 Campus Master Plan Revision determined that the proposed project would result in potential significant impacts at the following two roadway intersections in the City of La Mesa: (1) Lake Murray Boulevard/Parkway Drive intersection; and (2) 70th Street/Alvarado Road intersection. (Draft EIR pp. 3.14-100-101).

With respect to the Lake Murray Boulevard/Parkway Drive intersection, the EIR mitigation requires that SDSU contribute its fair-share of the costs to the City to provide an additional left-turn lane on the westbound approach to the intersection. (Draft EIR p. 3.14-105.) As to the 70th Street/Alvarado Road intersection, the EIR mitigation requires that SDSU contribute its fair-share of the costs to widen 70th Street to six lanes through the Alvarado Road intersection and over the Interstate-8 bridge. (Draft EIR p. 3.14-105.) (The Draft EIR incorrectly references the City of San Diego, rather than the City of La Mesa, as the payee of the funds. This error will be corrected in the Final EIR.)

As we discussed at our meeting, SDSU proposes to request from the state Legislature the sum of Forty-Five Thousand Six-Hundred Eighty-Six Dollars (\$45,686.00) as SDSU's contribution to the City of La Mesa for the potential significant traffic impacts caused by the project. The California State University, on behalf of SDSU, will, following the normal state budget timelines and process, submit a budget request to the state Legislature that will include a mitigation dollar amount consistent with the proposal set forth in this letter. If the Legislature approves the funding request, or a portion of that

request, it is anticipated the appropriated funds will be provided to the City of La Mesa in annual amounts corresponding to annual student enrollment growth, provided that the City of La Mesa identifies a fund or traffic impact fee program assuring that the funds will be expended in furtherance of the subject roadway improvements.

The SDSU mitigation proposal for traffic-related impacts represents a reasonable attempt to calculate SDSU's "fair-share" of the costs to mitigate the project impacts, and was calculated based on estimates of the costs to construct the subject roadway improvements, multiplied by a fair-share percentage determined through a formula routinely used by the City of San Diego. The proposed mitigation amount was calculated based on:

- (i) the Draft EIR recommended roadway improvement mitigation measures (Draft EIR 3.14-105);
- (ii) the estimated cost of each improvement based on the City of San Diego College Area Capital Needs Study, adjusted for inflation; and
- (iii) the Campus Master Plan's fair-share contribution, which was calculated based on a formula used by the City of San Diego for such purposes. (Draft EIR, pp. 3.14-108 to 3.14-110.)

A summary of the calculations used to arrive at the proposed mitigation contribution is enclosed as Attachment 1 to this letter.

The amount proposed conforms with CEQA, which requires that mitigation measures be consistent with all applicable constitutional requirements, including those regarding proportionality and nexus. (CEQA Guidelines §15126.4(a)(4).) Under CEQA, SDSU is not required to pay more than is necessary to mitigate the significant traffic impacts of the proposed Campus Master Plan Revision; CEQA also requires that mitigation measures be "roughly proportional" to the impacts of the project. (*City of Marina, supra*, 39 Cal.4th at 361-62.) Additionally, as noted above, SDSU would like assurances from the City of La Mesa that SDSU's traffic mitigation "fair share" funds will be deposited in a fund or traffic impact fee program, and that the funds will be used solely for the identified traffic improvements.

In our recent meeting, we informed you that the 2007 Campus Master Plan Revision project is scheduled to go before the CSU Board of Trustees on September 18, 2007, and for that reason, SDSU must conclude all negotiations prior to August 31, 2007. We have not heard from the City since our meeting and, therefore, are unaware of the City's position regarding our proposal. If a response is not received by this date, SDSU will proceed with the request for \$45,686.00 to the Legislature as outlined above.

In closing, I look forward to a response to this letter and welcome the opportunity to discuss this issue further. In the interim, please do not hesitate to contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'W. Anthony Fulton', with a stylized flourish at the end.

W. Anthony Fulton

Attachment

Cc: Sally Roush
Scott Burns
Lauren Cooper

City of La Mesa
BREAKOUT OF NEAR-TERM and HORIZON YEAR PERCENTAGES and COSTS

					FARE SHARE % CUM. IMPACT	1993 TOTAL ESTIMATED COST	2007 TOTAL ESTIMATED COST	SOSU CONTRIBUTION ESTIMATE
	Near- term % only	Horizon Year % only	Near-term cost only	Horizon Year cost only	(Total near-term and horizon year combined) Source: 2007 DEIR	From College Area Capital Needs Study (July 1993 ENR 5252) Source: orig City estimates	Dollars Adjusted for Inflation (July 2009 ENR 8775) (mult - 1.67)	(Total near-term and horizon year combined)

TRANSPORTATION IMPACTED LOCATIONS

Intersections:

	Lake Murray Boulevard/ Parkway Drive intersection 7th Street	2%	98%	\$800	\$39,200	8%	costs not estimated	rough est. @ \$0.5 mil	\$40,000
E-12	Alvarado Road intersection (project 11)	0%	100%	\$0	\$5,686	5%	\$80,000	\$113,729	\$6,686
				<u>\$800</u>	<u>\$44,886</u>				
								LA MESA TOTAL	\$45,686

**SDSU MASTER PLAN MITIGATION MODEL
CALTRANS – FAIR SHARE CALCULATIONS
OCTOBER 15, 2007**

IMPROVEMENT	Estimated Total Cost (1) (2012 Dollars)	Fair Share % (Near Term)	Estimated Cost (Near Term)	Fair Share % (Horizon Year)	Estimated Cost (Horizon Year) (2012 Dollars)
PRELIMINARY STUDIES:					
I-8 Corridor Study (2)	\$1,000,000	23%	\$ 230,000		
College Avenue/ I-8 Interchange (3) Project Study Report (PSR)	\$1,000,000	19%	\$ 190,000	-	-
SUB-TOTAL	\$2,000,000	-	\$ 420,000	-	-
COLLEGE AVENUE IMPACTS:					
TCP- 2 College Ave/I-8 EB Ramps: (A-2) Provide additional (third) NB through lane on College Ave (Canyon Crest to EB ramp)	\$8,000,000	4%	\$ 320,000	12% (E-6)	\$ 960,000
TCP -10 Northbound College Ave to I-8 EB: (C-1) Add SOV storage lane on the I-8 EB on-ramp From College Ave. NB	\$15,000,000	3%	\$ 450,000	9% (G-1)	\$1,350,000
TCP-14 College Ave/I-8 WB Ramps: (E-5) Provide three NB lanes and two SB lanes on College Ave. bridge over I-8	\$24,000,000	-	-	19% (E-5)	\$4,560,000
COLLEGE AVENUE IMPACTS SUB-TOTAL	\$47,000,000		\$ 770,000	-	\$6,870,000

I-8 CORRIDOR IMPACTS:

TCP-6	I-8 WB Ramps/Parkway Drive: (A-6) Install traffic signal at intersection	\$6,000,000	2%	\$ 120,000	9%	\$ 540,000
TCP-11	Fairmount Ave/I-8 WB Off-Ramp Camino del Rio North: (E-1) Widen Fairmount Ave. between Mission Gorge Road to six lanes	\$170,000,000	-	-	1%	\$1,700,000
TCP-21	I-8 EB Ramps/Alvarado Road: (E-15) Provide additional through lane on WB approach	\$3,500,000	-	-	4%	\$ 140,000
TCP-28	I-8 (4) Mainline Segments	TBD			TBD	TBD
	I-8 CORRIDOR IMPACTS - TOTAL	\$179,500,000		\$ 120,000		\$2,380,000
	TOTAL PROJECT COSTS	\$228,500,000				
	NEAR TERM IMPACTS			\$ 890,000		
	HORIZON YEAR IMPACTS					\$9,250,000 (4)
	GRAND TOTAL NEAR TERM + HORIZON YEAR IMPACTS			\$10,140,000 (5)		

NOTES:

- (1) All costs estimates are based on estimates received from CalTrans.
- (2) Corridor study on I-8 from I-5 to SR 125 is estimated to cost between \$800,000 and \$1,200,000 – percentage is based on the assumption that three (3) interchanges out of thirteen interchanges (23%) are affected by this project.
- (3) 19% “FAIR SHARE” is based on SDSU’s maximum contribution to any location at the I-8 interchange.
- (4) Does not include funding for the mainline improvements to be determined.
- (5) Initial contribution to College Ave. PSR and I-8 Corridor Study costs to be deducted from near-term and horizon year impact costs.



Facilities Planning
and Management
Business and Financial Affairs
5500 Campanile Drive
San Diego, CA 92182-1624
Tel: 619 594-5224
Fax: 619 594-4500

October 26, 2007

Jacob Armstrong, Chief
Development Review Branch
California Department of Transportation
District 11
4050 Taylor Street, MS 240
San Diego, CA 92110

*Re: San Diego State University ("SDSU") 2007 Campus Master Plan
Revision - Mitigation Agreement*

Dear Jacob:

Enclosed is a revised Fair-Share Calculation table that moves the cost of the I-8 Corridor Study from the Horizon Year (2030) timeframe to the Near-Term (2012) timeframe, as requested in your letter dated October 11, 2007. With this revision, I believe we have addressed all of Caltrans' concerns with respect to the cost and timing of roadway improvements located within Caltrans' jurisdiction and relating to the SDSU 2007 Campus Master Plan Revision (or "Project").

As you know, the environmental impact report ("EIR") prepared for the Campus Master Plan Revision determined that the Project would result in significant traffic impacts at roadway locations within Caltrans' jurisdiction. To mitigate the identified significant impacts, the Final EIR includes mitigation measures that require SDSU to work with Caltrans to attempt to obtain funding from the state Legislature for the fair-share responsibility of SDSU towards the cost to construct the necessary roadway improvements. Over the past several months, SDSU, on behalf of the California State University ("CSU"), and Caltrans District 11 personnel have been meeting in an attempt to reach agreement regarding feasible mitigation, respective cost estimates, and fair share responsibility.

Based on the revised table, we have reached agreement that the near-term fair-share amount is \$890,000, and the horizon year fair-share amount is \$9,250,000, for a total fair-share amount of \$10,140,000. The following is a summary of the other major points on which we have reached agreement:

Point 1. Caltrans does not object to the methodology utilized in the Draft EIR (June 2007) to determine the Project's significant impacts and fair-share percentages as to the impacted intersections/roadway segments within Caltrans' jurisdiction;

Point 2. The estimate of the total cost to construct each of the roadway improvements included as mitigation measures in the EIR that are within Caltrans' jurisdiction has been provided by Caltrans and is assumed to be correct;

Point 3. Caltrans' proposes that the following two roadway improvement studies be prepared prior to construction of the roadway improvement mitigation measures recommended in the EIR,:

- (i) College Avenue/I-8 Interchange Project Study Report ("PSR");
- (ii) I-8 Corridor Study.

Point 4. The fair-share contribution towards preparation of the PSR and I-8 Corridor Study is \$420,000, as follows:

- (i) PSR (\$190,000);
- (ii) I-8 Corridor Study (\$230,000).

A summary of the calculations made to determine the fair-share amount is provided in the Fair-Share Calculation table.

Point 5. The \$420,000 fair-share amount towards preparation of the PSR and I-8 Corridor Study described in Point 4 shall be applied as a "credit" towards the fair-share amount for near-term roadway improvement mitigation measures identified under Point 6 below.

Point 6. The near-term (2012) fair-share amount towards construction of the following EIR roadway improvement mitigation measures is \$890,000:

- | | |
|--------|---|
| TCP-2 | Provide an additional (third) northbound through lane on College Avenue at the intersection of the Interstate 8 ("I-8") eastbound ramps and College Avenue (\$320,000). |
| TCP-10 | Provide an additional single occupancy vehicle ("SOV") storage lane on the I-8 eastbound on-ramp from College Avenue (northbound) (\$450,000). |
| TCP-6 | Install a traffic signal at the intersection of the I-8 westbound ramps and Parkway Drive (\$120,000). |

A summary of the calculations made to determine the fair-share amount is provided in the Fair-Share Calculation table.

Point 7. The horizon year (2030) fair-share amount towards construction of the following EIR roadway improvement mitigation measures is \$9,250,000:

TCP-2	Provide an additional (third) northbound through lane on College Avenue at the intersection of the Interstate 8 ("I-8") eastbound ramps and College Avenue (\$960,000).
TCP-10	Provide an additional single occupancy vehicle ("SOV") storage lane on the I-8 eastbound on-ramp from College Avenue (northbound) (\$1,350,000).
TCP-14	Provide three northbound lanes and two southbound lanes on the College Avenue bridge over I-8 (\$4,560,000).
TCP-6	Install a traffic signal at the intersection of the I-8 westbound ramps and Parkway Drive (\$540,000).
TCP-11	Widen Fairmount Avenue between Mission Gorge Road and I-8 to a six-lane facility (\$1,700,000).
TCP-21	Provide an additional through lane on the westbound approach to the Alvarado Road/I-8 eastbound ramps intersection (\$140,000).

A summary of the calculations made to determine the fair-share amount is provided in the Fair-Share Calculation table.

Point 8. Following preparation of the I-8 Corridor Study, Caltrans and SDSU shall meet to determine the project mitigation component for the freeway mainline roadway improvements identified in the I-8 Corridor Study consistent with the EIR mitigation measures.

As we have discussed, it remains to be determined precisely how funding for the fair-share amounts will be obtained. The intent of the California Supreme Court's decision in *City of Marina v. The Board of Trustees of the California State University* (2006) 39 Cal.4th 341, is to ensure that significant CEQA impacts are mitigated and *localities* recover the cost of CSU's impacts. The underlying logic of that decision does not apply to other state agencies, as they are funded from the same source as CSU is. In other words, it should be left up to the state policymakers to divide up monies amongst state agencies for the public good and those agencies should not be negotiating amongst themselves to redraw the budget priorities and allocations enacted by the Legislature and the governor. Caltrans should not assume that the CSU is responsible for providing or securing the necessary mitigation funding for capital improvement of state highway facilities. SDSU will support Caltrans in its efforts to obtain the level of funding outlined above from the Legislature through the annual state budget process. However, if those efforts fail, CSU will proceed with the Project.

As you know, the 2007 Campus Master Plan Revision project is scheduled to go before the CSU Board of Trustees on November 13, 2007. SDSU intends to represent to the Board of Trustees that it has reached agreement with Caltrans on the points outlined in this letter.

If you have any questions regarding any of the points outlined above, I welcome the opportunity to discuss this further. However, I ask that you please contact me as soon as possible, on or before October 30, if you have any concerns, or if this letter does not accurately reflect our agreement. If we do not hear from you shortly, we will assume that this letter accurately captures our agreement. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "W. Anthony Fulton", with a stylized flourish at the end.

W. Anthony Fulton

Attachment

**SDSU MASTER PLAN MITIGATION MODEL
CALTRANS – FAIR SHARE CALCULATIONS
OCTOBER 15, 2007**

IMPROVEMENT	Estimated Total Cost (1) (2012 Dollars)	Fair Share % (Near Term)	Estimated Cost (Near Term)	Fair Share % (Horizon Year)	Estimated Cost (Horizon Year) (2012 Dollars)
PRELIMINARY STUDIES:					
I-8 Corridor Study (2)	\$1,000,000	23%	\$ 230,000		
College Avenue/ I-8 Interchange (3) Project Study Report (PSR)	\$1,000,000	19%	\$ 190,000	-	-
SUB-TOTAL	\$2,000,000	-	\$ 420,000	-	-
COLLEGE AVENUE IMPACTS:					
TCP- 2 College Ave/I-8 EB Ramps: (A-2) Provide additional (third) NB through lane on College Ave (Canyon Crest to EB ramp)	\$8,000,000	4%	\$ 320,000	12% (E-6)	\$ 960,000
TCP -10 Northbound College Ave to I-8 EB: (C-1) Add SOV storage lane on the I-8 EB on-ramp From College Ave. NB	\$15,000,000	3%	\$ 450,000	9% (G-1)	\$1,350,000
TCP-14 College Ave/I-8 WB Ramps: (E-5) Provide three NB lanes and two SB lanes on College Ave. bridge over I-8	\$24,000,000	-	-	19% (E-5)	\$4,560,000
COLLEGE AVENUE IMPACTS SUB-TOTAL	\$47,000,000		\$ 770,000	-	\$6,870,000

I-8 CORRIDOR IMPACTS:

TCP-6	I-8 WB Ramps/Parkway Drive: (A-6) Install traffic signal at intersection	\$6,000,000	2%	\$ 120,000	9%	\$ 540,000
TCP-11	Fairmount Ave/I-8 WB Off-Ramp Camino del Rio North: (E-1) Widen Fairmount Ave. between Mission Gorge Road to six lanes	\$170,000,000	-	-	1%	\$1,700,000
TCP-21	I-8 EB Ramps/Alvarado Road: (E-15) Provide additional through lane on WB approach	\$3,500,000	-	-	4%	\$ 140,000
TCP-28	I-8 (4) Mainline Segments	TBD			TBD	TBD
	I-8 CORRIDOR IMPACTS - TOTAL	\$179,500,000		\$ 120,000		\$2,380,000
	TOTAL PROJECT COSTS	\$228,500,000				
	NEAR TERM IMPACTS			\$ 890,000		
	HORIZON YEAR IMPACTS					\$9,250,000 (4)
	GRAND TOTAL NEAR TERM + HORIZON YEAR IMPACTS			\$10,140,000 (5)		

NOTES:

- (1) All costs estimates are based on estimates received from CalTrans.
- (2) Corridor study on I-8 from I-5 to SR 125 is estimated to cost between \$800,000 and \$1,200,000 – percentage is based on the assumption that three (3) interchanges out of thirteen interchanges (23%) are affected by this project.
- (3) 19% “FAIR SHARE” is based on SDSU’s maximum contribution to any location at the I-8 interchange.
- (4) Does not include funding for the mainline improvements to be determined.
- (5) Initial contribution to College Ave. PSR and I-8 Corridor Study costs to be deducted from near-term and horizon year impact costs.



401 B Street, Suite 800
San Diego, CA 92101-4231
(619) 699-1900
Fax (619) 699-1905
www.sandag.org

August 31, 2007

File Number 7000300

Mr. Anthony Fulton, Director
Department of Facilities Planning, Design and Construction
San Diego State University
5500 Campanile Drive
San Diego, CA 92182-1624

Dear Mr. Fulton:

SUBJECT: 2007 Campus Master Plan Draft Environmental Impact Report

I am writing to document the approach we have discussed with you for estimating the cost of mitigating the impacts on the regional transportation system from the proposed development of San Diego State University (SDSU) as described in your Draft Environmental Impact Report (DEIR). SANDAG provided comments on the DEIR in our letter dated August 8, 2007. It conveyed our concerns about the adequacy of traffic analysis, identified measures we thought were necessary to mitigate the impacts of future development at SDSU, and identified important planning considerations that should be addressed to ensure SDSU develops in a manner consistent with the regional goals identified in our Regional Comprehensive Plan and draft Regional Transportation Plan. As a result of subsequent meetings which were held with SDSU, City of San Diego, Caltrans, Metropolitan Transit System, and SANDAG staff following our submittal of the August 8 letter, we were asked to provide this letter, which outlines a possible methodology for estimating the costs of mitigating the regional transportation impacts from the proposed development.

The draft 2007 Regional Transportation Plan identifies approximately \$58 billion in expenditures necessary to address the region's future transportation needs through the year 2030. This figure covers both the capital and operating costs for highways, transit, and local roads. The plan is constrained to the facilities and services that could be provided based on the revenues we can reasonably expect to be available between now and 2030.

In determining what share of the costs for these new facilities and operations should be allocated to new development, we suggested that the overall costs could be broken down into three categories:

- Costs associated with meeting interregional transportation needs;
- Costs associated with improving the quality of services provided to the existing residents, businesses, and other institutions within the region; and
- Costs associated with meeting transportation needs associated with new development that is forecasted to occur between now and 2030.

MEMBER AGENCIES

Cities of
Carlsbad
Chula Vista
Coronado
Del Mar
El Cajon
Encinitas
Escondido
Imperial Beach
La Mesa
Lemon Grove
National City
Oceanside
Poway
San Diego
San Marcos
Santee
Solana Beach
Vista
and
County of San Diego

ADVISORY MEMBERS

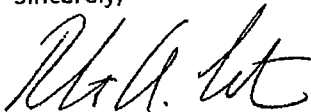
Imperial County
California Department
of Transportation
Metropolitan Transit System
North San Diego County
Transit Development Board
United States
Department of Defense
San Diego
Unified Port District
San Diego County
Water Authority
Mexico

If it is assumed that roughly two-thirds of the transportation need is associated with the first two categories, and about one-third of the need is associated with new development, then about one third of the cost of implementing the draft 2007 Regional Transportation Plan (about \$19.3 billion) could be allocated to new development. (It should be noted that the one-third allocation of cost to new development is not based on a formal "nexus analysis" and could be either lower or higher depending on the results of such an analysis). SANDAG has forecasted that growth at about one million additional people by 2030, so distributing the \$19.3 billion over one million people results in a per capita cost of \$19,300. This per capita cost figure could be used as an initial basis for determining SDSU's fair share contribution toward the regional impacts of growth that will result from build out of the Master Plan, by applying it to the projected growth in student population which would be accommodated in the Master Plan.

We recognize that this methodology does not account for the difference in trip making that may exist between a student population and the population taken as a whole. That is why we are prepared to work with SDSU in the coming months to resolve the issues that remain over the trip generation assumptions in the DEIR with the ultimate goal of making a more accurate estimate of fair share costs based on a corridor level of analysis of projected trips of all types. At the same time, we think this methodology provides a reasonable basis for moving forward at this time. The City of San Diego currently charges new development transportation impact fees for multifamily dwelling units that range from \$26,000 to \$50,000 per dwelling unit. With an average of 2.5 students per dwelling (according to the University's traffic study), the \$19,300 per person figure converts to \$47,500 per dwelling unit, which is at the upper end of the range of existing impact fees.

We realize that we are breaking new ground in developing a methodology for assessing the cost of development related to universities and colleges in California. That is why we are committed to working with you through this process. We are prepared to help you present this information to your decision makers if you think that will help in the process. I look forward to working with you to resolve these issues. Please let me or my staff know if you need anything else from us at this time.

Sincerely,



ROBERT A. LEITER, AICP
DIRECTOR OF LAND USE AND TRANSPORTATION PLANNING

BLE/SVA/ais

cc: Gary Gallegos; Jack Boda - SANDAG
Bill Figge, Deputy District Director - Caltrans
Conan Cheung, Director - Metropolitan Transit System
Labib Qasem, Development Services Department - City of San Diego



SAN DIEGO STATE
UNIVERSITY

Facilities Planning
and Management
Business and Financial Affairs
5500 Carlsbad Drive
San Diego, CA 92182-1624
Tel: 619 594-3224
Fax: 619 594-4300

October 26, 2007

Mr. Robert Leiter
Director of Land Use and Transportation Planning
SANDAG
401 B Street, Suite 800
San Diego, CA 92101-4231

Dear Bob:

We are in receipt of your letter of August 31, 2007 documenting your proposed approach to estimating the cost of mitigating the impacts on the regional transportation system caused by San Diego State University's proposed master plan. While we disagree with your analysis, during the past month we have been considering mitigation measures which might be included as part of SDSU's response to SANDAG's comment suggesting that we are responsible for implementing freeway and transit improvements identified in the proposed Regional Transportation Plan (RTP).

Thus far, our understanding of the proposal made by SANDAG is that SDSU is responsible for mitigation funds based on a global calculation of our fair share of the transportation improvements identified in the proposed 2007 Regional Transportation Plan. This plan anticipates \$58 billion will be needed until 2030 to meet the needs of the San Diego region. Based on your calculations, our share is proposed at roughly \$193.0 million. This was calculated by dividing the \$58 billion by one million anticipated new San Diego residents of which SDSU's enrollment growth would contribute 10,000 FTES. Then, assuming the source of funds would be 1/3 from State sources, 1/3 from local and sales taxes sources and the remaining 1/3 would be collected from developers, SDSU's share would be: \$58,000 per person divided by one-third times 10,000 students, or equal to \$193.0 million.

At our several meetings we agreed that a better way to calculate our fair share would be to base it on trip generation rather than this proposed "back of the napkin" methodology. We have discussed our methodology and our methods for calculating our trip generation in the DEIR. While SANDAG may disagree with our methodology, we believe that it is accurate. In fact, our differing views are merely a disagreement amongst experts. Additionally, SANDAG has failed to show how our project would result in significant impacts to transit within the meaning of CEQA, such that mitigation and a corresponding obligation to pay a fair share of transit improvements would be required.

Further we would like to note the following concerns:

- SANDAG is currently circulating a DEIR for the 2007 Regional Transportation Plan for public review. Comments to that plan were due October 5, 2007 and the final plan has not been formally adopted by SANDAG. Thus, SANDAG is asking that SDSU commit to a proportionate share based on a projection of anticipated revenue in a plan that may or may not be adopted. Per CEQA regulations any land use "plan" that is part of EIR analysis and mitigation must be one that is legislatively or otherwise "adopted/approved" by the local agency.
- We also note that the proposed RTP lists as a financial source for the plan a proposed Trans Net Ordinance that local governments would adopt which would impose exactions on new development for the Regional Transportation Congestion Improvement Program (RTIP). Those exactions, listed in the SANDAG DEIR, stipulate a cost of \$2,071 per new residential unit as of 2008, would need to be adopted by local governments, and as we understand it would only be adopted by those municipalities which do not currently have a development impact fee for transportation. According to the plan in the DEIR, this would generate only \$484 million of the \$58 billion plan. All other sources of funding are listed as state or federal funds. The \$2,071 per residential unit exaction is less than 1.0% of the funding plan for the RTP and not the one-third SANDAG applied in its proposal to SDSU as coming from development sources. Unless we are incorrect, there seems to be a flaw in the methodology you are relying upon.
- In addition, SDSU cannot commit to pay developer fees because SDSU is not a developer. SDSU is a regionally based educational institution applying growth projections to meet the San Diego region's need for higher education. Under the recent Marina Supreme Court decision, CSU is not subject to the jurisdiction of locally enacted ordinances regarding land use fees or "developer" exactions; CSU is still sovereign from local agency land use jurisdiction and laws or ordinances enacted to implement local land use plans. We are serving the same growth in population as SANDAG and should not be penalized as a developer. You also mentioned at a recent meeting that the City of San Diego currently charges from \$26,000 to \$50,000 per dwelling unit for transportation impact fees. We believe that those fees, if they are that high, cover not only transportation but other municipal services as well.

The stated concerns above leave us with limited choices for a response to SANDAG's request at this time. SDSU is committed to supporting SANDAG in its efforts to adopt a Regional Transportation Plan. In furthering those efforts we have committed to a variety of transportation related mitigation measures in our Final EIR (Mitigation Measures TCP – 2, 6, 10, 11, 14, 21, and 28). This will include supporting Caltrans in its efforts to obtain funds for a PSR/I-8 Corridor study and future capital improvements for the impacted interchanges. We understand that these mitigation measures are a portion of the RTP funds you have requested. We have also committed in the FEIR (TCP – 27) to develop a Transportation Demand Management Program for SDSU in cooperation with MTS and SANDAG. This effort will manage future transportation increases and maintain

and encourage transit ridership at the levels predicted by SANDAG, enhance bicycle and pedestrian usage, enhance alternate modes of transportation and address our mutual concerns for "smart growth" in the region. This mitigation, in itself, is a continuing commitment by SDSU to participate in reducing traffic congestion in the region. SDSU looks forward to working with SANDAG and MTS in developing the TDM program, and further discussion of this mitigation measure can be had as we move forward.

In closing, the Final EIR for the SDSU project will contain detailed written responses to the comments on the draft EIR you submitted on behalf of SANDAG. The EIR responses provide additional information responsive to the points made in your August 31 letter. We will forward a copy of the EIR responses to you once the Final EIR is complete.

Sincerely,

A handwritten signature in black ink, appearing to read "W. Anthony Fulton", written in a cursive style.

W. Anthony Fulton