
Responses to Comments

Fenton Parkway Bridge Project

STATE CLEARINGHOUSE NO. 2023050534

SEPTEMBER 2024

Prepared for:

**THE BOARD OF TRUSTEES OF THE
CALIFORNIA STATE UNIVERSITY**

401 Golden Shore

Long Beach, California 90802

Prepared by:

**SAN DIEGO STATE UNIVERSITY
FACILITIES PLANNING, DESIGN,
AND CONSTRUCTION**

5500 Campanile Drive

San Diego, California 92182-1624

Acronyms and Abbreviations

Acronym	Definition
BMP	best management practice
BRTR	Biological Resources Technical Report
CAP	Climate Action Plan
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
City	City of San Diego
CSU	California State University
DAB	Design Advisory Board
dBA	A-weighted decibels
EIR	Environmental Impact Report
EPP	Essential Public Project
ESA	Endangered Species Act
ESL	Environmentally Sensitive Lands
GHG	greenhouse gas
I	Interstate
LDC	City of San Diego Land Development Code
L_{eq}	sound equivalent level
LTS	level of traffic stress
MHPA	Multi-Habitat Planning Area
MM	Mitigation Measure
MOU	Memorandum of Understanding
MSCP	Multiple Species Conservation Program
MTS	Metropolitan Transit System
PUD	Public Utilities Department
RWQCB	Regional Water Quality Control Board
SDSU	San Diego State University
USACE	U.S. Army Corps of Engineers
VMT	vehicle miles traveled

INTENTIONALLY LEFT BLANK

1 Responses to Comments

1.1 Introduction

A Draft Environmental Impact Report (EIR) for the proposed Fenton Parkway Bridge Project (project) was prepared and circulated for public review from April 12, 2024, to May 28, 2024. During that time, the California State University (CSU) received 5 agency comment letters (A-1 through A-5), 3 organization comment letters (O-1 through O-3), and 4 individual comment letters (I-1 through I-4). The comments have each been assigned an alphanumeric label, and the individual comments within each written comment letter are bracketed and numbered. For example, Comment Letter A-2 contains 68 comments that are numbered A-2-1 through A-2-68.

The CSU's responses to each comment on the Draft EIR represent a good-faith, reasoned effort to address the environmental issues identified by the comments. Under the California Environmental Quality Act (CEQA) Guidelines, the CSU is not required to respond to all comments on the Draft EIR, but only those comments that raise environmental issues regarding the adequacy of the Draft EIR. In accordance with CEQA Guidelines Sections 15088 and 15204, the CSU has independently evaluated the comments and prepared the following written responses describing the disposition of any significant environmental issues raised. CEQA does not require the CSU to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters.

Rather, CEQA requires the CSU to provide a good-faith, reasoned analysis supported by factual information. To fulfill these requirements, the CSU's experts in planning and environmental sciences consulted and independently reviewed analysis responding to the Draft EIR comments prepared by Dudek and other experts, which include experts in aesthetics, air quality, biology, cultural resources, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use planning, mineral resources, noise, population and housing, public services and recreation, transportation and traffic, tribal cultural resources, utilities and service systems, and wildfire. Each expert has years of educational and field experience in these fields of environmental sciences; is familiar with the project and the environmental conditions of the project site; and is familiar with the federal, state, and local rules and regulations (including CEQA) applicable to the proposed project. Accordingly, the CSU's final analysis provided in the responses to comments is backed by substantial evidence.

In the case of specific comments, the CSU has responded with specific analysis; in the case of a general or recurring comment, the reader is referred to a series of "Thematic Responses" where applicable. The absence of a specific response to every comment does not violate CEQA if the response would merely repeat other responses. Several of the comment letters repeat issues the CSU addressed in Thematic Responses and other written responses as part of the Final EIR. Due to the repetition, the CSU relies on those other responses addressing the same or similar issues, even if an individual response does not reference other applicable response(s). This is justified by the same or similar issues being raised in multiple comments. For this reason, each reviewer is encouraged to review the Thematic Responses and the other written responses for further responsive information.

There are several comments that were included in both the Notice of Preparation and Draft EIR comment letters that are related to the overall bridge project, but are not related to environmental issues. However, the CSU values the input received from agencies, organizations, and individuals that are not related to these environmental topics. The CSU has responded to these comments to the extent possible, recognizing that some design elements are too premature to confirm at the writing of this document.

1.2 List of Agencies, Organizations, and Individuals that Commented on the Draft EIR

The interested parties listed in Table 1 submitted letters during the public review period or after close of the public review period for the Draft EIR.

Table 1. Comments Received on the Draft EIR

Comment Letter	Commenter	Date
Agencies		
A-1	State Clearinghouse	April 12, 2024
A-2	City of San Diego	May 23, 2024
A-3	California Department of Fish and Wildlife (CDFW)	June 10, 2024
A-4	Caltrans	May 28, 2024
A-5	U.S Fish and Wildlife Service (USFWS)	June 21, 2024
Organizations		
O-1	Mission Valley Planning Group	May 1, 2024
O-2	San Diego County Archeological Society Inc.	May 14, 2024
O-3	San Diego Audubon Society	May 28, 2024
Individuals		
I-1	Richard Erth	May 10, 2024
I-2	Doug Wescott	April 27, 2024
I-3	Brownstein Hyatt Farber Schreck, LLP on behalf of Sudbury Properties	May 27, 2024
I-4	KLR Planning	May 28, 2024

1.3 Summary of Changes to the Draft EIR and Appendices

In some cases, comments received on the Draft EIR prompted changes to the final version of the document (i.e., the Final EIR). These are shown in ~~strikeout~~/underline format. The Final EIR also includes informational updates and clarifications. These, too, are shown in ~~strikeout~~/underline format. Consistent with CEQA Guidelines Section 15088.5(b), these revisions have been made to clarify text for consistency or revise punctuation as appropriate throughout the document, and these revisions do not result in what constitutes new significant information that would require recirculation of the document.

In addition to the revisions to the Final EIR, several of the Draft EIR appendices were revised based on comments received during public review. Those appendices include the following:

- Appendix C – Biological Resources Technical Report
- Appendix G – Noise Technical Report
- (New) Appendix F4 – Erosion Control Rock-Fortified Work Area Hydrology Memo

The revisions to these appendices have been completed in ~~strikeout~~/underline format.

1.4 Thematic Response

A thematic response has been prepared to address comments that were noted by multiple commenters. This response relates to the purpose and need for the project.

Thematic Response 1 – Purpose and Need of the Project

Background

During the public review process, commenters have questioned the purpose and community need for the proposed Fenton Parkway Bridge, which will span the San Diego River and therefore result in potentially significant impacts to the wetland habitat in and around the San Diego River. The environmental analyses set forth in the Draft EIR describe the existing community needs and ways in which the community would benefit from the project, which include improving multimodal transportation throughout Mission Valley, reducing greenhouse gas (GHG) emissions, reducing the debilitating impacts of significant and frequent flooding in eastern Mission Valley by providing a much needed high river vehicular crossing, and improving public safety generally by reducing congestion and providing a new reliable and direct access route for emergency response personnel and more generally for the large and growing population living, working and recreating in eastern Mission Valley. The following presents a compiled and comprehensive discussion on the purpose and need of the proposed project.

The discussion below points to locations in the Draft EIR where topics were discussed. In addition, the discussion below references several planning and resource documents that informed the design process, as well as the preparation of the EIR for the proposed project. This includes a January 4, 2024, letter from the City of San Diego (City) to the U.S. Fish and Wildlife Service and California Department of Fish and Wildlife. This letter substantiates a number of bases for concluding that this proposed bridge project is an Essential Public Project (EPP). Please refer to Draft EIR, Appendix A, which includes the January 4, 2024, letter in its entirety.

Transportation

As mandated by state law, each city must prepare a housing element update every 5 years that outlines land use planning tools such as General Plan designations, zoning codes, policies, and guidelines that will allow for sufficient residential units to be constructed to meet projected housing demands. Good planning practice is to focus housing growth within existing urban cores that have access to transit as opposed to construction of new less dense communities on the outskirts of existing urban areas. In response to the local housing crisis, the City updated the Mission Valley Community Plan and rezoned all the properties in the area to allow a significant increase in residential development in the community with complementary employment growth (Draft EIR Appendix A). Due to planned housing growth being concentrated in Mission Valley where transit is present, the Mission Valley community is expected to support significant growth in the coming years. Planned growth in Mission Valley is expected to increase by 248% between 2012 and 2050 (Mission Valley Community Plan Update EIR Table 3.4-1, Buildout Summary [City of San Diego 2019a]). As land uses within Mission Valley have continued to intensify, the strain on emergency services has continued to grow. Therefore, the City has planned for the orderly expansion of vital infrastructure, including the Fenton Parkway Bridge.

As discussed in the City's letter to the California Department of Fish and Wildlife, the City considers the proposed project an EPP pursuant to the City of San Diego Land Development Code Section 143.0150(d)(1)(B)(ii) (the Land

Development Code permits deviations from regulations generally restricting development within wetlands for EPPs¹). The Land Development Code considers a project an EPP when it is determined to serve one or more of the following essential public needs: linear infrastructure, including but not limited to major roads and land use plan circulation element roads and facilities including bike lanes; water and sewer pipelines and associated appurtenances; and storm water conveyance systems and associated facilities.

The Fenton Parkway extension and bridge connection over the San Diego River to Camino Del Rio North and Mission City Parkway was determined to be an essential public facility needed to support existing and planned growth and was included in the Mission Valley Community Plan Update adopted in September 2019 as a four-lane collector street with pedestrian and bicycle facilities. This connection was carried over from the previous 1985 community plan in which it was classified as a four-lane major street. The change from a four-lane major to a four-lane collector street classification as part of the 2019 Mission Valley Community Plan Update was intended to allow for a narrower cross section and less impactful bridge across the sensitive San Diego River. The proposed project qualifies as EPP because it is linear infrastructure identified as a land use plan (Mission Valley Community Plan Update) circulation element road.

As discussed in the Chapter 2, Project Description, of the Draft EIR; general transportation planning principles; and the City's General Plan encourage a grid network of streets to provide accessibility, reduce travel distances, increase resiliency, and distribute traffic loads. In Mission Valley, steep slopes, the San Diego River, five freeways, and the San Diego Trolley tracks have created barriers and limited the opportunities for connectivity within, as well as to and from, the community. This has resulted in a planned street network that consists of fewer and wider streets and intersections to accommodate the movement of people and goods, which in turn results in less distributed/more concentrated traffic flows, turning many of these streets and intersections into barriers in and of themselves, especially for transit users, cyclists, and pedestrians. Given the limited planned north-south street connectivity in Mission Valley, completion of the Fenton Parkway connection is essential to meet the mobility, emergency, utility, and equity needs of the community and the City (see Draft EIR Appendix A).

Section 3.13, Transportation, of the Draft EIR found that the proposed project would ultimately decrease the vehicle miles traveled (VMT) within a 3-mile and 5-mile radius of the project by 7,887 VMT and 10,399 VMT, respectively, in the base year (2027). Under Year 2050 conditions, a similar net reduction in area VMT is expected.

The Fenton Parkway connection is critical to provide a safer and higher quality/lower stress environment for pedestrians and cyclists to help achieve the City's Climate Action Plan targets, including providing access for mid-City residents to the Green Line Fenton Parkway Trolley Station and San Diego State University (SDSU) Mission Valley via the State Route 15 bikeway that was completed in August 2017. This would specifically benefit patrons with origins and destinations south of the river. These individuals do not currently have access to higher quality transit such as the trolley or a rapid/express bus route. The Fenton Parkway connection would provide an additional routing option for transit connectivity and improve bus and shuttle access to SDSU Mission Valley while reducing traffic congestion on other transit routes, which would improve the reliability of bus services in Mission Valley and other areas.

¹ LDC section 143.0150(d)(1)(B) defines Essential Public Projects to include any of the following: (i) Any public project identified in an adopted land use plan or implementing document and identified on the Essential Public Projects List adopted by Resolution No. R-307377 as Appendix III to the Biology Guidelines; or (ii) Linear infrastructure, including but not limited to major roads and land use plan circulation element roads and facilities including bike lanes, water and sewer pipelines including appurtenances, and stormwater conveyance systems including appurtenances; or (iii) Maintenance of existing public infrastructure; or (iv) State and federally mandated projects. The proposed project qualifies as an EPP pursuant to criteria (ii).

Similarly, as analyzed in Section 3.13 of the Draft EIR, the provision of sidewalks on the proposed bridge would enhance walkability for commuters and recreational pedestrians in this area of Mission Valley. Employees in buildings along the Camino Del Rio North and South corridors would be able to walk to the river park uses within the SDSU Mission Valley site, as well as to restaurant and retail opportunities within Fenton Marketplace, all of which would be 0.5 miles away. In addition, the new bridge would provide a new roadway connection that could be used by Metropolitan Transit System buses to shorten trips from trolley stations to origins and destinations outside the typical maximum walking distance of 0.5 miles to fixed rail transit.

The traffic analysis performed for the 2001 Draft EIR for the Mission City Parkway Bridge was not conducted to justify the project's purpose and need but to determine the transportation level of service impacts of the project, which was the metric for identifying CEQA transportation impacts (negative consequences) at that time (City of San Diego 2001). CEQA now evaluates transportation impacts based on VMT rather than level of service and due to the substantial growth that has occurred and will continue to occur in Mission Valley, a bridge at the project site will result in a reduction in VMT and also improve mobility throughout the valley.

The Mission Valley Community Plan was updated in 2019 including a thorough transportation analysis, robust public review, and a public hearing process with this connection considered, determined necessary, and included in the final approved plan and Final EIR (City of San Diego 2019a, 2019d). Additionally, Appendix A of the Mission Valley Impact Fee Study (adopted July 6, 2020) indicates that the Fenton Parkway planned connection was identified as the highest priority project for the Mission Valley Community Planning Group (City of San Diego 2020).

Fenton Parkway/Mission City Parkway from Friars Road to Camino Del Rio South is included in the draft 2025 Regional Arterial System network (SANDAG 2021). In order to be included in the Regional Arterial System, a street must be on the existing RAS or meet one of the following three screening criteria:

- Provides parallel capacity in high-volume corridors to supplement freeways, state highways, and/or other regional arterials (Corridor)
- Provides capacity and a direct connection between freeways or other regional arterials, ensuring continuity of the freeway, state highways, and arterial network throughout the region without duplicating other regional facilities (Cross-Corridor)
- Provides all or part of the route for existing or planned regional and/or corridor transit service that provides headways of 15 minutes or less during the peak period

Immediately upon completion of this essential connection, Fenton Parkway/Mission City Parkway from Friars Road to Camino Del Rio South will meet two of the three Regional Arterial System Screening Criteria. It is anticipated that it will also meet the third criteria when the SDSU Mission Valley site and transit center are further developed and additional transit services are added to serve the site. The Fenton Parkway connection is a needed facility to serve the Mission Valley community. In summary, the connection is needed to provide or support the following:

- Transportation planning/operational best-practices with essential "grid-connectivity" within the community providing alternative vehicle routes (network redundancy) and efficiency (as evidenced by reducing VMT without causing CEQA transportation impacts)
- Active transportation in the community and the region
- Transit access for residents and employees south of the San Diego River

- Direct access to the Mission Valley Library, San Diego River Trail, planned parks and recreational facilities, SDSU Mission Valley campus, and shopping opportunities for residents and employees south of the San Diego River
- Emergency response, access, and evacuation
- High water crossing in Mission Valley for emergency response, pedestrians, cyclists, and vehicles during flooding events, which may continue to increase in frequency, severity, and duration

Greenhouse Gases Emissions Reduction

As presented in the City's January 4, 2024, letter, supporting active transportation (walking, bicycling, and transit) mode shift is an important component of the City's Climate Action Plan, which aims to achieve net zero GHG emissions by year 2035 (see Draft EIR Appendix A). The Climate Action Plan targets include resident mode shares of 25% walking, 10% cycling, and 15% transit by year 2035. The proposed Fenton Parkway Bridge would support active transportation as it would have one vehicular travel lane in each direction with separate left turn lanes, as well as an elevated bicycle lane in each direction adjacent to (and at the same grade as) a sidewalk for pedestrians. The bicycle lanes would provide an extension of the existing bicycle lanes on Fenton Parkway north of the trolley tracks.

Additionally, the current lack of a connection at Fenton Parkway greatly increases the amount of out-of-direction vehicular travel within eastern Mission Valley. Out-of-direction travel from inefficient routing significantly contributes to increased GHG emissions. When individuals or goods are transported along routes that deviate from the most direct and optimized paths, vehicles expend more fuel and energy, resulting in higher emissions. These longer routes not only require more time and resources but also lead to increased exhaust emissions of carbon dioxide, methane, and nitrous oxide. In addition to the direct environmental impact, out-of-direction travel exacerbates traffic congestion, which further escalates emissions due to idling vehicles and inefficient traffic flow. Reducing out-of-direction travel through improved local connectivity is a crucial step towards mitigating the detrimental effects of GHG emissions and meeting Climate Action Plan goals. The Fenton Parkway Bridge would help with GHG emission reductions upon construction and as the community continues to grow in the future.

The analysis in Section 3.7, Greenhouse Gas Emissions, of the Draft EIR concurs with the City's assumption that the proposed bridge would help to reduce emissions upon construction and in the future. As stated in Section 3.7, Greenhouse Gas Emissions of the Draft EIR, through the installation of protected bike lanes and sidewalks, providing easy last-mile connections to the Metropolitan Transit System Green Line trolley transit stop and regional bike networks, the project would also increase the use of multimodal transit, reducing reliance on vehicles and also reducing GHG emissions in the region.

Flooding

The City's Office of Emergency Management identifies Mission Valley as a "Flood Prone Area" (City of San Diego 2024). The San Diego River floods and forces the closure of streets throughout Mission Valley routinely when moderate or severe rain events occur, which can result in closures extending for multiple days and even weeks during a wet year. During recurring flooding events, which are the most frequently recurring hazard in Mission Valley, it is common for certain streets crossing the San Diego River (seven) and some roadways adjacent to the river (three) to become impassable. The City estimates that flooding events cause road closures in Mission Valley annually, and in the past year, San Diego River lower crossings were impacted for approximately 9 days, totaling 126.5 hours. In February 2024, all roads in Mission Valley were closed due to flooding, effectively bisecting the community for surface street connectivity.

Roadways that close due to flooding include the following:

- Fashion Valley Road across the river
- Riverwalk Drive (behind Fashion Valley Mall) adjacent to the river
- Avenida Del Rio across the river
- Camino De La Reina from west of Avenida Del Rio to just east of Camino De La Siesta
- Mission Center Road across the river
- Camino Del Este across the river
- Qualcomm Way across the river
- Ward Road across the river
- San Diego Mission Road across the river
- Friars Road from west of Colusa Street to just east of Colusa Street

The transit services that are re-rerouted and impacted/delayed due to flooding include the following:

- Significant flooding at Fashion Valley Road and Fashion Valley Transit Center has required transit operations to relocate to the Mission Valley Center Transit Station, affecting all transit routes that utilize the Fashion Valley Transit Center. Flooding-related closures of the Fashion Valley Transit Center impact Routes 1, 6, 20, 25, 41, 88, 120, and 928, and may also require Sycuan Green Line service to bypass the station.
- Route 6 normally uses Camino De La Reina and Avenida Del Rio to access the Fashion Valley Transit Center.
- Routes 1, 20, 41, 88, and 120 normally use Fashion Valley Road to access the Fashion Valley Transit Center.
- Route 14 normally uses Ward Road to access the Mission San Diego and Grantville Trolley Stations.

The San Diego River is known for rapid water rises during rain events, both from upstream excessive rainfall and local urban runoff. In order to best represent the current inundation impacts along the San Diego River from Interstate (I) 5 to Mission Gorge, including the Fashion Valley Transit Center in Mission Valley, flood impact information was gathered and updated in 2023. Numerous rainfall and river flooding events have been reviewed since December 2010 to better reflect when significant impacts would begin to affect property and infrastructure. The National Weather Service indicates 10 feet as the actual “Flood Stage” (Tardy 2023). Below 10 feet is when minor flood impacts and possible road closures would occur, and above 10 feet is when lives, roadways, and property would be at much greater risk. These impacts could be exacerbated if the river rises even further in the coming years.

Table 2 provides water level stages for the San Diego River and reference of impacts.

Table 2. Water Level Stages for the San Diego River

Water Level	Impacts
7.5 feet	Action stage. The first real impacts are seen on the San Diego River at this level. Low lying roads in and around Fashion Valley Mall begin to take on water. Avenida Del Rio is the first road to begin flooding.
9 feet	More extensive low lying road flooding begins in and around Fashion Valley including Fashion Valley Road. Parking structures in and around Fashion Valley Mall can begin to take on water at the lowest levels.

Table 2. Water Level Stages for the San Diego River

Water Level	Impacts
10 feet	More extensive flooding begins at this level, more than just low-lying areas. Fashion Valley Mall parking garage is taking on water at the lower levels, with 1 to 2 feet of water in the garage. Water on the Town and Country hotel parking lot adjacent to the river and USGS gauge at Fashion Valley.
11 feet	The parking garages in Fashion Valley Mall can have up to 3 feet of water on the lowest levels. Water may begin to surround area hotels such as the River Leaf Inn. The Mission Trolley Station on Ward Road may begin to flood. Flooding begins on Camino De La Reina (under Highway 163).
12 feet	Even more extensive road flooding occurs in and around Mission Valley. Qualcomm Way, Camino Del Este, Ward Road, and Mission Gorge Road have flooded. Mission Trolley Station has flooded and may close due to flowing water. I-5 on and off ramps have flooded at the San Diego River and Pacific Highway. Mission Center Road may begin flooding with debris on railings. Fashion Valley Trolley Station is surrounded by water. There may be 2 feet of water flowing over Fashion Valley Road across gates. The golf course has been flooded at this level.
13.5 feet	Portions of Hotel Circle Road North under water. Qualcomm Way flooded and may close. Snapdragon Stadium parking may flood (likely not) and water may back up on Chollas Creek. Mission Gorge Road at low water crossing closed with 1–2 feet of flowing water. Mission Center Road will have 2–3 feet of flowing water. Hotel Circle Road has areas of standing water.
16.5 feet	Most unelevated roads and intersections in Mission Valley are flooded and impassable. Widespread damage to businesses, residences and roads throughout Mission Valley. Water will reach up to State Route 163 road level.

Source: NWPS 2024.



San Diego River at 9.5 feet on December 4, 2019.



San Diego River at 12.5 feet on January 16, 2023.

The only way to travel across the San Diego River in eastern Mission Valley during flooding events is via I-15. Since pedestrians and cyclists cannot use the freeway, they are unable to cross the river during flooding events. Transit routes that are not rerouted during a flooding event are affected by increased traffic and congestion along their routes caused by the other rerouted vehicular traffic. In addition, road closures result in longer response times to transit-related emergencies and operational situations by Metropolitan Transit System transit enforcement, supervisors, and maintenance personnel. Having a high-water crossing, such as the proposed project, that provides an alternate route is critically important.

Emergency Response

Emergency response is critically dependent on the connectivity of the roadway network. Variables that constitute and affect emergency response routing include location and type of incident, response approach(es), time of day, congestion, weather, and availability of alternative routes. In transportation planning, the ideal urban roadway network is a fine-grained grid network that provides multiple routes to get to the same destination and distributes traffic so each street and intersection carries a smaller volume of traffic with fewer and less concentrated conflicts at each intersection. Due to its geography (steep slopes, I-8, San Diego River, and San Diego Trolley Green Line), Mission Valley does not have a fine-grained grid network, with few north-south connections that are concentrated in central Mission Valley between State Route 163 and I-805. This causes all north-south traffic to be funneled to the few existing streets and freeways. Between I-805 and I-15 there is no north-south connection across the San Diego River, with the nearest crossing east of I-15 at Ward Road, requiring travel through the impacted interchange of Friars Road and I-15, and the nearest crossing west of I-805 at Qualcomm Way. The Fenton Parkway extension would provide a high-water connection within east Mission Valley approximately halfway between Qualcomm Way and Ward Road, which are about 2 miles apart (as the crow flies).

Because there are so few, every existing and planned north-south connection is critical to providing the capacity and access needed to accommodate the existing and planned growth in Mission Valley. The lack of roadway connections for shorter trips requires more trips to be made by vehicles and more vehicle trips to be made using freeways for very short distances, which creates operational, capacity, and safety problems. Freeways, with limited access and high-speed merging and diverging movements, are intended and best suited to serve longer distance trips. There are larger ripple effects of pushing traffic volumes and additional conflicting vehicular movements to parallel roadways and freeways with already failing intersections and interchanges. A single failing freeway segment creates failure, queuing, and associated safety issues for all traffic needing to pass through the segment.

Maps included in a 2017 Citygate Report indicate that much of eastern Mission Valley is not experiencing “Effective Response Force for Residential Structures” in congested conditions (Citygate Associates LLC 2017). Since this Citygate study in 2017, development has increased. The additional planned development in the Mission Valley area would only exacerbate these conditions and increase fire department and other emergency response times. Similarly, the need for access to transportation hubs will increase as the Mission Valley Community Plan area accommodates planned housing needs. The Fenton Parkway Bridge connection would provide improved police, fire-rescue, lifeguard/swift-water rescue, and ambulance emergency response times, as well as improved emergency transport times to hospitals.

The proposed bridge would reduce the risk that an area of the community would become inaccessible if all or a part of existing roadways across the San Diego River were blocked. Additionally, the bridge would improve the ability of fire stations to serve a greater area when multiple stations are responding to incidents and/or covering adjacent districts. The bridge would provide multiple approach route options for emergency response and alternate routes for diverting traffic during road closure emergencies. Finally, the bridge design calls for a 10-foot-wide center lane that could provide an additional optional traffic lane during emergency or stadium events. This planned connection is particularly important because there are often multiple responders to an incident who need access from different directions (Draft EIR Appendix A).

Exhibit 1 shows San Diego Fire-Rescue Department response time data from Computer Aided Dispatch (CAD) for incidents June 1, 2023, to May 31, 2024. Exhibit 2 shows a graphical representation of incidents in Mission Valley. After construction of the bridge, Fire Station 45, which is closest to the project site, will have a shorter path, leading to faster response time to areas at (Esquig and Gardiner, pers. comm., 2024):

- Camino Del Rio North between I-805 and I-15
- Camino Del Rio South between I-805 and I-15, known as San Diego Fire-Rescue Department’s response area 45-CW-03
- Mission City Parkway

Without the proposed bridge, during flooding events, roadways leading to these areas are only accessible from Fire Station 45 via I-15. Although I-805 passes through Mission Valley, there is no local access to the freeway, with the closest interchanges being in Serra Mesa to the north and North Park and Normal Heights to the south.

San Diego Fire-Rescue Department

Responses and Unit Response Times for Response Areas around Proposed Fenton Pkwy Bridge
Response Areas: 18-CW-01, 45-CW-03 & 45-NSR-01

June 1, 2023 to May 31, 2024

Season	Response Area	Battalion Chief		Engine		LG River Rescue		Rescue		Truck		Overall	
		Responses	Ave. Unit Response Time	Responses	Ave. Unit Response Time	Responses	Ave. Unit Response Time	Responses	Ave. Unit Response Time	Responses	Ave. Unit Response Time	Responses	Ave. Unit Response Time
Summer 2023	18-CW-01	8	0:06:43	269	0:05:46	0		2	0:14:20	19	0:07:11	298	0:05:56
	45-CW-03	0		30	0:06:29	0		0		5	0:06:13	35	0:06:26
	45-NSR-01	26	0:07:52	561	0:06:29	0		2	0:16:10	89	0:06:41	678	0:06:36
Summer 2023 Overall		34	0:07:40	860	0:06:15	0		4	0:15:15	113	0:06:45	1011	0:06:24
Fall 2023	18-CW-01	5	0:07:02	201	0:05:42	0		1		11	0:07:41	218	0:05:48
	45-CW-03	1	0:05:36	37	0:06:28	0		0		12	0:07:38	50	0:06:44
	45-NSR-01	25	0:06:33	554	0:06:25	0		6	0:06:40	100	0:06:48	685	0:06:29
Fall 2023 Overall		31	0:06:34	792	0:06:13	0		7	0:06:40	123	0:06:58	953	0:06:20
Winter 2023	18-CW-01	5	0:09:03	178	0:05:53	0		0		15	0:06:27	198	0:06:01
	45-CW-03	3	0:11:40	35	0:06:39	0		0		6	0:07:31	44	0:07:02
	45-NSR-01	17	0:07:10	578	0:06:24	5	0:09:53	7	0:09:59	108	0:07:10	715	0:06:36
Winter 2023 Overall		25	0:08:05	791	0:06:17	5	0:09:53	7	0:09:59	129	0:07:06	957	0:06:30
Spring 2024	18-CW-01	8	0:09:33	183	0:06:07	0		0		10	0:07:35	201	0:06:18
	45-CW-03	0		29	0:06:36	0		1	0:05:07	4	0:06:53	34	0:06:35
	45-NSR-01	19	0:07:05	514	0:06:35	0		8	0:08:58	90	0:06:53	631	0:06:41
Spring 2024 Overall		27	0:07:42	726	0:06:28	0		9	0:08:32	104	0:06:57	866	0:06:35
Total	18-CW-01	26	0:08:17	831	0:05:51	0		3	0:14:20	55	0:07:10	915	0:06:00
	45-CW-03	4	0:09:39	131	0:06:33	0		1	0:05:07	27	0:07:13	163	0:06:43
	45-NSR-01	87	0:07:09	2207	0:06:28	5	0:09:53	23	0:09:18	387	0:06:54	2709	0:06:35
OVERALL		117	0:07:26	3169	0:06:18	5	0:09:53	27	0:09:32	469	0:06:57	3787	0:06:27

*Unit Response Time = Time Assigned to Time at Scene
[To view incidents click here for web map application](#)

Exhibit 1. Response time for incidents from June 1, 2023, to May 31, 2024.
Source: Esquig, pers. comm., 2024.

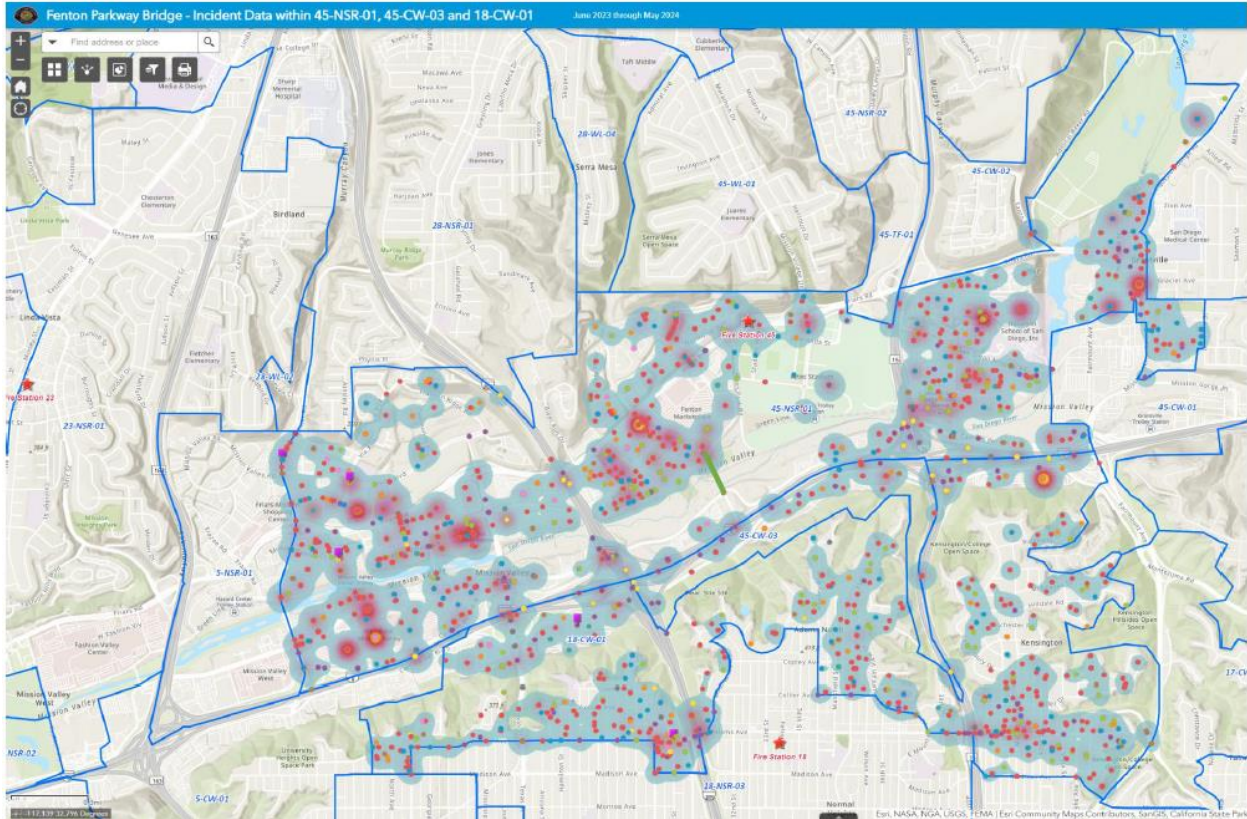


Exhibit 2. Incident Data
Source: Hafertape 2024.

Exhibit 3 shows that from Fire Station 45 to the Centerside office complex it is 2.5 to 2.6 miles and 6 to 7 minutes of travel time under existing conditions. With the Fenton Parkway connection over the San Diego River, this trip would be less than 1 mile (approximately 4,700 feet), with fewer traffic delays, and would take an estimated 2.5 minutes.

The mobility connection in the proposed location would reduce the risk that an area of the community would become inaccessible and would improve access to the surrounding areas north and south of the San Diego River. As determined in Section 3.8, Hazards and Hazardous Materials, of the Draft EIR, and as summarized above, the addition of a new direct north–south connection from Camino Del Rio North to the north side of the San Diego River would improve overall emergency access compared to existing conditions.

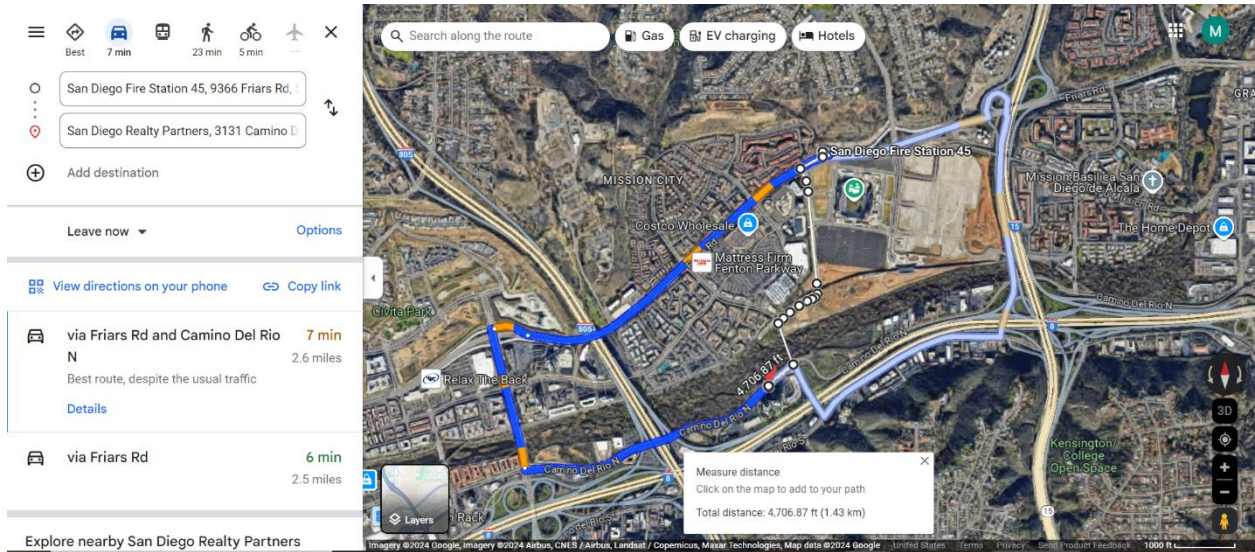


Exhibit 3. Driving Directions from Fire Station 45 to Centerside office complex.
Source: Google Maps 2024.

Very High Fire Hazard Severity Zone

As discussed in Section 3.8, Hazards and Hazardous Materials, and Section 3.16, Wildfire, of the Draft EIR, much of Mission Valley, including the project site, is in a Very High Fire Hazard Severity Zone. The San Diego Fire-Rescue Department, in coordination with the California Department of Forestry and Fire Protection, has identified several communities in Mission Valley as at-risk through the Assembly Bill 2911 subdivision review program.

The proposed project would provide additional access and routes for deployment of emergency responses during a wildfire event and aid with the efficient and orderly evacuation of people in eastern Mission Valley in the event of an emergency. The proposed project would serve as an additional access option to protect City-owned land, including environmentally sensitive habitats, in the Very High Fire Hazard Severity Zone for which the City is financially responsible. Additional access would provide the option to improve emergency response to areas surrounded by canyons that have had previous large or historic wildfire events. New access, response routes, and earlier deployment of resources may prevent loss of life and property and protect environmentally sensitive lands and habitats. Communities would benefit from the improvements to emergency response times and access and the additional emergency evacuation/ingress options the proposed project would provide.

Public Utilities

As stated in the City’s January 4, 2024, letter (Draft EIR Appendix A) and noted in Section 3.15, Utilities and Service Systems, of the Draft EIR, the Fenton Parkway Bridge design includes 24-inch openings through abutments and bridge cells with access panels for potential future water or sewer main infrastructure. The construction of the proposed bridge would minimize impacts from future pipeline infrastructure projects and provide necessary connections for the continued improvements of the City’s water and wastewater systems.

INTENTIONALLY LEFT BLANK

Alexandra Martini

From: Meng Heu <Meng.Heu@OPR.CA.GOV>
Sent: Friday, April 12, 2024 2:34 PM
To: Steve Taffolla
Subject: SCH Number 2023050534

Your project is published and is available for review. Please note the State/Local review 'start' and 'end' period.

You can click "Navigation" and select "Published Document" to view your project and any attachments on CEQAnet.

****Updates to Published Projects:** Please note that we do not remove attachments from published projects unless there is confidential information that cannot be displayed online. To make changes to a published document, send requests and any attachments to state.clearinghouse@opr.ca.gov. We ask that you also provide a brief memo on lead agency letterhead explaining what changes/corrections have been made.

A-1-1

Thank you,

Meng Heu

Office of Planning and Research (OPR)
State Clearing House

****Note:** No reply, response, or information provided constitutes legal advice.

To view your submission, use the following link.

<https://ceqasubmit.opr.ca.gov/Document/Index/288060/2>

INTENTIONALLY LEFT BLANK

Response to Comment Letter A-1

California Office of Planning and Research - State Clearinghouse
Meng Heu
April 12, 2024

- A-1-1** The comment provides confirmation that the Draft EIR was published with the State Clearinghouse and includes a link where the Draft EIR can be found on www.CEQAnet.com. No further response is required.

INTENTIONALLY LEFT BLANK

From: "Palaseyed, Abi" <APalaseyed@sandiego.gov>
Subject: Fenton Parkway Bridge - Comments to DEIR
Date: May 23, 2024 at 10:51:11 AM PDT
To: Tom Delaney <tom@springline.org>, Paul Jackson <pjackson@sdsu.edu>
Cc: "Forburger, Kristen" <KForburger@sandiego.gov>, "Hickey, Megan" <MHickey@sandiego.gov>, "George, Nicole" <ngeorge@sandiego.gov>

Hello Tom and Paul;

Thank you for providing the City of San Diego (City) the opportunity to review the Draft Environmental Impact Report (DEIR) SCH#2023050534 for the Fenton Parkway Bridge Project. The City is in support of this project as the City considers the proposed project an Essential Public Project (EPP) under the City of San Diego Land Development Code (LDC) §143.0150(d) (1)(B)(ii). To satisfy its duty as the Responsible Agency for this project pursuant to CEQA Guidelines §15096(d), the City provides the attached comments. The City requests the responses to these comments be incorporated to the Final Environmental Impact Report (FEIR) so the City can determine the FEIR is adequate under CEQA when it is making the findings required by the LDC for a site development permit for the project. The City will continue to meet with SDSU and provide examples of suggested mitigation and impact determinations from similar projects.

|
 | A-2-1
 |
 | A-2-2
 |
 | A-2-3

Please let us know if you have any questions.

Many thanks.

Abi Palaseyed, PE
 Assistant Deputy Director
 Engineering and Capital Projects
 Strategic Capital Projects Branch
 City of San Diego
 619.495.8511 cell



CONFIDENTIAL COMMUNICATION

This electronic mail message and any attachments are intended only for the use of the addressee(s) named above and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If you are not an intended recipient, or the employee or agent responsible for delivering this e-mail to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you received this e-mail message in error, please immediately notify the sender by replying to this message or by telephone. Thank you.

REVIEW COMMENT FORM

Name of Project:	Fenton Parkway Bridge	Date:	May 23, 2024
Document Reviewed:	EIR and Appendices		
Reviewer(s):	Megan Hickey (MH), Maya Mazon (MM), Kelsey Hall (KH), Kristy Forburger (KF), Shannon Eckmeyer (SE), Jillian Haynes (JH)		

No.	Reviewer Initials	Reference (Document Section)	Comments	Response
1	KF, MM, KH, MH	Global Comment	Impact determinations require further evaluation that may result in the identification of additional mitigation measures; therefore, flagging adequacy concerns as Responsible Agency.	
2	MH	Global Comment	The Project Description is variable between the BTR, Noise Report, and EIR and other appendices; EIR pg 2-6 2.3.1 describes a small berm and trestle - this is not analyzed in the BTR and was not included in previous documents reviewed by City staff; berm and trestle options could require additional impact analysis and negotiations on preferred methodology with the City to ensure no impacts occur to the Stadium Wetland Mitigation Site.	
3	MM	Global Comment	It unclear what the construction plan is within the active waterway during Phase 1 and 2 of construction. If water is going to flow through the path of the waterway due to rainfall, etc. what will be implemented to ensure that movement can continue without erosion from grubbed areas.	
4	MH	Global Comment	Consistent and clarified language describing the project and it's relation to the Stadium Wetland Mitigation Site is needed. This clarification was necessary during the public review meeting as well. Examples provided below:	
5	MM	EIR, pg 3.3-17, Section 3.3.2	(1) Please revise the following statement, "The Stadium Wetland Mitigation Site includes multiple "no-credit areas" located throughout its boundary. One of these "no-credit areas" is the project site (Figure 3.3-2, Regulatory Setting)." to "The Stadium Wetland Mitigation Site was created to omit multiple designated infrastructure easements as "no credit" areas. The majority are located at the edge of the mitigation site and are less than XX acres. The mitigation site design allotted a "no credit" area for future infrastrucutre projects identified in the Misson Valley Community Plan including the proposed Fenton Parkway Bridge (Figure 3.3-2, Regulatory Setting).". (2) Please add a sentence that the mitigation site has been signed off by the agencies (CDFW, USACE, and RWQCB) for 100% distribution of mitigation credits	
6	MM	EIR, pg ES-1, Section ES.2	This description does not contain the sentence from the Regional and Local Setting in BTR: The bridge would be located within and adjacent to the City of San Diego's MultiHabitat Planning Area (MHPA) as well as the City's Stadium Mitigation Site.	
7	MH	EIR pg 1-2, Section 1.2.1 EIR pg 1-3 Section 1.3	Sentence above in these sections is revised to: The bridge would traverse and be adjacent to the City's MHPA and the City's Stadium Wetland Mitigation Site (no credit area).	
8	MH	EIR pg 2-1 2.1.1	Suggest expansion of (no credit area) in the sentence below or elsewhere in the document to clearly describe this area was intentionally excluded from being available for mitigation credits because future infrastructure projects were anticipated including the proposed project. A portion of the project site is within the City's Stadium Wetland Mitigation Site (no credit area), which is a 57-acre advanced permittee-responsible compensatory mitigation site that generates wetland mitigation credits for use in connection with infrastructure projects for the City.	
9	KH	EIR, Figure 2-2 Project Site	Suggest including Stadium credit area or another figure that clearly shows the project site and it's relation to the active mitigation areas	

A-2-4

A-2-5

A-2-6

A-2-7

A-2-8

A-2-9

A-2-10

A-2-11

A-2-12

10	MM	EIR, pg ES-4, Section ES.3	Table ES-1: Section 7 of the ESA is under CDFW. Please change to CESA for the State. Please add USFWS to this table for ESA. Please be advised that for other projects USFWS have asked for a nesting bird management plan - there is potential that they may ask for that document to be created and approved prior to construction.		A-2-13
11	MM	EIR, pg ES-7, Table ES-2	See comments made in the BTR about MM-BIO-1 for the Biological Resources Section		A-2-14
12	KH	EIR, Table ES-2	See BTR for all comments on MM-BIOs		A-2-15
13	KH	EIR, pg ES-38, Table ES-2	Confirm there no MMs for Hydrology and Water Quality after updated impact analysis based on consistent project description.		A-2-16
14	MH	EIR pg ES-12 Table ES-2	Please update to stating City rather than stating PUD.		A-2-17
15	MH	EIR pg ES-28 Table ES-2	Locations of any traps for a cowbird trapping program on PUD property are subject to review and approval and the appropriate rights of entry		A-2-18
16	MH	EIR ES-29 Table ES-2	MM Bio 17 appears to have inconsistent success criteria identified that differs from the Stadium Mitigation Plan which is referenced as the standard		A-2-19
17	MH	EIR ES-41 Table ES-2	Noise barrier on northern project end cannot restrict access to PUD assets or facilities		A-2-20
18	MH	EIR 3-8 Table 3.0-1	Pure water is now estimated to provide half the City's water supply		A-2-21
19	MH	EIR 3.9-18	The Mission Valley Groundwater Basin is not required at this time to form a GSP under SGMA.		A-2-22
20	MH	EIR 3.10-7 3.10.4	The document discusses flood zones and steep slopes but only mentions wetlands under ESL. Impact analysis must be updated to analyze impacts to flood zones and steep slopes as required by SDMC.		A-2-23
21	KH	EIR, Pg 2-1, Section 2.1.1 Projection Location and Existing Conditions	Typo? 2nd paragraph "23"?		A-2-24
22	MH	EIR pg 3.11-18	There is a sentence from the draft at the top of page. 1. Team: This citation is not in the references list. Please add.		A-2-25
23	MH	EIR 3.15-7	Please update the background description of the water and wastewater facilities in the utilities section. The Morena Pump station is in active construction as part of the Pure Water Phase 1 North City Project. The Advanced Water Treatment Facility for Pure Water Phase 1 is not co located with the NCWRP and future Pure Water facilities are currently under study (it has not been determined if SBWRP will be a future Pure Water facility).		A-2-26
24	MM	EIR, pg 3.3-22, Section 3.3.4, Long-term indirect impacts to special-status plants	Suggest not restricting pesticides and herbicides within landscape areas. This severely limits options for weed abatement which must be in check so that Stadium is not impacted.		A-2-27
25	MM	EIR, pg 3.3-19, Section 3.3.4 Special Status Amphibians and Reptiles	Western spadefoot has potential to occur onsite. This species may be a listed species by the time this project is constructed. I recommend analysis and mitigation measures be outlined to avoid and minimize impacts to this species.		A-2-28
26	MM	EIR, pg 3.3-21, Section 3.3.4, Short-term indirect impacts to Special-status plants	Please include a MM to address indirect impacts due to fugitive dust.		A-2-29
27	MM	EIR, pg 3.3-78, Impact BIO-4	Recommend including MM-BIO-6 since it talks about buffers for the special-status bird species		A-2-30
28	MM	EIR, pg 3.3-81, Impact BIO-15	Check MM measure number cited for wetland mitigation. The text cites MM-BIO-16 (cowbird) instead of MM-BIO-18 (wetland mitigation).		A-2-31
29	MM	EIR, pg 3.3-81, Impact BIO-16	Recommend spotlighting the "Enhanced Temporary Stabilization Measure" from MM-BIO-11		A-2-32
30	MM	EIR, pg 3.6-15, Landslides	Global comment: plant palette/seed mix should include plants that if burned will not cause any structural damage to the bridge.		A-2-33

RESPONSES TO COMMENTS

31	MM	EIR, pg 3.6-17, Substantial soil erosion or loss of topsoil	Recommend adding the monitoring period and responsible party for the restoration of the abutments.		A-2-34
32	MM	EIR, pg 3.6-19, Mitigation	Recommend placing the paleo mitigation measure on construction plans for grading and large drilling.		A-2-35
33	MM	EIR, pg. 3.9-14, Inspection, maintenance, monitoring and sampling	Where applicable, sampling of discharge points for turbidity and pH at minimum three times per qualifying storm event and recording and retention of results - reports should be submitted to PUD for our records and monitoring of the Stadium Mitigation Site.		A-2-36
34	MM/MH	Noise Report, pg 6, Section 1.4.1	Fencing for the project site is discussed; however, because this project is within a waterway previous discussions indicated that some alternatives would need to be considered. Inconsistencies in the project description are making it hard to tell what is proposed on site and analyzed for projects impacts and mitigation measures.		A-2-37
35	MM	Noise Report, pg 7, Section 1.5	Project maintenance should also include maintenance information about maintaining the piers, abutments and access road. Please also add to page 2.4 of EIR Project Maintenance 2.7.		A-2-38
36	MM/KH/MH	Noise Study, pg 43, Section 6.3 and EIR Noise section	Construction vibration does not analyze effects on wildlife. Of particular interest is during excavation for the piers. Vibration should be considered in the MM-BIOs It does not appear that pile driving is analyzed for vibration - pg 3.11-19 discusses it as a significant source but no analysis is provided		A-2-39
37	MM	Drainage Report, page 5	A comparison of the existing conditions, or existing condition calculations since runoff is still going to the same place. Any minor increase of flow is not deemed detrimental. Please explain.		A-2-40
38	MM	Drainage Report, page 5	Please keep the City (PUD and MSCP) apprised when the final hydraulic analysis is completed for final engineering to make sure that outfall components (inlet size, spread calculations and riprap size are assessed) will not affect MHPA or adjacent mitigation site.		A-2-41
39	KH	Hydraulic Report, pg 27 (of PDF), Plan & Profile and all other occurrences	Proposed 40ft Drainage Easement that would go outside of the current easement for Fenton and into Stadium, needs to be adjusted and pulled back so easement is within "no-credit" area "bridge mitigation area footprint" Please re-name to project boundary or project footprint so no confusion		A-2-42
40	MM	SWQMP, Page 26, section 4.3.1 and 4.3.2	Maintain natural drainage pathways and hydrological features is selected as "no". No justification provided. 4.3.2 - have natural areas, soils and vegetation been conserved is selected as "n/a". No justification provided.		A-2-43
41	MM	BTR, pg 42, City of San Diego Stadium Wetland Mitigation Site	Previous comment: please add that the Stadium Mitigation site has received sign-off acceptance from the regulatory agencies.		A-2-44
42	MM	BTR, pg 50, Changes in Hydrology AND EIR Biology Analysis	Previous comment: Can you specify where this imagery was taken from? Is the imagery of the project site? Up-stream? Our final mitigation report for sign-off has aerial imagery that shows improvement every year since 2017 and no unvegetated areas within the project site currently		A-2-45
43	MM	BTR, pg 50, Changes in Hydrology	Previous comment: Recommend ongoing soil stabilization during construction instead of "ahead of rain"		A-2-46
44	MM	BTR, pg 53, Non-native, Invasive Plant and Animal Species	Previous comment: It needs to be acknowledged that the potential impacts discussed in this section would affect the Stadium Mitigation Site		A-2-47

45	MM	BTR, pg 116-117, MM-BIO-12	<p>Previous comment: (2) It should be stated in MM-BIO-12 (invasive plant control) that the construction site (during and after) will maintain NN cover consistent with the success standards for Stadium to ensure that indirect impacts are below significant.</p> <p>(3) It should also be stated in MM-BIO-12 that during restoration a buffer around the construction site will be monitored and NN species removed if above the Stadium threshold.</p>	A-2-48
46	MM	BTR, pg 107, MM-BIO-1	Previous comment: Visual impacts to nesting vireo require mitigation that construction within 100 feet of a nesting site shall be prohibited. Please include in this MM.	A-2-49
47	MM	BTR, pg 114 #4 & 6 & 7, MM-BIO-9	Previous comment: With the site being surrounded by a mitigation site & within the MHPA, daily/on-going monitoring should be implemented to ensure no downstream effects/impacts occur in the mitigation site	A-2-50
48	MM	BTR, pg 116 #1, MM-BIO-11	Previous comment: Please provide context for where this standard was obtained, "Enhanced temporary stabilization measures shall be installed prior to rain events where the flood stage is forecasted to exceed a depth of 4 feet.". Please also identify when (days before implementation of the BMP) and who will be responsible for this.	A-2-51
49	MM	BTR, pg 118 #1, MM-BIO-16	Option #1 is not site specific and will not mitigate potential impacts from cowbird to the adjacent resource areas. Suggest updating to address site specific impacts.	A-2-52
50	MM	BTR, pg 116 #1, MM-BIO-11	<p>Previous Comment in HMMP MM Section: Monitoring of sediment movement: aerial of site and adjacent MHPA/Stadium Mitigation Site should be taken at the following intervals to monitor sediment movement (a) a year prior to construction (b) right before construction begins (c) after construction is complete (d) after 5-year restoration is complete.</p> <p>Qualitative analysis can be included in the post-construction report and final annual onsite restoration report. A section upstream within the MHPA and Stadium mitigation site limits will be chosen and the same aerials taken as a comparison.</p>	A-2-53
51	MM	BTR, pg 117 #3, MM-BIO-12	Previous Comment in HMMP MM Section: Please add that equipment will need to be rewashed and inspected if it is used for another project and returns to the site.	A-2-54
52	MM	BTR, pg 117: Timing, MM-BIO-14	Previous Comment in HMMP MM Section: Please remove reference to the grading and noticing requirement.	A-2-55
53	MM	BTR, pg 120, MM-BIO-18	Previous Comment in HMMP MM Section: Mitigation ratios required by the agencies may be similar to those stated above or may increase or decrease. Final mitigation would need to adhere to ratios in the permits. This should be included here.	A-2-56
54	MM	BTR, pg 3, Project Description	Previous Comment in HMMP MM Section: Operation and Maintenance access will need to be maintained throughout the 5-year restoration period and in perpetuity. What, where and the dimensions of the access need to be described here as it affects the onsite restoration and mitigation. This information should also be reflected in Figure 5 and information included in the project description of the BTR.	A-2-57
55	KH	BTR, pg 115, MM-BIO-9, Reporting	The City will want to receive any daily/weekly/monthly monitoring reports from the bio monitoring to be able to keep up to date on activities as the Stadium mitigation site/MHPA is adjacent to the project. MM-BIO-9 only states a monitoring report once construction activities are completed.	A-2-58
56	KF	3.10 – LAND USE AND PLANNING	Contradicting statements: "However, pursuant to a Memorandum of Understanding between SDSU and the City, project activities will require discretionary approval from the City" contradicts "Because SDSU is not a permittee of this habitat conservation plan and because SDSU does not need to obtain any entitlements that would constitute a discretionary action by the City" Revise to clarify what the potential future discretionary action would be required.	A-2-59
57	KF	2.5 Project Goals and Objectives	City of San Diego's Land Development Code (LDC) (Section 143.0150(d)(1)(B)(iii)) the project is considered to be an Essential Public Project (EPP): Revise Section to Section 143.0150(d)(1)(B)(ii). Make this revision throughout in an instance as needed.	A-2-60
58	KF	5.3.2.3 Existing Bridge Retrofits	Section does not include alternative bridge retrofits at all locations stated in FWS NOP letter. Include consideration of Mission Center Road and Calimo del Estes bridge locations for retrofitting.	A-2-61

Response to Comment Letter A-2

City of San Diego
Abi Palaseyed, Assistant Deputy Director
May 23, 2024

- A-2-1** The comment is an introductory email that states that the City considers the project to be an Essential Public Project under the City of San Diego Land Development Code (LDC), Section 143.0150(d)(1)(B)(ii). The comment states that the City is a Responsible Agency pursuant to CEQA and requests that the following comments/responses are provided in the Final EIR so the City can determine the Final EIR is adequate under CEQA when it makes the findings required by the LDC. This comment is introductory in nature and no further responses is required.
- A-2-2** The comment requests that responses to the City's comment be included in the Final EIR so the City can determine whether the Final EIR is adequate under CEQA when it is making the findings required by the LDC for a site development permit for the project. As a state agency, the CSU is not subject to the permitting authority of the City and therefore will not obtain a site development permit from the City. Pursuant to the Memorandum of Understanding (MOU) between the CSU and the City (executed in October 2022) and City Ordinance No. 21564 (passed on November 3, 2022) approving the MOU, it is acknowledged that the City will need to make certain findings relative to the Environmentally Sensitive Land deviations in connection with the proposed project. The CSU agrees that the Final EIR should provide adequate CEQA compliance to support such findings by the City.
- A-2-3** The comment states the City will continue to work with the CSU to provide examples of suggested mitigation and impact determinations from similar projects. The CSU appreciates the City's continued collaborative partnership throughout this planning process.
- A-2-4** The comment states that the impact determinations require further evaluation that may result in additional mitigation measures, and they have been flagged in the following comments. Responses to the City's comments are provided in response to comments A-2-5 through A-2-68. As discussed throughout responses to comments A-2-5 through A-2-68, the CSU agrees with the City that clarifications are warranted in the EIR text, analysis, and mitigation measures; however, the CSU maintains that the mitigation measures included in the Draft EIR adequately mitigate for project impacts.
- A-2-5** The comment states the project description varies between the technical reports and the Draft EIR. Specifically, the comment is referring to the berm and trestle discussion that was described in the Draft EIR as a method to stabilize the construction site prior to construction. The berm and trestle description was not included in the technical studies. The comment also requests additional information and analysis of the berm and trestle to ensure no impacts would occur to the Stadium Wetland Mitigation Site. The Final EIR has been updated to provide a more detailed explanation of the berm and trestle, which is now referred to as the "erosion control rock-fortified work area." The erosion control rock-fortified work area would be constructed of k-rails, quarter-ton riprap, and smaller crushed rock that would be installed on either side of the low-flow channel to provide construction site stabilization and a work surface that could be used to transport construction materials and equipment from one side of the San Diego River to another during construction.

In order to prevent equipment from needing to maneuver into and within the active low flow channel area, where the erosion control rock-fortified work area meets the low-flow channel, an approximately 60-foot-wide crossing would be installed, creating a surface that could be used to transport materials and equipment over the low-flow channel. The low-flow channel crossing (“trestle”) would be constructed by embedding and anchoring steel beam supports into the north and south sides of the rock-fortified work area. Wooden timber matting would be installed and anchored onto the steel beam supports and would be underlain with geotextile fabric to secure underlying soils and prevent undercutting and sediment loss in high flow events. The temporary trestle would be approximately 25 feet long, which would fully span the low-flow channel (due to the dynamic nature of the river channel; the exact width of the trestle would be determined during the design and pre-construction phase to ensure it fully spans the low flow channel).

Please refer to Final EIR, Chapter 2, Project Description, Section 2.3, Project Construction and Phasing, for further discussion. Clarifications have also been added to Section 3.3, Biological Resources, and Section 3.9, Hydrology and Water Quality, of the Final EIR describing the project site, as well as erosion and water quality control measures resulting from the erosion control rock-fortified work area. The following technical studies have also been added to include discussion of the erosion control rock-fortified work area: Appendix F4, Hydraulic Analysis. This additional information substantiates that use of the erosion control rock-fortified work area will not result in significant adverse impacts to the Stadium Wetland Mitigation Site or have any other significant environmental impacts or substantially increase the severity of a previously disclosed environmental impact.

A-2-6 The comment states that it is unclear what the construction plan is within the active waterway during phases 1 and 2 of construction, if the water would flow through the path due to rainfall, and what would be implemented to ensure movement of water could continue without erosion from cleared areas. The description of the erosion control rock-fortified work area throughout the construction site has been clarified in Section 2.3 of the Final EIR. This erosion control rock-fortified work area has been designed to keep river water flowing to the existing low flow channel. As clarified in Section 2.3 of the Final EIR, the construction area would be lined with geofabric and then the work stabilization would be installed on top, consisting of k-rail and a combination of large riprap and smaller crushed rock, to ensure that localized erosion would not occur during construction. The erosion control rock-fortified work area has been designed to ensure that, during high flow events, any water that topped the upstream k-rail construction site barriers would traverse the construction site and any sediment would be captured by the fine gravel and downstream k-rail and would be retained on the construction site. A hydraulic analysis of this condition has been clarified and is included in Section 3.9 of the Final EIR.

A-2-7 The comment states that consistent and clarified language describing the project and its relation to the Stadium Wetland Mitigation Site is needed, and examples are provided in the comments that follow. See response to comments A-2-8 through A-2-12.

A-2-8 The comment requests a revision for the sentence regarding the no-credit areas in Draft EIR Section 3.3.2, Relevant Plans, Policies, and Ordinances. The comment also requests that a sentence be included stating that the City’s Stadium Wetland Mitigation Site has been signed off by the agencies for 100% distribution of mitigation credits. These two requested revisions have been made in ~~strikeout~~/underline in Final EIR Section 3.3.2, under the heading “City of San Diego Stadium Wetland Mitigation Site.”

- A-2-9** The comment requests revisions to Executive Summary Section ES.2, Project Location, Setting, and Existing Uses, to indicate that the project site is within and adjacent to the City’s Multi-Habitat Planning Area (MHPA) and the City’s Stadium Wetland Mitigation Site. The CSU agrees that the project site is located within and adjacent to the City’s MHPA. Text has been clarified in the Final EIR in ~~strikeout~~/underline in Section ES.2.
- A-2-10** The comment suggests similar revisions as requested in comment A-2-9 to Draft EIR Chapter 1, Introduction, Section 1.2, Brief Description of the Existing Site, Project Background, and Proposed Project, and Section 1.3, Existing On-Site Uses. These two requested revisions have been made in ~~strikeout~~/underline in Final EIR Sections 1.2 and 1.3.
- A-2-11** The comment suggests that the discussion of the no credit area in Draft EIR Section 2.1.1, Project Location and Existing Conditions, be expanded to provide a more detailed description. The discussion of the no credit area has been expanded in the Final EIR in Section 2.1.1.
- A-2-12** The comment suggests inclusion of a figure clearly showing the project site and its relation to the active mitigation areas. Final EIR Figure 2-2, Project Site, in Chapter 2, has been revised to include the location of the active Stadium Wetland Mitigation Site (credit area). The figure also identifies the project site, the City’s MHPA, and the City’s Stadium Wetland Mitigation Site (no credit area).
- A-2-13** The comment requests that Table ES-1 in the Draft EIR Executive Summary be revised to identify both the federal Endangered Species Act (ESA) and California ESA. Revisions have been made in the Final EIR to clearly identify the federal ESA and California ESA and the corresponding permits/approvals required for the proposed project. Please refer to Table ES-1 in the Final EIR.
- The comment also advises the CSU that for other projects, the U.S Fish and Wildlife Service has asked for a nesting bird management plan, and there is a potential that they may ask for one to be created and approved prior to construction of this project. The comment is noted.
- A-2-14** The comment directs the EIR preparer to review the comments in Appendix B, Biological Resources Technical Report, related to Mitigation Measure (MM) BIO-1 and to make similar edits in the Executive Summary. The edits from Appendix B have been incorporated into the Final EIR Executive Summary, Table ES-2, in ~~strikeout~~/underline.
- A-2-15** The comment directs the EIR preparer to review the comments in Appendix B related to all mitigation measures and to make similar edits in Table ES-2 in the Executive Summary. The edits from Appendix B have been incorporated into Table ES-2 in the Final EIR in ~~strikeout~~/underline. The revisions do not change the analysis or any determination of significance.
- A-2-16** The comment requests that the EIR preparer confirm that no mitigation measures for hydrology and water quality are needed after the erosion control treatments are further clarified in the EIR. Clarifications have been added to Section 3.9 in the Final EIR about how the construction-related erosion treatment would help reduce erosion and ensure water quality is maintained throughout construction. No mitigation measures related to hydrology and water quality were needed and none have been added to the Final EIR.

- A-2-17** The comment requests that MM-BIO-2 in Table ES-2 be revised to state “City” rather than “PUD.” This revision has been made in the Final EIR Table ES-2 and in Section 3.3.
- A-2-18** The comment states that locations of any traps for a cowbird trapping program on Public Utilities Department (PUD) property are subject to review and approval and the appropriate rights of entry. MM-BIO-16 outlines three options for the CSU, or its designee, to assist with brown-headed cowbird control. Should the CSU choose option 2, authorization would be necessary to install the traps on City-owned land associated with the Stadium Wetland Mitigation Site. MM-BIO-16 has been clarified in Section 3.3.7, Mitigation Measures, of the Final EIR to note that installation of traps on City land must be coordinated through the City’s PUD.
- A-2-19** The comment states that MM-BIO-17 includes inconsistent success criteria and that the measure’s success criteria differs from the Stadium Wetland Mitigation Plan, which is referenced in MM BIO-17 as the standard.
- The Final EIR has been revised to clarify that the performance criteria in the on-site conceptual restoration plan shall be consistent with the Stadium Wetland Mitigation Plan performance criteria. Please refer to MM-BIO-17 in Section 3.3.7 and Table ES-2 of the Final EIR. The revisions do not change the analysis or any determination of significance.
- A-2-20** The comment pertains to MM-NOI-1 as identified in Draft EIR Table ES-2 and states that a noise barrier on the northern end of the project site cannot restrict access to PUD assets or facilities. MM-NOI-1 has been revised to include a statement that the noise barrier shall not restrict access to PUD assets or facilities in the Final EIR in Table ES-2 and in Section 3.11, Noise, Section 3.11.7, Mitigation Measures. The revisions do not change the analysis or any determination of significance.
- A-2-21** The comment pertains to Draft EIR Table 3.0-1, Cumulative Projects, in Chapter 3, Environmental Analysis. The comment states that the project listed as No. 29, Pure Water, should indicate that the Pure Water project is now estimated to provide half of the City’s water supply, rather than one-third of the City’s water supply. Edits have been made in ~~strikeout~~/underline in Final EIR Table 3.0-1 to indicate such. The revisions do not change the analysis or any determination of significance.
- A-2-22** The comment pertains to Draft EIR Section 3.9 and states that the Mission Valley Groundwater Basin is not required at this time to form a Groundwater Sustainability Plan under the Sustainable Groundwater Management Act. This statement has been added to Final EIR Section 3.9 in ~~strikeout~~/underline. The revisions do not change the analysis or any determination of significance.
- A-2-23** The comment pertains to Draft EIR Section 3.10, Land Use and Planning. The comment states that the document discusses flood zones and steep slopes but only mentions wetlands under the Environmentally Sensitive Lands Ordinance. The comment asks that the impact analysis be updated to analyze impacts to flood zones and steep slopes as required by the San Diego Municipal Code - Environmentally Sensitive Lands Ordinance. Text in Section 3.10 of the Final EIR has been revised in ~~strikeout~~/underline to include an analysis of flood zones and steep slopes per the San Diego Municipal Code - Environmentally Sensitive Lands Ordinance. The revisions do not change the analysis or any determination of significance.

- A-2-24** The comment notes that a typo was included in Draft EIR Section 2.1.1. The typo has been removed in ~~strikeout~~ in the Final EIR. The revision does not change the analysis or any determination of significance.
- A-2-25** The comment notes that a typo was included in Draft EIR Section 3.11. The typo has been removed in ~~strikeout~~ in the Final EIR. The revisions do not change the analysis or any determination of significance.
- A-2-26** The comment requests that the background information in Draft EIR Section 3.15, Utilities and Service Systems, be revised to reflect updates regarding the Pure Water Project and its facilities. Text has been revised as indicated in the comment in ~~strikeout~~/underline in the Final EIR. The revisions do not change the analysis or any determination of significance.
- A-2-27** The comment suggests not restricting the use of pesticides and herbicides within landscape areas, suggesting doing so would limit options for weed abatement and potentially lead to impacts to the Stadium Wetland Mitigation Site. The Final EIR has been revised to eliminate any prohibition of pesticides or herbicides and to clarify application methods. Please refer to Section 3.3.4, Impact Analysis, of the Final EIR. The revisions do not change the analysis or any determination of significance.
- A-2-28** The comment recommends that additional analysis be provided and additional mitigation be identified to avoid and minimize potential impacts to western spadefoot, which may be federally listed as threatened or endangered in late 2024.
- The Draft EIR concluded that western spadefoot has a moderate potential to occur on the project site. The Final EIR Section 3.3, Biological Resources, has been revised to clarify that, if present, spadefoot breeding on the project site would be limited to ephemeral pools in the river channel, while aestivation would be expected to occur only in the upland habitats at the edge of and adjacent to the project site, outside of the river channel.
- The Final EIR has also been revised to include requirements for surveys for western spadefoot and the implementation of a relocation plan should spadefoot be present on site. Please refer to MM-BIO-1 in Section 3.3.4 of the Final EIR. Implementation of this measure, in conjunction with MM-BIO-9 for biological monitoring, will result in avoidance and/or minimization of direct impacts to individual spadefoot, should the species be present on site.
- A-2-29** The comment requests the Final EIR include a mitigation measure to address indirect impacts due to fugitive dust.
- Fugitive dust will be sufficiently controlled through regulatory compliance, as described in Section 3.2 Air Quality, of the Draft EIR. The Final EIR has been clarified by adding a reference to required regulatory compliance that addresses dust control. Please refer to Section 3.3.4 of the Final EIR. The revisions do not change the analysis or any determination of significance.
- A-2-30** The comment recommends including MM-BIO-6 to mitigate impacts to Impact BIO-4 since it speaks to buffers for the special-status bird species.
- Impact BIO-4 addresses impacts to non-listed special-status birds as a result of habitat loss. Impacts due to habitat loss would not be mitigated by the pre-construction surveys and nest buffers required in MM-BIO-6. Potential impacts to nesting birds, including special-status species, are discussed in Impact

BIO-8, and would be reduced to less than significant through implementation of MM-BIO-6, requiring nesting bird surveys when construction activities occur during the bird nesting season and avoidance buffers employed as much as possible, if active nests are found. No change is needed to the Final EIR and no revisions have been made.

A-2-31 The comment requests correction of a typographic error in the text discussing Impact BIO-15: Jurisdictional Waters – Permanent Direct Impacts, within Section 3.3.8 of the Draft EIR, which incorrectly refers to MM-BIO-16 instead of MM-BIO-18. The Final EIR has been revised to correct the referenced mitigation measure. The revisions do not change the analysis or any determination of significance.

A-2-32 The comment recommends spotlighting the "Enhanced Temporary Stabilization Measure" from MM-BIO-11 in the discussion of Impact BIO-16: Jurisdictional Waters – Permanent Direct Impacts, within Section 3.3.8 of the Draft EIR. Additional detail has been added to the project description since the Draft EIR was prepared, including clarification that site preparation would include an erosion control rock-fortified work area. Because the rock-fortified work area would stabilize soils and would result in less-than-significant erosion- and sedimentation-related effects, the Final EIR concludes that short-term indirect impacts to jurisdictional waters resulting from changes in hydrology are less than significant (see Section 3.3.4 of the Final EIR). Therefore, MM-BIO-11 has been revised to remove enhanced temporary stabilization measures in the Final EIR. No other components of MM-BIO-11 have been removed (see Section 3.3.7 of the Final EIR).

A-2-33 The comment states that the plant palette/seed mix should include plants that, if burned, will not cause any structural damage to the bridge. The bridge would be constructed of concrete, which by nature is resistant to most fire events, and the plant palette for the work area consists of wetland obligate species that, if burned, typically are not subject to long-burning and high-temperature fires that could damage a concrete structure. The plant palette identified in the On-Site Conceptual Restoration Plan that will be used to revegetate the bridge construction area will consist of native wetland obligate species including sycamore, willow, and cottonwood trees with an understory of reeds and other wetland obligate sedges. By nature of being wetland obligate, and particularly in this segment of the San Diego River corridor where there is perennial flow, these plant species have an extremely high water retention rate and are therefore resistive to long-burning, hot, destructive wildfires.

Fire events that may occur in surrounding upland areas typically reduce in scale, intensity, and duration once they reach wetter areas where there is a perennial water source, such as this segment of the San Diego River corridor. Fires tend to move through wetland areas, particularly those that are dominated by native wetland vegetation such as this reach of the river, much quicker and have much less chance of burning hot; slower moving fires burn hotter and tend to cause structural damage to public infrastructure such as roads, bridges, and buildings. No vegetation is completely immune to the effects of fire; however, the proposed plant palette of native wetland obligate species, the surrounding presence of a restored and healthy native wetland system, the presence of a perennial water source, and the heavy reliance on concrete building material for the bridge result in a low potential for fire damage to the bridge.

A-2-34 The comment pertains to Draft EIR Section 3.6, Geology and Soils, Section 3.6.4, Impact Analysis, and recommends that the monitoring period and responsible party for the restoration of the abutments be added. A statement has been added to Final EIR Section 3.6 indicating that the abutments would

ultimately be maintained by the City as part of its ownership and maintenance of the bridge. The revisions also indicate that the restoration of the abutments would be monitored for a period of 5 years by a qualified Habitat Restoration Contractor (i.e., qualified/licensed landscape contractor) selected by SDSU. The revisions do not change the analysis or any determination of significance.

- A-2-35** The comment requests that MM-GEO-1 in Draft EIR Section 3.6, which provides mitigation for paleontological resources, be added to the construction plans for grading and large drilling. This measure will be added to the construction plans and MM-GEO-1 has been revised in the Final EIR to include this requirement. The revisions do not change the analysis or any determination of significance.
- A-2-36** The comment requests that reports produced through implementation of best management practices (BMPs) involving “sampling of discharge points for turbidity and pH at a minimum three times per qualifying storm event and recording and retention of results” be shared with the City. The CSU agrees to provide copies of such reports to the City. As requested, the text of Section 3.9.4 of the Final EIR has been revised to add the following: “Results should be submitted to the City’s Public Utilities Department for informational purposes and to aid in monitoring of the City’s Stadium Wetland Mitigation Site.” The revisions do not change the analysis or any determination of significance.
- A-2-37** The comment pertains to Draft EIR Appendix G, Noise Report, and the reference to “Environmentally Sensitive Area fencing” prior to the start of construction. The comment indicates that there are inconsistencies regarding Environmentally Sensitive Area fencing and whether or not it will be used. Per MM-BIO-8, “To prevent inadvertent disturbance to areas outside the limits of grading for each phase, the contractor shall install temporary fencing, or utilize existing fencing, along the limits of grading. The fencing shall be installed to ensure it does not prevent wildlife from moving through the San Diego River channel.” In addition, Final EIR Section 2.3 has been updated with a more detailed explanation of the pre-construction site stabilization activities that will be implemented during the construction phases to help clarify any inconsistencies. The pre-construction site stabilization activities do not propose the installation of any fencing.
- A-2-38** The comment pertains to Draft EIR Appendix G, Noise Report, Section 1.5, Project Maintenance. The comment requests that information be added about the City’s responsibility to maintain the piers, abutments, and access road. A statement indicating that the City will maintain the piers and abutments was added in Final EIR Appendix G, Section 1.5. There will be no access road to the bridge once the bridge is constructed. This language also appears several other times in the Draft EIR and has been revised throughout in the Final EIR.
- A-2-39** The comment states that Draft EIR Appendix G does not analyze the effects of vibration from pile driving on wildlife during bridge pier excavation. The comment also suggests that vibration should be considered in the biological resource mitigation measures. No pile driving is required as part of the proposed project. However, ground improvements associated with bridge construction at the San Diego River could result in short-term construction vibration in adjacent native habitat areas. According to Caltrans, D-8 and D-9 Caterpillars, earthmovers, and trucks such as those expected to be used during project construction do not exceed 0.10 ips PPV at 10 feet (Caltrans 2020). An annoying level of vibration could occur at 0.2 ips PPV and an unpleasant level could occur at 0.4 ips PPV. Construction of the proposed project is not expected to reach these levels of vibration. Although vibration can disrupt foraging, nesting, and reproductive activities in breeding birds, the extent and duration of vibration would be limited to the immediate vicinity of construction and would persist for only a short duration of

time, as ground-improving activities would occur only during the initial stages of bridge construction. As a result, potential indirect impacts to special-status wildlife species due to vibration during construction would not be adverse and no mitigation is required.

- A-2-40** This comment pertains to Draft EIR Appendix F2, Drainage Report, and the statement that “any minor increase in flow is not detrimental.” The purpose of the drainage study was to size the storm drain facilities for the proposed bridge. The existing condition for the 100-year storm event was not analyzed because the proposed outfall of the 96-inch storm drain on the north and 54-inch storm drain on the south would drain directly into the San Diego River channel. These storm drain outfalls would be completely inundated by the San Diego River during a 100-year design storm event. The runoff from the proposed Fenton Parkway Bridge is negligible in size when compared to the flow of the San Diego River. The 100-year San Diego River flow is 36,000 cubic feet per second, whereas the areas analyzed in the on-site drainage study total only 8.3 cubic feet per second. Thus, any minor increases in flow due to the increase in imperviousness of the bridge are deemed negligible and no mitigation measures are required.
- A-2-41** The comment requests that the City be apprised when the final hydraulic analysis is completed for final engineering to make sure outfall components will not affect the MHPA or adjacent Stadium Wetland Mitigation Site. The comment is acknowledged. An updated drainage report will be provided to the City as part of the final engineering design. No further response is required.
- A-2-42** The comment pertains the Draft EIR Appendix F1, Hydraulic Report, and states that the proposed 40-foot drainage easement that would extend into the stadium needs to be adjusted so the easement is within the “no-credit” area. The comment also requests that the reference to “bridge mitigation area footprint” be revised to “project boundary” or “project footprint.” The proposed easement in question is for a City-owned storm drain. The easement dimensions follow City standards. The easement can be adjusted or eliminated as directed by the City. Reference to the “bridge mitigation area” has been revised to “project footprint” in the plan and profile exhibit in Final EIR Appendix F1.
- A-2-43** The comment pertains to Draft EIR Appendix F3, SWQMP, and states that no justification was provided for selecting “no” in Section 4.3.2. Final EIR Appendix F3, Sections 4.3.1 and 4.3.2, have been revised to include additional explanation in the discussion section, which provides more details regarding the proposed project.
- A-2-44** The comment requests that the Final EIR acknowledge that the Stadium Wetland Mitigation Site has received sign-off acceptance from the regulatory agencies. The Final EIR has been revised to reflect the requested clarification that the City’s Stadium Wetland Mitigation Site has been signed off by the agencies (California Department of Fish and Wildlife, U.S. Army Corps of Engineers, and Regional Water Quality Control Board) for 100% distribution of mitigation credits. Please refer to Section 3.3.2 of the Final EIR for this clarification.
- A-2-45** The comment requests clarification regarding what aerial imagery is being referenced in the discussion of potential short-term indirect impacts to special-status plants due to changes in hydrology in Section 3.3.4 of the Draft EIR and asks if the referenced imagery is from the project site or upstream of the project site. The comment states that aerial imagery included in the final mitigation report for sign-off of the Stadium Wetland Mitigation Site shows improvement every year since 2017 and no unvegetated areas currently within the project site.

The Draft EIR analysis of potential indirect impacts resulting from changes in hydrology, including increased sedimentation, included a review of Google Earth imagery upstream, downstream, and within the project work area. The Final EIR is revised to include a citation and reference to Google Earth. Please refer to Section 3.3.4 of the Final EIR.

The fact that the amount of exposed sediment has been reduced in the time between 2017 and sign-off of the mitigation site is acknowledged. Nevertheless, bare areas were present regularly during the restoration effort, at times including bare areas larger than the proposed project footprint, especially between 2017 and 2020. Despite the presence of these unvegetated portions of the river, recovery efforts were successful and performance criteria were met through restoration efforts. Once constructed, restoration of the bridge construction area will mirror the methods, success criteria, and approach successfully followed for the adjacent Stadium Wetland Mitigation Site.

Sediment transport is a natural process within the river and the amount of sedimentation that would be expected to occur in direct response to the project's construction activities is negligible/minimal compared to the sedimentation within the overall river system (see Final EIR Section 3.9, Hydrology and Water Quality, and revised Appendix F1, Hydraulic Analysis). In addition, Section 3.9 of the Final EIR has been revised to clarify that vegetation clearing would consist of surficial removal of vegetation; the root network of plants and trees would remain in the ground to stabilize remaining, exposed river sediment and soil and to aid in post-construction restoration activity, resulting in greater erosion control and stability in exposed river channel areas. Chapter 2 of the Final EIR has been further clarified to include descriptions of the erosion control rock-fortified work area site preparation that would be included in the initial phase of construction, including the installation of k-rail, riprap boulders, and geotextile fabric. These construction design features would minimize the potential for construction activities to cause increased sedimentation. Section 3.9 has also been clarified to explain the flooding and sedimentation characteristics of water as it moves through the project construction site during normal and high flow conditions. As described in Section 3.3 and Section 3.9 of the Final EIR, the erosion control rock-fortified work area would serve to capture sediment that may be transported through the project site from upper reaches of the watershed. A sediment transport analysis found that the temporary work area will not impact sediment supply or sediment transport during 1- and 2-year storm events, would not significantly capture nor alter sediment transport during flows that overtop the erosion control rock-fortified work area (5-year or larger storm events), and that erosion related impacts would be less than significant. This additional clarification shows that the erosion control program proposed throughout construction would ensure that off-site erosion or sediment deposition would not occur in a manner that would negatively impact the adjacent river habitats.

For these reasons, the construction phase is not expected to result in sedimentation and erosion that would affect downstream aquatic, wetland, and riparian vegetation communities, including the adjacent Stadium Wetland Mitigation Site.

A-2-46

The comment requests the project include ongoing soil stabilization during construction instead of ahead of rain. Final EIR Section 2.3.1, Site Preparation, has been clarified to further explain the details of on-site erosion control design that would be implemented at the beginning of the construction project. These erosion control measures would remain in place throughout construction. Erosion control details include clearing only aboveground vegetation material as opposed to grubbing subsurface root systems, lining the work area with standard modular concrete k-rail to create a contained structure around the work area, application of geotextile fabric on top of the exposed ground, and application of

clean quarter-ton riprap boulders intermixed with clean 3-inch or smaller crushed rock on the exposed earth to stabilize loose soil. This design would serve a dual purpose of stabilizing exposed soil beneath the work area and serving as a filtration system for water that may overtop the upstream k-rail barrier and flow across the construction site. See Section 3.9 of the Final EIR.

A-2-47 The comment requests that the EIR acknowledge that potential long-term indirect impacts to special-status plants resulting from the introduction of non-native, invasive plant and animal species would affect the Stadium Wetland Mitigation Site. The Final EIR is revised to clarify that the effects of non-native plant species could take place both on riverine habitats on the project site and in downstream areas, including the Stadium Wetland Mitigation Site. Please refer to Section 3.3.4 of the Final EIR for the added text. The revisions do not change the analysis or any determination of significance.

A-2-48 The comment requests that MM-BIO-12 include requirements for (1) the construction site to maintain non-native cover consistent with the success standards for the Stadium Wetland Mitigation Site during and after construction and (2) non-native plants to be removed from within a buffer around the project site during restoration efforts should non-native cover exceed thresholds identified in the Stadium Wetland Mitigation Plan.

As described in MM-BIO-12 in the Draft EIR, BMPs will be implemented during construction to reduce potential indirect impacts resulting from the introduction of non-native plant species, including the application of legally permitted herbicide, as well as manual and mechanical methods of removal, prior to seed set and/or weed species reaching 6 inches in height. These weed control treatments, along with other BMPs discussed in MM-BIO-12, will ensure indirect impacts from non-native plant species are less than significant, including within the Stadium Wetland Mitigation Site.

All vegetation will be removed from within the project work area (see Draft EIR Figure 2-2). Therefore, no non-native plant species will be present in the project work area during construction. After construction is complete, restoration efforts will be guided by the On-Site Conceptual Restoration Plan and will comply with success criteria outlined therein and in MM-BIO-17 in the Final EIR, which includes minor revisions to the Draft EIR success criteria, and which is consistent with the Stadium Wetland Mitigation Site performance criteria.

The Final EIR has been revised to clarify that the project site shall remain free of non-native vegetation during the construction period. After construction, the project site shall be maintained in accordance with the non-native plant species requirements identified in MM-BIO-17 and the On-Site Conceptual Restoration Plan, which are consistent with the success standards for the Stadium Wetland Mitigation Site. The Final EIR has also been revised to clarify that invasive plant species controls will be implemented in a 25-foot buffer extending into the Stadium Wetland Mitigation Site, as well as within the project site itself, to ensure potential impacts resulting from the introduction of non-native plant species do not affect the Stadium Wetland Mitigation Site. Please refer to MM-BIO-12 in Section 3.3.7 of the Final EIR.

A-2-49 As is described in the Draft EIR, MM-BIO-1 requires surveys for active nests of least Bell's vireo within 500 feet of impact areas and the establishment of 500-foot avoidance buffers around any active nests. To the extent feasible, construction activities would avoid these buffers. If construction activities must be conducted within the 500-foot avoidance buffer, MM-BIO-1 requires monitoring for signs of construction-related disturbance and, as feasible, the implementation of remedial measures to reduce

disturbance, which could include moving certain work farther from the nest, altering the timing of certain construction activities, and implementing noise attenuation measures, such as constructing a temporary sound barrier, utilizing quieter equipment, adhering to equipment maintenance schedules, and/or shifting construction work farther from the nest, to minimize construction noise levels at the nest. As the Draft EIR concludes, while all feasible actions will be taken to minimize potential noise impacts if nests are present within the buffer, significant unavoidable impacts associated with construction-related noise may occur if nests are established close to work areas. The Final EIR has been revised to clarify that, while the construction team will do everything feasible to avoid any established 500-foot buffers around any active vireo nests, the strict avoidance of these areas could result in frequent and lengthy delays to the project, which could substantially prolong the overall duration of the project, resulting in greater temporal impacts to wildlife species, including least Bell’s vireo, present in or that may use habitat adjacent to the project work area.

Further, in order to determine feasibility of potential noise attenuation measures within the construction work area, noise models were prepared for several scenarios. Noise levels associated with an excavator working in the river channel, with and without temporary noise barriers of different heights, were modeled to estimate the distance a nest would need to be from the barrier to ensure noise levels of 60 A-weighted decibels hourly sound equivalent level or less at the nest. The results of the modeling, which are presented in Tables A-2-1 through A-2-3 and Exhibits A-2-1 and A-2-2 below, demonstrate that, with an 8-foot-tall temporary barrier placed 5 feet from the noise-producing equipment, a nest would need to be at least 77 feet from the barrier to ensure noise levels of 60 A-weighted decibels hourly sound equivalent level or less at the nest. This distance is reduced to 62 feet for temporary barriers of 12 or 16 feet in height. However, the installation of tall (greater than 8 feet), solid sound barriers would require anchoring and would result in substantial additional impacts to aquatic resources and habitat and possibly impede wildlife movement; therefore, this would not be a feasible option. These revisions further clarify that, although impacts may occur, through implementation of measures described in MM-BIO-1 and Section 3.3.8 of the Draft EIR, the project will avoid and minimize indirect impacts to least Bell’s vireo to the maximum extent feasible, as is required under CEQA. Also see Tables A-2-1 through A-2-3 and Exhibits A-2-1 and A-2-2 below.

Table A-2-1. MSCP Impact Distance with Barrier Summary for Excavator Construction Noise

Equipment Type	Equipment Distance to Barrier (ft)	Barrier Height (ft)	Receptor Distance to Barrier (ft)	Source to Receptor, Distance to 60 dBA (ft)
Excavator (RCNM)	5	0	225	230
		8	77	82
		12	62	67
		16	62	67
Excavator (14-ton, Defra)	5	0	85	90
		8	18	23
		12	11	16
		16	11	16

Table A-2-1. MSCP Impact Distance with Barrier Summary for Excavator Construction Noise

Equipment Type	Equipment Distance to Barrier (ft)	Barrier Height (ft)	Receptor Distance to Barrier (ft)	Source to Receptor, Distance to 60 dBA (ft)
Excavator (RCNM)	15	0	215	230
		8	100	115
		12	50	65
		16	50	65
Excavator (14-ton, Defra)	15	0	75	90
		8	22	37
		12	2	17
		16	2	17
Excavator (RCNM)	25	0	205	230
		8	110	135
		12	45	70
		16	40	65
Excavator (14-ton, Defra)	25	0	65	90
		8	15	40
		12	1	26
		16	1	26
Excavator (RCNM)	50	0	180	230
		8	115	165
		12	15	65
		16	15	65
Excavator (14-ton, Defra)	50	0	40	90
		8	5	55
		12	1	51
		16	1	51

Notes: Source height is 5 ft, receptor height is 6 ft (per previous discussions regarding nest height).

Table A-2-2. Excavator Specifications

Equipment Description	Impact Device?	Acoustical Use Factor (%)	Lesser of or available Lmax	Spec. 721 Lmax	Measured L _{max} @50ft (dBA, slow)
Excavator	No	40	81	85	81

Source: FHWA 2006, Table 1.

Table A-2-3. Sound Level Data on Site Preparation

Ref No.	Equipment	Power Rating (kW)	Equipment Size, Weight (Mass), Capacity	Octave Band Sound Pressure Levels								A-Weighted Sound Pressure Level L_{Aeq} dB
				63	125	250	500	1k	2k	4k	8k	
1	Dozer	142	20 t	79	77	76	74	68	67	60	59	75
2	Tracked Excavator	301	71 t	75	84	78	74	70	68	64	61	77
3	Tracked Excavator	102	22 t	80	83	76	73	72	70	69	66	78
4	Tracked Excavator (Idling)	102	22 t	59	49	45	45	49	46	39	31	52
5	Tracked Excavator	72	16 t	78	70	72	68	67	66	73	65	76
6	Tracked Excavator (Idling)	72	16 t	64	62	64	62	56	53	47	39	63
7	Tracked Excavator	69	14 t	74	70	68	67	64	62	58	50	70

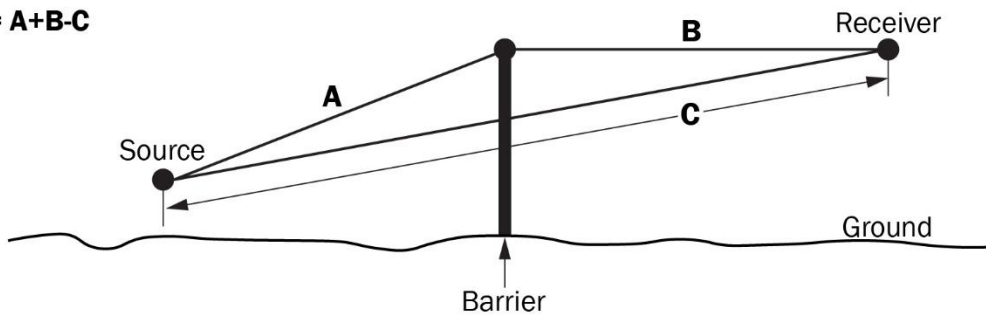
Source: DEFRA 2005, Table 2.

INTENTIONALLY LEFT BLANK

INTENTIONALLY LEFT BLANK

Barrier Parameter P

P = A+B-C



For all other barriers, and for protrusion of terrain above the line of sight	$A_{barrier} = \min \left\{ 15 \text{ or } \left[20 \times \log \left(\frac{2.51\sqrt{P}}{\tanh[4.46\sqrt{P}]} + 5 \right) \right] \right\}$
Barrier Insertion Loss	$IL_{barrier} = \max \left\{ 0 \text{ or } \left[A_{barrier} - 10(G_{NB} - G_B) \log \left(\frac{D}{50} \right) \right] \right\}$
<p><i>D</i> = <u>closest</u> distance between the receiver and the source, in feet <i>P</i> = path length difference, in feet <i>G_{NB}</i> = Ground factor G computed <i>without barrier</i> <i>G_B</i> = Ground factor G computed <i>with barrier</i></p> <p>Note: The term “tanh(variable)” stands for hyperbolic tangent, available on many scientific calculators. If “tanh” is not available, then compute $E = \exp(\text{variable})$, and set $\tanh(\text{variable}) = (E - 1/E) / (E + 1/E)$, where $\exp(\text{variable})$ is the “exponential” function, also written as e^x on calculator keypads.</p>	

Exhibit A-2-2. Barrier insertion loss formula.

Source: FTA 2006.

A-2-50 The City requests that MM-BIO-9 be modified to require daily monitoring during vegetation clearing and other construction activities instead of weekly or periodic monitoring. MM-BIO-9 in the Final EIR has been revised to require daily monitoring during all vegetation clearing and for all construction activities that have the potential to affect sensitive resources within or adjacent to the project work area, as determined by the project biologist(s). Please refer to Section 3.3.7 in the Final EIR.

A-2-51 The comment requests context for where the following standard was obtained: "Enhanced temporary stabilization measures shall be installed prior to rain events where the flood stage is forecasted to exceed a depth of 4 feet." The comment also asks for identification of when (number of days before implementation of the BMP) this will be implemented and who will be responsible for this. MM-BIO-11 has been revised in the Final EIR to remove enhanced temporary stabilization measures. See Response to Comment A-2-32 and Section 3.3.7 of the Final EIR.

A-2-52 The comment states that in MM-BIO-16 in the Draft EIR, option 1 is not site specific and will not mitigate impacts from cowbird to the adjacent resource areas. As is described in the Draft EIR, MM-BIO-16 requires a brown-headed cowbird reduction program to be initiated within the project area, and option 1 specifies that the financial contribution amount should cover the cost of brown-headed cowbird control for the area 0.3 miles upstream and downstream of the bridge. As a result, any brown-headed

cowbird reduction program supported by the fair share funding under option 1 would be site specific, covering the cost of a program to be implemented within the project area and/or the immediately adjacent areas (0.3 miles on either side of the bridge). If a brown-headed cowbird reduction program were not being implemented in and/or within 0.3 miles of the project site, funding of such a program would not satisfy the requirements of MM-BIO-16.

- A-2-53** The City has requested that the CSU provide photo documentation of sediment activity before, during, and after construction of the bridge. MM-BIO-11 in the Final EIR has been clarified to require that aerial photographs be taken approximately 1 year before construction, no more than 1 month prior to the start of construction, after construction has been completed, and after the 5-year restoration program has been completed. These aerial photographs will be included in the final on-site restoration report. To ensure an adequate qualitative comparison, an upstream portion of the San Diego River will also be photographed at the above intervals.
- A-2-54** The City has requested that additional protections be added to MM-BIO-12 to ensure that any equipment that leaves the project site is washed at a location off site before returning to the site. MM-BIO-12 has been revised in the Final EIR to clarify this requirement. This additional clarification will further ensure that any invasive, non-native seed or wildlife material is not accidentally transported on site.
- A-2-55** The City has requested that the timing mechanism for MM-BIO-14 be revised to remove reference to a grading permit and noticing requirement. The Final EIR has clarified the timing mechanism to be prior to the start of construction for several mitigation measures, including MM-BIO-14. Please refer to Section 3.3.7 in the Final EIR.
- A-2-56** The City has requested that MM-BIO-18 be revised to require the mitigation ratios match those ratios negotiated with state and federal regulatory agencies. MM-BIO-18 in the Final EIR has been revised to clarify that, for those wetland areas covered under any federal or state wetland permit, wetland mitigation provided shall be the greater of (1) the mitigation required in the Final EIR or (2) the mitigation required as part of any federal (Section 404) or state (Section 1601/1603 or Waste Discharge Requirements) wetland permits, and that federal or state wetland permit mitigation shall not be in addition to any mitigation identified in this CEQA document. Should a state or federal wetland permit require a lower mitigation ratio than that stated in MM-BIO-18 of the Draft EIR, the project would be obligated to mitigate at the ratio identified in the certified Final EIR.
- A-2-57** The City asks how the project site will be accessed after construction, for purposes of maintenance and monitoring. Figure 2-2, Project Site, has been revised to clarify the access point to the construction work area. Once construction has been completed, the construction work area has been restored, and the restoration site has been prepared for planting, all access to the restoration site will occur via foot and would utilize pre-project pathways that currently traverse the river corridor. After construction and throughout the maintenance and monitoring period, access would be via existing pedestrian access at the northern end of the bridge footprint, similar to methods employed during restoration activities for the Stadium Wetland Mitigation Site. This pedestrian access is not expected to interfere with adherence to restoration site performance criteria based on results from the Stadium Wetland Mitigation Site restoration.
- A-2-58** The comment correctly identifies a requirement of MM-BIO-9 in the Draft EIR that the project biologist prepare and submit a monitoring report to the City after construction activities are completed. The comment requests that any additional, regular monitoring reports generated during the construction phase of the

project also be submitted to the City. It has been clarified in the Final EIR that all construction monitoring reports would be submitted to the City, including monthly monitoring reports during construction.

A-2-59 The comment states Draft EIR Section 3.10 is contradictory because it states that pursuant to the MOU, project activities require discretionary approval from the City, but that the CSU will not obtain any approvals that constitute a discretionary action by the City. Pursuant to the MOU and, the City's Ordinance No. 21564 approving the MOU, it is acknowledged that the City will need to make certain findings relative to the City's Land Development Code, Environmentally Sensitive Lands Regulation deviations in connection with the proposed project as an EPP. As a state agency, the CSU is not subject to the permitting authority of the City and will not be required to obtain any discretionary permits from the City, but in order for the CSU to carry out the project, it will need the City to exercise its discretion in making certain findings regarding the proposed project's consistency with the City's Land Development Code, Environmentally Sensitive Lands Regulations. Final EIR Section 3.3.2 and Section 3.10.2 have been modified to more clearly reflect this nuance.

A-2-60 The comment pertains to Draft EIR Section 2.5, Project Goals and Objectives. The City requests that the LDC be cited correctly for the City's Essential Public Project option (Section 143.0150[d][1][B][iii] rather than Section 143.0150[d][1][B][iii]). This correction has been made in the Final EIR Executive Summary; Section 2.5; and Chapter 5, Alternatives. The revisions do not change the analysis or any determination of significance.

A-2-61 The comment pertains to Draft EIR Chapter 5, Section 5.3.2.3, Existing Bridge Retrofits. The City suggests that the EIR address the Mission Center Road and Camino Del Este low flow crossings as potential bridge retrofit locations. As outlined in Section 5.3.2.1, Alternative Bridge Location (an alternative considered but rejected), the CSU team looked to the Mission Valley Community Plan Update EIR, which included an extensive evaluation of all low flow crossings in Mission Valley, including Mission Center Road and Camino Del Este. This comprehensive City-driven evaluation, which included extensive community-wide public participation, found that only the Fenton Parkway connection and Via Las Cumbres connection were feasible to be brought forward for full evaluation in the Mission Valley Community Plan Update and associated EIR. As stated in EIR Section 5.3.2.1, the Via Las Cumbres extension was an alternative that was ultimately considered but rejected as infeasible in the Community Plan Update EIR and replaced with the nearby planned Street J connection to serve as a high-water crossing for the west side of the community. Because of the more than 3-mile distance from SDSU Mission Valley and the Stadium River Park, the planned Street J connection is too distant to provide a replacement/comparable high river crossing for eastern Mission Valley.

In an attempt to meet a key project objective of improving north-south mobility in eastern Mission Valley (east of I-805), EIR Section 5.3.2.3 outlined the closest existing low flow roadway crossings on either side of the proposed Fenton Parkway Bridge location—Qualcomm Way and Ward Road. These two roadways were suggested as potentially viable bridge retrofit locations by the U.S. Fish and Wildlife Service during preparation of the Mission Valley Community Plan Update EIR in 2002. The project team evaluated design constraints around these low flow crossings, the most notable being the San Diego Trolley line, which traverses above these low flow crossings. As stated in Section 5.3.2.3, demolition of the low flow crossings and replacement with a bridge that would adequately convey a 100-year flood event would require construction of a bridge structure that would safely traverse over or under the trolley line. Given that take-off and landing locations for each bridge are heavily constrained by commercial and residential development located north and south of the river, the new bridge structures

would be too steep to allow safe passage for vehicular, bicycle, and pedestrian passage over the river. Therefore, these low flow crossing retrofits were considered but rejected as infeasible.

Similar constraints exist for Mission Center Road and Camino Del Este. However, Section 5.3.2.3 in the Final EIR has been clarified to explain the similarities in constraints for the Mission Center Road and Camino Del Este bridge retrofits to those outlined for Qualcomm Way and Ward Road.

A-2-62 The comment pertains to Draft EIR Section 3.3.4, and the significance determination of “no impact” as it relates to consistency with the Multiple Species Conservation Program (MSCP). The comment suggests that this impact determination should be revised to “less than significant” to match the conclusion outlined in Table 3.3-7, Compliance with Conditions of Coverage for Impacts to Covered Wildlife Species; Table 3.3-8, Consistency Determination with MSCP Land Use Considerations and Framework Management Plan; and Table 3.3-9, Summary of Compliance with Wetland Deviation Requirements Under Land Development Code Essential Public Project Option. The Final EIR has been clarified to eliminate this inconsistency to clearly state that direct and indirect impacts to the City’s ability to implement the MSCP would be less than significant, as stated in the above referenced tables. Please refer to Section 3.3.4 of the Final EIR.

A-2-63 The comment states there are a lack of mitigation measures for spadefoot and Crotch’s bumble bee. The Final EIR and MM-BIO-1 has been clarified to include requirements for surveys for western spadefoot and the implementation of a relocation plan should spadefoot be present on site. Please refer to MM-BIO-1 in Section 3.3.4 of the Final EIR. Implementation of MM-BIO-1 will result in avoidance and/or minimization of direct impacts to individual spadefoot, should the species be present on site.

As is described in the Draft EIR, potential impacts to Crotch’s bumble bee would be avoided or minimized through implementation of MM-BIO-5, which requires pre-construction surveys and avoidance of active nests for Crotch’s bumble bee. MM-BIO-5 has been revised to clarify pre-construction survey requirements to ensure potential impacts to foraging bees, as well as active nests, are avoided. Take authorization and compensatory mitigation requirements have also been clarified in the Final EIR. See also response to comment A-3-10.

A-2-64 The comment requests that the Draft EIR clarify that all wetlands impacts will be mitigated in accordance with Table 2a from the City’s Biology Guidelines and that reference to a boundary line adjustment be removed. The Final EIR has been revised to clarify that all impacts to City-regulated wetlands would be mitigated in accordance with Table 2a of the City’s Biology Guidelines, unless federal and/or state wetland permits require more mitigation. Please refer to Table 3.3-9 in Section 3.3.4 of the Final EIR. See Response to Comment A-2-65 for discussion of Draft EIR text related to the boundary line adjustment.

A-2-65 The comment asks that the erroneous reference to a boundary line adjustment being required be removed from Table 3.3-9. The erroneous reference to a boundary line adjustment has been removed from the Final EIR. The Final EIR has also been clarified to state that adverse impacts to the MSCP would not occur due to implementation of covered species protections, adherence to MHPA land use adjacency guidelines, and restoration of on-site temporary impact areas, as outlined in Table 3.3-7 and Table 3.3-8. The Final EIR has also been revised to acknowledge that the project would not conflict with the City’s

Vernal Pool Habitat Conservation Plan because there are no vernal pools on site. Please refer to Section 3.3.4 of the Final EIR.

A-2-66 The City requests a 5-year monitoring and maintenance period be included in MM-BIO-17. MM-BIO-17 in the Final EIR has been clarified to include a 5-year monitoring and maintenance period. Please refer to Section 3.3.7 of the Final EIR.

A-2-67 The City requests that the Draft EIR Section ES.2 note that the project site is on land owned by the City. This statement has been clarified in Final EIR Section ES.2.

A-2-68 The comment pertains to Draft EIR Section 3.3. The City requests that “standard Caltrans Type D-1 deck drains” not be installed on the bridge. Instead, the City has requested 8-inch minimum drains or another type of deck drain design that is consistent with the City’s Drainage Design Manual. References to the appropriate type of deck drainage system in the Executive Summary, throughout Section 3.3, and in MM-BIO-11 have been clarified in the Final EIR.

INTENTIONALLY LEFT BLANK



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

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



June 10, 2024

Anne Collins-Doehne
Director, Land Use Planning and Environmental Review
The Board of Trustees of the California State University
401 Golden Shore
Long Beach, CA 90802
Acollins-doehne@calstate.edu

**SUBJECT: FENTON PARKWAY BRIDGE PROJECT DRAFT ENVIRONMENTAL
IMPACT REPORT SCH# 2023050534, SAN DIEGO COUNTY, CA**

Dear Anne Collins-Doehne:

The California Department of Fish and Wildlife (CDFW) received a Notice of Availability of a Draft Environmental Impact Report (DEIR) from The Board of Trustees of California State University (CSU; Lead Agency) for the Fenton Parkway Bridge (Project) pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

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

CDFW ROLE

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

A-3-1

A-3-2

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

DocuSign Envelope ID: 899AFBDB-FC9-44D2-A699-15E50427B448

Anne Collins-Doehne
The Board of Trustees of California State University
June 10, 2024
Page 2 of 24

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

A-3-2
cont.

CDFW also oversees implementation of the Natural Community Conservation Planning (NCCP) program, a comprehensive habitat conservation planning program. The City of San Diego participates in the NCCP program by implementing its approved Multiple Species Conservation Program (MSCP) Subarea Plan (SAP) and Implementing Agreement. The City's Multi-Habitat Planning Area (MHPA) delineates core biological resource areas and corridors targeted for conservation under the SAP.

PROJECT DESCRIPTION SUMMARY

Proponent: San Diego State University (SDSU)

Objective: The objective of the Project is to construct a 450-foot-long, 58-foot-wide bridge that spans the San Diego River. The bridge will connect the southern terminus of Fenton Parkway to the northern terminus of Mission City Parkway at the intersection of Camino Del Rio North. The bridge will be supported by concrete seat-type abutments in the river embankments at each end, and two to three piers within the river channel, each consisting of two to three approximately 20-foot-tall, 6-foot-diameter circular concrete columns. The existing storm drain infrastructure in the area will require relocation and/or extension to accommodate bridge construction.

A-3-3

Location: The Project site is located in and along the San Diego River in the City of San Diego, north of Interstate 8, between Interstates 805 and 15, and southwest of Snapdragon Stadium. The Project is within the City's MSCP planning area, within the Mission Valley Community Plan (MVCP) area and will traverse and be adjacent to the MHPA, as well as the City's SDSU Stadium Mitigation Site. The DEIR and Biological Resources Map (Figure 3.3-1, Attachment B) indicate that most of the Project footprint is within the MHPA boundary and the area within the San Diego River channel is mapped as 100% conserved MHPA (City of San Diego, 2024). The Project site is at the same location as the bridges previously proposed in a 2001 DEIR and 2019 PDEIR, within the City's MVCP area, for which the City was the Lead Agency.

A-3-4

Biological Setting: The San Diego River plays a significant role in wildlife breeding and wintering. In addition to the federally- and state-listed endangered least Bell's vireo (*Vireo bellii pusillus*; vireo), numerous other migratory avian species use the site,

A-3-5

DocuSign Envelope ID: 899AFBDB-FC9-44D2-A699-15E50427B448

Anne Collins-Doehne
 The Board of Trustees of California State University
 June 10, 2024
 Page 3 of 24

including yellow warbler (*Dendroica petechia brewsteri*), yellow-breasted chat (*Icteria virens auricollis*), and Cooper’s hawk (*Accipiter cooperii*); all of which are State Species of Special Concern (SSC). Several subspecies of willow flycatcher migrate through the San Diego River watershed, and it is possible that the southwestern willow flycatcher (*Empidonax traillii extimus*; flycatcher) occurs on site as a short-term migrant species. Among species that potentially use the area as a stop-over or nesting area are common yellowthroat (*Geothlypis trichas*), red-winged blackbird (*Agelaius phoeniceus*), marsh wren (*Cistothorus palustris*), yellow-rumped warbler (*Dendroica coronata*), waterfowl such as mallards and grebes, and raptor species such as white-tailed kite (*Elanus leucurus*; State Fully Protected). There is suitable habitat in the southern portion of the site for coastal California gnatcatcher (*Poliopitila californica californica*; federally threatened; SSC). Rare plants on the Project site include San Diego County viguiera (*Viguiera laciniata*; California Rare Plant Rank (CRPR) 4.3) and San Diego marsh-elder (*Iva hayesiana*; CRPR 2B.2). The site also provides year-round habitat for amphibian, reptile, and mammal species, serving as a local wildlife corridor allowing movement of resident animals within their home range and dispersal of individuals into riparian habitats beyond the area. There is suitable habitat on the Project site for western spadefoot (*Spea hammondi*, federally proposed threatened, SSC), as well as Crotch’s bumble bee (*Bombus crotchii*, candidate CESA listing). The San Diego River corridor is within the City’s MHPA.

A-3-5
cont.

Permanent impacts to vegetation communities include: 0.03 acre of Baccharis-dominated Diegan coastal sage scrub (Tier II), 0.03 acre of restored Diegan coastal sage scrub (Tier II), and 0.80 acre of southern cottonwood-willow riparian forest (City Riparian). Temporary vegetation impacts include: 2.03 acres of Diegan coastal sage scrub (Tier II), and 0.38 acre of southern cottonwood-willow riparian forest. Impacts to Jurisdictional Aquatic Resources are described in the below tables:

Table 6. Temporary Impacts to Jurisdictional Aquatic Resources

Habitat Types/Vegetation Communities	Temporary Impacts ¹ (acres)
USACE/RWQCB/CDFW/City of San Diego Jurisdictional	
Non-wetland Waters/City Wetland	0.02
Wetland/City Wetland	0.32
<i>Subtotal</i>	0.34
CDFW/City of San Diego Jurisdictional	
Riparian Area/City Wetland	0.06
Total*	0.40

A-3-6

Note:

- 1 City regulations do not differentiate between temporary and permanent wetland impacts. This impact would be mitigated as permanent and in accordance with City of San Diego Biology Guidelines’ Table 2a for an EPP.
- * May not sum due to rounding.

DocuSign Envelope ID: 899AFBDB-FCD9-44D2-A699-15E50427B448

Anne Collins-Doehne
 The Board of Trustees of California State University
 June 10, 2024
 Page 4 of 24

Table 7. Permanent Impacts to Jurisdictional Aquatic Resources

Jurisdictional Aquatic Resource	Permanent Impacts (acres)
USACE/RWQCB/CDFW/City of San Diego Jurisdictional	
Non-wetland Waters–Riparian Area/City Wetland	0.07
Wetland/City Wetland	0.50
<i>Subtotal</i>	0.57
CDFW/City of San Diego Jurisdictional	
Riparian Area/City Wetland	0.27
Total*	0.83

Note:
 * May not sum due to rounding.

Mitigation for wetland/riparian impacts is proposed at a 3:1 ratio, including 1:1 impact-to-creation ratio through either creation, or purchase of credits for creation, of jurisdictional habitat of similar function and values. An additional 2:1 enhancement-to-impact ratio is proposed to meet the overall 3:1 ratio. Impacts to unvegetated stream channel are proposed at 1:1 or 2:1 ratio, with a 1:1 impact-to-creation ratio and the remainder through preservation. Temporary and permanent impacts to Diegan coastal sage scrub are proposed at a 1.5:1 mitigation ratio, and temporary impacts will be restored with a restoration goal of exceeding 80% pre-project native cover.

The Project footprint is excluded from the City’s stadium mitigation site credit area, and no direct impacts to the mitigation site would result from Project implementation.

Project History: CDFW previously submitted comments in response to: the DEIR for the City’s Mission City Parkway Bridge and Associated Facilities Project (joint comment with the U.S. Fish and Wildlife Service; USFWS; collectively, the Wildlife Agencies; USFWS/CDFW, 2001), the NOP for the Mission Valley Community Plan Update (CDFW, 2019), the Draft Programmatic EIR (DPEIR) for the Mission Valley Community Plan Update (USFWS/CDFW, 2019), and the Notice of Preparation of the DEIR for the Fenton Parkway Bridge Project (USFWS/CDFW, 2023). On January 4, 2024, the City of San Diego issued a letter to the Wildlife Agencies, declaring the bridge a City of San Diego Essential Public Project (EPP; City’s EPP letter).

SDSU, an entity of CSU, entered into a Memorandum of Understanding (MOU) with the City in August 2020 as part of the purchase and sale agreement between SDSU and the City, for the SDSU Mission Valley site. As described by the MOU, as well as City Ordinance No. O-21564, SDSU will design, plan, and construct the bridge to City Standards. SDSU and the City will share the cost of the project, and the City will assume operation and maintenance obligations upon completion. The DEIR indicates that the City will serve as a Responsible Agency under CEQA, and SDSU is responsible for securing all environmental permits required from State and Federal agencies.



A-3-6
cont.

A-3-7

A-3-8

DocuSign Envelope ID: 899AFBDB-FC9-44D2-A699-15E50427B448

Anne Collins-Doehne
The Board of Trustees of California State University
June 10, 2024
Page 5 of 24

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist CSU in adequately identifying and/or mitigating the Project’s significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources.

A-3-9

COMMENT #1: Crotch’s Bumble Bee

Issue: The Project will impact suitable nesting and foraging habitat for Crotch’s bumble bee, a candidate species for CESA listing. The proposed mitigation measures in the DEIR are insufficient to reduce impacts to Crotch’s bumble bee to a less than significant level.

Specific impact: The Project will result in both temporary impacts and permanent loss of suitable nesting and foraging habitat for Crotch’s bumble bee. Ground disturbing activities such as grading, trenching, and drilling could result in direct impacts, including death or injury of individual bees, collapse of burrows, nest abandonment, and reduced nest success. Direct and indirect impacts may occur from temporary disturbance of vegetation in staging areas.

A-3-10

Why impact would occur: According to the DEIR, suitable habitat for Crotch’s bumble bee exists on the Project site, primarily in areas of coastal sage scrub habitat. The Project will permanently impact 0.07 acre and temporarily impact 2.03 acres of coastal sage scrub communities. The DEIR proposes Mitigation Measure BIO-5 (MM-BIO-5), which indicates that a pre-construction survey will be conducted to detect Crotch’s bumble bee nests, if ground disturbing activities occur outside of the overwintering season. If a nest is detected, the biologist will flag a no-disturbance buffer to avoid take. The DEIR indicates that an Incidental Take Permit (ITP) and associated mitigation will only be pursued if impacts to the nest cannot be avoided. Proposed compensatory mitigation measures associated with a potential ITP include off site conservation, or purchase of credits at a CDFW-approved mitigation bank. At the present time, there are not any conservation banks in San Diego with species-specific credits for Crotch’s bumble bee.

MM-BIO-5 does not discuss avoidance measures, should foraging individuals be detected. Additionally, compensatory mitigation is proposed if an ITP is pursued for nest impacts, but there is no mitigation proposed for loss of foraging habitat. If foraging individuals are present, vegetation removal may result in take, unless sufficient avoidance measures are incorporated. Removal of foraging habitat without compensatory mitigation may also contribute to a cumulative decrease of foraging habitat for this species.

Evidence impact may be significant: The California Fish and Game Commission accepted a petition to list the Crotch’s bumble bee as endangered under CESA,



DocuSign Envelope ID: 899AFBDB-FC9-44D2-A699-15E50427B448

Anne Collins-Doehne
The Board of Trustees of California State University
June 10, 2024
Page 6 of 24

determining on September 30, 2022, that the listing “may be warranted” and advancing the species to the candidacy stage of the CESA-listing process. Pursuant to Fish and Game Code section 2085, CESA candidate species enjoy the same protections as CESA-listed threatened and endangered species. Therefore, take of Crotch’s bumble bee is prohibited, except as authorized by State law through the issuance of an ITP or other authorization (Fish & G. Code, §§ 2080, 2085).

Recommended Potentially Feasible Mitigation Measure(s)

CDFW recommends that a qualified entomologist familiar with the species’ behavior and life history conduct surveys within one year prior to vegetation removal and/or ground disturbance to determine the presence/absence of Crotch’s bumble bee. Surveys should focus on both nesting and foraging habitat. CDFW has published a Survey Considerations document for CESA Candidate Bumble Bees, which can be found at the following link: <https://wildlife.ca.gov/Conservation/CESA>. This document describes factors such as evaluating potential for presence, habitat assessment, and survey methods.

CDFW recommends that MM-BIO-5 be revised to include surveys for foraging Crotch’s bumble bees, in addition to nest surveys, and that compensatory mitigation be incorporated to account for loss of foraging habitat if the species is identified. CDFW recommends the following revisions to MM-BIO-5, indicated in ~~strikeout~~ and **bold**:

Mitigation Measure #1: Crotch’s Bumble Bee Mitigation

“MM-BIO-5 Pre-Construction Survey for Crotch’s Bumble Bee and Take Avoidance.

If ground-disturbing activities occur outside of the overwintering season, a pre-construction surveys for Crotch’s bumble bee (*Bombus crotchii*) shall occur within the construction area between February and October prior to the start of construction activities. **Surveys shall be conducted by a qualified entomologist familiar with the species’ behavior and life history.** Crotch’s bumble bee is a habitat generalist, ground-nesting bee. Surveys and other relevant recommendations will be in accordance with the most recent protocol available at the time of the surveys. The survey shall focus on detecting nests for Crotch’s bumble bee within the construction area, **as well as foraging individuals.** If active nests of Crotch’s bumble bee are present, an appropriate no disturbance buffer zone should be established around the nest to reduce the risk of disturbance or accidental take. **If a nest is detected or if foraging individuals are observed, the Project biologist will consult with CDFW to confirm that any proposed site-specific avoidance measures are sufficient to avoid take.**

A-3-10
cont.



DocuSign Envelope ID: 899AFBDB-FC9-44D2-A699-15E50427B448

Anne Collins-Doehne
The Board of Trustees of California State University
June 10, 2024
Page 7 of 24

If active nests cannot be avoided **or take of foraging individuals is anticipated**, an Incidental Take Permit may be needed and mitigation for direct impacts to Crotch’s bumble bee will be fulfilled through compensatory mitigation at a minimum 1:1 nesting habitat replacement of equal or better functions and values to those impacted by the project, or as otherwise determined through the Incidental Take Permit process. **If foraging individuals are detected and an Incidental Take Permit will not be pursued, compensatory mitigation for loss of foraging habitat will be provided at a 1:1 replacement ratio.**

Mitigation will be accomplished either through off site conservation; or through a California Department of Fish and Wildlife (CDFW) approved mitigation bank, if a mitigation bank with species-specific credits for Crotch’s bumble bee exists at the time of Project implementation. If mitigation is not purchased through a mitigation bank and lands are conserved separately, a cost estimate will be prepared to estimate the initial start-up costs and ongoing annual costs of management activities for the management of the conservation easement area(s) in perpetuity. The funding source will be in the form of a maintenance fund to help the qualified natural lands management entity that is ultimately selected to hold the conservation easement(s). The endowment amount will be established following the completion of a project-specific Property Analysis Record to calculate the costs of in-perpetuity land management. The Property Analysis Record will take into account all management activities required in the Incidental Take Permit to fulfill the requirements of the conservation easement(s), which are currently in review and development.

Documentation/Reporting: The biologist shall submit a report to the City of San Diego and Wildlife Agencies (U.S. Fish and Wildlife Service and CDFW) documenting the methods and results of the surveys prior to clearing/grubbing activities.

Timing: Surveys will be completed between February and October prior to the start of construction activities.”

COMMENT #2: Least Bell’s Vireo

Issue: It is unclear from the DEIR if the Project proponent will obtain a CESA ITP for least Bell’s vireo (vireo).

Specific impact: Several sections of the DEIR indicate that a CESA ITP will be obtained for vireo, while other sections only reference federal take permits through USFWS. The avoidance and mitigation measures for vireo also incorporate language and measures specific to USFWS, but do not include CDFW.



A-3-10
cont.

A-3-11

DocuSign Envelope ID: 899AFBDB-FC D9-44D2-A699-15E50427B448

Anne Collins-Doehne
The Board of Trustees of California State University
June 10, 2024
Page 8 of 24

The Requested Project Approvals section (DEIR, Section 2.6.2, Item 13) states that a Biological Opinion and Incidental Take Statement will be required for vireo under Section 7 of the Endangered Species Act (consultation with the USFWS) but does not identify CESA permitting for the species. The DEIR proposes Mitigation Measure BIO-1 (MM-BIO-1) to address potential take of listed species, including vireo, flycatcher, and coastal California gnatcatcher. Vireo have been observed on site, and the riparian areas, for the purposes of CESA, are considered occupied. MM-BIO-1 indicates, “[t]ake authorization may be obtained through the federal Section 7 Consultation or Section 10 and state 2081 incidental take permit requirements.” The documentation section of MM-BIO-1 states that, “[a] Biological Opinion and Incidental Take Permit shall be issued by USFWS and California Department of Fish and Wildlife prior to clearing and grubbing of habitat within the San Diego River,” and that “...the USFWS-approved biologist will be on site during the activities specified in condition 4 above.”

Why impact would occur: The Project will result in 0.80 acre of permanent impacts and 0.38 acre of temporary impacts to southern cottonwood-willow riparian forest and unvegetated channel (0.03 acre permanent, and 0.02 acres temporary), which have the potential to support vireo nesting and foraging. The DEIR considers the temporary impacts to riparian habitat as permanent for the purposes of calculating the mitigation ratio, as the restored habitat under the bridge may not have equal function and value to the habitat currently present. The DEIR indicates that the impacts to vireo will consist of loss of habitat. Other potential impacts to vireo may include disturbance from noise and night lighting, which could lead to nest abandonment, even with incorporated avoidance measures and compensatory mitigation in MM-BIO-1.

Evidence impact would be significant: Consistent with CEQA Guidelines, Section 15380, the status of the least Bell’s vireo as an endangered species pursuant to the federal Endangered Species Act (16 U.S.C. § 1531 *et seq.*) and the California Endangered Species Act (Fish & G. Code, § 2050 *et seq.*) qualifies it as an endangered, rare, or threatened species under CEQA. CESA prohibits the take of any species of wildlife designated by the California Fish and Game Commission as endangered, threatened, or candidate species. CDFW may authorize the take of any such species if certain conditions are met.

Recommended Potentially Feasible Mitigation Measure(s)

Recommendation #1: Least Bell’s Vireo: Given the Project may result in take of least Bell’s vireo (Fish and Game Code, § 86), or lead to potential nest abandonment, CDFW recommends that the Final EIR specify that a CESA ITP will be obtained for take of vireo, and that the document be updated to consistently reflect this throughout each applicable section (i.e. Requested Project Approvals section, MM-BIO-1, and Executive Summary). Authorization from CDFW may

A-3-11
cont.



DocuSign Envelope ID: 899AFBDB-FC D9-44D2-A699-15E50427B448

Anne Collins-Doehne
The Board of Trustees of California State University
June 10, 2024
Page 9 of 24

include an ITP or a consistency determination (CD)(Fish and Game Code §§ 2080.1, 2081, subds. (b),(c)). Requirements to meet the CESA ‘fully mitigated standard’ may differ from federal requirements, so early consultation is encouraged, as significant modification to a Project and mitigation measures may be required to obtain a CESA Permit. The fourth sentence of Mitigation Measure BIO-1 (MM BIO-1) should be updated to read: “Take authorization ~~may~~ **shall** be obtained through the federal Section 7 Consultation or Section 10 and state 2081 incidental take permit requirements.” Additionally, the ‘monitoring’ section of MM BIO-1 shall be updated to read: “The USFWS- **and CDFW**-approved project biologist will be on site during the activities specified in condition 4 above.”

A-3-11
cont.

COMMENT #3: Temporal Loss of Wetland Habitat

Issue: The DEIR does not analyze temporal loss of riparian habitat.

Specific impact: The DEIR indicates that the Project will mitigate for impacts to wetland and riparian resources with ratios consistent with the City’s SAP and Biology Guidelines. Mitigation for permanent and temporary wetland/riparian impacts is proposed at a 3:1 ratio, including 1:1 impact-to-creation ratio through either creation, or purchase of credits for creation, of jurisdictional habitat of similar function and value. An additional 2:1 enhancement-to-impact ratio is proposed to meet the overall 3:1 ratio. Mitigation is proposed for temporary impacts from construction staging, as well as permanent impacts from vegetation removal; however, temporal loss of habitat is not analyzed.

Why impact would occur: The Project will result in 0.80 acre of permanent impacts and 0.38 acre of temporary impacts to southern cottonwood-willow riparian forest, as well as 0.03 acre of permanent and 0.02 acre of temporary impacts to unvegetated channel in the San Diego River. Although the DEIR proposes mitigation for permanent and temporary impacts to riparian resources consistent with Table 2a of the City’s Biology Guidelines, it does not factor in temporal loss of the mature southern cottonwood-willow riparian forest. Vireo breeding habitat consists of dense, shrubby vegetation characteristic of early successional stage, usually near river channels or other water (Kus et. al, 2022). While least Bell’s vireo typically nest within dense riparian scrub vegetation, both adults and juvenile birds use adjacent mature riparian forest for foraging. It will take several years for the proposed wetland mitigation vegetation to reach the maturity and structure of the lost habitat. The temporal loss of mature riparian habitat will be significant for vireo and other avian species. Additionally, Mitigation Measure BIO-17 indicates that temporary impacts will be restored, with the goal of reaching above 80% of pre-project native cover within 3 years. This still allows for a loss of up to 20% native cover for vegetation that will be temporarily impacted. Furthermore, vegetation clearing creates habitat fragmentation and edge effects, which allow easier

A-3-12

DocuSign Envelope ID: 899AFBDB-FC9-44D2-A699-15E50427B448

Anne Collins-Doehne
The Board of Trustees of California State University
June 10, 2024
Page 10 of 24

colonization by non-native plant species such as *Arundo donax and tamarix sp.*, and potentially increases opportunities for vireo nest predation.

Evidence impact would be significant: Southern cottonwood-willow riparian habitat supports a variety of avian species, including vireo. As indicated in the prior comment, least Bell's vireo is listed as an endangered species pursuant to the federal Endangered Species Act (16 U.S.C. § 1531 *et seq.*) as well as the California Endangered Species Act (Fish & G. Code, § 2050 *et seq.*). CDFW also exercises its regulatory authority as provided by Fish and Game Code section 1600 *et seq.* to conserve fish and wildlife resources which includes rivers, streams, or lakes and associated natural communities. Fish and Game Code section 1602 requires any person, state or local governmental agency, or public utility to notify CDFW prior to beginning any activity that may do one or more of the following:

1. Divert or obstruct the natural flow of any river, stream, or lake;
2. Change the bed, channel, or bank of any river, stream, or lake;
3. Use material from any river, stream, or lake; or,
4. Deposit or dispose of material into any river, stream, or lake.

As proposed, the Project will affect the San Diego River and associated riparian habitat, and will require a Lake and Streambed Alteration (LSA) Notification.

Recommended Potentially Feasible Mitigation Measure(s)

Impacts to special-status species from temporal loss of habitat can occur, especially in constrained areas of the San Diego River. CDFW recommends that CSU consider a higher mitigation ratio for impacts to riparian resources. While we recognize that CSU is proposing mitigation in accordance with Table 2a of the City's Biology Guidelines, a higher mitigation ratio may be appropriate, given the high-quality value of the habitat, the constrained nature of the San Diego River, and in consideration of temporal loss of riparian resources. To mitigate for impacts to southern cottonwood-willow riparian forest, CDFW recommends incorporating at least a 4:1 mitigation ratio, potentially higher, as agreed upon in consultation with CDFW at the time of the LSA Notification.

Mitigation Measure #2: Southern Cottonwood-Willow Riparian Mitigation

MM-BIO-2 and MM-BIO-18 shall be updated to reflect that temporary and permanent impacts to southern cottonwood-willow riparian forest will be mitigated at a 4:1 ratio, at a minimum.

Additional Comments

1. Project Location and Need: CDFW is concerned about CSU's reliance on the City's designation of the Project as an EPP, as it appears that the gain in public services is

A-3-12
cont.

A-3-13

DocuSign Envelope ID: 899AFBDB-FC9-44D2-A699-15E50427B448

Anne Collins-Doehne
The Board of Trustees of California State University
June 10, 2024
Page 11 of 24

minimal relative to the magnitude of biological impacts which are anticipated from Project implementation. Although the DEIR relies on the City's designation of the Project as an EPP, we have several concerns regarding the EPP designation as currently justified by the City. These concerns are as follows:

A-3-13
cont.

a. Vehicle Miles Traveled (VMT): The City's EPP letter designating the Project as an EPP discusses current out-of-direction travel and inefficient routing, resulting in increased greenhouse gas emissions. The City indicates that the Project will reduce greenhouse gas emissions and take steps towards meeting its Climate Action Planning Goals by reducing out-of-direction travel. Tables 1 and 2 in the Transportation Study (DEIR, Appendix H) forecast change in VMTs in the year 2027 and projected out to 2050. Projections are based on San Diego Association of Governments (SANDAG) modeling. For both the 2027 and the 2050 projections, implementation of the Project will result in a 0.09% decrease of VMTs within a 3-mile radius, and 0.05% reduction in VMTs within a 5-mile radius. Given that this analysis projects a less than 1% decrease in VMTs after Project implementation, the magnitude of the Project and biological impacts do not seem commensurate with the resulting reduction of VMTs.

A-3-14

b. Emergency Services: The City's EPP letter cites the necessity of the Project to improve response time for fire-rescue services. Referring to the "5 Minute Engine Travel Congested and Uncongested" map from the Citygate Report (Citygate Associates, 2017), the City notes an apparent gap in service near the Riverwalk Golf Course and parts of the south side and east side of Mission Valley. However, the letter does not provide a traffic analysis to analyze how emergency response times would be improved by construction of a new bridge. Currently, there is an existing fire station less than one mile from the Fenton Parkway terminus on the north side of the San Diego River, which services Mission Valley north of the river. Additionally, there are several fire stations nearer to the areas that the City states have gaps in service than the Project area; it is not evident from the City's EPP letter that construction of the Project would result in faster response times from fire stations that are farther from those areas. The City's EPP letter also indicates that the bridge would improve access for emergency transport to UCSD Hillcrest Medical Center for current and future residents of Mission Valley East, but does not provide any traffic studies to substantiate that claim. Additionally, Kaiser Permanente Zion Medical Center is located approximately 2.5 miles from the Fenton Parkway terminus of the Project, which would remain a closer emergency facility, even after construction of the Project. Therefore, given these alternatives in emergency service transport locations, it is unclear how the Project would improve emergency response time.

A-3-15

c. Trolley Access: The City's EPP letter indicates in the conclusion that, "the connection will make it possible for many Mission Valley and Mid-City residents to access the Green line trolley and SDSU Mission Valley using alternative

A-3-16

DocuSign Envelope ID: 899AFBDB-FC9-44D2-A699-15E50427B448

Anne Collins-Doehne
The Board of Trustees of California State University
June 10, 2024
Page 12 of 24

modes,” but does not discuss existing conditions. On the north side of the San Diego River, there are multiple existing trolley stations that service Mission Valley residents, including a trolley station at Fenton Parkway. West of Interstate 805, residents can access the trolley at Rio Vista Station, by walking or biking across Qualcomm Way, less than 1 mile from the Project site. The trolley also crosses the river in several areas, providing access at the Mission Valley Center Station on the south side of the river, in the case that roads are not crossable during flood events, and also servicing Mid-City residents. Existing access to the Mission Valley area for Mid-City residents is constrained to one of the major freeways, or Fairmount Avenue, due to the hillside terrain acting as a geographic barrier. Residents of those areas have access to the Grantville Trolley station off of Fairmount Avenue, which would remain the closest trolley option from that access point, even if a bridge were to be constructed for access to the Fenton station. To the east, Mission San Diego Station is accessible by crossing Ward Road, 1.3 miles from the Project site (San Diego MTS). While a bridge at Fenton Parkway may improve convenience of access to the Fenton Trolley stop and SDSU Mission Valley Campus, there are no studies provided in the DEIR to demonstrate that there are trolley access barriers under existing conditions that would be greatly improved by construction of a bridge.

A-3-16
cont.

As discussed in our NOP comment letter:

The City’s Biology Guidelines require a deviation for projects that propose wetland impacts. While there is a deviation option for essential public projects (EPP), the project must be essential in both location and need. Based on traffic analysis in the 2001 DEIR, construction of the Mission City Parkway Bridge at this location did not appear necessary and other alternatives were available with lesser biological impacts including the retrofit of existing bridges at Mission Center Road, Camino del Este, Ward Road, or Stadium Way. On May 28, 2002, the City Council and mayor voted unanimously to deny the permit for the Mission City Parkway Bridge because it “could result in maximum disturbance to environmentally sensitive lands” and “increase the alterations of natural landforms which would result in undue risks.” Further, they did “not believe that the proposed development is consistent with the City of San Diego’s MSCP Subarea Plan,” and “would contribute to increase in water quality degradation in an already impaired water body” (USFWS/CDFW, July 2023).

A-3-17

Given the information provided above, CDFW encourages the Lead Agency to consider whether the Project, as it is currently described and analyzed, will satisfy the needs of City residents as intended while still meeting its natural resources conservation goals and regional planning obligations.

2. **MHPA Clarification.** As indicated in prior comment letters, CDFW has ongoing concerns about the significant biological impacts from the removal of habitat and the

A-3-18

DocuSign Envelope ID: 899AFBDB-FCD9-44D2-A699-15E50427B448

Anne Collins-Doehne
 The Board of Trustees of California State University
 June 10, 2024
 Page 13 of 24

additional fragmentation that the proposed bridge would cause to the MHPA. The DEIR explains that,

SDSU is not signatory to the MSCP and is therefore not a 'Permittee' under this HCP. However, pursuant to a memorandum of understanding between SDSU and the City, project activities will require discretionary approval from the City and, therefore, bridge design and construction will be done in a manner consistent with the MSCP, including the City's ESL Regulations and SDBG, which provide a compliance and implementation mechanism for the Subarea Plan and its Implementing Agreements (City Land Development Code [LDC] Section 143.0103). Because SDSU is not a Permittee of this HCP, and because SDSU does not need to obtain any entitlements that would constitute a discretionary action by the City, the restrictions typically placed on land within the MHPA as per the SDBG do not apply to SDSU or SDSU-owned land. SDSU also is subject to the City's land use policies.

On January 4, 2024, the City of San Diego issued a letter to the Wildlife Agencies, declaring the bridge a City of San Diego EPP, which allows deviations from the Environmentally Sensitive Land regulations. Table 3.3-9 in the DEIR analyzes compliance with wetland deviation requirements under the EPP option:

Table 3.3-9. Summary of Compliance with Wetland Deviation Requirements Under Land Development Code Essential Public Project Option

Requirement	Compliance
Project meets Essential Public Project definition as defined in Land Development Code (LDC) Section 143.0150(d)(1) and the San Diego Biology Guidelines (SDBG)	The proposed project meets the Essential Public Project definition as stated in LDC Section 143.0150(d)(1)(ii) and (iii) and the SDBG because the activities described are a linear infrastructure project identified in the Mission Valley Community Plan as a proposed connection. In addition, the project would provide a high-water crossing in eastern Mission Valley and improve emergency evacuation.
No Project Alternative does not meet project objectives	The No Project Alternative would avoid impacts to wetlands, but would not improve emergency access or provide a high-water crossing in eastern Mission Valley.
Wetlands Avoidance Alternative does not meet project objectives	Wetland avoidance alternatives are not feasible either due to the amount of infrastructure that would need to be rerouted or occupied housing that would need to be demolished in order to accommodate a bridge that did not need piers.
Wetland Impact Minimization Alternatives do not meet project objectives	The wetland impact minimization alternative (Pedestrian/Bicycle Bridge Only Alternative) would result in a smaller bridge that could not accommodate vehicle access.
Wetland impacts are minimized to the maximum extent practicable	Construction of the proposed bridge is entirely within the "no credit area" of the City's Stadium Wetland Mitigation Site, which was reserved for a bridge crossing to be created, and further minimization would not meet the project objectives allowing vehicle access.
All impacts are mitigated in accordance with SDBG Table 2a	TBD - pending the City's decision about the boundary line adjustment to the MHPA
Project does not have a significant adverse impact to the MSCP or the Vernal Pool Habitat Conservation Plan	TBD - pending the City's decision about the boundary line adjustment to the MHPA

The table indicates that a boundary line adjustment (BLA) to the MHPA is being considered by the City; however, in a meeting with the Wildlife Agencies on May 23,

A-3-18
 cont.

DocuSign Envelope ID: 899AFBDB-FC D9-44D2-A699-15E50427B448

Anne Collins-Doehne
The Board of Trustees of California State University
June 10, 2024
Page 14 of 24

2024, the City clarified that they have determined that the table is incorrect and that a BLA is not needed because the bridge is considered a conditionally compatible use.

Recommendation #2: CDFW recommends that the DEIR be updated to discuss the relationship between an EPP and development in MHPA habitat. Table 3.3-9 should be updated to reflect the City's determination that a BLA will not be needed.

Recommendation #3: CDFW recommends that the DEIR be updated to describe and analyze direct impacts to the MHPA including impact acreage calculations and overall preserve function. The final EIR should also ensure that any impacts are consistent with the conservation strategy in the MSCP. CDFW recommends that the Project proponent and City consult with the Wildlife Agencies on appropriate mitigation to offset any MHPA impacts to yield a net benefit to the MHPA, in terms of acreage and function.

3. **Alternatives Analysis:** The DEIR provides an alternatives analysis that includes: a no project alternative, a pedestrian/bicycle only bridge alternative, a tied-arch bridge alternative, and a suspension bridge alternative. The document also discusses alternatives that were considered but rejected as infeasible, including a retrofit of the Qualcomm Way bridge and the Ward Road bridge. Although the DEIR discusses the infeasibility of bridge retrofit alternatives for Qualcomm Way and Ward Road, there is not a discussion of potentially retrofitting the bridges at Mission Center Road or Camino del Este.

Recommendation #4: CDFW recommends that the FEIR analyze feasibility of retrofitting bridges at Mission Center Road and Camino del Este.

4. **Western Spadefoot:** The Project will impact suitable habitat for western spadefoot, which has a moderate potential to occur on site. The DEIR informs that direct impacts to suitable habitat for western spadefoot will be reduced to a less than significant level, through implementation of MM-BIO-2, which provides compensatory mitigation for loss of habitat. Although we appreciate the inclusion of MM BIO-2, the DEIR does not analyze potential impacts to the species or implement avoidance measures to ensure that impacts to spadefoot are avoided. Additional species-specific avoidance and minimization measures may be appropriate to reduce potential impacts to the species to less than significant.

Recommendation #5: We recommend that the Project applicant and City coordinate with the Wildlife Agencies to determine whether additional species-specific avoidance and minimization measures are needed to ensure impacts to western spadefoot are less than significant.

A-3-18
cont.

A-3-19

A-3-20

DocuSign Envelope ID: 899AFBDB-FC9-44D2-A699-15E50427B448

Anne Collins-Doehne
The Board of Trustees of California State University
June 10, 2024
Page 15 of 24

5. Lake and Streambed Alteration Agreement: The Requested Project Approvals section in the DEIR (2.6.2) indicates that CSU will obtain a LSA Agreement, pursuant to Fish and Game Code section 1600 *et seq.* We look forward to further coordination with CSU, and receipt of the streambed notification package for the Project.

A-3-21

6. Scientific Collecting Permits. Mitigation Measure BIO-9 (MM-BIO-9) in the DEIR summarizes the duties of the on-site Project biologist. The measure indicates that the biologist will flush non-listed wildlife species (i.e., reptiles, mammals, avian, or other mobile species) immediately prior to brush-clearing activities. If wildlife will be physically moved outside the scope of a LSA Agreement, the on-site biologists should be required to obtain Scientific Collecting Permits (SCP). A Species Relocation Plan may be appropriate to establish protocol for relocation of wildlife, including guidelines for the SCP-holding biologist to capture unharmed and release found species in appropriate habitat an adequate distance from the Project site, unless they are a federally and/or state-listed species in which coordination and direction from USFWS and/or CDFW, respectively, shall be required. Additional information is available at: <https://wildlife.ca.gov/Licensing/Scientific-Collecting>

A-3-22

Recommendation #6: CDFW recommends that MM-BIO-9 be updated to reflect that on-site biologists will be required to obtain a Scientific Collecting Permit (SCP) if wildlife will be physically moved or flushed from the Project site.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be filled out and submitted online at the following link: <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

A-3-23

ENVIRONMENTAL DOCUMENT FILING FEES

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

A-3-24

DocuSign Envelope ID: 899AFBDB-FCD9-44D2-A699-15E50427B448

Anne Collins-Doehne
The Board of Trustees of California State University
June 10, 2024
Page 16 of 24

CONCLUSION

CDFW appreciates the opportunity to comment on the DEIR to assist CSU in identifying and mitigating Project impacts on biological resources. CDFW requests an opportunity to review and comment on any response that CSU has to our comments and to receive notification of any forthcoming hearing date(s) for the Project [CEQA Guidelines, § 15073(e)].

A-3-25

Questions regarding this letter or further coordination should be directed to Jessie Lane, Environmental Scientist, at (858) 354-4105 or Jessie.Lane@wildlife.ca.gov.

Sincerely,

DocuSigned by:

5991E19EF8094C3...
Victoria Tang
Environmental Program Manager
South Coast Region

Attachments

- Attachment A: Draft Mitigation and Monitoring Reporting Plan
- Attachment B: Figure 3.3.1 (DEIR)

A-3-26

EC: California Department of Fish and Wildlife
Victoria Tang
Jennifer Turner
Jessie Lane
Steve Gibson
Meredith Osborne
Frederic Rieman
Sydney West
Glen Lubcke
Melanie Burlaza
Alison Kalinowski
CEQA Program Coordinator- CEQACommentLetters@wildlife.ca.gov

Office of Planning and Research - State Clearinghouse
state.clearinghouse@opr.ca.gov



DocuSign Envelope ID: 899AFBDB-FC9-44D2-A699-15E50427B448

Anne Collins-Doehne
The Board of Trustees of California State University
June 10, 2024
Page 17 of 24

US Fish and Wildlife Service
David Zoutendyk- David.Zoutendyk@fws.gov
Anita Eng- Anita.Eng@fws.gov

San Diego State University
Paul Jackson- Pjackson@sdsu.edu

REFERENCES

California Department of Fish and Wildlife. August 2017. Comments on the Notice of Preparation for the Mission Valley Community Plan Update, City of San Diego, San Diego County, California (Project #518009, SCH# 2017071066).

California Department of Fish and Wildlife. March 2018. Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities.

California Department of Fish and Wildlife. 2023. Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species.

City of San Diego. February 2019. Mission Valley Community Plan Update Program Environmental Impact Report (SCH# 2017071066).

City of San Diego. March 1997. Multiple Species Conservation Program. City of San Diego Community and Economic Development Department.

City of San Diego. May 2001. Mission City Parkway Bridge and Associated Facilities Environmental Impact Report (SCH# 2000101088).

Citygate Associates, LLC. March 1, 2017. City of San Diego Metro Zone Emergency Command and Data Center Study.

City of San Diego. May 24, 2024. Virtual meeting between the Wildlife Agencies and Kristen Forburger, Project Manager III, City of San Diego.

City of San Diego. Vernal Pool Habitat Conservation Plan Interactive Map. (<https://webmaps.sandiego.gov/portal/apps/webappviewer/index.html?id=d04d9b6e46fc43cf998f46d9018c04e3>) Accessed May 2024.

Kus, B.E., Hopp, S.L., Johnson, R.R., Brown, B.T., and Reiley, B.M., 2022, Bell's Vireo (*Vireo bellii*; ver. 2.0, November 18, 2022) in Rodewald, P.G., ed., Birds of the

A-3-26
Cont.



DocuSign Envelope ID: 899AFBDB-FC9-44D2-A699-15E50427B448

Anne Collins-Doehne
The Board of Trustees of California State University
June 10, 2024
Page 18 of 24

world: Ithaca, N.Y., Cornell Lab of Ornithology, accessed November 30, 2022,
at <https://doi.org/10.2173/bow.belvir.02>.

San Diego Metropolitan Transit System. Regional Transit Map.
<https://www.sdmts.com/sites/default/files/attachments/regional-transit-map.pdf>

U.S. Fish and Wildlife Service and California Department of Fish and Wildlife. August 2001. Comments on the Draft Environmental Impact Report (LDR No. 40-0559; SCH No. 2000101088) for the Mission City Parkway Bridge and Associated Facilities, City of San Diego, San Diego, California (FWS-SD-2133.2).

U.S. Fish and Wildlife Service and California Department of Fish and Wildlife. March 2019. Comments on the Draft Program Environmental Impact Report for the Mission Valley Community Plan Update, City of San Diego, San Diego County, California (Project# 518009, SCH# 2017071066).

U.S. Fish and Wildlife Service and California Department of Fish and Wildlife. July 2023. Comments on the Notice of Preparation of an Initial Study and Draft Environmental Impact Report for the Fenton Parkway Bridge Project, SCH#2023050534 (FWS/CDFW-23-0090700-CEQA_SD).



A-3-26
Cont.

DocuSign Envelope ID: 899AFBDB-FCD9-44D2-A699-15E50427B448

Anne Collins-Doehne
 The Board of Trustees of California State University
 June 10, 2024
 Page 19 of 24

Attachment A: Draft Mitigation and Monitoring Reporting Plan

Biological Resources (BIO)			
Mitigation Measure (MM) or Recommendation (REC)	Timing	Responsible Party	
Mitigation Measure #1 MM-BIO-5 Pre-Construction Survey for Crotch's Bumble Bee and Take Avoidance. If ground-disturbing activities occur outside of the overwintering season, a pre-construction surveys for Crotch's bumble bee (<i>Bombus crotchii</i>) shall occur within the construction area between February and October prior to the start of construction activities. Surveys shall be conducted by a qualified entomologist familiar with the species' behavior and life history. Crotch's bumble bee is a habitat generalist, ground-nesting bee. Surveys and other relevant recommendations will be in accordance with the most recent protocol available at the time of the surveys. The survey shall focus on detecting nests for Crotch's bumble bee within the construction area, as well as foraging individuals. If active nests of Crotch's bumble bee are present, an appropriate no disturbance buffer zone should be established around the nest to reduce the risk of disturbance or accidental take. If a nest is detected or if foraging individuals are observed, the Project biologist will consult with CDFW to confirm that any proposed site-specific avoidance measures are sufficient to avoid take.	Before construction	CSU	

A-3-27



DocuSign Envelope ID: 899AFBDB-FCD9-44D2-A699-15E50427B448

Anne Collins-Doehne
 The Board of Trustees of California State University
 June 10, 2024
 Page 20 of 24

	<p>If active nests cannot be avoided or take of foraging individuals is anticipated, an Incidental Take Permit may be needed and mitigation for direct impacts to Crotch's bumble bee will be fulfilled through compensatory mitigation at a minimum 1:1 nesting habitat replacement of equal or better functions and values to those impacted by the project, or as otherwise determined through the Incidental Take Permit process. If foraging individuals are detected and an Incidental Take Permit will not be pursued, compensatory mitigation for loss of foraging habitat will be provided at a 1:1 replacement ratio. Mitigation will be accomplished either through off site conservation; or through a California Department of Fish and Wildlife (CDFW) approved mitigation bank. If mitigation is not purchased through a mitigation bank and lands are conserved separately, a cost estimate will be prepared to estimate the initial start-up costs and ongoing annual costs of management activities for the management of the conservation easement area(s) in perpetuity. The funding source will be in the form of a maintenance fund to help the qualified natural lands management entity that is ultimately selected to hold the conservation easement(s). The endowment amount will be established following the completion of a project-specific Property Analysis Record to calculate the costs of in-perpetuity land management. The Property Analysis Record will take into account all management activities required in the Incidental Take Permit to fulfill the requirements of the conservation easement(s), which are currently in review and development.</p>		
--	---	--	--



A-3-27
 Cont.

RESPONSES TO COMMENTS

DocuSign Envelope ID: 899AFBDB-FC9-44D2-A699-15E50427B448

Anne Collins-Doehne
 The Board of Trustees of California State University
 June 10, 2024
 Page 21 of 24

	<p>Documentation/Reporting: The biologist shall submit a report to the City of San Diego and Wildlife Agencies (U.S. Fish and Wildlife Service and CDFW) documenting the methods and results of the surveys prior to clearing/grubbing activities.</p> <p>Timing: Surveys will be completed between February and October prior to the start of construction activities.</p>			<p>A-3-27 Cont.</p>
Mitigation Measure #2	MM-BIO-2 and MM-BIO-18 shall be updated to reflect that temporary and permanent impacts to southern cottonwood-willow riparian forest will be mitigated at a 4:1 ratio, at a minimum	Before construction	CSU	A-3-28
Recommendation #1	Given the Project may result in take of least Bell's vireo (Fish and Game Code, § 86), or lead to potential nest abandonment, CDFW recommends that the Final EIR specify that a CESA ITP will be obtained for take of vireo, and that the document be updated to consistently reflect this throughout each applicable section (i.e. Requested Project Approvals section, MM-BIO-1, and Executive Summary). Authorization from CDFW may include an ITP or a consistency determination (CD)(Fish and Game Code §§ 2080.1, 2081, subds. (b),(c)). Requirements to meet the CESA 'fully mitigated standard' may differ from federal requirements, so early consultation is encouraged, as significant modification to a Project and mitigation measures may be required to obtain a CESA Permit. The fourth sentence of Mitigation Measure BIO-1 (MM BIO-1) should be updated to read: "Take authorization may shall be obtained through the federal Section 7 Consultation or Section 10 and state 2081 incidental take permit requirements." Additionally, the 'monitoring' section of MM BIO-1 shall be updated to read: "The USFWS- and CDFW -approved project biologist	Before certification of FEIR	CSU	A-3-29

RESPONSES TO COMMENTS

DocuSign Envelope ID: 899AFBDB-FCD9-44D2-A699-15E50427B448

Anne Collins-Doehne
 The Board of Trustees of California State University
 June 10, 2024
 Page 22 of 24

	will be on site during the activities specified in condition 4 above.”			A-3-29 Cont.
Recommendation #2	CDFW recommends that the DEIR be updated to discuss the relationship between an EPP and development in MHPA habitat. Table 3.3-9 should be updated to reflect the City’s determination that a BLA will not be needed.	Before certification of FEIR	CSU	A-3-30
Recommendation #3	CDFW recommends that the DEIR be updated to describe and analyze direct impacts to the MHPA including impact acreage calculations and overall preserve function. The final EIR should also ensure that any impacts are consistent with the conservation strategy in the MSCP. CDFW recommends that the Project proponent and City consult with the Wildlife Agencies on appropriate mitigation to offset any MHPA impacts to yield a net benefit to the MHPA, in terms of acreage and function.	Before certification of FEIR	CSU	A-3-31
Recommendation #4	CDFW recommends that the FEIR analyze feasibility of retrofitting bridges at Mission Center Road and Camino del Este.	Before certification of FEIR	CSU	A-3-32
Recommendation #5	We recommend that the Project applicant and City coordinate with the Wildlife Agencies to determine whether additional species-specific avoidance and minimization measures are needed to ensure impacts to western spadefoot are less than significant.	Before certification of FEIR	CSU	A-3-33
Recommendation #6	CDFW recommends that MM-BIO-9 be updated to reflect that on site biologists will be required to obtain a Scientific Collecting Permit (SCP), if wildlife will be physically moved or flushed from the Project site.	Before certification of FEIR	CSU	A-3-34

DocuSign Envelope ID: 899AFBDB-FCD9-44D2-A699-15E50427B448

Anne Collins-Doehne
The Board of Trustees of California State University
June 10, 2024
Page 23 of 24

Attachment B: Figure 3.3.1 (DEIR)



DocuSign Envelope ID: 899AFBDB-FCD9-44D2-A699-15E50427B448

Anne Collins-Doehne
 The Board of Trustees of California State University
 June 10, 2024
 Page 24 of 24



A-3-35
 Cont.

Response to Comment Letter A-3

California Department of Fish and Wildlife (CDFW)
June 10, 2024

- A-3-1** The comment is an introduction to the comments that follow. No further response is necessary.
- A-3-2** The comment provides background information pertaining to the role California Department of Fish and Wildlife (CDFW) plays as a Trustee Agency and Responsible Agency under CEQA. The comment also points out that CDFW administers the Natural Community Conservation Planning program, in which the City of San Diego (City) participates by implementing its approved Multiple Species Conservation Program (MSCP) and City of San Diego MSCP Subarea Plan.
- A-3-3** The comment restates information contained in the Draft EIR related to the objective of the proposed project and other project details. The comment does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. To clarify, while the comment identifies only one objective for the proposed project—spanning the San Diego River—construction of the bridge is intended to meet several objectives, as outlined in Section 2.5, Project Goals and Objectives, of the Draft EIR.
- A-3-4** The comment restates information contained in the Draft EIR related to the location of the proposed project and other project details. The comment does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR.
- A-3-5** The comment restates information contained in the Draft EIR related to the biological setting for the project site. The comment does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR.
- A-3-6** The comment restates information contained in the Draft EIR related to impacts to vegetation communities and jurisdictional aquatic resources, as well as mitigation for those impacts. The comment does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR.
- A-3-7** The comment restates information contained in the Draft EIR related to the proposed project’s location relative to the City’s Stadium Wetland Mitigation Site. The comment does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR.
- A-3-8** The comment restates information contained in the Draft EIR related to the history of the proposed Fenton Parkway Bridge, including previous public agency comment letters, declaration by the City that the project is an Essential Public Project (EPP), and a Memorandum of Understanding between SDSU and the City. The comment does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR.
- A-3-9** The comment is an introduction to the comments that follow. No further response is necessary.
- A-3-10** The comment restates potential impacts to Crotch’s bumble bee described in the Draft EIR, states that proposed mitigation in the Draft EIR for these potential impacts is insufficient to reduce impacts to less than significant, and proposes revisions to Mitigation Measure (MM) BIO-5 with respect to the qualifications for the biologist that conducts pre-construction surveys, expansion of the focus of surveys

to expressly include foraging individuals, and additional considerations for avoidance. MM-BIO-5 has been updated in the Final EIR per CDFW's recommendations, with minor changes.

A-3-11 The comment restates potential impacts to least Bell's vireo and requests clarification regarding whether the project proponent will obtain a California Endangered Species Act Incidental Take Permit. The Executive Summary and MM-BIO-1 in the Final EIR have been clarified to reference the project's need for state take authorization, either through a Section 2081 Incidental Take Permit or Section 2080.1 consistency determination.

A-3-12 The comment restates information contained in the Draft EIR related to the proposed mitigation for permanent and temporary impacts to wetland and riparian resources. The comment requests that mitigation be revised to address temporal loss of habitat. Specifically, the comment recommends a 4:1 mitigation ratio for loss of southern cottonwood-willow riparian habitat. As the comment states, there are both temporary (0.38 acres) and permanent (0.80 acres) impacts to southern cottonwood-willow riparian habitat (as well as 0.02 acre of temporary and 0.03 acre of permanent impacts to unvegetated channel). MM-BIO-2 states that both temporary and permanent impacts to southern cottonwood-willow riparian forest will be mitigated at a 3:1 mitigation ratio and temporary and permanent impacts to non-vegetated channel will be mitigated at a 2:1 mitigation ratio. In addition, MM-BIO-17 requires restoration of all temporary impacts to their original condition. Therefore, temporary impacts to southern cottonwood-willow riparian forest will be mitigated at a 4:1 overall mitigation ratio, as suggested by CDFW (temporary impacts to unvegetated channel will be mitigated at an overall ratio of 3:1). The permanent impact mitigation ratio suggestion is noted and ultimately would be determined during the consultation with CDFW during the Lake and Streambed Alteration Notification process.

Regarding the comment about restoration required in MM-BIO-17 of the Draft EIR, the success criteria outlined in MM-BIO-17 of the Final EIR has been revised to match the Stadium Wetland Mitigation Site performance criteria

A-3-13 The comment expresses concerns about the justification provided for the City's designation of the proposed project as an EPP and serves as an introduction for the three comments that follow. Please refer to Thematic Response 1 and response to comments A-3-14 through A-3-16, which follow. The gain in public services provided by the planned Fenton Parkway connection across the San Diego River is not minimal relative to the magnitude of biological impacts. As documented in Appendix G, Connectivity Assessment Paper, of Appendix D, Transportation Impact Analysis, of the 2019 Mission Valley Community Plan Update Final Program EIR, the Fenton Parkway connection across the San Diego River is necessary to provide for the transportation needs and public safety of the existing and future residents and land uses in Mission Valley and the surrounding area (City of San Diego 2019a).

A-3-14 The comment restates information provided in Tables 1 and 2 of Draft EIR Appendix H, VMT Analysis, regarding the project's contribution to a reduction in vehicle miles traveled (VMT) of 0.09% within a 3-mile radius and 0.05% within a 5-mile radius. The comment states that given a less than 1% decrease in VMT, the magnitude of impacts to biological resources do not seem commensurate with the resulting reduction in VMT. See Thematic Response 1 for additional information regarding this topic.

A-3-15 The comment restates information provided in the City's EPP letter, which states that the project would improve access for emergency transport times but does not provide any traffic studies to substantiate that claim. The comment states that it is unclear how the project would improve emergency response

times. The Fenton Parkway connection is essential for active transportation, as well as to provide for vehicular travel for typical daily traffic operations, special events, emergency operations, and incidents including flooding events. The connection is needed for typical emergency response incidents and in case of large-scale emergency events or incidents such as wildfires or other disasters, where certain access approaches may be compromised and/or where multiple stations need to approach and access/stage for response to an area, as well as in cases when nearby stations are backing up other stations that are out attending to different emergency calls. See Thematic Response 1 for a detailed response to this comment.

A-3-16

The comment restates information provided in the City's EPP letter, which states that the project would make it possible for many Mission Valley and Mid-City residents to access the Green Line Trolley and SDSU Mission Valley using alternative transportation modes. The comment further states that there are no studies in the Draft EIR to demonstrate that there are trolley access barriers under existing conditions that would be greatly improved with construction of the project. The Fenton Parkway connection is critical to provide a safer and higher quality/lower stress environment for pedestrians and cyclists to help achieve the City's Climate Action Plan targets, including providing access for Mid-City residents to the Green Line Trolley Fenton Parkway Station and the Stadium Station via the SR-15 bikeway that was completed in August 2017. This new multimodal option would specifically benefit patrons with origins and destinations south of the river. These individuals do not currently have direct access to higher quality transit such as the trolley or a rapid/express bus route. The Fenton Parkway connection would provide an additional routing option for transit connectivity and reduce traffic congestion on other transit routes, which would improve the reliability of transit services in Mission Valley and other areas.

In addition, as part of the City's efforts to shift transportation mode use away from vehicular travel to 50% non-auto travel (pedestrian, bicycle and transit), which is a goal of the City's Climate Action Plan, a core component of the City's coordinated land use and transportation strategy is to encourage growth near high quality transit services and to provide high quality (low traffic stress) facilities and convenient active transportation connections to transit services and activity centers. Bicycle level of traffic stress (LTS) is a methodology that quantifies the amount of discomfort people feel due to traffic when they bicycle. The assessment considers physical separation from vehicular traffic, number of vehicle traffic lanes, vehicular traffic speeds along the roadway segment, and factors related to potential vehicle-bicycle conflicts at intersections such as presence of dedicated right-turn lanes and unsignalized crossings.

A bicycle LTS analysis performed as part of the Mission Valley Community Plan Update determined the alternative north-south routes in Mission Valley have LTS scores of 4 or 3, which indicates these are very-high to high stress roads for cyclists, which discourages travel by all but the most experienced/fearless riding demographic. Mission Center Road, Qualcomm Way/Texas Street, Ward Road and Fairmount Avenue are LTS 4 and Camino Del Este is LTS 3. See Figure 4-16 of the Mission Valley Existing Conditions Report (City of San Diego 2017). The alternative roadways suggested to access alternative trolley stations are at greater distances, have high traffic volumes and speeds, and have high-speed conflicts at intersections with I-8 freeway ramps. In addition, these alternative routes do not provide direct access to the Mission Valley Library, commercial/shopping center, SDSU Mission Valley, and Snapdragon Stadium.

Future bicycle LTS analysis of the then-proposed Mission Valley Community Plan indicated that the above roadways would continue to exhibit poor LTS, with the exception of Ward Road, which would be

improved to LTS 1 due to its lower projected volumes and a planned Class IV cycle track on that roadway. See Figure 5-4 of the Mission Valley CPU Mobility Technical Report (City of San Diego 2018a). The planned Fenton Parkway extension, as currently proposed, with two vehicle travel lanes, forecasted 15,500 average daily trips (Draft EIR Appendix H, Figure 6), and expected speeds under 35 mph, would have an LTS score of 1. In Figure 5-4 of the Mission Valley CPU Mobility Technical Report (City of San Diego 2018a), the Fenton Parkway extension was shown to have an LTS 2 for cyclists because at the time of the report it was envisioned that the extension would be a four-lane collector with two-way left turn lane. Since then, the planned roadway classification has been reduced to a two-lane collector with center painted median/flex lane, and separated bicycle facilities have been included in the design to reduce the footprint and impact of the proposed bridge to the maximum extent possible. This would improve the LTS of the extension from LTS 2 to LTS 1.

It has been thoroughly documented that vehicle speed is directly correlated with fatalities in vehicle and vulnerable road user collisions. When a pedestrian is hit by a vehicle moving at certain speeds, there is an associated risk of death, as follows (USDOT 2022):

- 23 mph = 10% risk of death
- 32 mph = 25% risk of death
- 42 mph = 50% risk of death
- 50 mph = 75% risk of death
- 58 mph = 90% risk of death

Although there are several other trolley stops within Mission Valley, there are several barriers that reduce access to them, including greater distance, high speed traffic, and vehicle conflicts. In April 2017 the City presented the walkshed analysis of the trolley stations in the community to the Mission Valley Community Planning Group. Exhibit A-3-1 illustrates the existing condition, where the pink area is the 0.5-mile crow flies (unobstructed) radius and the yellow area is the actual 0.5-mile walking distance utilizing public roads and paths. Even though the land uses south of the Fenton Parkway Station (highlighted with red-dash circle) and San Diego River are in the pink area, people in that area cannot access the station within a 0.5-mile walking distance.



Access to Transit

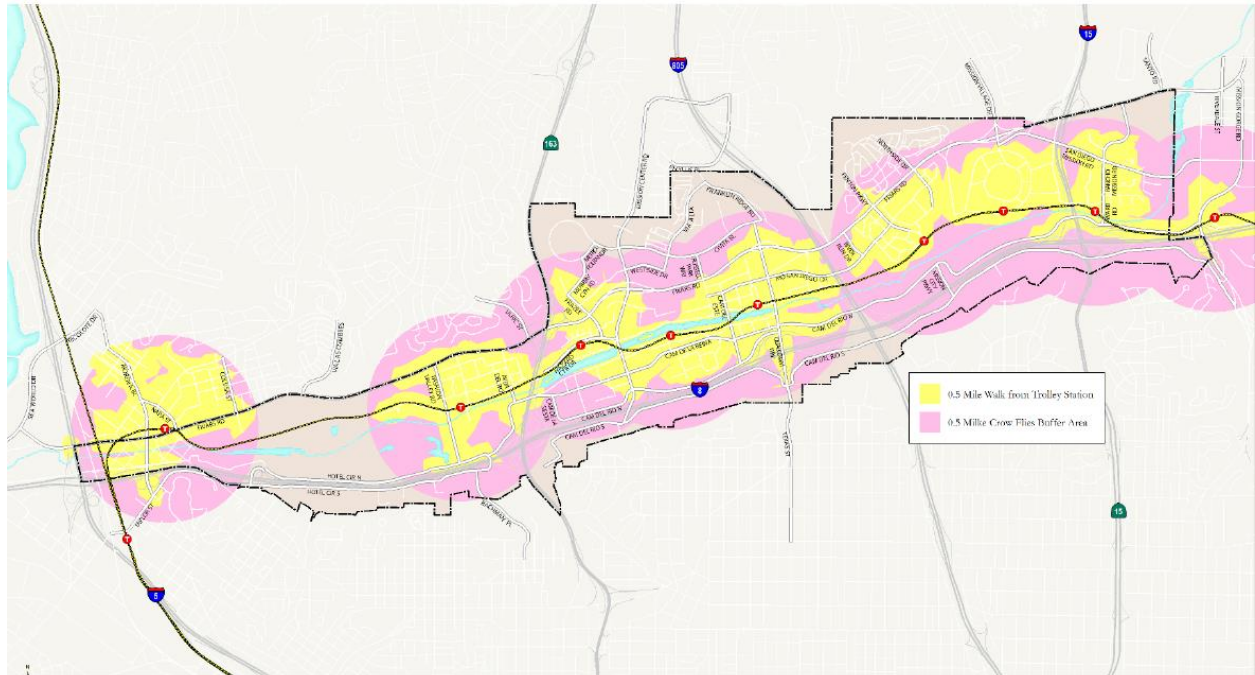


Exhibit A-3-1. Access to Transit in Mission Valley.
Source: City of San Diego and CR Associates 2017.

With the proposed Fenton Parkway extension, the catchment area of potential active transportation users of the Fenton Parkway station increases, as shown in the green area in Exhibit A-3-2, below. This planned connection and corresponding expansion of the trolley station catchment area helps to capitalize on and maximize ridership of the region’s significant investment in the San Diego Trolley Green Line.

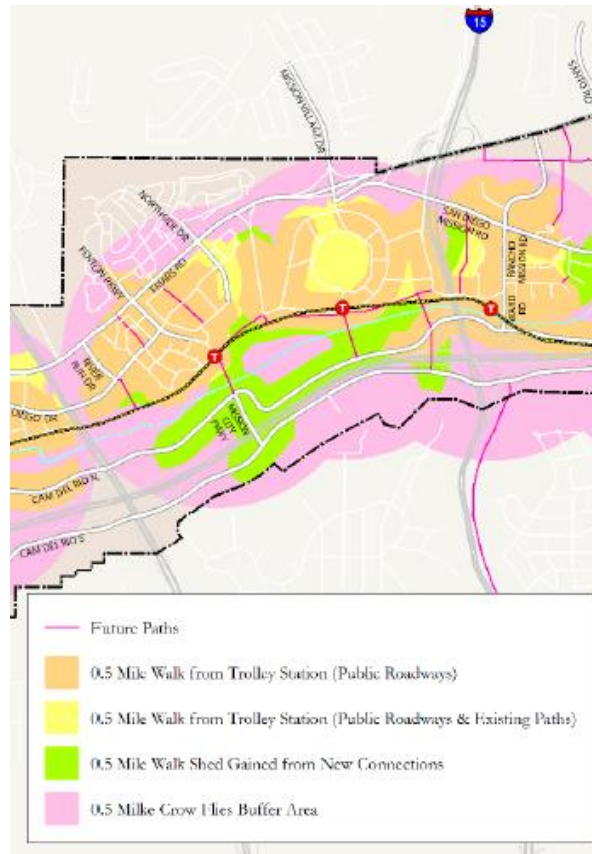


Exhibit A-3-2. Access to Transit in Mission Valley with the Fenton Parkway Bridge.
Source: City of San Diego and CR Associates 2017.

There are alternative trolley stops for those land uses south of the Fenton Parkway station but the distance and level of traffic stress would likely deter those travelers. As an example, Google Maps shows that to get to and from the Centerside employment complex to the Rio Vista Station would take an average of 25 minutes by walking and 8 mins by bike. What is not clearly shown is that to get from Qualcomm Way to the Rio Vista Station requires walking up a large set of stairs or four levels of a switchback ramp, plus crossing the intersection of Qualcomm Way and Camino Del Rio North, which is a total of six lanes on the east leg and eight lanes on the north leg of the intersection. The next nearest station is the San Diego Mission Trolley Stop, which is similarly a 27 min walk or 8 min bike trip.

In 2017, SANDAG completed the SR-15 Commuter Bikeway along the east side of SR-15 from Adams Avenue to Camino Del Rio South to connect Mid City to Mission Valley (GO by BIKE n.d.). Additional north–south and east–west bicycle connections have been built and are planned to connect to this bike path, including the Central Avenue Bikeway, currently in the final design phase (SANDAG 2020). Once completed, the bikeways will connect and stretch 2.2 miles between Camino Del Rio South and

Landis Street along SR-15. Currently, northbound riders have to get off the bikeway at Camino Del Rio South, and to continue north of the San Diego River, they would need to travel east to Fairmount Avenue, which includes backtracking southward, or travel west to Qualcomm Way. As mentioned previously, both of these roadways experience bicycle LTS 4.

Exhibit A-3-3 is the regional bike map, highlighting the SR-15 Commuter Bikeway and the proposed location of the Fenton Parkway extension, which, combined with proposed bicycle facilities on Mission City Parkway, would provide a more direct north-south connection for the regional bike network (SANDAG n.d.). The planned Fenton Parkway Bridge, which would include cycle tracks and pedestrian facilities, would provide for continuous bicycle and pedestrian travel from Mid-City to the San Diego River Trail, San Diego Trolley Green Line, future Purple Line, SDSU Mission Valley campus, and businesses with significantly lower-stress facilities and shorter travel distances, which are essential for encouraging bicycle transportation by people of all ages and abilities. Although alternative connections to other trolley stations exist east and west of the planned Fenton Parkway connection, the additional distances, high traffic volumes, and vehicle speeds on these facilities would deter most potential cyclists from riding on these roads.

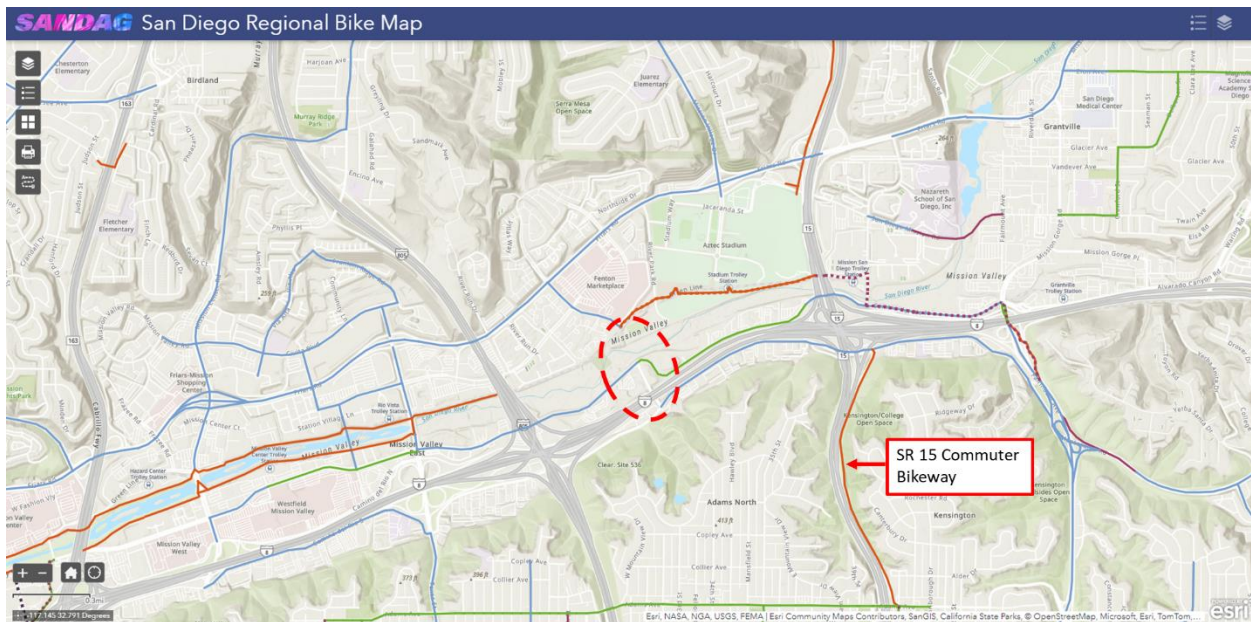


Exhibit A-3-3. San Diego Regional Bike Map

Source: SANDAG n.d.

A-3-17 The comment summarizes the City’s Environmentally Sensitive Lands requirements related to wetland deviations and provides information related to the 2001 Draft EIR for the Mission City Parkway Bridge that the City ultimately did not proceed with, citing impacts to Environmentally Sensitive Lands, inconsistency with the City’s MSCP Subarea Plan, and water quality. The comment asks the CSU to consider whether the project will satisfy the needs of City residents as intended while still meeting its natural resources conservation goals and regional planning obligations. See Thematic Response No. 1.

As noted in the comment, wetland deviations are permitted for EPPs. The landscape supporting the proposed project as an EPP has changed significantly since the Mission Center Bridge was proposed but

rejected by the City in 2002. Substantial growth has occurred in Mission Valley since 2001, and both residential and commercial populations are projected to increase significantly in the next 25 years. As compared to the base year 2012, City planning calls for a net increase of 27,970 housing units (51,600 population increase), 7,371,000 square feet of nonresidential development (19,100 employment growth), and 1,553 new hotel rooms (City of San Diego 2023). Additional infrastructure, including a high river crossing, is needed to ensure public health and safety for the significant new populations living and working in eastern Mission Valley now and in the future. Retrofitting existing bridges were studied as alternatives to the proposed project, but it was determined, in addition to other reasons, that biological impacts associated with retrofitting existing bridges would be equal to or greater than those resulting from the proposed project. See Final EIR Chapter 5, Alternatives for further information.

The proposed project is intended to satisfy regional planning obligations by constructing a bridge, as envisioned in the Mission Valley Community Plan. As stated in Draft EIR Section 3.10, Land Use and Planning, the location of the proposed project is consistent with the Mission Valley Community Plan Update, which contemplates a multimodal bridge crossing the San Diego River as an extension of Fenton Parkway. This is the only San Diego River crossing located between I-805 and I-15 contemplated in the Mission Valley Community Plan Update. The update to the Community Plan makes several direct references to the extension of Fenton Parkway to Mission City Parkway to expand north-south mobility in the eastern portion of the community and help support additional trips that will result from planned development as part of the buildout of the community. It would also greatly benefit pedestrians, bicycles, and transit users by improving access to the Green Line trolley stations, the San Diego River Trail, and a variety of land uses, while also providing a high water crossing on the east side of the community during flooding events. Further, as presented in the City's January 4, 2024, letter, supporting active transportation (walking, bicycling, and transit) mode shift is an important component of the City's Climate Action Plan, which aims to achieve net zero greenhouse gas emissions by year 2035 (Draft EIR Appendix A). The Climate Action Plan targets include resident mode shares of 25% walking, 10% cycling, and 15% transit by year 2035.

The lack of a connection at Fenton Parkway also greatly increases the amount of out-of-direction vehicular travel within eastern Mission Valley. Out-of-direction travel from inefficient routing significantly contributes to increased greenhouse gas emissions. When individuals or goods are transported along routes that deviate from the most direct and optimized paths, vehicles expend more fuel and energy, resulting in higher emissions. These longer routes not only require more time and resources but also lead to increased exhaust emissions of carbon dioxide, methane, and nitrous oxide. In addition to the direct environmental impact, out-of-direction travel exacerbates traffic congestion, which further escalates emissions due to idling vehicles and inefficient traffic flow. Reducing out-of-direction travel through improved local connectivity is a crucial step towards mitigating the detrimental effects of greenhouse gas emissions and meeting Climate Action Plan goals. The construction of the Fenton Parkway Bridge would help with greenhouse gas emission reductions upon construction and as the community continues to grow in the future.

Deviations to the wetland regulations in Land Development Code (LDC) Section 143.0141(b) may be granted for development that is located outside of the Coastal Overlay Zone and qualifies under either the EPP Option, the Economic Viability Option, or the Biologically Superior Option according to LDC Section 143.0510(d). As is described in Section 3.3.2 of the Draft EIR, the Fenton Parkway Bridge is a linear infrastructure project identified in the Mission Valley Community Plan as a proposed connection;

therefore, it meets the criteria to be categorized as an EPP (see LDC Section 143.0150[d][1][B][ii]). The Draft EIR further explains that construction of Fenton Parkway Bridge would necessarily occur within wetlands, and no feasible alternative exists that would avoid impacts to wetlands and allow for development of the bridge. Therefore, the proposed project, as an EPP with no feasible alternative that would avoid impacts to wetlands, qualifies for a deviation in accordance with LDC Section 143.0510(d)(1)(A). The Draft EIR includes an MSCP consistency analysis, including analyses of compliance with Multi-Habitat Planning Area (MHPA) Guidelines, conditions of coverage for impacts to covered wildlife species, land use considerations, and the framework management plan (see Section 3.3.4). This analysis found that development of the bridge within the MHPA is consistent with the City's MSCP Subarea Plan after implementation of MM-BIO-1, MM-BIO-2, MM-BIO-6, MM-BIO-8, MM-BIO-9, and MM-BIO-11 through MM-BIO-18; as such, the proposed project meets the conservation goals of the City's MSCP Subarea Plan.

A-3-18 The comment restates information contained in the Draft EIR related to the project's consistency with the City's MSCP and the City's declaration of the bridge as an EPP; it also expresses concern related to impacts from the proposed project due to the removal of habitat and fragmentation in the City's MHPA. The comment makes several recommendations to revise the Draft EIR's discussion and/or analysis of the relationship between an EPP and development in the MHPA, the City's determination that a boundary line adjustment is not needed, impacts to the MHPA, and MSCP consistency. The comment recommends consultation with the wildlife agencies on appropriate mitigation to offset MHPA impacts.

Table 3.3-9 of the Final EIR has been updated to reflect that a boundary line adjustment is not required. The "Direct Impacts" section below Table 3.3-9 in the Final EIR has been updated to include the impact acreage within the MHPA boundary as suggested by the comment, as well as to include more information about the San Diego River and impacts to the MHPA.

A-3-19 The comment requests that the Final EIR analyze the feasibility of retrofitting bridges at Mission Center Road and Camino Del Este. Refer to response to comment A-2-16. Section 5.3.2.3, Existing Bridge Retrofits, in the Final EIR, has been clarified to explain the similarities in constraints for the Mission Center Road and Camino Del Este bridge retrofits to those for Qualcomm Way and Ward Road. No further response is required.

A-3-20 The comment restates information contained in the Draft EIR related to impacts to and mitigation for western spadefoot and expresses concern over the lack of mitigation for avoidance and minimization of direct impacts to individuals. Also see response to comment A-2-63.

The Draft EIR concluded that western spadefoot has a moderate potential to occur on the project site. The Final EIR has been revised to clarify that, if present, spadefoot breeding on the project site would be limited to ephemeral pools in the river channel, while aestivation would be expected to occur only in the upland habitats at the edge of and adjacent to the project site, outside of the river channel. The Final EIR has also been revised to include requirements for surveys for western spadefoot and the implementation of a relocation plan should spadefoot be present on site. Implementation of this measure will reduce direct impacts to this species through avoidance and minimization of direct impacts to individual spadefoot, should this species be present on site. Please refer to MM-BIO-1 in Section 3.3.4 of the Final EIR.

- A-3-21** The comment restates information contained in the Draft EIR related to project permits or approvals that may be required by public agencies. The comment states that CDFW looks forward to receiving a streambed notification package for the project. Comment noted. No further response is required.
- A-3-22** The comment indicates that activities described in MM-BIO-9 in the Draft EIR, to be performed by the project biologists, would necessitate the biologist obtaining a Scientific Collecting Permit if wildlife were physically moved and if this activity were performed outside the scope of a Lake and Streambed Alteration Agreement. The comment recommends MM-BIO-9 be revised to reflect the Scientific Collecting Permit requirement.
- Text has been added to MM-BIO-9 in the Final EIR to clarify that biological monitoring conducted in accordance with MM-BIO-9 will be performed by a qualified biologist and minimum qualifications have been identified. All wildlife handling, should it occur, shall be in accordance with California Fish and Game code, including obtaining an SCP should it be required.
- A-3-23** The comment requests that special-status species and natural communities detected during project surveys be reported to the California Natural Diversity Database. The comment is noted and the project biologist will submit the required California Natural Diversity Database forms for the project. The comment does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. No further response is required.
- A-3-24** The comment states that environmental document filing fees will be required to be paid when the Notice of Determination is filed. The comment is noted and the project applicant will pay the appropriate fees upon filing of the Notice of Determination. The comment does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. No further response is required.
- A-3-25** The comment expresses appreciation for the opportunity to comment on the Draft EIR and requests the opportunity to review and comment on any responses, as well as notification of forthcoming hearing date(s). The comment is noted and CDFW will be notified as requested. No further response is required.
- A-3-26** The comment provides a list of attachments, CDFW employees, and references used to compile the comment letter. No further response is required.
- A-3-27** The comment pertains to Crotch's Bumble Bee. Please see response to comment A-3-10. No further response is required.
- A-3-28** The comment pertains to MM-BIO-2 and MM-BIO-18 and the mitigation ratios therein. Please see response to comment A-3-12. No further response is required.
- A-3-29** The comment pertains to least Bell's vireo and requests clarification regarding whether the project proponent will obtain a California Endangered Species Act Incidental Take Permit. Please see response to comment A-3-11. No further response is required.
- A-3-30** The comment pertains to the City's declaration of the bridge as an EPP. The comment requests that the Final EIR be revised to include language stating that the City determined a boundary line adjustment is not needed. Please refer to response to comment A-3-18. No further response is required.

- A-3-31** The comment pertains to impacts to the MHPA and MSCP consistency. The comment recommends consultation with the wildlife agencies on appropriate mitigation to offset MHPA impacts. Please refer to response to comment A-3-18. No further response is required.
- A-3-32** The comment pertains to analyzing the feasibility of retrofitting bridges at Mission Center Road and Camino Del Este. Please refer to response to comment A-3-19. No further response is required.
- A-3-33** The comment suggests coordination with the wildlife agencies to determine if additional avoidance measures are needed for western spadefoot. Please refer to response to comments A-3-20 and A-5-36. No further response is required.
- A-3-34** The comment indicates that activities described in MM-BIO-9 in the Draft EIR, to be performed by the project biologists, would necessitate the biologist obtaining a Scientific Collecting Permit. Please refer to response to comment A-3-22. No further response is required.
- A-3-35** The comment contains a copy of Draft EIR Figure 3.3-1 – View 2, Biological Resources. The comment does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. No further response is required.

INTENTIONALLY LEFT BLANK

CALIFORNIA STATE TRANSPORTATION AGENCY

GAVIN NEWSOM, GOVERNOR

California Department of Transportation



DISTRICT 11
4050 TAYLOR STREET, MS-240
SAN DIEGO, CA 92110
(619) 985-1587 | FAX (619) 688-4299 TTY 711
www.dot.ca.gov

May 28, 2024

11-SD-8,15
PM VAR
Fenton Parkway Bridge Project
DEIR/SCH#2023050534

Ms. Anne Collins-Doehne
Director, Land Use Planning and Environmental Review
The Board of Trustees of the California State University
401 Golden Shore
Long Beach, CA 90802

Dear Ms. Collins-Doehne:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Draft Environmental Impact Report (DEIR) for the Fenton Parkway Bridge Project located near Interstate 8 (I-8) and Interstate 15 (I-15) in San Diego. The mission of Caltrans is to provide a safe and reliable transportation network that serves all people and respects the environment. The Local Development Review (LDR) Program reviews land use projects and plans to ensure consistency with our mission and state planning priorities.

Safety is one of Caltrans' strategic goals. Caltrans strives to make the year 2050 the first year without a single death or serious injury on California's roads. We are striving for more equitable outcomes for the transportation network's diverse users. To achieve these ambitious goals, we will pursue meaningful collaboration with our partners. We encourage the implementation of new technologies, innovations, and best practices that will enhance the safety on the transportation network. These pursuits are both ambitious and urgent, and their accomplishment involves a focused departure from the status quo as we continue to institutionalize safety in all our work.

Caltrans is committed to prioritizing projects that are equitable and provide meaningful benefits to historically underserved communities, to ultimately improve transportation accessibility and quality of life for people in the communities we serve.

We look forward to working with California State University, San Diego also known as San Diego State University (SDSU) in areas where SDSU and Caltrans have joint jurisdiction to improve the transportation network and connections between various

"Provide a safe and reliable transportation network that serves all people and respects the environment"

A-4-1



Ms. Anne Collins-Doehne, Director
May 28, 2024
Page 2

modes of travel, with the goal of improving the experience of those who use the transportation system.

↑
A-4-1
cont.

Caltrans has the following comments:

Hydrology and Drainage Studies

- The proposed project features may significantly alter the Federal Emergency Management Agency (FEMA) defined Floodplain and associated water surface elevations through the project area and have potential adverse impacts to the Interstate-8 and Interstate-15 facilities. Caltrans requests that the City of San Diego, acting as the Local FEMA Administrator, include Caltrans in reviews of all submittals to the Development Services Department regarding floodplain administration and allow for Caltrans to comment prior to the Conditional Letter of Map Revision (CLOMR) application or the permit issue, to assure that Caltrans' assets are not adversely impacted by any change in the water surface elevation resulting from this project. In addition,
- Per 44 CFR § 65.12, Caltrans requests that a formal notification be sent to the Caltrans when the City of San Diego approves the permit to alter the floodplain and/or when the Developer applies for the Conditional Letter of Map Revision (CLOMR) and Letter of Map Revision (LOMR).

↑
A-4-2

Project Plans:

- At the intersection of Camino Del Rio North and Mission City Pkwy, an existing 54" RCP storm drain is to be relocated. Please clarify:
 - a) Who owns the existing drainage system?
 - b) Who will maintain the proposed drainage system?
 - c) For the portion of the existing storm drain system to be abandoned – is it a removal or abandon by slurry backfill?
- Please provide the detail plans and calculations for the outlet headwall with rip rap.

↑
A-4-3

Complete Streets and Mobility Network

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

↑
A-4-4

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

↑
A-4-5
↓

"Provide a safe and reliable transportation network that serves all people and respects the environment"

Ms. Anne Collins-Doehne, Director
May 28, 2024
Page 3

Bicycle, pedestrian, and public transit access during construction is important. Mitigation to maintain bicycle, pedestrian, and public transit access during construction is in accordance with Caltrans' goals and policies.

A-4-5
cont.

Land Use and Smart Growth

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

A-4-6

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

System Planning

- Comprehensive Multimodal Corridor Plans (CMCPs):
 - The South Bay to Sorrento CMCP lists proposed transportation solutions and projects for the study area. Attachment A: Recommended Transportation Solution Set includes the project Bridge Construction at Fenton Parkway, which includes the construction of a bridge to provide an alternate route from Fenton Parkway to Camino Del Rio North over the San Diego River during flooding. The proposed Fenton Parkway Bridge Project appears to fulfill the purpose of this solution.
 - The Kumeyaay Corridor CMCP is currently in draft form, with an expected final release date in summer 2024. This CMCP will present transportation solutions within the Kumeyaay Corridor study area, a two-mile-wide east-west corridor along I-8 from its western terminus at Nimitz Boulevard to Lake Jennings Park Road in Lakeside. Appendix E: Transportation Solutions, Cost Estimates, and Phasing Results of the draft CMCP includes the project R21 Fenton Parkway. This project includes the extension of Fenton Parkway from the existing southern terminus to Camino Del Rio North and Mission City Parkway. Continued collaboration between Caltrans, SANDAG, City of San Diego and SDSU is recommended.
- 2021 Regional Transportation Plan
 - Appendix A: Transportation Projects, Programs, and Phasing lists Transit Leap and Span of Service projects relevant to the Fenton Parkway Bridge Project. Local Bus 647 includes the Mission Valley Loop via Friars Road, Fenton Parkway, and Camino Del Rio South as well as Local Bus 648 which also

A-4-7

A-4-8

A-4-9

"Provide a safe and reliable transportation network that serves all people and respects the environment"

Ms. Anne Collins-Doehne, Director
 May 28, 2024
 Page 4

includes Mission Valley Loop via Grantville, Camino Del Rio South, and Fenton Parkway. Both local bus routes have an estimated 10-minute frequency with the start of service beginning in the year 2035.

A-4-9
cont.

- Planned Projects:
 - The Purple Line project could have potential alignments through the SDSU Mission Valley campus that could impact vehicle miles traveled around the Fenton Parkway Bridge project area.
- Americans with Disabilities Act (ADA) Accessibility: The Draft EIR and other materials provided do not include a discussion of ADA accessibility on or adjacent to the bridge. Please incorporate this discussion into the Final EIR.
- Please confirm the proposed speed limit for the bridge.
- It is recommended to coordinate with San Diego Metropolitan Transit System (MTS) to create a bus stop at the MTS Green Line Fenton Parkway Station to encourage multimodal transit connectivity within the area.
- Within DEIR Appendix A: Notice of Preparation and Scoping Comments, several of the 16 comment letters received regarding the Notice of Preparation appear to be missing, including the Caltrans comment letter. Please include them in the Final EIR.

A-4-10

A-4-11

A-4-12

A-4-13

A-4-14

Hauling/Traffic Control Plan

The California Department of Transportation (Caltrans) has discretionary authority with respect to highways under its jurisdiction and may, upon application and if good cause appears, issue a special permit to operate or move a vehicle or combination of vehicles or special mobile equipment of a size or weight of vehicle or load exceeding the maximum limitations specified in the California Vehicle Code. The Caltrans Transportation Permits Issuance Branch is responsible for the issuance of these special transportation permits for oversize/overweight vehicles on the State Highway network. Additional information is provided online at:

A-4-15

<http://www.dot.ca.gov/trafficops/permits/index.html>

A Traffic Control Plan may need to be submitted to Caltrans District 11, including the interchanges at I-8/Camino del Rio North, at least 30 days prior to the start of any construction. Traffic shall not be unreasonably delayed. The plan shall also outline suggested detours to use during closures, including routes and signage.

A-4-16

Potential impacts to the highway facilities (I-8) and traveling public from the detour, demolition and other construction activities should be discussed and addressed before work begins.

A-4-17

"Provide a safe and reliable transportation network that serves all people and respects the environment"

Ms. Anne Collins-Doehne, Director
May 28, 2024
Page 5

Environmental

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

A-4-18

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

A-4-19

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

A-4-20

Sustainability

Caltrans recommends collaboration between our agency and SDSU on the proposed transportation related topics including adaptation strategies to help improve resilience to potential climate change impacts and strategies to reduce vehicle miles traveled (VMT), and off-road and on-road greenhouse gas (GHG) emissions.

Caltrans recognizes that transportation is a leading contributor to GHG emissions in the region and is dedicated to reducing and mitigating transportation related emissions. We recommend collaborating with Caltrans on the following measures brought up by this plan in Table 2.5: increasing the use of zero emission vehicles, installing electric vehicle (EV) charging stations, identifying right-of-way areas to be used for carbon sequestration, and complete streets.

A-4-21

The existing climate hazards discussed in this document will have an impact of the transportation system. We recommend working with Caltrans on determining the preventative strategies the Caltrans can take to keep roadways operational and

"Provide a safe and reliable transportation network that serves all people and respects the environment"

Ms. Anne Collins-Doehne, Director
May 28, 2024
Page 6

ensure their longevity against climate stressors such as increased temperatures, changes in precipitation patterns, wildfire, and flooding. Caltrans recognizes the central role that transportation planning plays in safety and ensuring that when these natural hazards do occur, citizens have a reliable evacuation route.

A-4-21
cont.

Broadband

Caltrans recognizes that teleworking and remote learning lessen the impacts of traffic on our roadways and surrounding communities. This reduces the amount of VMT and decreases the amount of greenhouse gas (GHG) emissions and other pollutants. The availability of affordable and reliable, high-speed broadband is a key component in supporting travel demand management and reaching the state's transportation and climate action goals.

A-4-22

Right-of-Way

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

A-4-23

Additional information regarding encroachment permits may be obtained by contacting the Caltrans Permits Office at (619) 688-6158 or emailing D11.Permits@dot.ca.gov or by visiting the website at <https://dot.ca.gov/programs/traffic-operations/ep>. Early coordination with Caltrans is strongly advised for all encroachment permits.

If you have any questions or concerns, please contact Mark McCumsey, LDR Coordinator, at (619) 985-4957 or by e-mail sent to Mark.McCumsey@dot.ca.gov.

Sincerely,

Kimberly D. Dodson

KIMBERLY D. DODSON, GISP
Branch Chief
Local Development Review

"Provide a safe and reliable transportation network that serves all people and respects the environment"

Response to Comment Letter A-4

California Department of Transportation – District 11
Kimberly Dodson, Branch Chief
May 28, 2024

- A-4-1** The comment provides introductory text to the comments that follow and includes information about the strategic goals of the California Department of Transportation (Caltrans). No further response is required.
- A-4-2** The comment pertains to the Conditional Letter of Map Revision (CLOMR). The City of San Diego will act as the floodplain administrator for the CLOMR. The City also acted as the floodplain administrator for certain prior CSU CLOMRs. Public notices will be sent to Caltrans, as required by Federal Emergency Management Agency regulations. The intent is to ensure there are no anticipated adverse impacts to Caltrans infrastructure in the river associated with I-805 (downstream of the project site), or I-15 (upstream of the project site). The 100-year floodplain does not reach I-805 near the proposed Fenton Parkway Bridge and this will be maintained. I-15 is approximately 4,000 feet upstream of Fenton Parkway Bridge, so any minor backwater effects from the project will not reach I-15. Lastly, if the floodplain revision affects Caltrans' property, required notification would be sent to Caltrans during the CLOMR process. No further response is required.
- A-4-3** The comment pertains to the 54-inch reinforced concrete pipe storm drain at the intersection of Camino Del Rio North and Mission City Parkway that is to be relocated. The 54-inch storm drain was originally constructed by Caltrans and had a Caltrans easement. The roadway and drainage easement were relinquished to the City per File No. 167394, Rec. 6-29-72. The existing 54-inch storm drain is part of the City's drainage system. It appears on the City's storm drain facilities maps (see Exhibit A-4-1).
- The existing 54inch storm drain will be removed or abandoned in place per City White Book Standards. Final engineering design and calculations for the headwall and outlet riprap have not been performed for the preliminary design. The final design will be per City design standards. Details will be provided during the final engineering phase.



Exhibit A-4-1. City of San Diego MS4 Inventory.
Source: City of San Diego 2007.

- A-4-4** The comment provides background information on Caltrans’ goals to improve safety and support bicycle, pedestrian, and public transit access and other enhancements that promote a complete and integrated transportation network. The comment does not relate to specific analysis or information provided in the Draft EIR. No further response is required.
- A-4-5** The comment provides background information on Caltrans’ efforts to reduce greenhouse gas emissions. The comment also notes the importance of maintaining bicycle, pedestrian, and public transit access during construction. The proposed project is for a new facility and is not expected to impair access to existing bicycle, pedestrian, or public transit access during construction. The comment does not relate to specific analysis or information provided in the Draft EIR. No further response is required.
- A-4-6** The comment provides background information on Caltrans’ land use planning and smart growth policies. The comment also suggests continued coordination where Caltrans and the CSU have joint jurisdiction. The comment does not relate to specific analysis or information provided in the Draft EIR, and there are no components of the project where improvements would be needed at intersections or interchanges with joint jurisdiction. No further response is required.
- A-4-7** The comment provides an accurate interpretation of the South Bay to Sorrento Comprehensive Multi-Modal Corridor Plan that includes a recommendation for the proposed Fenton Parkway Bridge. No further response is required.

- A-4-8** The comment provides an accurate interpretation and status of the Kumeyaay Corridor Comprehensive Multi-Modal Corridor Plan that includes a recommendation for the proposed Fenton Parkway Bridge. No further response is required.
- A-4-9** The comment provides background information on the 2021 Regional Transportation Plan Appendix A and identifies two local bus routes that will begin service in 2035. The comment does not relate to specific analysis or information provided in the Draft EIR. No further response is required.
- A-4-10** This comment pertains to the Metropolitan Transit System (MTS) Purple Line and how potential alignments through SDSU Mission Valley could impact vehicle miles traveled (VMT) in the project area. The CSU representatives have been coordinating with San Diego Association of Governments (SANDAG) staff on a future Purple Line project alignment. Planning is ongoing and potential effects on VMT in the Fenton Parkway Bridge area cannot be quantified until the transit project is further defined.
- A-4-11** The comment requests Americans with Disabilities Act (ADA) information be added into the Final EIR. All pedestrian walkways would be designed to be accessible. ADA requirements for accessibility are required at pedestrian ramps, walkways, and traffic signals. This information has been added to the Final EIR, Section 3.13, Transportation. No further response is required.
- A-4-12** The comment asks for confirmation on the speed limit for the proposed bridge. Based on the adjacent roadway segments and a need to maintain multimodal safety, it is anticipated that the posted speed limit on the bridge will be 30 mph. However, the City will make the final determination. No further response is required.
- A-4-13** The comment recommends coordination with MTS to create a bus stop at the MTS Green Line Fenton Parkway Station. MTS is aware of this new roadway connection through coordination of a variety of Mission Valley planning studies including the Mission Valley Community Plan Update and the SDSU Mission Valley Campus EIR. The design of the proposed bridge project does not preclude inclusion of a bus stop in either direction, and MTS will make the final determination on future transit service in the area and the location of any new bus stops. No further response is required.
- A-4-14** The comment notes that Draft EIR Appendix A unintentionally omitted the comment letters received on the Notice of Preparation. All of the Notice of Preparation comment letters have been included in Final EIR Appendix A. No further response is required.
- A-4-15** The comment provides background information on Caltrans' authority to issue special transportation permits for oversize/overweight vehicles. The comment does not relate to specific analysis or information provided in the Draft EIR. No further response is required.
- A-4-16** The comment states that a traffic control plan may need to be submitted 30 days prior to the start of construction including interchanges at I-8/Camino Del Rio North. No further response is required.
- A-4-17** The comment states that potential impacts to highway facilities (I-8) and the traveling public from the detour should be discussed and addressed before work begins. Traffic control plans will be developed prior to construction, and they will address any necessary detours. No construction/detour impacts to freeways or ramps are expected; however, Camino Del Rio North will be affected during construction as the intersection with Mission City Parkway is modified to accommodate a new north leg. Therefore,

some intersection closures are anticipated. A future traffic control plan will be developed as part of the final design process, and it will assess circulation issues and specific detours prior to the initiation of construction activities. No further response is required.

A-4-18 The comment states that Caltrans is a Responsible Agency under CEQA as they have some discretionary authority over a portion of the project that is in Caltrans' right-of-way in the form of an encroachment permit process. A review of online Caltrans right-of-way maps (see Exhibit A-4-2) shows that the proposed project's physical limits do not encroach into any Caltrans-maintained property. To better understand this comment, a virtual meeting was held on July 1, 2024, with Caltrans staff and project team representatives. The list of attendees included the following:

- Kimberly Dodson (Caltrans, Senior Transportation Planner, Branch Chief for Local Development Review and Modeling/Travel Forecasting Branch).
- Mark McCumsey (Caltrans, Associate Transportation Planner)
- Alyssa Ahn (Caltrans, Transportation Planner)
- Alex Balce (Caltrans, Hydraulics Transportation Engineer)
- Ryan Fallica (Caltrans, Senior Project Manager)
- Marcy Fullylove (Caltrans, Transportation Engineer)
- Jason Janis (Caltrans, ADA Asset Engineer)
- Michael Lubin (Caltrans, Transportation Engineer)
- Christina Ngo (Caltrans, Transportation Engineer)
- Melina Pereira (Caltrans, Senior Transportation Planner)
- Brandon Tobias (Caltrans, Acting Complete Streets Program, Senior Transportation Planner)
- Daniela Turner (Caltrans, Associate Transportation Planner)
- Lazaro Vargas (Caltrans, Transportation Planner)
- Melisa Wiedemeier (Caltrans, District Hydraulics Engineer – Hydraulics Branch Chief)
- Sarah Lozano (Dudek, Principal, Consultant)
- Alexandra Martini (Dudek, Environmental Analyst, Consultant)
- Gina Jacobs (San Diego State University, Associate Vice President - Mission Valley Development)
- Paul Jackson (San Diego State University, Program Manager - Mission Valley Development)
- Andrew Scher (Fehr & Peers, Senior Transportation Engineer, Consultant)
- Sohrab Rashid (Fehr & Peers, Principal, Consultant)

During this meeting, Caltrans staff clarified that the project may result in changes to hydrology in the San Diego River that may impact other structures in Caltrans right-of-way (ROW) such as the I-805 freeway ramp columns located west of the Fenton Parkway Bridge alignment. To ensure that Caltrans had all of the applicable studies related to traffic and circulation, Fehr & Peers submitted a copy of the January 2020 transportation impact analysis (TIA) report for the San Diego State University Mission Valley Campus to Caltrans after the above-referenced meeting via email on July 1, 2024. The TIA included an analysis of future traffic conditions with and without the planned Fenton Parkway Bridge with buildout of the proposed Mission Valley Campus.

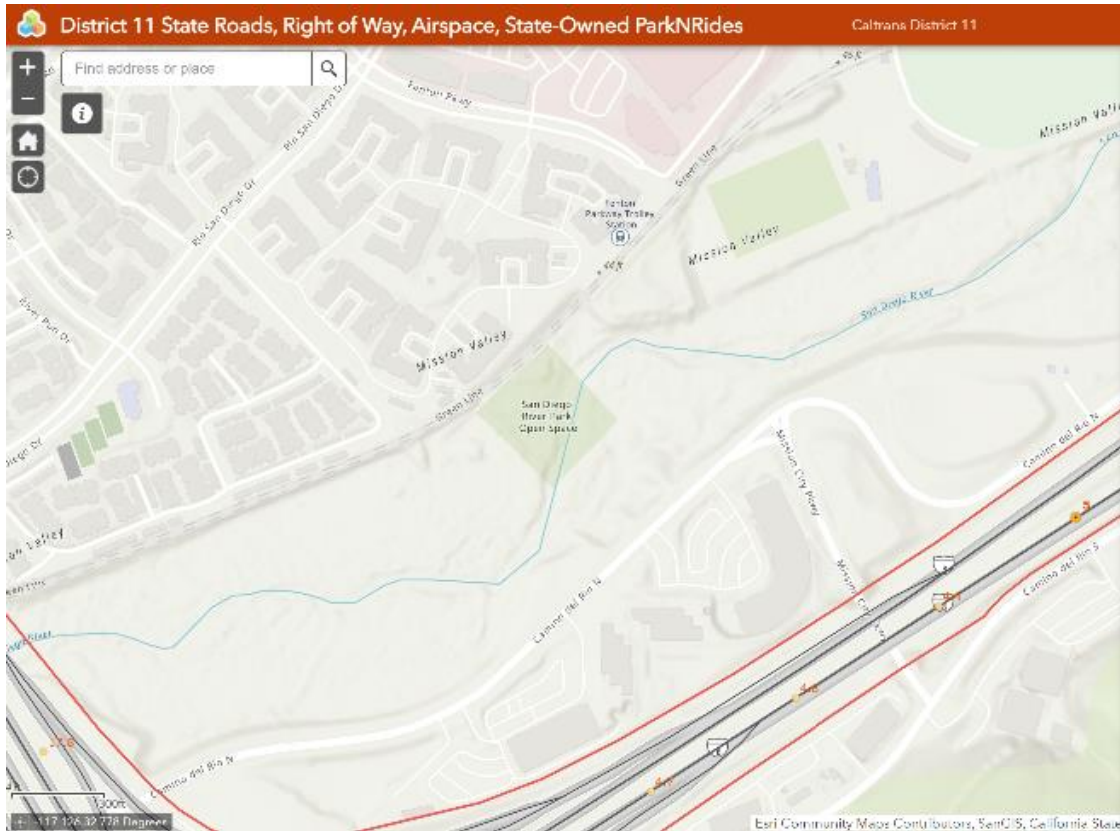


Exhibit A-4-2. Caltrans District 11 Right-of-Way Map
Source: Caltrans 2024.

- A-4-19** The comment states that an encroachment permit will be required for any work in the Caltrans right-of-way and that all documents must address environmental impacts, avoidance, and mitigation measures within the Caltrans right-of-way. As a follow up to the July 1, 2024, virtual meeting described in Response A-4-18 above, a second virtual meeting was held on July 16, 2024, with Kimberly Dodson (Caltrans, Senior Transportation Planner, Branch Chief for Local Development Review and Modeling/Travel Forecasting Branch), Mark McCumsey (Caltrans, Senior Transportation Planner, Local Development Review Branch), Sohrab Rashid (Principal, Fehr & Peers), and Andrew Scher (Senior Transportation Engineer) in attendance. After reviewing the Mission Valley Campus TIA, Caltrans confirmed at the July 16 meeting that no additional transportation technical studies are required for their review. Caltrans’ focus will be on the hydrology analysis and other elements related to the floodplain. See response to comment A-4-18. No further response is required.
- A-4-20** The comment recommends that the project identify and assess potential impacts from the project that occur within the Caltrans right-of-way. See response to comments A-4-18 and A-4-19. No further response is required.
- A-4-21** The comment provides background information on climate change, its effects on the transportation system, and the need for reliable evacuation routes and recommends collaboration between Caltrans and the CSU. Specifically, the comment recommends collaboration on increasing the use of zero emission vehicles, installing electric vehicle charging stations, and identifying right-of-way areas to use for carbon sequestration and complete streets. As disclosed in Section 3.13 of the Draft EIR, the

proposed project would decrease the VMT within a 3-mile and 5-mile radius of the project by 7,887 VMT and 10,399 VMT, respectively, in the base year (2027). Under Year 2050 conditions, a similar net reduction in area VMT is expected. The CSU is willing to continue collaborating with Caltrans on sustainability matters, but does not own the right-of-way upon which the proposed bridge will be constructed, nor will they own or operate the bridge itself. Additionally, the proposed project will not have parking areas that can support electric vehicle charging stations and therefore has limited opportunities to provide additional sustainability measures referenced in this comment. Construction of the proposed project will provide one of the few high-water crossings of the San Diego River, resulting in a more reliable evacuation route for vehicles, bicyclists and pedestrians in the case of the climate-related flooding event compared to other nearby local roadway bridge crossings. In addition, no mitigation for any potential impacts are located in Caltrans right-of-way. No further response is required.

A-4-22 The comment provides background information on teleworking and the need for high-speed, reliable, broadband. The comment does not relate to specific analysis or information provided in the Draft EIR. No further response is required.

A-4-23 The comment provides background information on survey monuments and encroachment permits. See response to comment A-4-18. No further response is required.

Comment Letter A-5



United States Department of the Interior

U.S. FISH AND WILDLIFE SERVICE
Ecological Services
Carlsbad Fish and Wildlife Office
2177 Salk Avenue, Suite 250
Carlsbad, California 92008



In Reply Refer to:
2024-0090700-CEQA-DEIR-SD

June 21, 2024
Sent Electronically

Paul Jackson
Program Manager
San Diego State University
Facilities Planning, Design, and Construction
5500 Campanile Drive
San Diego, California 92182-1624

Subject: Comments on the Draft Environmental Impact Report for the Fenton Parkway Bridge Project (SCH# 2023050534)

Dear Paul Jackson:

The U.S. Fish and Wildlife Service (Service) has reviewed the Draft Environmental Impact Report (DEIR) for the Fenton Parkway Bridge Project (project). The comments provided in this letter are based on the information in the DEIR; our review and comments (FWS-SD-2133.2, dated August 17, 2001) on the DEIR (LDR No. 40-0559; SCH No. 2000101088) for the Mission City Parkway Bridge and Associated Facilities (2001 DEIR); our review and comments (FWS/CDFW-19B0115-19TA0706, dated March 28, 2019) on the Draft Programmatic Environmental Impact Report for the Mission Valley Community Plan (MVCP) Update (SCH# 2017071066) (2019 DPEIR); the San Diego State University Mission Valley Campus Master Plan Draft Environmental Impact Report (2019 DEIR); our review and joint comments (FWS/CDFW-2023-0090700-CEQA-SD, dated July 14, 2023) with the California Department of Fish and Wildlife (CDFW) on the Initial Study and Notice of Preparation (NOP) for the DEIR; our knowledge of sensitive and declining species and their habitats in the region; and our participation in regional conservation planning efforts, including the City of San Diego's (City) Multiple Species Conservation Program Subarea Plan (SAP). We appreciate the extension California State University (CSU) granted the Service for comments on the DEIR.

The mission of the Service is working with others to conserve, protect, and enhance fish, wildlife, plants, and their habitats for the continuing benefit of the American people. The Service also has the legal responsibility for the welfare of migratory birds, anadromous fish, and threatened and endangered animals and plants occurring in the United States. In addition, the Service is responsible for administering the Federal Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*), including habitat conservation plans (HCP) developed under section 10(a)(2)(A) of the Act. The City participates in the HCP program by implementing its approved SAP.

A-5-1

Paul Jackson (2024-0090700-CEQA-DEIR-SD)

3

CSU serves as the California Environmental Quality Act (CEQA) Lead Agency for this Project. As described in a Memorandum of Understanding (MOU) between CSU and the City, as well as City Ordinance No. O-21564, CSU will design, plan, and construct the bridge to City Standards. CSU and the City will share the cost of the project, and the City will assume operation and maintenance obligations upon completion. The City will serve as a Responsible Agency under CEQA, and CSU is responsible for securing all environmental permits required from State and Federal agencies, as well as a license and right of entry from the City to construct the bridge on City land.

The project site is at the same location as the bridges previously proposed in the 2001 DEIR and 2019 PDEIR within the City’s MVCP area north of Interstate 8, between Interstates 805 and 15, and southwest of Snapdragon Stadium. The proposed bridge will span the San Diego River, which is in the City’s Multi-Habitat Planning Area (MHPA) and adjacent to the City’s Stadium Wetland Mitigation Site.

The bridge will connect the southern terminus of Fenton Parkway to the northern terminus of Mission City Parkway at the intersection of Camino Del Rio North. The bridge will be approximately 450 feet long, 58 feet wide, and 7.5 feet deep, and will consist of up to four spans supported on concrete seat-type abutments in the river embankments at each end and two to three piers within the river channel, each consisting of two to three approximately 20-foot-tall, 6-foot-diameter circular concrete columns. The bridge will include two 11-foot-wide through-traffic lanes and a 10-foot-wide center lane that would be used for southbound left-turn movements onto Camino Del Rio North. The 10-foot-wide center lane will also provide an optional additional traffic lane for flexible use during stadium or emergency events. Combined bicycle and pedestrian pathways will be installed and raised above the travel lanes on either side of the bridge. The 6.5-foot-wide bike lanes will be separated from 5.5-foot-wide pedestrian paths by a 6-inch-wide strip of yellow truncated domes. Although wet utility extensions are not part of the proposed project, the bridge will also include 24-inch cells that could accommodate potential future wet utilities. The existing storm drain infrastructure in the area will require relocation and/or extension to accommodate bridge construction.

A-5-2

Biological Importance of the San Diego River and Relationship to the City’s Subarea Plan

The San Diego River is an important component of the MHPA established by the City’s SAP. The relative lack of channelization and high-quality riparian vegetation in the San Diego River benefits a myriad of wildlife species. While the DEIR generally identifies the San Diego River as an important wildlife corridor for local common ground-based species, the 2001 DEIR emphasized the significant importance of the San Diego River by stating “The importance of San Diego River habitat should not be underestimated.... The linear riparian habitats along the San Diego River provide the only remaining wetland habitat within the urbanized area of Mission Valley, and thus contribute heavily to localized biological diversity and provide shelter for migrating species (primarily birds).” At the time of the 2001 DEIR, the habitat in and adjacent to the proposed project site consisted of high-quality southern cottonwood willow riparian forest, coastal and valley freshwater marsh, and open water. The area also supported high biological functions due to its perennial flows, mature vegetation, high wildlife diversity,

A-5-3



Paul Jackson (2024-0090700-CEQA-DEIR-SD)

4

and high regional wildlife value. Since then, wetland restoration and enhancement completed for the Stadium Wetland Mitigation Site has increased the quality and value of the habitat adjacent to the project site, and the mitigation site has been and/or will be used to mitigate wetland impacts for other projects.

A-5-3
Cont.

The proposed project site plays a significant role in wildlife breeding and wintering. The federally and State endangered least Bell’s vireo (*Vireo bellii pusillus*; vireo) has been detected within, and adjacent to, the project site during focused surveys conducted in 2017, 2019, and 2022. The federally threatened coastal California gnatcatcher (*Poliopitila californica californica*; gnatcatcher) was also detected adjacent to the project site in 2023. Populations of the federally endangered light-footed Ridgway’s (=clapper) rail [*Rallus obsoletus* (=longirostris) *levipes*; rail] occur in salt marsh downstream, and in freshwater marsh upstream, of the project site. Therefore, rail may also reside at (if there is sufficient freshwater marsh habitat) and/or disperse through the project site. In addition to the vireo, gnatcatcher, and rail, numerous other avian species use the site, including yellow warbler (*Dendroica petechia* ssp. *brewsteri*), yellow-breasted chat (*Icteria virens auricollis*), and Cooper’s hawk (*Accipiter cooperii*), which are all State Species of Special Concern. Several subspecies of willow flycatcher migrate through the San Diego River watershed, and it is possible that the federally listed endangered southwestern willow flycatcher (*Empidonax traillii extimus*; flycatcher) occurs onsite as a short-term migrant species. Other species that potentially use the area as a stop-over or nesting area include common yellowthroat (*Geothlypis trichas*), red-winged blackbird (*Agelaius phoeniceus*), marsh wren (*Cistothorus palustris*), yellow-rumped warbler (*Dendroica coronata*), waterfowl such as mallards and grebes, and raptor species such as the white-tailed kite (*Elanus leucurus*).

A-5-4

The DEIR confirms the sustained biological value of the project site that exists in a relatively undisturbed portion of the San Diego River, documenting the presence of sensitive wetland and upland habitat, as well as special-status plants and wildlife. These include San Diego County viguiera (*Viguiera laciniata*), and San Diego marsh-elder (*Iva hayesiana*), and likely occurrence of southern California legless lizard (*Anniella stebbinsi*), orange-throated whiptail (*Aspidoscelis hyperythra*), Coronado skink (*Plestiodon skiltonianus interparietalis*), two-striped gartersnake (*Thamnophis hammondi*), southwestern pond turtle [*Actinemys pallida* (*Emys marmorata*); federally proposed as threatened], and western spadefoot (*Spea hammondi*; federally proposed as threatened).

A-5-5

Because of the biological functions provided by the San Diego River, and its support of listed and sensitive species, this riparian corridor was included in the City’s MHPA.

Likely Effects of Proposed Project

The project will permanently (0.83 acre) and temporarily (0.4 acre) impact a total of 1.23 acres of high-quality riparian habitat in the San Diego River in a “no credit” area through the Stadium Mitigation Site. The bridge will increase habitat fragmentation and edge effects, such as shading, noise, artificial light, human intrusion, and bird strikes. Additional fragmentation may lead to or increase brood parasitism by the brown-headed cowbirds (*Molothrus ater*; cowbird) in the project area and/or nest predation by the meso-predators in the area [gray fox (*Urocyon*

A-5-6

Paul Jackson (2024-0090700-CEQA-DEIR-SD)

5

cinereoargenteus), raccoon (*Procyon lotor*), and striped skunk (*Mephitis mephitis*)] or raptors that perch on the bridge and lighting. The edge effects would also potentially disrupt avian foraging and nesting behavior.

A-5-6
Cont.

As described in the City’s 2001 DEIR, the San Diego River is biologically important locally and regionally, and “an increase in fragmentation and corresponding increase in edge habitat could have substantial adverse effects to local wildlife. In the event that such fragmentation results in the conversion of a habitat source to a sink, the deleterious effects could be far reaching.” The 2001 DEIR also stated: “The proposed bridge would impact the local movement wildlife corridor at a single crossing. Significant indirect impacts to the wildlife corridor, as a result of construction, and permanent significant impacts associated with increased volumes of human and vehicular traffic, increased illumination, and potential increases in noise would also result.”

A-5-7

The project will introduce light into the San Diego River from light fixtures mounted on the bridge and car headlights. Though the DEIR describes shielding to reduce light levels in the river habitat, the analysis acknowledges that light will inevitably spill into the river from permanent fixtures. Car headlights from traffic on the bridge also will be a permanent light source. Thus, even with shielded lighting, the project creates new edge effects that cross the river corridor.

A-5-8

The Biological Resources Technical Report (BRTR; Appendix C of the DEIR) acknowledges permanent disruption to current foraging and dispersal behavior from introduced vehicle noise and lighting as well as increased human disturbance, but minimizes the effect of anticipated bird strike: “...smaller passerine birds such as least Bell’s vireo, yellow warbler, yellow-breasted chat, etc. are expected to avoid the road surface and traffic areas of the bridge as they typically fly shorter distances (outside of migration) and within the tree canopy and understory to avoid predation and are less likely to fly over the bridge and collide with vehicles (Dudek 2024, page 54).” However, the proposed bridge over the San Diego River would cross through mature southern cottonwood willow riparian forest that is taller than the bridge. Thus, birds that are moving through the canopy from one side of the bridge to the other could be struck by vehicle traffic. In summary, our assessment based on the information provided is that the project is likely to result in a significant increase in bird strikes, including potential mortality of federally listed vireo and flycatcher.

A-5-9

Finally, we anticipate that the project will significantly impact wildlife adjacent to the bridge through increases in noise levels. The BRTR concludes that despite significant unavoidable noise impacts to the vireo, this species will be able to “continue to effectively communicate within their territories in the San Diego River after the bridge is built and at maximum modeled noise levels (Dudek 2024).” However, the presence of wildlife as the single measure of impact oversimplifies the cost of noise exposure on a species (Francis and Barber 2013). Other unmeasured effects include compromising predator/prey detection or mating signals, altering temporal or movement patterns, and increasing physiological stress (Francis and Barber 2013). The Caltrans report cited in the DEIR also recognizes that despite the ability of birds to adapt their communication to noise conditions, the adverse effects of sustained traffic noise on humans, including stress, physiological and sleep disturbances, and changes in feelings of well-being that may be applicable...” (Caltrans 2016). The Caltrans report also acknowledges that species

A-5-10

Paul Jackson (2024-0090700-CEQA-DEIR-SD)

6

variation in hearing, territory size, and habitat difference factor into the masking effect of traffic and/or construction noise on bird communication (Caltrans 2016).

A-5-10
Cont.

On May 28, 2002, the City Council and mayor voted unanimously to deny the permit for the Mission City Parkway Bridge because it “could result in maximum disturbance to environmentally sensitive lands” and “increase the alteration of natural landforms which would result in undue risks.” Further, they did “not believe that the proposed development is consistent with the City of San Diego’s MSCP Subarea Plan,” and “would contribute to increase in water quality degradation in an already impaired water body.” Considering the conclusion of the 2001 DEIR and the relatively higher biological value of the existing riparian habitats in the San Diego River at the project site than at the time of the 2001 DEIR, the project is likely to result in significant impacts to biological resources. Therefore, consistent with the SAP, we recommend that the DEIR include additional alternatives and project features to avoid, minimize, and mitigate these anticipated impacts. Recommended alternatives are described in more detail under “Alternatives Analysis” below.

A-5-11

Applicability of the City’s Subarea Plan, Environmentally Sensitive Lands Regulations, and Biology Guidelines

The DEIR and BRTR are unclear if CSU and the project are required to comply with the City’s SAP and Environmentally Sensitive Lands (ESL) regulations and Biology Guidelines that are used to implement the City’s SAP. For example, the BTR states, “Because SDSU is not a permittee of this habitat conservation plan and because SDSU does not need to obtain any entitlements that would constitute a discretionary action by the City, the restrictions typically placed on land within the MHPA as per the City’s Biology Guidelines do not apply to SDSU or SDSU-owned land. SDSU also is not subject to the City’s land use policies (Dudek 2024).” However, the MOU states that the project “...shall not proceed without necessary permits and/or discretionary approval from the City...” and that “The Parties anticipate that a license and right of entry to enter upon City-owned real property is necessary to construct the Approved Bridge.” In addition, “CSU will be required to mitigate wetland impacts pursuant to the City’s Biology Guidelines, MSCP, and Environmentally Sensitive Lands Regulation wetland deviation. The City shall make any necessary MSCP consistency determinations as the property owner.” Finally, the MOU states “The City will cooperate and assist CSU in consulting with state and federal agencies regarding the design, environmental review, permitting, and potential construction of the Potential Bridge Project and the Approved Bridge (if it is approved). In addition, City will cooperate with CSU, after CEQA has been conducted, to mitigate for Potential Bridge Project impacts through the City’s Multiple Species Conservation Program (MSCP), including obtaining any MSCP clearances, mitigation, wetland and other mitigation bank credits, and take authorizations through the City’s MSCP Subarea Plan or otherwise available to the City.”

A-5-12

Beyond the MOU, the project should comply with the City’s SAP, ESL regulations, and Biology Guidelines because it will be built with City funds on City property; subject to necessary permits, discretionary approval, license and right of entry from the City; and maintained and operated by

A-5-13

Paul Jackson (2024-0090700-CEQA-DEIR-SD)

7

the City. Therefore, the DEIR should clarify that CSU and the City will ensure that the project complies with City’s SAP, ESL regulations and Biology Guidelines.

↑
A-5-13
Cont.

Avoidance of Wetland and Biological Impacts under the SAP

The DEIR characterizes the project as conditionally compatible with the City’s SAP and includes conditions of coverage for each species and mitigation to achieve compliance with the SAP. However, consistency with the SAP includes identifying alternatives and designing the project in a manner that avoids and minimizes impacts to biological resources before implementing mitigation to offset unavoidable impacts.

The City’s Biology Guidelines for implementing the SAP state that impacts to wetlands should be avoided and minimized to the maximum extent practicable. In addition, the SAP conditions for coverage for vireo and other wetland species require specific measures to protect against detrimental edge effects to these species and implementation of the Section 404(b)(1) guidelines which prohibit fill of wetlands if there is a practicable alternative to the proposed fill. The 404(b)(1) alternatives analysis should not narrowly define the project purpose to unduly restrict or preclude other alternatives (U.S. Environmental Protection Agency 2024). While the City’s Biology Guidelines include a deviation for wetland impacts from essential public projects (EPP), an EPP deviation must demonstrate that the project is essential in both location and need, and that there is no feasible alternative that would avoid impacts to wetlands [LDC Section 143.0150(d)(1)(A)].

A-5-14

The DEIR and a City letter to the Service dated January 4, 2024, state that the project is an EPP. In support of the project as an EPP, the City letter states that the project “... would reduce the risk that an area of the community will become inaccessible if all or a part of a roadway is blocked and improve access to UCSD Hillcrest Medical Center.” However, north of the San Diego River several roadways provide access to Fenton Marketplace and Snapdragon Stadium. In addition, Healthcare facilities similar to University of California at San Diego (UCSD) Hillcrest such as Sharp Memorial Hospital, Kaiser Permanente Clairemont Mesa, and Kaiser Permanente Zion are all located north of the river and are accessible without the proposed river crossing. Further, UCSD Hillcrest is accessible from the west side of Fenton Marketplace via Texas Street from Rio Bonito Road or Friars Road and from the east side via I-15 via Northside Drive and Friars Road. South of the river, Mission City Parkway is accessible from Stadium Way on the west and Ward Road on the east. Possible river crossings are already available at Ward Road, and Stadium Way; and in flooding events, from I-15 and I-805. Based on traffic analysis in the 2001 DEIR, construction of the Mission City Parkway Bridge at this location did not appear necessary, and other alternatives were identified with lesser biological impacts including the retrofit of existing bridges at Mission Center Road, Camino del Este, Ward Road, or Stadium Way. In addition, the more recent 2019 DEIR also concluded that a bridge for Fenton Parkway “is not required to reduce significant project [transportation-related] impacts and the project’s impacts can be reasonably mitigated with physical and other improvements without the bridge in place.” Because of the biological importance of the proposed project site and in light of the above information, we recommend that the DEIR provide additional justification on why the project is essential in both location and need as an EPP.

A-5-15

Paul Jackson (2024-0090700-CEQA-DEIR-SD)

8

We are also concerned that the proposed rip rap along the southern storm drain alignment and at the base of each bridge abutment disclosed in the DEIR is inconsistent with the SAP’s prohibition of rip rap use in the MHPA. While the DEIR acknowledges the SAP prohibits use of rip rap in the MHPA, it does not explain what other alternatives were considered or why rip rap is the only option. Therefore, we recommend that the DEIR evaluate alternatives to rip rap such as willow wattles, armor-flex, geogrid, or similar materials to ensure compliance with the SAP.

A-5-16

Lastly, the DEIR does not provide an analysis of impact acreage allowances in the MHPA for conditionally compatible uses. According to the City’s ESL regulations, for a site wholly located in the MHPA, 25 percent development and 5 percent for an EPP are allowed in the MHPA. The DEIR should be revised to analyze the anticipated project impacts to the MHPA in order to demonstrate compliance with City’s ESL regulations.

A-5-17

Alternatives Analysis

Alternatives analyses were done in the 2001 DEIR, 2019 DPEIR and 2019 DEIR that are pertinent to the alternative analysis for the project in DEIR. Based on traffic analysis in the 2001 DEIR, construction of the Mission City Parkway Bridge at this location did not appear necessary, and other alternatives were available with lesser biological impacts including the retrofit of existing bridges at Mission Center Road, Camino del Este, Ward Road, or Stadium Way. In addition, the 2019 DPEIR identified a biologically superior alternative (i.e., Alternative 1) that would not include a bridge for Fenton Parkway across the San Diego River. Finally, and importantly, the more recent 2019 DEIR also concluded that a bridge for Fenton Parkway “is not required to reduce significant project [transportation-related] impacts and the project’s impacts can be reasonably mitigated with physical and other improvements without the bridge in place.”

A-5-18

The DEIR includes the following alternatives with lesser biological impacts than the proposed project: Alternative Bridge Location, Existing Bridge Retrofits, and Pedestrian/Bicycle Bridge Only Alternative. However, all alternative bridge locations were rejected because they would require an amendment to the MVCP. This rationale is inconsistent with the requirement to fully describe and analyze all biological alternatives in an appropriate CEQA document, so we recommend that these alternatives be fully analyzed in the DEIR, including the specific options identified below. The DEIR also states that relative to other potential locations the proposed project was chosen due to “...the need for a connection near San Diego State University (SDSU) Mission Valley...” which is contrary to the conclusion in the 2019 DEIR that a bridge for Fenton Parkway is not required. The DEIR also limits potential bridge retrofits to only Qualcomm Way and Ward Road and states that a bridge retrofit designed for at least a 50-year storm event would eliminate the need for the Fenton Parkway Bridge. The retrofit of Qualcomm Way is rejected because it would be too high for cars to safely pass under the existing trolley line and retrofit of Ward Road is rejected because it would result in further design modifications and exceptions from the City which could also result in a safety hazard for vehicle passage beneath the trolley line. We recommend that the DEIR explain how the 50-year storm event was determined as a minimum requirement and further evaluate alternatives at both locations that would maximize flood passage while still allowing cars to safely pass under the trolley line.

A-5-19

Paul Jackson (2024-0090700-CEQA-DEIR-SD)

9

The DEIR states the Pedestrian/Bicycle Bridge Only Alternative would be 26 feet wide but was not selected because it could not be used by emergency vehicles or as an evacuation route for cars. We recommend that the DEIR provide an explanation for why this alternative cannot be used by emergency vehicles or as an evacuation route for cars, especially given the 11-foot lane width for the proposed bridge. Also, please clarify why this alternative bridge would need to be 26 feet wide given the 6.5-foot bike lane and a 5.5-foot pedestrian path width for the proposed bridge. If the Pedestrian/Bicycle Bridge Only Alternative in the DEIR cannot accommodate emergency traffic, we recommend that a Pedestrian/Bicycle Bridge Only Alternative that could be used in emergencies be developed and included in the DEIR.

A-5-20

Based on the above and recognizing the priority of human health and safety, as well as the City’s mobility goals, the Service recommends the DEIR also evaluate the following additional alternatives:

Narrower Fenton Parkway Bridge

We recommend the DEIR evaluate a narrower Fenton Parkway Bridge that does not include a 10-foot-wide center lane. In addition, while the DEIR states the combined 6.5-foot-wide bicycle lane and 5.5-foot-wide pedestrian pathways will be installed and raised above the travel lanes on either side of the bridge, Figure 2-3 in the DEIR shows these at the same level as the travel lanes. If at the same level as shown in Figure 2-3, the bicycle lanes and pedestrian pathways add about 24 feet to the width of the bridge. Therefore, we recommend this alternative also evaluate installing the bicycle and pedestrian pathways above or below the travel lanes to further reduce the width of the bridge. By eliminating the center lane and putting the bicycle lanes and pedestrian pathways above or below the travel lanes, it appears the proposed 58-foot-wide bridge could be narrowed to about 24 feet.

A-5-21

Provide An Additional Fire Station

The 2019 Final PEIR (FPEIR) for the Mission Valley Community Plan Update (MVCPU) currently describes only one fire station located within Mission Valley with no plans for an additional station (Section 4.11, page 4.11-2 and Figure 4.11-1). At the time of the 2019 FPEIR, construction or operation of additional emergency facilities had not been identified as necessary for either the CPU with a San Diego River crossing or Alternative 1 without a crossing, indicating that the absence of a crossing would not pose a particular health or safety concern. Regardless, rather than relying on a river crossing to improve emergency access, we recommend that the DEIR evaluate an alternative that adds an additional fire station location within the CPU to improve emergency response times.

A-5-22

Expand Mobility Connections to the East and West and Alternate River Crossings

The City’s January 2024 letter also indicates that the project is necessary to address the goals of the Climate Action Plan by providing mobility access to pedestrians and bicyclists. Given the recent redevelopment of Snapdragon Stadium and the river park, newly installed pedestrian and bicycle pathways along the northern side of the river already accommodate additional east to west connectivity. We recommend that the DEIR evaluate an alternative that extends these

A-5-23



Paul Jackson (2024-0090700-CEQA-DEIR-SD)

10

pathways further to the east and west and utilizes the existing crossings and trolley access points to facilitate connectivity.

A-5-23
Cont.

In particular, we recommend that the DEIR analyze improved connectivity accomplished through pedestrian and bicycle lane improvements to Rio San Diego Drive, Qualcomm Road, Rancho Mission Road, Ward Road, and access roads associated with Club River Run Apartment homes. Consistent with our NOP letter, we continue to recommend the retrofit of existing San Diego River crossings to accommodate bicycle and pedestrian access at Camino del Este and Mission Center Road, as well as the analysis of alternate approaches to providing connectivity such as suspended pedestrian and bicycle access from existing roadways currently crossing Mission Valley.

A-5-24

The Service also recommends the DEIR evaluate a river crossing at Via Las Cumbres to achieve an all-weather north-south connection in Mission Valley. This alternative was previously considered for the MVCPU and rejected due to impacts to the San Diego River. However, a bridge for Fenton Parkway would result in greater wetland impacts than a bridge at Via Las Cumbres since the river at Via las Cumbres has been narrowed by a golf course and supports little, if any, native riparian vegetation. A crossing at the Via Las Cumbres location could minimize impacts to wetlands, include restoration of native habitat as a project condition consistent with the SAP, and also provide an all-weather north-south connection identified as a primary project objective.

A-5-25

Section 1.4.2 of the SAP states, "Floodplains within the MHPA, and upstream from the MHPA if feasible, should remain in a natural condition and configuration in order to allow for the ecological, geological, hydrological, and other natural processes to remain or be restored." Because the DEIR does not fully analyze and evaluate alternatives that appear to accomplish the goals of the project and maintain the biological integrity of the MHPA, it does not demonstrate that the project is consistent with the SAP.

A-5-26

In summary, the proposed project would cause significant impacts to riparian habitat and species in the San Diego River. To utilize the EPP deviation, the project must provide an analysis of all alternatives consistent with the City's SAP, ESL regulations, and Biology guidelines to avoid these impacts. In addition, wetland species coverage under the City's SAP is contingent on implementation of the Section 404(b)(1) guidelines which prohibit fill of wetlands if there is a practicable alternative to the proposed fill. Because the DEIR does not include a complete analysis of alternatives to the proposed action, it does not currently support project consistency with the SAP and associated regulations and guidelines. Therefore, the DEIR should incorporate a full description and analysis of the alternatives suggested above. We strongly recommend CSU and the City adopt an alternative that does not cross the San Diego River and thereby avoids significant direct and indirect wetland impacts. However, if an entirely alternate project location is not feasible, we recommend the adoption of a Pedestrian/Bicycle Only Bridge Alternative that could be used by emergency vehicles and one way traffic in the event of an emergency.

A-5-27

Thank you for the opportunity to comment on the DEIR. Additional specific comments on the DEIR and BRTR are in the appendix (Appendix). We are available to meet with CSU and the City if you have any questions regarding this letter or would like to discuss our comments and

A-5-28

Paul Jackson (2024-0090700-CEQA-DEIR-SD)

11



A-5-28
Cont.

recommendations. To coordinate with the Service on this project, please contact Anita Eng of the Service at Anita_Eng@fws.gov.

Sincerely,

JONATHAN
N SNYDER
Jonathan D. Snyder
Assistant Field Supervisor

Digitally signed by
JONATHAN SNYDER
Date: 2024.06.21
16:45:53 -0700'

Appendix

cc:

Melanie Burlaza, California Department of Fish and Wildlife

Paul Jackson (2024-0090700-CEQA-DEIR-SD)

12

LITERATURE CITED

[Caltrans] California Department of Transportation. 2016. Technical Guidance for Assessment and Mitigation of Effects of Traffic Noise and Road Construction Noise on Birds. This is an update to the Sept. 30, 2007 document, *The Effects of Highway Noise on Birds*. June. Contract No. 43A0306 - ICF International, Authors: Robert J. Dooling, Phd., and Arthur N. Popper, Phd.

Dudek. 2023. Focused California Gnatcatcher Survey Report for the San Diego State University-Fenton Parkway Bridge Project, City of San Diego, California. Prepared for San Diego State University. Encinitas, California: Dudek. June 2023.

Dudek. 2024. Biological Resources Technical Report Fenton Parkway Bridge Project. Prepared for San Diego State University. April.









Francis, C.D. and J.R. Barber. 2013. A framework for understanding noise impacts on wildlife: an urgent conservation priority. *Front Ecol Environ* 2013; 11(6): 305–313, doi:10.1890/120183 (published online 15 Jul 2013).

U.S. Environmental Protection Agency. 2024. <https://www.epa.gov/cwa-404/memorandum-appropriate-level-analysis-required-evaluating-compliance-cwa-section-404b1>.

A-5-29

APPENDIX

As described above, the following are additional specific comments on the DEIR and BRTR:

- | | |
|--|---|
| <p>1. For unavoidable wetland impacts, the location of proposed mitigation must be identified for consistency with the City’s ESL regulations and Biology Guidelines. Detailed plans for on-site habitat restoration or enhancement should be provided. If on-site mitigation is not feasible or would not be biologically viable and, therefore, not adequately mitigate the loss of biological functions and values, off-site mitigation through habitat creation and/or acquisition and preservation in perpetuity should be addressed in the DEIR and will require approval by the Service and the CDFW (Wildlife Agencies). Therefore, MM-BIO-2 should include review and approval of the habitat mitigation plan by the Service.</p> |  <p>A-5-30</p> |
| <p>2. The project crosses the Stadium Wetland Mitigation Site. Although a “no credit” area has been designated to accommodate the project footprint, indirect impacts to the mitigation site from noise, potential introduction of non-native species, and shading effects on vegetation under and adjacent to the project footprint including but not limited to solar exposure, soils, and hydrology. The DEIR should be revised to include this analysis.</p> |  <p>A-5-31</p> |
| <p>3. A funding source and manager for required long-term in-perpetuity management should be provided for consistency with City ESL regulations. All mitigation elements must be approved by the Wildlife Agencies.</p> |  <p>A-5-32</p> |
| <p>4. The DEIR does not consider the effects of vibration from pile driving on either side of the river that could negatively affect resident bird species. The DEIR should include this analysis.</p> |  <p>A-5-33</p> |
| <p>5. Figure 3.13-2 of the DEIR depicts two potential bridge connections to the trolley. We recommend the removal of these connections in the DEIR to avoid the implication that these alignments are approved or appropriate, given the additional impacts to wetlands that would be required.</p> |  <p>A-5-34</p> |
| <p>6. The DEIR references a boundary line adjustment (BLA) to the MHPA. A BLA requires Wildlife Agencies’ approval and no BLA has been presented to the Wildlife Agencies for this project.</p> |  <p>A-5-35</p> |
| <p>7. The DEIR reports the potential occurrence for western spadefoot and at the project location. Western spadefoot has been proposed for federal listing as threatened and is not covered by the City’s MSCP. We recommend that CSU perform western spadefoot surveys and, if found, that potential affects be addressed through section 7 (if there is a federal nexus) or section 10 of the Act.</p> |  <p>A-5-36</p> |
| <p>8. The Service previously completed informal consultation with the U.S. Army Corps of Engineers for the Mission Valley Campus Master Plan Project, which included the</p> |  <p>A-5-37</p> |

Paul Jackson (2024-0090700-CEQA-DEIR-SD)

14

- Fenton Parkway/culvert extension (FWS-SDG-2022-0028183). Figure 3.3-4 of the DEIR shows that proposed impacts to wetlands exceed those addressed by previous informal consultation. The FEIR should explain why additional impacts are proposed and evaluate alternatives (e.g., walls, relocation of facilities, etc.) to avoid the additional impacts. Figure 3.3.-4 also appears to show that previously addressed impacts were exceeded, and if this is correct, per Conservation Measure 3 of the informal consultation, all work should cease until the problem has been resolved in coordination with the Service.
9. The DEIR (page 3.3-18) states that a pair of gnatcatchers with fledglings was observed in coastal sage scrub about 350 feet east of the proposed southern staging area during 2023 surveys (Dudek 2023), but the DEIR does not include a figure showing the location of the gnatcatchers. However, the survey report text and figure indicate the gnatcatchers were observed about 250 feet east of the staging area. While gnatcatchers were not observed in the staging area, it is likely this area is part of the observed gnatcatcher pair’s territory, especially during the non-breeding season when gnatcatcher territories typically expand. In addition, the “Worst Month (within breeding season) Concurrent Phase Construction Noise, 60 dBA Contour” shown on Figure 3.3-3 of the DEIR overlaps with the gnatcatcher location and southern staging area. Therefore, the DEIR should also analyze potential impacts to the gnatcatcher and measures to avoid, minimize and mitigation potential impacts. Potential impacts to the gnatcatcher may be addressed through section 7 (if there is a federal nexus) or section 10 of the Act.
10. We recommend that any permanent lighting be fitted with bird control spikes to help prevent raptors from using lighting as a perch to prey on bird species.



A-5-37
Cont.

A-5-38

A-5-39

INTENTIONALLY LEFT BLANK

Response to Comment Letter A-5

U.S Fish and Wildlife Service (USFWS)
June 21, 2024

- A-5-1** The comment is an introduction to the comments that follow. No further response is necessary.
- A-5-2** The comment summarizes various details of the proposed project, as well as the roles of the CSU and the City, as described in a Memorandum of Understanding (MOU) between the CSU and the City, all of which are included in the Draft EIR. The comment also identifies previous bridge projects proposed in the same location. No further response is necessary.
- A-5-3** The comment identifies the San Diego River as an important component of the Multi-Habitat Planning Area (MHPA) and discusses its ecological value. The comment quotes the 2001 Draft EIR for the Mission City Parkway Bridge Project and the project's Draft EIR, both of which identify the river as an important wildlife corridor, and points to wetland restoration and enhancement that has increased the quality and value of the habitat [in the river] adjacent to the project site.
- The comment states that the Draft EIR generally identifies the San Diego River as an important wildlife corridor for local common ground-based species. As a point of clarity, Section 3.3, Biological Resources, of the Draft EIR states that "The San Diego River serves as a wildlife movement corridor and migratory habitat for migratory birds and year-round birds, as well as foraging habitat and movement for avian and terrestrial species both upstream and downstream" and notes that "other urban-adapted mammals, such as coyotes (*Canis latrans*), bobcats (*Lynx rufus*), opossums (*Didelphidae*), raccoons (*Procyon lotor*), and rabbits (*Oryctolagus cuniculus*) could use the San Diego River for movement through the area."
- No further response is necessary.
- A-5-4** The comment describes the important role the project site plays in wildlife breeding and wintering and identifies several special-status and common avian species that are known to or may occur on or adjacent to the project site.
- All of the special-status species mentioned in the comment are analyzed in the Draft EIR (see Section 3.3.4 of the Draft EIR). With the exception of light-footed Ridgway's rail, the Draft EIR concludes that the proposed project may result in significant impacts to these special-status species and includes mitigation to reduce these impacts to less than significant (see Section 3.3.7 and Section 3.3.8 of the Draft EIR). Mitigation measures to avoid potential impacts to bird species protected under the Migratory Bird Treaty Act and California Fish and Game Code, including the common species mentioned in this comment, are also included in Section 3.3.7 of the Draft EIR.
- Light-footed Ridgway's rail resides generally in coastal saltwater marsh systems along the coast of Southern California and northern Baja California and is known to occur in Mission Bay, downstream of the project site. The species has also occasionally been known to occur in inland freshwater sources, including upstream of the project site along the San Diego River at Kumeyaay Lake. This species has not been detected on the project site, and suitable nesting habitat (dense marsh vegetation) is absent from the project site. The Biological Resources Technical Report (BRTR) (Appendix C of the Draft EIR)

has been revised to clarify that this species has a low potential to occur on site as a transient during dispersal but is not expected to nest or forage on the project site.

A-5-5 The comment summarizes information included in the Draft EIR related to special-status plant species that were observed on site and special-status amphibians and reptiles that have the potential to occur on site. The comment also acknowledges that the riparian corridor where the project site is located was included in the City's MHPA. No further comment is necessary.

A-5-6 The comment summarizes information included in the Draft EIR related to direct impacts in the San Diego River that would occur as a result of project implementation and identifies potential indirect impacts associated with habitat fragmentation and edge effects, such as shading, noise, artificial light, human intrusion, and bird strikes, as well as the possible consequences for avian foraging and nesting. Habitat fragmentation and edge effects are the focus of comment A-5-7, and the contents of comment A-5-6 serve as introductory information for comment A-5-7. See response to comment A-5-7.

A-5-7 The comment correctly identifies two statements made in the 2001 Draft EIR for the Mission City Parkway Bridge (City of San Diego 2001):

“an increase in fragmentation and corresponding increase in edge habitat could have substantial adverse effects to local wildlife. In the event that such fragmentation results in the conversion of a habitat source to a sink, the deleterious effects could be far reaching.”

and

“The proposed bridge would impact the local movement wildlife corridor at a single crossing. Significant indirect impacts to the wildlife corridor, as a result of construction, and permanent significant impacts associated with increased volumes of human and vehicular traffic, increased illumination, and potential increases in noise would also result.”

To clarify the context in which these statements are made, the first statement regarding fragmentation and source-sink dynamics is not a part of the 2001 Draft EIR's impacts analysis and the 2001 Draft EIR does not conclude that construction of the bridge proposed at that time would result in the conversion of habitat from a source to a sink. The 2001 Draft EIR impacts analysis does identify potentially significant long-term indirect impacts to wildlife behavior and the local movement corridor, as described in the second quote included in the comment.

Similarly, the Draft EIR for the proposed project includes an analysis of long-term indirect impacts to special-status wildlife and to wildlife movement, including potential impacts due to increases in noise, lighting, and vehicle traffic, that have the potential to fragment habitat and contribute to edge effects. As is discussed in Section 3.3.4 and Section 3.11 of the Draft EIR, modeled noise levels do not result in additional impacts beyond the permanent impact area and long-term indirect impacts to wildlife movement due to noise are expected to be less than significant. The project is also not expected to result in a significant increase in vehicle collisions (see Response to Comment A-5-9). The Draft EIR identifies several project design features that would minimize operational edge effects. These include the height of the bridge (20 feet) from the ground and the walls of the bridge (7.5 feet), fencing and abutment design to reduce human intrusion, and lighting design in accordance with Land Development Code (LDC) Section 142.0740, Outdoor Lighting Regulations (the Final EIR has been revised to clarify

some of these design features). Nevertheless, the Draft EIR concludes that several of these long-term indirect impacts to special-status wildlife species and to local wildlife movement would be potentially significant absent mitigation. As discussed in Section 3.3.7 and Section 3.3.8 of the Draft EIR, proposed mitigation, including signage and barriers to reduce human intrusion into the river, requirements for lighting design to reduce light spillage over the bridge, and brown-headed cowbird trapping to reduce the impacts of increased brood parasitism resulting from edge effects, would reduce long-term indirect impacts to special-status wildlife and wildlife movement to less than significant.

Finally, temporarily impacted areas will be restored in accordance with Mitigation Measure (MM) BIO-17 and the conceptual restoration plan (see Section 3.3.7 of the Draft EIR), and portions of the 58-foot-long stretch of river channel under the bridge deck that do not contain permanent bridge infrastructure, although a part of the permanent impact footprint, would be planted with shade-tolerant riparian plant species. Restoration of temporarily impacted areas and planting under the bridge will return habitat value to the area such that this stretch of river would continue to serve as a local corridor for dispersing and resident species in the river and would continue to serve as live-in habitat for many special-status and common resident wildlife species, including amphibians, reptiles, small mammals, and some passerine bird species. For the reasons described above, although long-term indirect impacts have the potential to permanently reduce habitat value for some species on and adjacent to the project, these edge effects are not expected to result in the development of source-sink dynamics (if none exist already) for resident species in the San Diego River.

A-5-8 The comment references information included in the Draft EIR regarding light spill into the river from light fixtures mounted on the bridge and car headlights, which would result in a permanent source of edge effects in the river corridor despite shielding included in the bridge light design.

As is described in Section 3.1.4 of the Draft EIR, consistent with design guidelines applicable to development in the River Corridor Subdistrict (and with guidelines specific to the lighting of structures as presented in the San Diego River Park Master Plan), all lighting associated with the project would be shielded, directed downward, and selected to meet the requirements of the City's Multiple Species Conservation Program Land Use Adjacency Guidelines. Standard cobra-head light fixtures would be mounted on concrete pedestals behind the bridge barrier. Luminaire shielding may be necessary to reduce light levels in the river habitat in compliance with the MSCP's Land Use Adjacency Guidelines. The Draft EIR also points out that the project is in an existing, urbanized setting that features numerous sources of night lighting adjacent to the river corridor. As proposed, bridge lighting would not be excessive in number nor excessively bright, and bridge lighting is not expected to substantially increase light levels in the river. Nevertheless, light spill, including from vehicle headlights, is anticipated to affect the adjacent tree canopy and species occurring within the canopy. As is described in Section 3.3.4 of the Draft EIR, based on the bridge design and bridge elevation, ground-based wildlife moving along the floor of the river channel and other wildlife occurring below the canopy are not expected to be affected by light spillover. In addition to luminaire shielding included to reduce light levels in the river habitat in compliance with the Multiple Species Conservation Program (MSCP) Land Use Adjacency Guidelines, the Draft EIR includes MM-BIO-11, implementation of which will minimize light pollution within native habitat areas to the extent feasible. Discussions of lighting design and MM-BIO-11 in the Final EIR has been clarified to include additional lighting guidelines requested by San Diego Audubon Society (see response to comment O-3-12).

A-5-9 The comment refers to information contained in the BRTR (Appendix C to the Draft EIR) and Draft EIR regarding the potential for vehicle-avian collisions after the bridge is constructed. The Draft EIR identifies doves (Columbidae), barn owls, and waterfowl as species that may occasionally collide with vehicles on the bridge, but suggests that smaller passerine bird species are expected to avoid the road surface and traffic areas of the bridge as they typically fly shorter distances (outside of migration) and within the tree canopy and understory to avoid predation and are less likely to fly over the bridge and collide with vehicles. The comment points out that riparian woodland vegetation in the river is taller than the proposed bridge and suggests that the presence of this vegetation would lead to vehicle-avian collisions for birds moving through the canopy from one side of the bridge to the other. The comment concludes that the project is likely to result in a significant increase in bird strikes, including potential mortality of federally listed least Bell's vireo and southwestern willow flycatcher.

Least Bell's vireos primarily occupy riverine riparian habitats that typically provide dense cover within 1 to 2 meters (3.3 to 6.6 feet) of the ground, often adjacent to a complex, stratified canopy. Nests are typically built within approximately 1 meter (3.3 feet) of the ground and most feeding is concentrated above the ground surface in early succession riparian strands from ground level to 6 meters (20 feet) (Salata 1983; Franzreb 1989; Kus and Miner 1989). The height of the bridge (20 feet) from the ground and the walls of the bridge (7.5 feet) make it unlikely that least Bell's vireo would travel in the path of vehicles on the bridge.

Yellow-breasted chat and yellow warbler also typically nest at heights less than 8 feet above the ground. Like least Bell's vireo, yellow-breasted chat also forages in low, dense shrubs and thickets (Whitmore 1977) and is not likely to travel at the elevations where vehicles would be traveling on the bridge. Yellow warbler typically forages between 0.3 and 16.8 meters (1 to 55 feet) above the ground at the top of the vegetation canopy. Southwestern willow flycatchers place their nests in the crotch of a shrub or small tree, between 0.5 and 20 meters (approximately 1.6 to 65.6 feet) (Sedgwick 2000; Sogge et al. 2010). Although it is not impossible that avian species could be killed as a result of vehicle collision on the bridge, these small passerine species typically fly within the tree canopy and understory to avoid predation and frequent travel across the bridge is not expected. Furthermore, as is described in Section 3.3.4 of the Draft EIR, a study performed by Dudek (2018) at the West Mission Bay Bridge found that vehicles on the bridge would result in only occasional avian mortality due to collisions with vehicles. Furthermore, passerine species that tend to remain in dense vegetation to avoid predation would be even less likely to pass over the bridge and the height of the bridge walls (7.5 feet) should reduce the chance for vehicle collisions even further by directing the flight paths of individuals that do attempt to cross above the bridge to pass over the top of most vehicles. The Final EIR has been revised to clarify the role of this project design feature in minimizing the potential for vehicle-bird collisions.

The CSU acknowledges that the proposed project could result in occasional avian mortality as a result of vehicle collisions on the bridge, as is disclosed in the Draft EIR. However, collisions are expected to be rare, especially for smaller passerine species, which are expected to avoid the road surface and traffic areas, as discussed above and in the Draft EIR. The comment is noted for the record and is included in this Final EIR for review and consideration by the decision makers prior to a final decision on the proposed project.

A-5-10 The comment expresses concern regarding long-term indirect impacts related to noise and posits that the project will significantly impact wildlife adjacent to the bridge through increased noise levels. The comment references information included in the Draft EIR related to the significance of short-term and

long-term indirect impacts related to noise, identifies ways in which noise exposure can affect avian species, and references information included in a Caltrans study (2016) related to the effect of sustained traffic noise on humans.

The comment incorrectly states that the BRTR (Appendix C to the Draft EIR) concludes that despite significant unavoidable noise impacts to least Bell's vireo, this species will be able to continue to effectively communicate within their territories in the San Diego River after the bridge is built. The BRTR and the Draft EIR conclude that there would be significant unavoidable noise impacts to least Bell's vireo, but the significant unavoidable impacts are related only to short-term, construction-related activities that would occur prior to completion of the bridge (see discussion of Impact BIO-12 in Section 3.3.8 of the Draft EIR). (Note, that, prior to construction during the breeding season that could result in take of federally and state listed species, necessary take authorizations would be obtained, as described in MM-BIO-1). The BRTR and Draft EIR do conclude that vireo will be able to continue to effectively communicate within their territories in the San Diego River after the bridge is built (see discussion of long-term indirect impacts in Section 3.3.4 of the Draft EIR), but this conclusion, which is related to long-term indirect impacts that could occur after the bridge is complete, is entirely independent of the impacts and conclusions of significance related to short-term indirect impacts that would occur during construction. The conclusion that vireo will be able to continue to effectively communicate within their territories in the San Diego River after the bridge is built, at maximum modeled noise levels, is unrelated to determinations of significance for short-term construction-related noise impacts that could be significant and unavoidable.

The comment identifies ways in which noise exposure can affect avian species, citing research by Francis and Barber (2013), and notes a 2016 Caltrans report that recognizes the potential for adverse effects due to sustained traffic noise in spite of birds' ability to adapt communication to noise conditions and acknowledges species variations that factor into communication and masking effects of noise. The Draft EIR describes a variety of potential effects on wildlife, including birds, that can occur as a result of noise impacts, including increased stress, weakened immune systems, altered foraging behavior, displacement due to startle, degraded communication with conspecifics (e.g., masking), damaged hearing from extremely loud noises, and increased vulnerability to predators (see discussion of short-term indirect impacts to wildlife in Section 3.3.4 of the Draft EIR). As is discussed in Section 3.3.4 of the Draft EIR, to determine if there would be significant indirect impacts to special-status wildlife species due to long-term project-related noise, Dudek modeled with-project and without-project noise levels for the project area in 2035 to determine (1) areas that would exceed 60 A-weighted decibels (dBA) sound equivalent level (L_{eq}) under the with-project noise levels in 2035 and (2) areas where the change between the current average noise levels and modeled with-project noise levels in 2035 exceed 3 dBA L_{eq} . Due to the height of the bridge from the ground (20 feet at the bottom, with vehicle traffic occurring at heights between 25 and 30 feet) and the presence of 7.5-foot walls along either side of the bridge, modeled with-project 2035 noise levels at approximately 2 meters from the ground are almost always less than 60 dBA L_{eq} within the San Diego River. Where modeled noise levels were higher, the existing ambient conditions are generally higher than 60 dBA L_{eq} at current noise levels.

Locations where there would be at least a 3 dBA L_{eq} change between the current average noise levels and modeled with-project noise levels in 2035 were limited to the fringes of the San Diego River where it meets Mission City Parkway and Camino Del Rio North (southern boundary of the river) or near the Mission Valley River Park, trolley tracks, Fenton Parkway, and River Park Road (northern boundary of

the river), where special-status bird species have not been recorded and are less likely to nest. The intersections of these areas with southern cottonwood–willow riparian forest in the north are entirely within the permanent impact area, meaning no indirect impact would occur. The portions of southern cottonwood–willow riparian forest outside of the permanent impact area would not experience potentially significant increases in noise; therefore, modeled noise levels indicate that the bridge would not result in additional impacts to this habitat beyond the permanent impact area, and long-term indirect impacts resulting from increased noise would be less than significant (see Section 3.3.4 of the Draft EIR and Figure 3.3-3, Noise Modeling).

A-5-11 The comment refers to the 2002 City of San Diego City Council vote to deny the site development permit for the Mission City Parkway Bridge. The comment also states that the proposed project is likely to result in significant impacts to biological resources and recommends that the Draft EIR include additional alternatives to avoid, minimize, and mitigate these impacts.

The circumstances in the growth and development of the City of San Diego have changed since the 2002 City Council action referenced by the commentor. In its role of planning, design, and development oversight, as well as local planning authority responsible for local implementation of state housing and greenhouse gas emission reductions laws and policies, the City has taken steps to update many of its local plans and policy guidance around growth and development.

As stated in Section 3.10.2, Regulatory Setting, of the land use and planning section of the EIR, a comprehensive update of the City of San Diego General Plan (General Plan) was adopted in 2008, incorporating the City of Villages strategy, which in turn was developed and adopted as part of the Strategic Framework Element in 2002. The Strategic Framework Element represented the City’s new approach for shaping how the City will grow while attempting to preserve the character of its communities and its most treasured natural resources and amenities. It was developed to provide the overall structure to guide the General Plan update and future community plan updates and amendments, as well as the implementation of an action plan. Under the City of Villages strategy, the General Plan aims to direct new development projects away from natural undeveloped lands into already urbanized areas and/or areas where conditions allow the integration of housing, employment, civic, and transit uses, mirroring regional planning and smart growth principles intended to preserve remaining open space and natural habitat, as well as to focus development in areas with available public infrastructure, such as the Mission Valley area.

As further discussed in Section 3.10.2 of the EIR, in 2013 the City adopted the San Diego River Park Master Plan as a policy document that communicates a common vision, principles, and recommendations to guide land use decisions within the River Corridor and River Influence Areas along the San Diego River. Thus, the Master Plan informs development along the river in Mission Valley. The Master Plan envisions the creation of a distinct, identifiable park along the river. This vision for the river is supported by five main principles (City of San Diego 2013) including restoration and maintenance of a healthy river system, unity of fragmented lands and habitats, creation of a connected continuum with a sequence of unique places and experiences, revelation of the river valley history, and reorientation of development toward the river to create value and opportunities for people to embrace the river. Specific recommendations for how to achieve this vision are provided within the Master Plan. They include providing interpretive signage at key locations, creating new pedestrian and bicycle connections, and pursuing opportunities to address the hydrology of the river. The Master Plan also provides site-specific recommendations for any redevelopment of the project site.

In response to state requirements to accommodate its fair share of increased state housing demands, the City engaged in an update to the Mission Valley Community Plan in 2019. As stated in EIR Section 3.10.2, the Final Program EIR for the Mission Valley Community Plan Update states the purpose of the Plan is to implement the comprehensive long-term plan for the physical development of the Mission Valley Community Planning Area and to manage and address future growth through 2050 (City of San Diego 2019b). This community plan update is intended to provide orderly growth and redevelopment by placing higher density residential development within and around transit and commercial corridors (City of San Diego 2019b). This community plan update identifies “conceptual changes” (Figure 3 in the Mission Valley Community Plan Update [City of San Diego 2019b]) for several areas of Mission Valley, including “Eastern Mission Valley” (City of San Diego 2019a). The “Eastern Mission Valley” referenced in the MVCP Update encompasses the Fenton Parkway Bridge project site. The update to the community plan also makes several direct references to the extension of Fenton Parkway into Mission City Parkway to improve access to the Green Line station and better connect the northern and southern sides of the San Diego River.

As outlined in Section 3.10.2 of the EIR, in August 2022, the City adopted its final Climate Action Plan (CAP) (City of San Diego 2022). With the City’s modernized approach to monitoring progress achieving a net-zero goal, progress will be measured towards “0” rather than measuring against a historic baseline. With implementation of the CAP, the City aims to achieve 4,223,000 metric tons of carbon dioxide equivalent emissions by 2030, a 61% reduction from 2019 per capita emissions, and achieve net zero greenhouse gas emissions by 2035. It is anticipated that the City will meet and exceed its greenhouse gas reduction targets with implementation of the CAP.

Finally, in response to a growing need to mitigate for impacts of the City’s public infrastructure systems, the City developed the Stadium Wetland Mitigation Site in an effort to provide a comprehensive program for future City infrastructure mitigation needs. Throughout the development of this site, which received official resource agency sign-off in 2023, the extension of Fenton Parkway Bridge, an essential public facility that would help the City implement the City of Villages strategy, the Community Plan Update, and the San Diego River Park Master Plan, as well as provide an opportunity to better connect various Mission Valley community areas with non-motorized transportation options and help reduce overall vehicle miles traveled, was always assumed to be a future public facility that would traverse the San Diego River in eastern Mission Valley. All maps of the Stadium Wetland Mitigation Site, which were signed off and approved by all resource agencies, have clearly documented the reservation of this corridor for the eventual construction of the Fenton Parkway Bridge.

As described in Draft EIR Section 3.3, the proposed project would result in 19 potentially significant impacts to biological resources (Impact BIO-1 through Impact BIO-19). All impacts, with the exception of temporary construction noise on nesting birds, would be reduced to less than significant with mitigation as required by CEQA.

CEQA Section 15126.6, Consideration and Discussion of Alternatives to the Proposed Project, notes that an EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project and evaluate the comparative merits of the alternatives. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. These guidelines note that there is no ironclad rule governing the nature or scope of the alternatives to be discussed

other than the rule of reason. Finally, alternatives should be evaluated because they avoid or substantially lessen a significant effect(s) of the project, even if an alternative would impede to some degree the attainment of the objectives or would be more costly.

Serving in its role as CEQA lead agency, the CSU evaluated a reasonable range of alternative such as were disclosed in relevant planning documents or had been brought up during public scoping or other stakeholder engagement venues. As required by CEQA, the CSU selected alternatives that could avoid or substantially lessen any of the project's significant environmental impacts while still meeting most of the basic project objectives (California Public Resources Code, Section 21002; 14 CCR 15126.6[a], [b]). The alternatives selected are intended to promote informed decision-making by presenting a range of alternatives and associated environmental impacts.

A-5-12 The comment expresses concern that the Draft EIR and BRTR (Appendix C to the Draft EIR) are unclear regarding the project's obligation, or lack thereof, to comply with the City of San Diego MSCP Subarea Plan (Subarea Plan), including the Environmentally Sensitive Lands regulations and Biology Guidelines. Final EIR Section 3.3.2 and Section 3.10.2 have been modified to more clearly reflect the requirements outlined in the MOU between the CSU and the City regarding the project. See response to comment A-5-13 for further information related to the CSU's and the project's responsibilities related to Subarea Plan consistency, as outlined in the MOU.

A-5-13 The comment states that the project should comply with the City's Subarea Plan, Environmentally Sensitive Lands (ESL) Regulations, and Biology Guidelines, and is subject to permits, discretionary approval, and license and right of entry from the City. The comment requests that the Draft EIR clarify that the CSU and the City will ensure that the project complies with the City's Subarea Plan, ESL Regulations, and Biology Guidelines.

Pursuant to the MOU between the CSU and the City and the City's Ordinance No. 21564 approving the MOU, it is acknowledged that the City will need to make certain findings relative to the City's Land Development Code, ESL Regulation deviations in connection with the proposed project. As a state agency, the CSU is not subject to the permitting authority of the City and will not be required to obtain any discretionary permits from the City, but in order for the CSU to carry out the project, it will need the City to exercise its discretion to make certain findings regarding the proposed project's consistency with the City's Land Development Code, ESL Regulations. Final EIR Section 3.10.2 has been modified to more clearly reflect this nuance.

The Draft EIR includes an MSCP consistency analysis, including analyses of compliance with MHPA Guidelines, conditions of coverage for impacts to covered wildlife species, land use considerations, and framework management plan (see Section 3.3.4). Additionally, this analysis found that development of the bridge is consistent with the Subarea Plan with implementation of mitigation measures. The Draft EIR, Section 3.3.4, also includes a summary of compliance with Wetland Deviation Requirements under the LDC Essential Public Project (EPP) option (see LDC Section 143.0150[d][1][B][iii]).

A-5-14 The comment states that consistency with the Subarea Plan includes identifying alternatives and designing a project in a manner that avoids and minimizes impacts to biological resources before implementing mitigation for off-site unavoidable impacts. The comment further states that the EPP deviation must demonstrate that the project is essential in both location and need, and that there is no feasible alternative that would avoid impacts to wetlands. See also Thematic Response 1.

According to LDC Section 143.0510(d)(1)(A), a deviation may only be requested for an EPP where no feasible alternative exists that would avoid impacts to wetlands. There are approximately 1.23 acres of jurisdictional resources on the project site, all of which are considered wetlands under the City's jurisdiction and would be impacted by the proposed project. Construction of the Fenton Parkway Bridge would necessarily occur within wetlands and no feasible alternative exists that would avoid impacts to wetlands and allow for development of the bridge.

The Draft EIR includes an alternatives analysis (Chapter 5). The San Diego Biology Guidelines requires analysis of a no project alternative, a wetlands avoidance alternative, and "an appropriate range of substantial wetland impact minimization alternatives" (City of San Diego 2018b).

A wetlands avoidance alternative, other than the No Project (No Build) Alternative, could be designed and constructed in a way that bridge components are lifted into place from the banks of the river and no equipment would be needed in the riverbed, thus avoiding wetland impacts. Examples of this type of long-span signature bridge include suspension bridges (similar to the Suspension Bridge Alternative [Draft EIR Section 5.4.4]), but with a longer main span, prefabricated segmental arch bridges, and cable-stay bridges. However, without placing equipment to construct the bridge within the river bottom, a larger impact area on both ends of the bridge would be necessary for temporary towers, cranes, and staging bridge segments. The roadways/intersection south of the bridge (Camino Del Rio North and Mission City Parkway) would need to be realigned and the current location of the intersection would need to be used for the abutments to support the bridge structure. On the north side of the river, the trolley line would need to be relocated and the area where multifamily residential currently exists would be impacted. This type of "lift-into-place" suspension or arch bridge would require coordination with the California Public Utilities Commission and Metropolitan Transit System, and condemnation of private property and right-of-way would be necessary.

Although this bridge design would avoid impacts to wetlands, realigning the trolley track, obtaining rights of way to relocate the intersection of Camino Del Rio North and Mission City Parkway, and condemning private property, including occupied multifamily housing, is not a feasible option.

Chapter 5 of the Draft EIR does include an alternative that would minimize impacts to wetlands, the Pedestrian/Bicycle Only Alternative (Draft EIR Section 5.4.2), and it was determined to be the environmentally superior alternative. Under this alternative, a smaller construction footprint would be required and a reduced amount of wetlands would be impacted. However, this alternative would not fully achieve the objectives of the project, which aims to provide a vehicle crossing in this location.

Draft EIR Table 3.3-9, Summary of Compliance with Wetland Deviation Requirements Under Land Development Code Essential Public Project Option, provides a summary of the proposed project's compliance with deviation requirements under the EPP option of the LDC. The City considers the proposed project an EPP pursuant to the City's LDC. Several key concepts behind identifying this proposed bridge project as an EPP from the City's November 9, 2023, letter are summarized here. General transportation planning principals and the City's General Plan encourage a grid network of streets to provide accessibility, reduce travel distances, increase resiliency, and distribute traffic loads. In Mission Valley, steep slopes, the San Diego River, five freeways, and the San Diego Trolley tracks have created barriers and limited the opportunities for connectivity within, as well as to and from, the community. This has resulted in a planned street network that consists of fewer and wider streets and intersections to accommodate the movement of people and goods, which in turn results in less

distributed/more concentrated traffic flows, turning many of these streets and intersections into barriers in and of themselves, especially for transit users, cyclists, and pedestrians. Given the limited planned north-south street connectivity in Mission Valley, completion of the Fenton Parkway connection is essential to meet the mobility, emergency, utility, and equity needs of the community and the City (City of San Diego 2023).

Supporting active transportation (walking, biking and transit) mode shifts is an important component of the City's CAP, which aims to achieve net zero greenhouse gas emissions by year 2035. The CAP targets include resident mode shares of 25% walking, 10% cycling, and 15% transit by year 2035. The Fenton Parkway connection is critical to provide a safer and higher quality/lower stress environment for pedestrians and cyclists to help achieve the City's CAP targets, including providing access for Mid-City residents to the San Diego Trolley and the SDSU Mission Valley campus via the I-15 bikeway (City of San Diego 2023). The lack of a connection at Fenton Parkway also greatly increases the amount of out-of-direction vehicular travel within eastern Mission Valley. Out-of-direction travel from inefficient routing significantly contributes to increased greenhouse gas emissions. Reducing out-of-direction travel through improved local connectivity is a crucial step towards mitigating the detrimental effects of greenhouse gas emissions and meeting the City's CAP goals (City of San Diego 2023).

As stated in the City's November 9, 2023, letter, during recurring flooding events in Mission Valley, every street crossing the San Diego River and some roadways adjacent to the river become impassable. The only way to travel across the San Diego River on the east side of Mission Valley during these events is via I-15. Since pedestrians and cyclists cannot use the freeway, they are unable to cross the river during flooding events. The Fenton Parkway Bridge will remedy this issue, providing a high-water crossing of the San Diego River that also provides access to the San Diego Trolley, SDSU Mission Valley Development, and Mid-City communities via the I-15 Bike Path (City of San Diego 2023).

As land uses within Mission Valley have continued to intensify, largely in part due to the presence of the San Diego Trolley and its central location, a growing strain on emergency services has continued. Based on planned growth in Mission Valley, which is expected to increase by 248% between 2012 and 2050, the City recommended the Fenton Parkway connection over the San Diego River. The proposed bridge would provide multiple approach route options for emergency response and alternate routes for diverting traffic during emergencies thereby avoiding road closures. This planned connection is particularly important because there are often multiple responders to an incident who need access from different directions to the area (City of San Diego 2023). In addition, the project site is within a Very High Fire Hazard Severity Zone as mapped by the California Department of Forestry and Fire Protection, and a new access point to protect City-owned land including environmentally sensitive habitats would be beneficial.

- A-5-15** The comment restates information from a letter provided by the City to CDFW dated January 4, 2024, which substantiates the project being an EPP. The comment requests further justification on why the project is essential in both location and need as an EPP. Refer to Thematic Response No. 1 and response to comments A-3-13 through A-3-16.
- A-5-16** The comment suggests that the Final EIR evaluate alternatives to riprap proposed along the southern storm drain alignment and at the base of each abutment and instead consider willow wattles, armor-flex, geogrid, or similar materials to ensure compliance with the Subarea Plan. It should be noted that while the proposed project would necessitate a reinforcement structure along the southern abutment

(riprap or some other technique such as the commentor suggests), this reinforcement would be fully buried so that the existing contours of the river would remain. For this reason, the EIR notes that no additional structure will be installed within the river along the south abutment of the proposed bridge.

The above notwithstanding, the design team has evaluated the use of willow wattles, armor-flex, and geogrid and deemed each of these alternatives to be less effective for energy dissipation at the storm drain outfall than riprap. The use of willow wattles was ruled out because they are a temporary solution and would not provide long-term energy dissipation and erosion protection at the storm drain outfall. A willow wattle will eventually break down, leaving the area at the storm drain outfall susceptible to scour and erosion, which would add sediment to San Diego River watershed. Armor-flex was ruled out because it is a uniform, interlocking matrix of cellular concrete blocks that would not provide the necessary level of energy dissipation within the limited available space at the storm drain outfall. Additionally, this engineered product does not seem to be appropriate for use within the MHPA. The use of Geogrid was ruled out because it is a plastic mesh that will not provide any energy dissipation at the storm drain outfall. Additionally, the geogrid will eventually break down and introduce more plastic into the San Diego River watershed and eventually the ocean.

Riprap is provided at the storm drain outfall in accordance with the City's drainage design manual and the typical engineering standard of care for storm drain outfalls to natural channels. Riprap will slow down high velocity concentrated flows at the storm drain outfall and prevent erosion. Without any energy dissipation at the storm drain outfall, erosion and scour will occur, introducing additional sediment into the watershed. Stone riprap is the most effective and reliable method of energy dissipation for storm drain outfalls. The natural stone will not introduce pollutants to the watershed and will eventually blend in with riverbed as plant establish around the rocks.

A-5-17 The comment states that the Draft EIR does not provide an analysis of impact acreage allowances in the MHPA for conditionally compatible uses. According to the City's Land Development Code, ESL Regulations, for a site wholly located in the MHPA, 25% development and an additional 5% for an EPP are allowed in the MHPA. The comment states that the Draft EIR should be revised to analyze the anticipated project impacts to the MHPA in order to demonstrate compliance with City's ESL Regulations. Based on the City's ESL Regulations, for a parcel wholly within the MHPA, up to 30% of the parcel can be developed for an EPP. The total parcel area that is wholly within the MHPA for the proposed project is a City-owned 46.93-acre parcel. The project footprint (permanent impacts as defined by the City) would necessitate 2.03 acres. Therefore, the project would impact 4.32% of this parcel, which is below the allowable 30% per the City's ESL Regulations.

A-5-18 The comment restates information provided in the 2001 Draft EIR for the Mission City Parkway Bridge and the 2019 Draft EIR for the SDSU Mission Valley Campus Master Plan (City of San Diego 2019a). The restated information pertains to alternatives analyzed. Regarding the existing bridges that were proposed for retrofits (Mission Center Road, Camino Del Este, Ward Road, and Stadium Way), all of these have been discussed in detail in Final EIR Section 5.3.2.3, Existing Bridge Retrofits. The comment goes on to state that the 2019 Draft EIR for the SDSU Mission Valley Campus Master Plan identified a biologically superior alternative that did not include a bridge for Fenton Parkway across the river, and that the 2019 Draft EIR determined a bridge at Fenton Parkway was not required to reduce significant project impacts. The comment correctly restates information provided in the 2019 Draft EIR for the SDSU Mission Valley Campus Master Plan. The comment does not pertain to information or analysis provided in the proposed project Draft EIR and no further response is required.

A-5-19 The comment states that the alternative bridge locations were rejected because they would require an amendment to the Mission Valley Community Plan. The comment correctly restates information from the first paragraph of Draft EIR Section 5.3.2.1, Alternative Bridge Location, which states that “locating a bridge in an alternative location arguably would require an amendment to the MVCP, and for this reason, and others described below, alternative bridge locations were considered but rejected.” Therefore, while potentially needing an amendment to the MVCP was one reason for rejecting alternative locations, there were also other reasons, such as not being located in eastern Mission Valley, which is where a high-water crossing is needed.

The comment states that the Draft EIR limits potential retrofits to Qualcomm Way and Ward Road. The Final EIR has been revised to include a discussion of retrofits at Camino Del Este and Mission Center Road. The comment also asks how the 50-year storm event was determined to be the minimum requirement for the retrofit of Qualcomm Way. Due to the steep approach angle that would occur if the roadway was raised and rebuilt with the constraints of the existing trolley viaduct on the north and Camino Del Rio North and Qualcomm Way intersection on the south, there would be no way to accommodate a 100-year flood event. The largest flood event that could be accommodated would be 50-year flood event, and the approach angle would still be too steep to be safe for vehicle passage.

A-5-20 The comment suggests that an alternative be evaluated that would allow for bicycles, pedestrians, and emergency vehicles. The comment also asks for clarification as to why the bridge under the Pedestrian/Bicycle Only Alternative needs to be 26 feet wide given the 6.5-foot bike lane and 5.5-foot pedestrian path. A bridge that could accommodate bicycle, pedestrian, and emergency vehicles could be constructed, although it would only be slightly less narrow than the proposed bridge (44 feet compared to 58 feet). It would require the same size/number of piers as the proposed project, it would result in similar temporary and permanent impacts to biological resources as the proposed project, it would not meet the project objectives of providing a vehicular bridge across the San Diego River, and it would not reduce vehicle miles traveled or greenhouse gas emissions in the long term. For these reasons, it was not further analyzed as an alternative in the Final EIR. Regarding why the pedestrian/bicycle bridge was determined to be 26 feet wide, this was because the proposed bridge is 58 feet wide, and subtracting the vehicle travel lanes (32 feet) results in 26 feet. The 26 feet would account for separated north and south paths of travel for bicycles and pedestrians.

A-5-21 The comment suggests an alternative be evaluated that narrows the width of the proposed bridge to 24 feet and installs the bicycle and pedestrian pathways above or below the travel lanes. Adding bicycle and pedestrian pathways below the bridge would be infeasible due to the lack of freeboard between the bottom of the bridge and the top of high-water flow in the event of a large storm. It would also hinder wildlife movement from moving freely underneath the bridge. Regarding bicycle and pedestrian pathways being suspended above the bridge, this is also infeasible due to the difficulty in designing approaches that would allow for appropriate tie-in angles to existing streets (Fenton Parkway and River Road in the north and Mission Center Road and Camino Del Rio North in the south) that would successfully elevate pedestrian and bicycle traffic above vehicular travel lanes.

A-5-22 The comment suggests that rather than relying on a river crossing to improve emergency access, that the Final EIR evaluate an alternative that adds an additional fire station location within the community to improve emergency response. The comment goes on to further state that the Mission Valley Community Plan Update describes only one existing fire station and has no plans for an additional station. As evidenced by the MOU and related purchase agreement terms concerning the Fenton

Parkway Bridge, the “underlying purpose” of the project is to provide a vehicular connection over the San Diego River. In addition, as identified in Draft EIR Chapter 2, Project Description, Section 2.5, Project Goals and Objectives, the main objective of the proposed project is to construct a multimodal bridge across the San Diego River to provide a high-water crossing in eastern Mission Valley. There were also several additional objectives that were identified that provided rationale as to the importance of the bridge. The Draft EIR was prepared for the proposed bridge, and the alternatives considered were consistent with the underlying purpose of the project. Analyzing an alternative that does not include a bridge would not achieve the underlying purpose of the project and would be inconsistent with the Mission Valley Community Plan, among other objectives. This alternative was not added to the Final EIR. No further response is required.

A-5-23 The comment recommends that the Draft EIR analyze an alternative that extends the newly installed pedestrian and bicycle pathways along the northern side of the river further east and west and utilizes the existing crossings and trolley access points to facilitate connectivity. The comment specifically suggests improved connectivity through pedestrian and bicycle lanes to Rio San Diego Drive, Qualcomm Road, Rancho Mission Road, Ward Road, and access roads associated with Club River Run Apartment homes. As evidenced by the MOU and related purchase agreement terms concerning the Fenton Parkway Bridge, the “underlying purpose” of the project is to provide a vehicular connection over the San Diego River. In addition, as identified in Draft EIR Section 2.5, the main objective of the proposed project is to construct a multimodal bridge across the San Diego River to provide a high-water crossing in eastern Mission Valley. The Draft EIR was prepared for the proposed bridge, and the alternatives considered were consistent with the underlying purpose of the project. Analyzing an alternative that does not include a bridge and instead analyzes extensions of off-site bicycle and pedestrian pathways along the northern side of the river to facilitate connectivity would not achieve the underlying purpose of the project and would be inconsistent with the Mission Valley Community Plan. This alternative was not added to the Final EIR. No further response is required.

A-5-24 This comment requests the retrofit of existing San Diego River crossings to accommodate bicycle and pedestrian access at Camino Del Este and Mission Center Road be studied. Final EIR Section 5.3.2.3 has been revised to include analysis of retrofitting Camino Del Este and Mission Center Road. These two crossings are further from the project site than Qualcomm Way and Ward Road, which were included in Draft EIR Section 5.3, Rationale for the Selection of Alternatives. Because non-motorized transportation tends to be at a more localized level, the further the crossing opportunity is from the potential destination (Fenton Parkway Trolley Station, Snapdragon Stadium, residential uses within the eastern portion of Mission Valley, etc.), the less likely non-motorized users will be to take advantage of these crossings and the less likely they will be to actually achieve the goal of increasing use of non-motorized transportation resources in eastern Mission Valley.

A-5-25 The comment recommends the Final EIR evaluate a crossing at Via Las Cumbres and correctly notes that a crossing in this location was included in the Mission Valley Community Plan Update EIR. Although a crossing at Via Las Cumbres would provide an all-weather north-south connection, it is too far west (west of SR-163), and does not meet the objective of the project to provide a north-south connection in eastern Mission Valley (between I-805 and I-15). As identified in Draft EIR Section 2.5, the main objective of the proposed project is to construct a multimodal bridge across the San Diego River to provide a high-water crossing in eastern Mission Valley. The retrofit of a bridge outside of this

geographic area would render the project unsuccessful in facilitating multimodal transportation options in the target geography of eastern Mission Valley.

A-5-26 The comment restates information from Subarea Plan Section 1.4.2 (City of San Diego 1997). The comment also states that because the Draft EIR does not fully analyze alternatives that accomplish the goals of the project and maintain biological integrity of the MHPA, it does not demonstrate that the project is consistent with the Subarea Plan. Pursuant to the MOU between the CSU and the City and the City's Ordinance No. 21564 approving the MOU, it is acknowledged that the City will need to make certain findings relative to the City's Land Development Code, ESL Regulation deviations in connection with the proposed project. As a state agency, the CSU is not subject to the permitting authority of the City and will not be required to obtain any discretionary permits from the City, but in order for the CSU to carry out the project, it will need the City to exercise its discretion to make certain findings regarding the proposed project's consistency with the City's Land Development Code, ESL Regulations. Final EIR Section 3.10.2 has been modified to more clearly reflect this nuance.

The Draft EIR includes an MSCP consistency analysis, including analyses of compliance with MHPA Guidelines, conditions of coverage for impacts to covered wildlife species, land use considerations, and framework management plan (see Section 3.3.4). This analysis found that development of the bridge is consistent with the Subarea Plan. The Draft EIR, Section 3.3.4, also includes a summary of compliance with Wetland Deviation Requirements under the LDC EPP option.

A-5-27 The comment states that to use the EPP deviation a project must provide an analysis of all alternatives consistent with the City's Subarea Plan, ESL Regulations, and Biology Guidelines to avoid these impacts. See response to comment A-5-14.

The comment suggests that the CSU and the City adopt an alternative that does not cross the San Diego River; however, if that is infeasible, they recommend the adoption of the Pedestrian/Bicycle Only Alternative that could be used by emergency vehicles in the event of an emergency. See response to comment A-5-20.

A-5-28 The comment expresses appreciation for the opportunity to comment on the Draft EIR and states that they are open to discussions. No further response is required.

A-5-29 The comment lists literature that was cited in the comment letter. No further response is required.

A-5-30 The comment states that the location of proposed habitat mitigation in MM-BIO-2 and detailed plans for on-site habitat restoration or enhancement should be provided in the EIR. The comment also requests that off-site mitigation through habitat creation and/or acquisition and preservation in perpetuity be addressed in the EIR and be subject to wildlife agency approval, along with the inclusion of review and approval of the off-site habitat mitigation plan by USFWS.

On-site habitat restoration is described in the Conceptual Restoration Plan, which is included as Appendix F to the BRTR (Appendix C to the Draft EIR). Work is ongoing to identify the location of an appropriate off-site mitigation site. Every effort is being made to ensure off-site mitigation is located in the same watershed as the project site; specifically, efforts are underway to identify compensatory mitigation opportunities within the San Diego River, as close to the project site as possible, such that creation of wetland habitat will provide similar biological functions and values to the habitat impacted as

a result of project implementation. Identification of the off-site mitigation site will be necessary for state and federal permit applications required in MM-BIO-18; therefore, the off-site mitigation plan and site will be subject to review and approval by USFWS (see revisions to MM-BIO-2 and MM-BIO-18 in the Draft EIR).

A-5-31 The comment requests that the EIR analyze indirect impacts to the Stadium Wetlands Mitigation Site resulting from noise, potential introduction of non-native species, and shading effects on vegetation.

The Draft EIR includes analyses of potential short-term and long-term indirect impacts to special-status wildlife in Section 3.3.4. These analyses include discussions of impacts that could occur as a result of increases in noise and the introduction of non-native plant and animal species, during and after construction of the bridge. The effects of shading on vegetation under the bridge deck are accounted for in the permanent impact footprint. The Draft EIR also includes a discussion of indirect impacts, due in part to shading under the bridge, related to potential altered hydrology as a result of vegetation loss and the potential for increased encampments and access in the river corridor.

A-5-32 The comment requests that the EIR identify a funding source and manager for long-term, in-perpetuity management of mitigation lands. The CSU or its designee will be responsible for restoration installation and for the successful implementation of the Conceptual Restoration Plan. These details will be laid out in both the on-site Conceptual Restoration Plan and the Habitat Mitigation Monitoring Plan, both of which will be prepared under separate cover from the EIR and will be refined during the resource agency permitting process.

A-5-33 The comment states that the EIR should analyze the effects of vibration from pile-driving that could negatively affect resident bird species. No pile driving is required as part of the proposed project; however, pile hole drilling will be required, which results in less vibration than pile driving. Ground improvements associated with bridge construction at the San Diego River could result in short-term construction vibration in adjacent native habitat areas. Although vibration can disrupt foraging, nesting, and reproductive activities in breeding birds, the extent and duration of vibration would be limited to the immediate vicinity of construction and would persist for only a short duration of time, as ground-improving activities would occur only during the initial stages of bridge construction, which would last for a few weeks. As a result, potential indirect impacts to special-status wildlife species due to vibration during construction would not be adverse and no mitigation is required. See revisions to Section 3.3.4 and 3.11.4 that address construction-related vibration.

A-5-34 The comment suggests that revisions be made to Draft EIR Figure 3.13-2, Transit Facilities, to remove the two potential bridge connections to the trolley. However, this figure is from the Mission Valley Community Plan Update (City of San Diego 2019a). The same figure shown in Draft EIR Figure 3.13-2 can also be found in the Mission Valley Community Plan Update as Figure 11, Transit Network. This figure was not prepared specifically for the proposed project, and no changes were made to the figure in the Final EIR.

A-5-35 The comment references the erroneous statement made in the Draft EIR regarding a boundary line adjustment. Table 3.3-9 of the Final EIR has been updated to reflect that a boundary line adjustment is not required.

A-5-36 The comment recommends surveys for western spadefoot and, if the species is determined to be present on site, that potential effects be addressed through Section 7 or Section 10 of the federal Endangered Species Act.

The Draft EIR concluded that western spadefoot has a moderate potential to occur on the project site. The Final EIR has been revised to clarify that, if present, spadefoot breeding on the project site would be limited to ephemeral pools in the river channel, while aestivation would be expected to occur only in the upland habitats at the edge of and adjacent to the project site, outside of wetland habitats associated with the river channel.

The Final EIR has also been revised to include requirements for surveys for western spadefoot and the implementation of a relocation plan should spadefoot be present on site. Implementation of this measure will reduce direct impacts to this species through avoidance and minimization of direct impacts to individual spadefoot, should this species be present on site. Please refer to MM-BIO-1 in Section 3.3.4 of the Final EIR.

As is required in MM-BIO-1 in the Draft EIR, all required take authorizations (for federally listed species) shall be obtained through the federal Section 7 consultation or Section 10 process. In accordance with 50 CFR Section 402.10(d), the U.S. Army Corps of Engineers may request a formal conference with USFWS regarding the proposed project as long as western spadefoot remains proposed for listing as threatened under the federal Endangered Species Act.

A-5-37 This comment speaks to a concern about unauthorized impacts to the Fenton Parkway Drainage that occurred during development of the Snapdragon Stadium and/or Mission Valley River Park. The area in question is shown in EIR Figures 3.3-4 – View 1 through 3.3-4 – View 4, specifically the polygons that are titled “Prior Permit Area.” These prior impact areas entailed removal of riparian vegetation and reorientation of existing riprap associated with the unnamed stormwater drainage that daylight at the southern terminus of Fenton Parkway. During final design of River Park Road and the Mission Valley River Park, it was determined that these modifications to this drainage were necessary. The CSU pursued an Informal Section 7 Consultation for this work with USFWS (FWS-SDG-2022-0028183, issued June 30, 2022). This impact was implemented in accordance with the June 30, 2022, Informal Section 7 Consultation; specifically the impact areas allowed by this permit are depicted in Figure 2, Headwall and Riprap Pad, and Figure 3, Fenton Parkway Culvert Extension, of the June 30, 2022, Informal Section 7 Consultation. The polygons that are shown as “Prior Permit Area” in Figures 3.3-4 – View 1 through 3.3-4 – View 4 of the Draft Fenton Parkway EIR match the polygons shown in Figures 2 and 3 in the June 30, 2022, Informal Section 7 Consultation. The work outlined in this Informal Section 7 Consultation was completed in March 2024 and, as required by Conservation Measure 4g of the Section 7 consultation letter, a final permit compliance report was prepared and submitted to the USFWS (David Zoutendyk) on May 21, 2024.

In reviewing the May 21, 2024, final environmental compliance report, it appears that the graphic titled Landscape Construction Plans for the Mission Valley River Park Improvements – Base Scope (page 15 of page 37) shows the “as-builts” of the riprap in this unnamed drainage without differentiating between existing riprap and relocated riprap (Dudek 2024). Exhibit A-5-1 is provided to differentiate between the riprap that was previously located in this drainage that was not modified (outlined by the green polygon) and the riprap that was relocated as part of the Fenton Parkway extension (outlined by the red polygon).

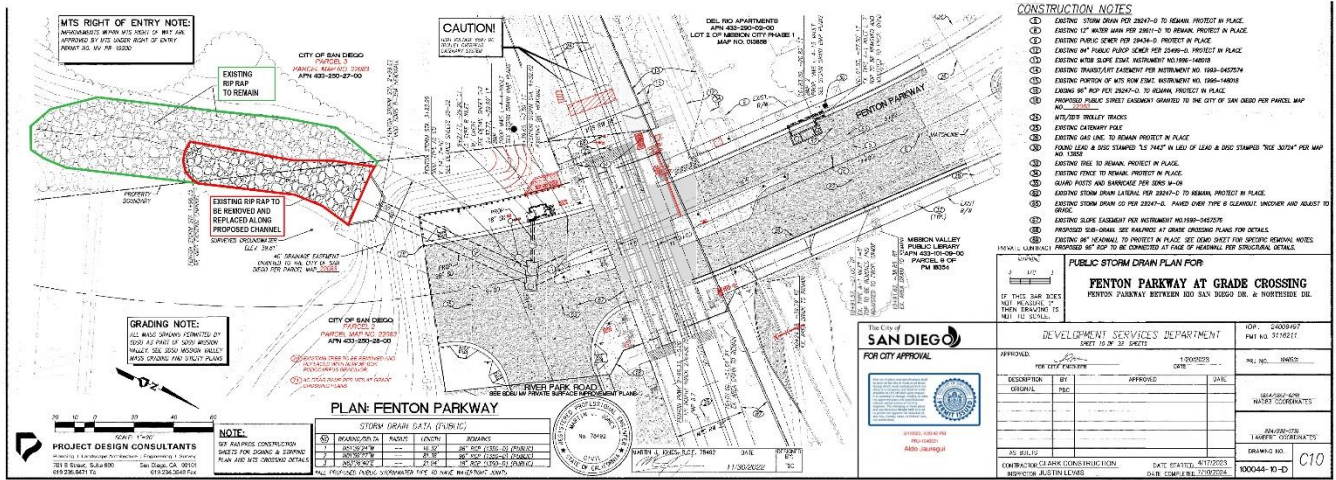


Exhibit A-5-1. Public Storm Drain Plan.

A-5-38 The comment repeats information included in the Draft EIR regarding a gnatcatcher family group that was observed northeast of the potential staging area south of the river during focused surveys in 2023. The comment points out that the Draft EIR figures do not depict the location of the gnatcatcher observation and identifies discrepancies in the reported location of the family group. The comment also states that the EIR should include analysis of potential impacts to coastal California gnatcatcher and include measures to avoid and/or minimize and mitigate impacts to the species. Finally, the comment indicates that the project’s potential effects on gnatcatcher could be addressed through Section 7 consultation or Section 10 of the federal Endangered Species Act.

The comment incorrectly states that the “Worst Month (within breeding season) Concurrent Phase Construction Noise, 60 dBA Contour,” shown on Figure 3.3-3 of the Draft EIR, overlaps the observed gnatcatcher location; the gnatcatcher family group was observed outside of and east of the 60 dBA contour. The potential staging area south of the river is, however, within the 60 dBA contour line and, as indicated in the comment, could be a part of the observed gnatcatcher pair’s territory. Section 3.3.4 of the Draft EIR includes an analysis of potential direct and indirect impacts that could affect special-status wildlife species, including coastal California gnatcatcher. In addition to habitat mitigation, the Draft EIR includes measures to avoid and minimize impacts to this species. As is described in Section 3.3.8, potential direct and indirect impacts to coastal California gnatcatcher would be reduced to less than significant through implementation of MM-BIO-1, which requires habitat mitigation and take avoidance; MM-BIO-2, which requires habitat mitigation; and MM-BIO-3, which requires vegetation clearing to occur outside of the gnatcatcher breeding season (February 15 through August 31) as well as flushing of gnatcatcher individuals, if present, from vegetation to be cleared.

As is required in MM-BIO-1 in the Draft EIR, all required take authorizations (for federally listed species) shall be obtained through the federal Section 7 consultation or Section 10 process.

Final EIR Section 3.3 has been revised to clarify the location of the gnatcatcher observation relative to the potential staging area and figures in the Final EIR have been revised to depict the use area during this observation. Final EIR Section 3.3 has also been revised to clarify which species (including gnatcatcher) could be affected by construction-related noise.

- A-5-39** The comment recommends that any permanent lighting be fitted with bird control spikes to help prevent raptors from using lighting as a perch to prey on bird species. The project design team appreciates this recommendation, and if an overhead light is needed mid-span on the bridge, bird spikes would be included in the final design.

MISSION VALLEY PLANNING GROUP
Wednesday, May 1, 2024

Action Item 1:
Review of Fenton Bridge EIR

In response to a request for DAB to review the SDSU Fenton Bridge Draft EIR, the DAB discussed the Draft EIR, dated Apr 12, 2024.

In general, the DAB is in favor of the vehicular, bicycle, and pedestrian bridge as shown in the EIR. It's functionality and location at the South end of Fenton Parkway crossing the San Diego River, to connect the North and South sides of the river, will be a significant improvement to the area's access. However, the DAB would prefer a design that is a celebratory "gateway" to the East Mission Valley community rather than a minimally designed utilitarian bridge. A tied-arch bridge as shown in Figure 5.2 is preferred over the primary design. Furthermore, it was agreed that the architecture of the bridge should reflect the architecture of the San Diego State University's (SDSU) new West Campus.

O-1-1

Environmental issues raised included: rising sea level of approximately 7 feet over the next 25 years; the bridge's relatively low freeboard clearance over the 100 year flood level; and multiple piers within the river bed which may potentially collect debris and impede water flow. Bridge street and pedestrian safety lighting should be sensitively designed to mitigate environmental impact to surrounding environ and natural habitat. Concern also included impact and coordination to maintain the future San Diego river trail. Lastly, the subcommittee noted the material selection for the bridge construction should consider embodied carbon and explore viability for a low embodied carbon concrete specification.

O-1-2

O-1-3

O-1-4

O-1-5

It is acknowledged that construction noise cannot be avoided and will be a non-fully mitigated environmental impact. The subcommittee was also concerned with construction traffic, construction worker parking, laydown areas, and construction roadway closures which will impact the river's edge and surrounding parklands, roads, and Community. The proposed 18 months construction and potential for over 300 construction workers may be potentially disruptive and should be mitigated as much as possible.

O-1-6

Recognition of impact to the Fenton Parkway Trolley Station was discussed with likely stoppage of traffic as frequently as every 10 minutes accounting for trains passing in either direction. Coordination of traffic flow with train and vehicular traffic signals through use of "smart" light system was thought to be of significant benefit.

O-1-7

DAB recommendations for the EIR / bridge design and construction are:

- Bridge design as proposed is utilitarian and not reflective of a "gateway" to East Mission Valley and SDSU West.
- Bridge design, river trail, pedestrian access and treatment of the river should be consistent with the vision of the Mission Valley Community Plan and San Diego River Park Master Plan.
- Bridge should include public viewing platforms as defined within the San Diego River Park Master Plan.
- Bridge design should incorporate a Public Art component.
- Bridge design should reduce the number of piers within the riverbed, including further feasibility study to clear span the river minimizing environmental impact and impedance of water flow.
- Bridge design should include physically separated bike lanes from vehicular lanes.
- Bridge design should minimize embodied carbon by exploring specification of low embodied carbon materials, i.e., low embodied carbon concrete.
- Bridge design should include consideration of seawater rise from global warming.
- Street signal design shall use "smart" signal systems for train passage and vehicular traffic light coordination.
- Street lighting should be designed to mitigate light pollution to river and environmentally sensitive surroundings while providing for public safety and security.
- Planning of construction activities to allow normal on-going area activities as much as possible.
- Habitat mitigation should be prioritized within the Community.
- Encourage active engagement and design review by San Diego River Park Foundation.
- Encourage active engagement and design review of the concept and schematic design by DAB.

O-1-8

O-1-9

O-1-10

O-1-11

O-1-12

O-1-13

O-1-14

O-1-15

O-1-16

O-1-17

O-1-18

O-1-19

O-1-20

O-1-21

Motion by Jerry Shonkwiler, seconded by Michele Addington:

"Move that the MVPG DAB accepts the EIR for the new Fenton Bridge is acceptable with comments stated above. Vote unanimous.

O-1-22

The MVPG voted and approved that the minutes (as revised) to be submitted as our feedback on the EIR as well.

INTENTIONALLY LEFT BLANK

Response to Comment Letter O-1

Mission Valley Planning Group
Jerry Shonkwiler and Michele Addington
May 1, 2024

O-1-1 The comment expresses favor for the proposed project and a preference for a bridge that is a celebratory “gateway” to east Mission Valley. The commenter prefers the tied-arch bridge as illustrated in Draft EIR Figure 5-2. As outlined in EIR Section 5.4.3, Tied-Arch Bridge Alternative, in Chapter 5, Alternatives, the tied-arch bridge alternative was fully evaluated as a potential alternative to the proposed bridge design. The Tied-Arch Bridge Alternative would achieve all of the project objectives with the exception of constructing a bridge that minimizes temporary and permanent impacts to sensitive biological resources within the City’s Stadium Wetland Mitigation Site. This alternative would require additional clearing in the river bottom to accommodate larger pieces of equipment and would encroach into the City’s Stadium Wetland Mitigation Site. While no piers would be installed within the river bottom, the Tied-Arch Bridge Alternative would not minimize impacts to sensitive biological resources.

This alternative would also result in more extreme visual impacts on the local environment given its size and extent. Furthermore, while the San Diego River Park Master Plan does not specifically rule out tied-arch bridges, it includes the following language related to bridge designs: "Pedestrian/bicycle-only bridges should be designed to blend into the natural landscape character of the River Corridor Area through the use of natural materials or material that reflects the natural colors of the river valley. Bridges that cross significant habitat, or historic view sheds, should include a platform to allow for pedestrian viewing without obstructing mobility” (City of San Diego 2013). This language supports the intention that less prominent bridges in the river corridor should be considered. The large structures/towers required for a tied-arch bridge would not conform to the intent of the San Diego River Park Master Plan as it relates to bridges. Impacts to aesthetics and visual quality would be increased under this alternative.

This alternative supports the objectives of the project because it includes construction of a bridge expanding north–south vehicular, pedestrian, and bicycle mobility in eastern Mission Valley. It would also provide a high-water crossing and would improve emergency access and evacuation. However, the Tied-Arch Bridge Alternative would have no reduced direct and/or indirect impacts on any environmental resources when compared to the proposed project. In fact, this alternative would have greater impacts to aesthetics, air quality, greenhouse gas emissions (during construction), biological resources, energy, and noise (during construction).

The Tied-Arch Bridge Alternative would necessitate broader impact footprints within the existing street infrastructure along the southern edge of the river and the proposed street infrastructure along the northern edge of the river. The additional infrastructure required on either side of the river to support a tied-arch bridge would result in greater environmental impacts when compared to the proposed project. Because of this alternative’s greater environmental impacts and, in particular, the permanent impacts to the sensitive biological resources within the City’s Stadium Wetland Mitigation Site, the CSU does not intend to proceed with a tied-arch bridge design.

The comment also suggests that the architecture of the bridge reflect the architecture of SDSU Mission Valley. The CSU appreciates the Mission Valley Planning Group’s interest in making sure this bridge is

as visually appealing and cohesive with the surrounding environment as possible, noting that the bridge project is not formally related to SDSU Mission Valley. The CSU will explore features to enhance the aesthetics of the concrete bridge; although it should be noted that the Draft EIR did not determine any potentially significant impacts related to aesthetics.

0-1-2 The comment pertains to sea level rise, the bridge's freeboard clearance over the 100-year flood level, and the potential for the piers to collect debris and impede water flow. As stated in EIR Section 3.9.4, Impact Analysis, in Section 3.9, Hydrology and Water Quality, a hydraulic analysis was completed for the project, reflective of pre- and post-construction conditions. Based on the analysis, base flood elevations would be similar upstream and downstream of the bridge upon completion of bridge construction. The bridge would cause a minor decrease in 100-year base flood elevations immediately upstream of the bridge, but a slight increase in elevations above this along the westerly portion of the SDSU Mission Valley site. The elevation decrease would occur because vegetative cover would be reduced by the bridge shadow. The nearly negligible increase in base flood elevation would be contained within the southerly San Diego River channel bank and would not cause adverse off-site impacts. As a result, the project would not substantially alter the existing drainage pattern of the site or area in a manner that would impede or redirect flood flows.

As stated in EIR Section 3.9.4, the bridge would have over 6 feet of freeboard over the base flood elevation and would therefore adequately convey the 100-year flow. The City of San Diego's 100-year flood freeboard requirement is 2 feet; therefore, the project well exceeds this requirement.

Debris accumulation around the bridge piers would not be an issue for two main reasons. First, debris accumulation becomes a flow hindrance/bridge passability issue when the freeboard of 100-year flood events beneath the bridge is less than 2 feet. Because the bridge deck would be 6 feet above the 100-year flood elevation, any debris accumulation during a high flow event would not result in flow impediment that could impact bridge structural integrity or passability. Second, the bridge piers would be designed to withstand the added force associated with debris accumulation.

There are several studies that estimate the potential for sea level rise along the west coast of the United States. While the CSU neither confirms nor denies the commentor's claim that sea level rise will be 7 feet, if the sea level rises by 7 feet this would not affect the proposed project. The San Diego River's 100-year water surface elevation at the Pacific Ocean is about 8 feet in elevation. If sea level rise were to involve an additional 7 feet of water elevation, this would equate to 15 feet at sea level ($8 + 7 = 15$). The 100-year water surface elevation at the Fenton Parkway Bridge is about 50 feet above sea level, well upstream of any backwater effects of the Pacific Ocean. Given the elevations proposed for the Fenton Parkway Bridge, sea level rise would need to be over 40 feet to impact the bridge.

0-1-3 The comment suggests that street and pedestrian safety lighting be designed with sensitivity to the surrounding environment and natural habitat. As stated in Draft EIR Section 3.1, Aesthetics, Section 3.1.4, Impact Analysis, once constructed, decorative bridge lighting elements supported by metal posts would operate during evening and night hours. While pole style and luminaire type has yet to be designed, selected lighting would generally be consistent with local (i.e., Community Plan and San Diego River Park Master Plan) policies concerning installation of LED streetlights (lower temperature kelvin approximately 3000k range) with adaptive controls, additional shielding of fixtures, provision of adequate lighting for pedestrian and cyclists, and would limit light pollution to adjacent habitat. For example, and consistent with the Multi-Habitat Planning Area (MHPA) Land Use Adjacency

Guide, shielding devices will be utilized to minimize light spillage into the river corridor and direct lighting away from sensitive biological resources. Further, the project is in an existing, urbanized setting that features numerous sources of night lighting outside (and adjacent to) the river corridor. As proposed bridge lighting would not be excessive in number or excessively bright, new lighting sources would not adversely affect day or nighttime views in the area.

0-1-4 The comment expresses concern regarding impacts and coordination to maintain the future San Diego River Trail. The San Diego River Recreational Trail Plan envisions a trail system from the mountains to the Pacific Ocean, generally along the San Diego River, that would be called the San Diego River Trail (San Diego River Conservancy 2020). This would be a multipurpose trail and pathway for pedestrians, bicyclists, and other users. The northern terminus of the proposed bridge would be located within this trail planning area. The segment within the SDSU Mission Valley River Park begins at Fenton Parkway and traverses east through the entirety of the newly constructed SDSU Mission Valley River Park. The segment immediately west of the proposed northern terminus of the bridge ends near the western edge of the Del Rio Apartment Homes development. The addition of the bridge, which would be perpendicular to these existing trail segments, would have no impact on the trail function or the ability to complete missing trail segments near I-805 and west of SDSU Mission Valley/Mission Valley River Park.

0-1-5 The comment requested consideration of minimizing embodied carbon in the bridge material and requests exploration of the viability of a low embodied carbon concrete specification. The bridge construction specifications will allow for the inclusion of low embodied carbon materials, such as ground limestone in hydraulic cement, to enhance sustainability, lower greenhouse gas emissions, and reduce the energy consumption associated with cement, while maintaining equivalent quality and performance of the concrete produced. Furthermore, steel slag (optional) and fly ash (mandatory) are typical materials used to mitigate the carbon footprint of Portland cement while increasing the service life of the bridge.

0-1-6 The comment pertains to construction traffic, construction worker parking, laydown areas, and construction roadway closures and how they will impact the river's edge, surrounding parklands, roads, and community. The Draft EIR contains a discussion of all these matters, including mitigation measures and best management practices that will be implemented to address potentially significant impacts. The comment does not identify any concerns with that analysis, which is generally summarized below for convenience.

As stated in Draft EIR Chapter 2, Project Description, Section 2.3.4, Construction Laydown and Staging Areas, project construction laydown and staging areas would be located either south of the proposed bridge, on the City-owned undeveloped property east of Mission City Parkway and west of Camino Del Rio North, and/or within the City-owned land west of the proposed bridge and the SDSU-operated park space south of River Park Road. See also Draft EIR Figure 2-2, Project Site.

As stated in Draft EIR Section 2.3.5, Anticipated Road Closures and Traffic Control Measures, it is not anticipated that any road closures would be necessary for the construction of the bridge. Existing travel lanes on Camino Del Rio North may be shifted or narrowed to accommodate bridge construction and replacement/relocation of traffic signal poles, curbs, gutters, and sidewalks. The majority of construction activity would occur outside of existing roadways, and access to the bridge work area would occur through the north entrance as opposed to the south bridge terminus area due to the presence of the steep embankment located along the northern edge of Camino Del Rio North. However,

targeted lane closures to complete the traffic signal and striping adjustments at Camino Del Rio North and/or Mission City Parkway are anticipated. Temporary traffic control measures (e.g., lane closures, signage) would be provided during such closures, as well as around identified construction laydown/staging areas.

As stated in Draft EIR Section 3.12, Recreation, Section 3.12.4, Impact Analysis, as pre-cast or cast-in-place construction of the bridge occurs, access to some of the surrounding recreational facilities may be limited. The river park, bordering the northeast end of the project site, may be affected since this would border the construction site and could possibly be used for construction staging. The usage of this nearby recreational area would decrease as construction occurs. However, these impacts would be temporary. Once construction of the bridge is completed, any park area impacted by construction work would be restored to all pre-existing park uses and be available to the public once again. Any restrictions to the recreational facilities would be temporary, and there would not be any permanent removal of park resources.

0-1-7 The comment suggests the use of “smart” traffic signals would benefit the coordination of traffic flow with train and vehicular traffic. As stated in Draft EIR Section 3.13, Transportation, Section 3.13.4, Impact Analysis, the roadway extension would include new left-turn lanes and a traffic signal modification at the Fenton Parkway/Mission City Parkway intersection at Camino Del Rio North. A new traffic signal would be installed at the Fenton Parkway/River Park Road intersection. The proposed project includes separated bike lanes and sidewalks on both sides of the bridge and would provide a new high-water crossing over the San Diego River. At the north end of the proposed project’s bridge alignment and prior to its construction, Fenton Parkway would be extended for a short distance across the Metropolitan Transit System Green Line trolley tracks. The new terminus of Fenton Parkway would be connected to an extension of River Park Road and provide a new access to the southwest corner of the SDSU Mission Valley site development. This new “L-shaped” intersection would be controlled by a stop sign on the River Park Road approach, and the Fenton Parkway approaches to the tracks would include gate arms and signals to prevent vehicles from crossing the tracks as trolleys approach and depart the Fenton Parkway Station. No other street improvements are planned on roadways at either end of the proposed street extension and bridge alignment.

Appendix C of the City’s Systemic Safety: The Data-Driven Path to Vision Zero (City of San Diego 2019c) provides a methodology for identifying systemic safety hotspots for pedestrians, bicyclists, and vehicles throughout the City. These are locations where, based on intersection geometry, control, and average daily trips, pedestrians and bicyclists have a higher likelihood of being involved in a crash involving a vehicle. None of the existing roadways and intersections at the end of the bridge alignment include these configurations. As such, no systemic hotspots are present under existing conditions or would be created with the proposed project.

Draft EIR Appendix H also includes a level of service analysis of planned and needed roadway capacity for the Fenton Parkway Bridge. As stated in this appendix, current design plans are anticipated to be effective at keeping delays at acceptable levels for the study intersections of Fenton Parkway/River Park Road and Fenton Parkway/Camino Del Rio North/Mission City Parkway in year 2027 and year 2050 conditions both with and without the project.

0-1-8 The comment states that the proposed bridge is utilitarian and not reflective of a “gateway” to East Mission Valley and SDSU Mission Valley. See response to comment 0-1-1 above.

0-1-9 The comment states that bridge design, river trail, pedestrian access, and treatment of the river should be consistent with the vision of the Mission Valley Community Plan and San Diego River Park Master Plan. As stated in Draft EIR Section 3.10, Land Use and Planning, the location of the proposed project is consistent with the Mission Valley Community Plan Update, which contemplates a multimodal bridge crossing the San Diego River as an extension of Fenton Parkway (City of San Diego 2019d). This is the only San Diego River crossing contemplated in the Mission Valley Community Plan Update located between I-805 and I-15. The update to the Community Plan makes several direct references to the extension of Fenton Parkway to Mission City Parkway to expand north-south mobility in the eastern portion of the community and help support additional trips that will result from planned development as part of the buildout of the community (City of San Diego 2019d). The project would also greatly benefit pedestrians, bicyclists, and transit users by improving access to the Green Line station, the San Diego River Trail, and a variety of land uses, while also providing a high-water crossing on the east side of the community during flooding events. The proposed project is consistent with the Community Plan Update and no conflicts would occur.

As stated in Draft EIR Section 3.10, the San Diego River Park Master Plan includes specific recommendations related to vehicular/pedestrian/bicycle bridges. As stated in Section 4.3.2.7, Bridges, of the San Diego River Park Master Plan, vehicular/pedestrian/bicyclist bridges should include a sidewalk for pedestrians and, where possible, a Class 1 bike route in each direction or, at a minimum, on one side of the bridge (City of San Diego 2013). The proposed project would implement the recommendations in the San Diego River Park Master Plan by installing combined bicycle and pedestrian pathways. These facilities would be raised above the travel lanes on either side of the bridge. The 6.5-foot-wide bike lane would be separated from a 5.5-foot-wide pedestrian path by a 6-inch-wide strip of yellow truncated domes (see Draft EIR Figure 2-6, Project Site Plan). For these reasons, no conflicts with the San Diego River Park Master Plan would occur.

0-1-10 The comment suggests including public viewing platforms as defined within the San Diego River Park Master Plan. There will be no viewing platform included as part of the project; however, the widths of the pedestrian and bicycle paths would allow for stopping to view the San Diego River channel. No further response is required.

0-1-11 The comment suggests inclusion of a public art component. There will be no public art component as part of the initial bridge construction; however, the bridge design does not preclude a public art component from being added in the future by the City. No further response is required.

0-1-12 The comment pertains to feasibility of clear spanning the river, reducing the number of piers within the riverbed, and minimizing environmental impact and impedance of water flow. A full analysis of spanning the river was provided in Draft EIR Section 5.5.4, Suspension Bridge Alternative. As stated therein, a suspension bridge carries vertical loads through curved cables in tension. These loads are transferred to the towers, which carry them by vertical compression to the ground and to the anchorages (back-stays), which must resist the inward and sometimes vertical pull of the cables (see Draft EIR Figure 5-3, Example Suspension Bridge). The Suspension Bridge Alternative would not involve the installation of any piers within the river bottom. Instead, the bridge would span the river using a pair of large towers (approximately 120 feet in height), which would be supported by large, deep foundations installed at the north and south banks of the river. Two additional foundations would need to be installed for the anchorages (back-stays) approximately 150 feet north of the north tower and 150 feet south of the south tower.

This alternative would avoid direct cultural and tribal cultural resource impacts within the river but would necessitate broader impact footprints within the existing street infrastructure on the south edge of the river and the proposed street infrastructure on the north edge of the river. This alternative would also require direct permanent impacts to biological resources within the same footprint as the proposed project and would require additional encroachment into the City's Stadium Wetland Mitigation Site. The construction method for installing a suspension bridge would require a greater area of vegetation to be cleared to construct the tall bridge towers. The Suspension Bridge Alternative would have increased impacts to biological resources compared to the proposed project. For these reasons, a suspension bridge was evaluated but not moved forward for further design.

- O-1-13** The comment states that the bridge design should include physically separated bike lanes from vehicular lanes. As stated in Draft EIR Section 3.13.4, the proposed project includes an elevated bicycle path in each direction adjacent to (and at the same grade as) a sidewalk for pedestrians. The bicycle paths would provide an extension of the existing standard bicycle lanes on Fenton Parkway north of the trolley tracks, and they would provide a new connection to existing bicycle lanes on Camino Del Rio North, west of Mission City Parkway, and paths within the SDSU Mission Valley site and river park. The elevated paths would provide an enhanced level of protection for cyclists and help to encourage this mode of travel. The City is also expected to install bicycle lanes on Mission City Parkway that would connect to existing buffered bike lanes on Camino Del Rio South, east of Mission City Parkway. The Fenton Parkway Bridge bicycle facilities would be a critical element to enhancing connectivity, increasing accessibility, and enhancing safety for bicyclists in Mission Valley. For these reasons, the proposed project would be consistent with the Planning Group's desire to have separated bicycle facilities to help protect cyclists from vehicular interaction.
- O-1-14** The comment suggests the minimization of embodied carbon by exploring specifications of low embodied carbon materials (i.e., low embodied carbon concrete). See response to comment O-1-5 above.
- O-1-15** The comment states that bridge design should include consideration of sea water rise from global warming. See response to comment O-1-2.
- O-1-16** The comment suggests that a benefit would be the use of "smart" traffic signals to coordinate traffic flow with train and vehicular traffic. See response to comment O-1-7 above.
- O-1-17** The comment suggests that street lighting be designed to mitigate light pollution to the river and environmentally sensitive surroundings while providing for public safety. See response to comment O-1-3.
- O-1-18** The comment states that planning of construction activities should allow normal ongoing area activities as much as possible. See response to comment O-1-6.
- O-1-19** The comment states that habitat mitigation should be prioritized within the community. As stated in EIR Section 3.3, Biological Resources, and specifically Section 3.3.7, Mitigation Measures, Mitigation Measure (MM) BIO-2, Habitat Mitigation, mandates that all impacts to sensitive habitat be mitigated at a 1:1, 2:1 or 3:1 ratio, depending on the habitat type. This mitigation measure also mandates that land acquisition, off-site creation, enhancement, and/or purchase of appropriate credits occur at an approved mitigation bank in San Diego County. At the time of publication of the Final EIR, the CSU is exploring creation/restoration/enhancement within the San Diego River Watershed, as well as

purchase of credits at a mitigation bank located in San Diego County, if feasible. The ability to create/restore/enhance habitat within the San Diego River watershed depends on land availability, hydric conditions, and past and anticipated future disturbance influences, among other items. While the CSU certainly strives to secure a mitigation strategy as close to the project site as possible, options such as purchase of credits at a San Diego County area mitigation bank must also be pursued in parallel to ensure that mitigation is secured in a timely fashion so as to not hinder project progress.

- 0-1-20** The comment encourages active engagement and design review by the San Diego River Park Foundation. The San Diego River Park Foundation will be updated about the status of the bridge as it moves through design and construction.
- 0-1-21** The comment encourages active engagement and design review of the concept and schematic design by the Mission Valley Community Planning Group Design Advisory Board (DAB). The Mission Valley Community Planning Group DAB will be updated about the status of the bridge as it moves through design and construction.
- 0-1-22** The comment indicates that the Mission Valley Community Planning Group DAB accepted the EIR for the new Fenton Bridge and that it is acceptable with the comments stated above. The vote was unanimous. The CSU appreciates the Mission Valley Community Planning Group DAB for their comments and support of the proposed project.

INTENTIONALLY LEFT BLANK



San Diego County Archaeological Society, Inc.

Environmental Review Committee

May 14, 2024

To: Mr. Paul Jackson, Program Manager
Facilities Planning, Design, and Construction
San Diego State University
5500 Campanile Drive
San Diego, California 92182-1624

Subject: Draft Mitigated Negative Declaration
Fenton Parkway Bridge Project


Dear Mr. Jackson:

I have reviewed the cultural resources aspects of the subject DMND on behalf of this committee of the San Diego County Archaeological Society.

Based on the information contained in the DEIR and its Appendix D, we agree with the mitigation measures calling for an archaeological and Native American monitoring program. That monitoring should include Geotech testing conducted for the project as it will provide an advance look at the soil column.

Thank you for providing the DEIR and its appendices via the SDSU website.

Sincerely,


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

cc: Dudek
SDCAS President
File

O-2-1

P.O. Box 81106 San Diego, CA 92138-1106 (858) 538-0935

INTENTIONALLY LEFT BLANK

Response to Comment Letter O-2

**San Diego County Archaeological Society Inc.
James W. Royle, Jr., Chairperson
May 14, 2024**

O-2-1 The comment states that the San Diego Archeological Society has reviewed the Draft EIR and Appendix D, Cultural Resources Report. The comment states that they agree with the mitigation measures calling for an archeological and Native American monitoring program and suggest that monitoring include geotechnical testing, as it will provide an advanced look at the soil column.

Geotechnical testing was conducted in November 2023 in conformance with Information Bulletin 560 and the City's Historical Resources Regulations. Geotechnical testing of the project area did not result in evidence of any recorded historical resources. However, in response to this comment, Mitigation Measure (MM) CUL-1 has been clarified to require that the results of the geotechnical testing (which was conducted in November 2023 and resulted in no evidence of cultural resources) will be provided to the monitors prior to the start of construction to have on hand as a reference throughout monitoring.

INTENTIONALLY LEFT BLANK



May 28, 2024

Paul Jackson, Program Manager
 Facilities Planning, Design, and Construction
 SDSU, 5500 Campanile Drive
 San Diego, California 92182-1624

(Submitted by email to pjackson@sdsu.edu on May 28, 2024)

Subject: Comments on the Draft EIR for the Fenton Parkway Bridge Project

Dear Mr. Jackson,

The San Diego Audubon Society (SDAS) is a 3,000+ member non-profit organization with a mission to foster the protection and appreciation of birds, other wildlife, and their habitats, through education and study, and to advocate for a cleaner, healthier environment. We have been involved in conserving, restoring, managing, and advocating for wildlife and their habitat in the San Diego region since 1948. San Diego Audubon Society offers these comments and concerns on the Draft EIR for the Fenton Parkway Bridge Project.

O-3-1

We believe that the project will significantly damage valuable habitat along the San Diego River designated as the City of San Diego MHPA which supports the ecosystem for a number of species. The EIR acknowledges that sensitive sage scrub and riparian habitat will be significantly impacted by the construction and operation of the proposed bridge. This habitat supports 45 species of native plants and at least 74 species of wildlife inclusive of special status species and provides important foraging and nesting habitat for migratory and resident species. Given the ecological value of this habitat, the mitigation measures proposed are inadequate, and do not align with the identified value of the wildlife corridor, the habitat itself and the long-term impact on so many species. U.S. Fish and Wildlife Service (USFWS) and the California Department of Fish and Wildlife (CDFW) have expressed their concerns that this project will cause additional fragmentation and in their comment letter dated July 14th 2023 they recommended that SDSU adopt an alternative that does not cross the San Diego River due to the impact on wetlands and the “detrimental edge effects to the vireo and flycatcher.” The SDAS is in complete agreement with this recommendation because of the concerns listed below.

O-3-2

O-3-3

- 1. Wetland Mitigation (MM-BIO-18):** The EIR acknowledges that a portion of the project site “traverses and is adjacent” to the City of San Diego’s Stadium Wetland Mitigation Site and MHPA. Given that the previously designated mitigation site is not protected

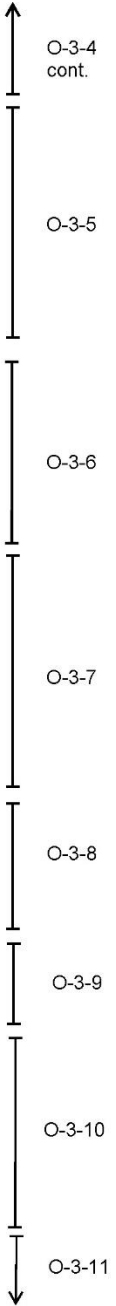
O-3-4

858-273-7800 • 4010 Morena Blvd., Suite 100, San Diego, CA 92117 • Fax 858-273-7801 • www.sandiegoaudubon.org



from future development projects and faces significant degradation because of this project, there is no guarantee that any potential wetland mitigation sites set aside for this project will be protected from future development. The State of California Governor’s Executive Order W-59-53 requires no net loss of wetland mitigation and ensures long term gain in the quantity, quality, and permanence of the wetland acreage. Further, the US Fish and Wildlife recently released a report which indicates a 50 percent increase in loss rates since 2009, cautioning that without further conservation efforts, the decline of these ecosystems will persist, diminishing their benefits for people, as well as their role as habitats for fish, wildlife, and native plants. Neither of these state and federal issues are adequately dealt with in the FEIR. The MM-BIO-18 section states that the wetland mitigation will be “by either the creation or purchase of credits for the creation of jurisdictional habitat of similar functions and values.” Has this site been identified? How close is this site to the current habitat in terms of geographical proximity to avoid habitat fragmentation? How suitable is this habitat for flora and fauna? Prior to the start of construction the project needs to demonstrate that the mitigation site is comparable in terms of function and value to the existing habitat. The criteria for a successful mitigation plan, should include the revegetation monitoring and also be inclusive of the monitoring of all species that inhabit the wetlands to ensure that mitigation addresses habitat losses. A decade-long comprehensive study of the wetland mitigation program by the Regional Water Quality Control Board showed that the habitat value of mitigated wetlands was low—the San Diego River corridor and endangered species that have been shown to use this project site are so valuable that the applicant cannot mitigate with low-quality, disconnected ‘wetland’ habitat elsewhere. This project traverses and is adjacent to the Stadium Wetland Mitigation Site, an existing mitigation site for a previous project and any changes to that site needs approval from wildlife agencies like the CDFW. The EIR does not state the impact on the previously set aside site and encroaching on such sites sets a dangerous precedent. This bridge has been deemed unnecessary by multiple agencies and City committees and the No Build Alternative is clearly the best way to avoid these substantial and unmitigatable impacts.

2. **Sage Scrub Habitat Mitigation (MM-BIO-2):** The EIR acknowledges that the Diegan Coastal Sage Scrub habitat has declined by 75 to 80% of its historical coverage in Southern California. Given this decline and the sensitive and important nature of the habitat the mitigation plan should clearly identify the mitigation site prior to commencing work and purchasing of “appropriate credits against a credit bank” is not a viable option if a similar habitat is not available in geographic proximity to the project site. Further under MM-BIO-17 it is stated that the sage scrub, riparian, and unvegetated channels will be restored to original condition following the temporary impacts. Any restoration





monitoring should include vegetation monitoring and monitoring of all the species that use the habitat to ensure that the mitigation addresses all habitat losses.

↑ O-3-11
cont.

3. **Light Pollution:** We appreciate the report's consideration of lighting impacts on the MHPA and surrounding sensitive biological resources. However, we have concerns regarding the use of LED streetlights instead of low pressure sodium lighting, as explicitly recommended by the MHPA guidelines to minimize wildlife disruption. While the commitment to minimizing and orienting lighting away from sensitive areas is commendable, the term 'as much as possible' is vague. To further minimize light intrusion and align with the MHPA guidelines, we recommend adopting lighting guidelines based on MHPA and DarkSky recommendations:

- A. Use LED lights with a color temperature of 2200-2700 Kelvin or lower to closely mimic the warm light of low-pressure sodium lamps and further reduce blue light emissions.
- B. Implement timers and motion sensors to reduce the duration and intensity of lighting, ensuring lights are only on when necessary.
- C. Use fully shielded fixtures to direct light downward and prevent spillover into the MHPA and other nearby habitat areas
- D. Limit the lumen levels to the necessary minimum, ideally between 300-700 lumens for pedestrian areas.
- E. Incorporate adaptive lighting controls and regular environmental monitoring of lighting intensity in habitat areas as integral parts of the lighting plan.

O-3-12

4. **Noise Impacts on Critical Bird Species:** As the report identifies, the nesting season for the California Gnatcatcher and Least Bell's Vireo span the months of February through September. Conducting a nesting survey 72 hours prior to the start of construction and then proceeding with construction if no nests are found is not a viable mitigation strategy as the noise from construction can deter nesting during the breeding season. The report claims that if a nest is found then noise mitigation measures will be implemented "to the extent feasible" and "may include constructing a sound barrier or shifting construction work further from the nest." (3.3-65 of EIR) However, under the Impact BIO-12 section of the EIR it is stated that "the installation of very tall solid sound barriers would result in additional impacts to aquatic resources and habitat and possibly impede wildlife movement and therefore is not a feasible option". This is contradictory to section 3.3-65 of the EIR where implementation of sound barriers is an option for mitigation. The plans to mitigate noise impacts due to construction are too vague and it has also been stated that "significant unavoidable impacts associated with construction-related noise may occur." Further, the EIR does not account for post construction noise impacts especially with vehicular traffic. The presence of the bridge will degrade the habitat for sensitive species

O-3-13



- ↑ O-3-13
cont.

potentially impacting the local population. Providing vague mitigation measures against such a drastic impact is callously disregarding the impact of the project on such wildlife.
- 5. **Breeding Season Use vs Year Round Use:** The location of the project is critical not just during the breeding season. While a lot of emphasis has been placed on the breeding season surveys and the mitigation strategies are mainly trying to address the breeding season use, the impact of the bridge on wildlife movement and foraging extends well beyond that. The corridor value of this location cannot be understated and the EIR does not address specific impacts to the corridor value outside of the construction impacts. Increased noise from vehicular traffic, excessive light both from the bridge and the vehicles using the bridge will be felt by the wildlife using this corridor throughout the year and not just during the breeding season. Trash generated by the bridge, both from pedestrian use and vehicular use will also impact the quality of the corridor, not to mention the seeds of invasive plants that can hitch a ride with vehicular traffic. Trash, noise, and light pollution will reduce the value of the corridor post construction and throughout the year and increase the vulnerability of the animals using the corridor. No mitigation measures have been proposed against these impacts. Wildlife corridors become more critical with climate change and human encroachments fragmenting habitats for other species. The mitigation measures proposed do not fully address the sensitive nature of the habitat.

O-3-14
- 6. **Pedestrian Bridge vs Vehicular Bridge:** One of the justifications for the project has been to help achieve the CAP goals of net zero by 2035 by providing access to the trolley station and allowing for pedestrian and bicycle use. Additional vehicular traffic for Emergency Vehicle access is contrary to the first goal. There is no clear need for this project and the needs of Emergency Vehicles seem to have been co-opted as a justification for introducing vehicular traffic. Introducing vehicular traffic into an existing wildlife corridor could create a hotspot for wildlife-vehicle collisions. A 2019 study from UC Davis recorded over 42,000 carcass observations reported to the California Roadkill Observation System between 2009 and 2018 at a cost of over \$1 Billion over four years¹. The EIR needs to model potential wildlife mortality due to wildlife-vehicle collisions at this location which is a critical wildlife corridor and propose appropriate mitigation measures before proceeding with such a project.

O-3-15

O-3-16

O-3-17
- Overall, this project has many serious issues that need to be addressed. Loss of wetland habitat, sage scrub habitat, and a key wildlife corridor cannot be mitigated by purchasing credits against habitats set aside in a different location. Preserving wildlife corridors should be a priority as these corridors provide ecological value throughout the year by supporting biodiversity and wildlife movement on a daily basis and improving genetic diversity in populations of various

O-3-18

O-3-19

858-273-7800 • 4010 Morena Blvd., Suite 100, San Diego, CA 92117 • Fax 858-273-7801 • www.sandiegoaudubon.org



Fostering the protection and appreciation

of birds, other wildlife, and their habitats...

species. To address the full extent of the impact of this project, the mitigation strategy should include the rest of the year beyond the breeding season, post-construction, and the impact from everyday use of the bridge by pedestrians and vehicles throughout the year. The EIR does not offer any such mitigation plan and details offered are vague at best. Having a biologist survey for nesting birds and providing noise barriers that are “feasible” and buying credits against wetlands in a different location or planning to create a comparable habitat elsewhere with no location identified are not mitigation strategies that are commensurate with the value of the habitat that will be lost because of the proposed project. Further, this sets a dangerous precedent of building now and mitigation later and taking away a previously allocated mitigation site. There has been no clear demonstrated need for this bridge in this particular location and given the value and sensitive nature of the habitat the bridge project is an unnecessary one when weighed against the loss it will entail. The wildlife agencies, including USFWS and the CDFW, have expressed strong concerns regarding the necessity of the proposed Fenton Parkway Bridge and its potential environmental impacts. According to their detailed assessment, the bridge is not essential for addressing transportation needs, as there are viable alternatives that would result in significantly lesser biological impacts.

O-3-20

O-3-21

O-3-22

Recent developments in road ecology have informed us of the detrimental impact that roads and bridges have on wildlife. In the US alone a million animals are killed by cars everyday². The impact of traffic noise on songbirds is also widely documented³. While we are trying to fix the errors of the past by building expensive wildlife corridors to existing infrastructure as an afterthought⁴, it is unacceptable to degrade and demolish an existing wildlife corridor that provides habitat for many critical species on sensitive wetland and sage scrub habitat. These issues were also raised by CDFW and USFWS multiple times first in 2001 in response to the NOP, again in 2019 when they offered comments on the DEIR and most recently in their letter dated July 14th 2023 in which they strongly urged SDSU to find an alternative that does not cross the San Diego River. The San Diego Audubon joins these agencies and urges that this project not be approved to proceed at the given location.

O-3-23

Sincerely,

James Peugh
Conservation Chair
San Diego Audubon Society

Lesley Handa
Lead Ornithologist
San Diego Audubon Society

Padma Jagannathan
Conservation Committee
San Diego Audubon Society

858-273-7800 • 4010 Morena Blvd., Suite 100, San Diego, CA 92117 • Fax 858-273-7801 • www.sandiegoaudubon.org



Sources:

1. https://roadecology.ucdavis.edu/sites/g/files/dgvnsk8611/files/files/WVC_Report_2019.pdf
2. <https://www.fhwa.dot.gov/publications/research/safety/08034/>
3. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7893234/>
4. <https://ktla.com/news/local-news/caltrans-provides-update-on-worlds-largest-wildlife-crossing/>

858-273-7800 • 4010 Morena Blvd., Suite 100, San Diego, CA 92117 • Fax 858-273-7801 • www.sandiegoaudubon.org

Response to Comment Letter O-3

San Diego Audubon Society
James A. Peugh, Lesley Handa, and Padma Jagannathan
May 28, 2024

- O-3-1** The comment is an introduction to comments that follow. No further response is required.
- O-3-2** The comment states that San Diego Audubon Society believes the project will significantly damage valuable habitat along the San Diego River designated as the City of San Diego Multi-Habitat Planning Area (MHPA), which supports the ecosystem of and provides habitat for a number of plant and wildlife species, including special-status species, and provides important foraging and nesting habitat for migratory and resident species. The comment restates conclusions made in the Draft EIR that impacts from construction and operation of the proposed bridge to sensitive sage scrub and riparian habitat would be significant (absent mitigation). The comment states that, given the ecological value of this habitat, the mitigation measures proposed are inadequate and do not align with the identified value of the wildlife corridor, the habitat itself, and the long-term impact on so many species.
- The Draft EIR concludes that direct and indirect impacts to biological resources, including to special-status plants and wildlife, sensitive natural communicates, jurisdictional waters, and wildlife movement and wildlife corridors, would be potentially significant absent mitigation. The Draft EIR identifies feasible mitigation measures, as required by CEQA (14 CCR 15041), that would result in impact avoidance and minimization, provide for restoration of temporarily impacted areas, and require compensatory mitigation (see Section 3.3.7, Mitigation Measure [MM] BIO-1 through MM-BIO-18) in accordance with mitigation requirements in the City’s Biology Guidelines. The inclusion of these measures is consistent with the requirements of CEQA, which requires public lead agencies to impose feasible mitigation measures as part of the approval of a project in order to substantially lessen or avoid the significant adverse effects of the project.
- Finally, the CSU acknowledges that the proposed project could result in significant and unavoidable impacts associated with construction-related noise, as analyzed and disclosed in the Draft EIR. Findings of Fact and a Statement of Overriding Considerations have been prepared as part of the Final EIR that set out the overriding benefits of the proposed project, as required by CEQA. The comment is noted for the record and is included in this Final EIR for review and consideration by the decision makers prior to a final decision on the proposed project.
- O-3-3** The comment references a July 14, 2023, letter expressing concerns that the proposed project will cause additional fragmentation and recommending that the CSU adopt an alternative that does not cross the San Diego River due to the impact on wetlands and the detrimental edge effects to least Bell’s vireo and southwestern willow flycatcher. The comment expresses agreement with the conclusions of the referenced July 14, 2023, letter, and serves as an introduction for comments that follow. Please refer to responses to comments O-3-4 through O-3-23, below.
- O-3-4** The comment references the statement made in the Draft EIR that “the bridge would be within the City of San Diego’s (City’s) MHPA and the City’s Stadium Wetland Mitigation Site (no credit area)” (see Section 3.3.1). The comment states that “Given that the previously designated mitigation site is not protected from future development projects and faces significant degradation because of this project,

there is no guarantee that any potential wetland mitigation sites set aside for this project will be protected from future development.”

The CSU disagrees with the premise that the Stadium Wetland Mitigation Site is not protected from future development projects. The CSU also disagrees with the statement that the Stadium Wetland Mitigation Site faces significant degradation because of the proposed project. The City’s Stadium Wetland Mitigation Site is a 57-acre advanced permittee-responsible compensatory mitigation site that generates wetland mitigation credits for use in connection with infrastructure projects for the City. When created, the Stadium Wetland Mitigation Site intentionally omitted multiple designated infrastructure easements as "no credit" areas. The Stadium Wetland Mitigation Site design allotted several “no credit” areas for future infrastructure projects identified in the Misson Valley Community Plan, including the proposed Fenton Parkway Bridge. The Draft EIR explains that the proposed bridge would be located in one of these “no credit” areas (see Section 3.3.2 and Figure 3.3-2 in the Draft EIR).

The Final EIR has been clarified to note that because the proposed project would be located in a “no credit” area, no direct impacts would occur to the Stadium Wetland Mitigation Site as a result of project implementation, which includes both temporary construction impacts and permanent impacts that would only occur within the “no credit” area. Therefore, the Stadium Wetland Mitigation Site is protected from future development projects. In addition, the Draft EIR analyzes potential indirect impacts from the proposed project, including to the Stadium Wetland Mitigation Site, in Section 3.3.4. As is described in Section 3.3.8 of the Draft EIR, implementation of MM-BIO-8, MM-BIO-9, MM-BIO-10, MM-BIO-11, MM-BIO-13, and MM-BIO-14 would mitigate potentially significant short-term and long-term indirect impacts to special-status plants, sensitive natural communities, and jurisdictional waters, including within the Stadium Wetland Mitigation Site, to less than significant. Therefore, with implementation of proposed mitigation measures, the Stadium Wetland Mitigation Site does not face significant degradation as a result of the proposed project.

0-3-5 The comment refers to California Executive Order W-59-53, which requires no net loss of wetland mitigation to ensure long-term net gain in the quantity, quality, and permanence of the wetland acreage, and to a 2024 U.S. Fish and Wildlife Service report that found a more than 50% increase in wetlands loss rates nationally during the period between 2009 and 2019 compared to the period between 2004 and 2009, stating that neither of these issues is adequately dealt with in the Final EIR.

First, it is assumed that the comment is referring to the Draft EIR and not the Final EIR. The Draft EIR analyzes direct and indirect impacts to federally and state-regulated wetlands/riparian areas and non-wetland waters, as well as City-regulated wetlands. The Draft EIR requires implementation of MM-BIO-2 and MM-BIO-18, which include compensatory mitigation for impacts to wetland/riparian habitat. With implementation of MM-BIO-2, impacts to southern cottonwood–willow riparian forest will be mitigated at a 3:1 mitigation ratio, and those to non-vegetated channel will be mitigated at a 1:1 or 2:1 mitigation ratio, as determined during the permitting process. Implementation of MM-BIO-18 requires the overall ratio of wetland/riparian habitat mitigation be 3:1. MM-BIO-18 also requires the CSU or its designee obtain a U.S. Army Corps of Engineers (USACE) Section 404 permit, a Regional Water Quality Control Board (RWQCB) Section 401 Water Quality Certification, and a California Department of Fish and Wildlife (CDFW) Section 1600 Streambed Alteration Agreement prior to impacts occurring in regulated wetlands and non-wetland waters. Please refer to Section 3.3.7 of the Draft EIR for the full text of the mitigation measures.

On April 2, 2019, the State Water Resources Control Board adopted Resolution No. 2019-0015, adopting the “State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State” (Procedures) as state policy for water quality control. In accordance with Executive Order W-59-93, the Procedures ensure that the 19 RWQCBs’ regulation of dredge or fill activities will be conducted in a manner “to ensure no overall net loss and long-term net gain in the quantity, quality, and permanence of wetlands acreage and 21 values.” As such, through implementation of the mitigation measures described above and compliance with regulations pertaining to waters of the state and by obtaining a RWQCB 401 Water Quality Certification, as well as a USACE 404 permit and a CDFW 1600 Streambed Alteration Agreement, the project would not result in impacts that are inconsistent with California Executive Order W-59-53. The project would mitigate all impacts to federally and state-regulated wetlands/riparian areas and non-wetland waters in a manner consistent with the requirements of CEQA and the pertinent state and federal regulations governing impacts to regulated wetlands, including ensuring there is no net loss of wetland and ensuring long-term gain in the quantity, quality, and permanence of the wetland acreage.

0-3-6 The comment restates portions of MM-BIO-18 and asks if the mitigation site has been identified, how close the site is to the project site, and how suitable the mitigation site habitat is for flora and fauna. The comment also states that, prior to the start of construction, the CSU needs to demonstrate that the mitigation site is comparable in terms of function and value to the existing habitat.

Work is ongoing to identify the location of an appropriate off-site mitigation site. Every effort is being made to ensure off-site mitigation is located in the same watershed as the project site; specifically, efforts are underway to identify compensatory mitigation opportunities within the San Diego River, and as close to the project site as possible, such that creation of jurisdictional habitat will provide similar functions and values to the habitat impacted as a result of project implementation. Identification of the off-site mitigation site will be necessary for state and federal permit applications required in MM-BIO-18; therefore, the off-site mitigation site will be identified prior to the start of construction and, as required by MM-BIO-18, will include creation, or purchase of credits for the creation, of jurisdictional habitat of similar functions and values. Please refer to Section 3.3.7 of the Draft EIR.

0-3-7 The comment states that successful mitigation plans should include revegetation monitoring and include monitoring of all species that inhabit the wetlands to ensure that mitigation addresses habitat losses. The comment refers to a study by the RWQCB looking at the habitat value of mitigated wetlands. The comment states that the project cannot mitigate wetlands impacts with low-quality, disconnected wetland habitat elsewhere.

Implementation of MM-BIO-18 includes several options for providing mitigation for impacts to wetlands. Wetland mitigation through a bank would not be low-quality or disconnected due to the rigorous design and approval process wetland mitigation banks go through to get established and authorized to sell credits. If mitigation is proposed outside of an approved mitigation bank, MM-BIO-18 requires preparation and implementation of a Conceptual Wetlands Mitigation and Monitoring Plan, which would include, at a minimum, a 5-year maintenance and monitoring program with qualitative and quantitative evaluation of the revegetation effort and specific criteria to determine successful revegetation. In addition, MM-BIO-2 requires mitigation habitat to be appropriate habitat for special-status species with potential to occur on the project site.

Wetlands mitigation would adhere to any conditions identified in the USACE 404 permit, the RWQCB 401 Water Quality Certification, and the CDFW 1600 Streambed Alteration Agreement, permits required to comply with the California state and federal policies that have established goals of “no net loss” of wetland area or function. As discussed in the response to comment O-3-4, off-site mitigation will be located in the same watershed as the project and efforts are underway to identify compensatory mitigation opportunities within the San Diego River, as close to the project site as possible; compensatory mitigation for wetlands impacts is not expected to include low-quality, disconnected wetland habitat far from the project site.

O-3-8 The comment correctly states that the project traverses and is adjacent to the Stadium Wetland Mitigation Site, and that any changes to that site need approval from wildlife agencies, such as CDFW. The comment continues that “The EIR does not state the impact on the previously set aside site and encroaching on such sites sets a dangerous precedent.”

The Draft EIR’s discussion of direct and indirect impacts to the Stadium Wetland Mitigation Site are addressed in the response to comment O-3-4. As is described in the Draft EIR and the response to comment O-3-4, no direct impacts would occur to the Stadium Wetland Mitigation Site because construction of the bridge would occur in a “no credit” area that was excluded from the Stadium Wetland Mitigation Site to account for anticipated infrastructure such as the project. Indirect impacts would be less than significant after mitigation (please refer to Sections 3.3.4 and 3.3.8 in the Draft EIR).

O-3-9 The comment states that the bridge has been deemed unnecessary by multiple agencies and City committees and suggests the No Build Alternative is the best way to avoid substantial and unmitigable impacts. The City has determined that the project is imperative in both purpose and need (see Thematic Response 1 and response to comments A-3-13 through A-3-16). The project is considered an Essential Public Project and is identified as a desired crossing in the recently updated Mission Valley Community Plan Update. The comment correctly states that the only way to entirely avoid impacts associated with the project would be a No Build Alternative. No further response is required.

O-3-10 The comment states that, given the sensitive nature of Diegan coastal sage scrub and its decline in California, the mitigation plan should clearly identify the mitigation site prior to commencing work. The comment also asserts that purchasing of appropriate credits against a credit bank is “not a viable option if a similar habitat is not available in geographic proximity to the project site.”

As required by CEQA, MM-BIO-18 sets forth clear performance standards for wetlands mitigation. As noted in the response to comment O-3-6, any off-site mitigation site will be identified prior to the start of construction and will be included in the final mitigation plan, as required by MM-BIO-18, which shall include creation, or purchase of credits for the creation, of jurisdictional habitat of similar functions and values. In accordance with MM-BIO-2, any conservation of habitat by purchase of appropriate credits at an approved mitigation bank, would be in the City of San Diego. Work is ongoing to identify the location for off-site mitigation. Every effort is being made to identify viable compensatory mitigation opportunities in as close proximity to the project site as possible.

O-3-11 The comment states that any restoration for temporary impacts should include vegetation monitoring and monitoring of all the species that use the habitat to ensure that the mitigation addresses all habitat losses.

After construction is complete, restoration efforts will be guided by the On-Site Conceptual Restoration Plan and will comply with success criteria outlined therein and in MM-BIO-17 in the Final EIR, which includes minor revisions to the Draft EIR success criteria. The restoration plan would include a 5-year monitoring and maintenance period and, as required in MM-BIO-2, would provide appropriate habitat for special-status species with potential to occur on the project site.

0-3-12 The comment states that San Diego Audubon Society appreciates the Draft EIR's consideration of impacts due to lighting in the MHPA but raises concerns regarding the use of LED streetlights instead of low-pressure sodium "as explicitly recommended by the MHPA guidelines to minimize wildlife disruption" and recommends adopting lighting guidelines based on MHPA and DarkSky recommendations. The comment also suggests the term "as much as possible" is vague.

Section 1.4.2, General Planning Policies and Design Guidelines, of the City of San Diego Multiple Species Conservation Program (MSCP) Subarea Plan Land Use Considerations requires lighting to be designed to avoid intrusion into the MHPA and effects on wildlife and recommends lighting in areas of wildlife crossings to be of low sodium or similar lighting. Section 1.4.3, Land Use Adjacency Guidelines of the City's MSCP Subarea Plan Land Use Considerations requires lighting to be adjacent to the MHPA to be directed away from the MHPA and to include adequate shading (City of San Diego 1997). The Mission Valley Community Plan Update requires "LED streetlights with adaptive controls ... to minimize light pollution" to be installed when lighting new and existing roadways (City of San Diego 2019d).

Lighting designs for the project and the requirements pertaining to lighting in MM-BIO-11 are consistent with Sections 1.4.2 and 1.4.3 of the City's Subarea Plan, including MHPA guidelines. As stated in Draft EIR Section 3.1, Aesthetics, Section 3.1.4, Impact Analysis, once constructed, decorative bridge lighting elements would generally be consistent with local (i.e., Community Plan and San Diego River Park Master Plan) policies concerning installation of LED streetlights with adaptive controls, additional shielding of fixtures, provision of adequate lighting for pedestrian and cyclists, and would limit light pollution in adjacent habitat, including in the river corridor. Further, the project is in an existing, urbanized setting that features numerous sources of night lighting adjacent to the river corridor. As proposed, bridge lighting would not be excessive in number nor excessively bright and bridge lighting is not expected to substantially increase light levels in the river.

As is described in Table 3.3-8 of the Draft EIR, which analyzes consistency with the City's MSCP Land Use Considerations and Framework Management Plan, and as included in MM-BIO-11, all artificial outdoor light fixtures within 100 feet of the MHPA shall be installed so they are shielded and directed away from sensitive areas to ensure compliance with the MSCP's Land Use Adjacency Guidelines and to be in accordance with the Land Development Code Section 142.0740, Outdoor Lighting Regulations. This includes standard cobra-head light fixtures mounted on concrete pedestals behind the bridge barrier, as described in Section 3.3.4 of the Draft EIR and in MM-BIO-11. The MHPA guidelines requires low-pressure sodium or similar lights, allowing for other lighting to be installed that avoids intrusion into the MHPA and effects on wildlife. Adherence to this guideline will be achieved through implementation of MM-BIO-11, which requires lighting to be designed to minimize light pollution within native habitat areas.

MM-BIO-11 in the Final EIR has been clarified to include the suggested lighting guidelines; the maximum Color Correlated Temperature is identified as 3,000 Kelvin to align with Land Development Code Section 142.0740.

As previously discussed, MM-BIO-11 requires that “all artificial outdoor light fixtures within 100 feet of the MHPA be installed so they are shielded and directed away from sensitive areas, resulting in very little light spillage over the bridge into the San Diego River” (see Section 3.37 of the Draft EIR). The phrase “as much as possible” was used only in Section 2.2.1 of the Draft EIR and has been removed from the Final EIR.

0-3-13 The comment states that the Draft EIR identifies a nesting season of February through September for least Bell’s vireo and coastal California gnatcatcher and restates portions of MM-BIO-1 requiring implementation of noise reduction techniques. The comment states that completing a nesting survey 72 hours prior to the start of construction and then proceeding with construction if no nests are found is not a viable mitigation strategy as the noise from construction can deter nesting during the breeding season. The comment also states that text from Impact -BIO-12 (“the installation of very tall solid sound barriers would result in additional impacts to aquatic resources and habitat and possibly impede wildlife movement and therefore is not a feasible option”) is contradictory to portions of MM-BIO-1 and MM-BIO-15, which identify sound barriers as possible noise reduction techniques around active least Bell’s vireo nests. Lastly, the comment states that mitigation for construction-related noise impacts is too vague and restates the Draft EIR conclusion that significant unavoidable impacts associated with construction-related noise may occur.

The Draft EIR identifies a nesting season of March 15 through September 15 for least Bell’s vireo and February 15 through August 31 for coastal California gnatcatcher, not February through September as indicated in the comment. Further, although the comment refers to the nesting season for least Bell’s vireo and coastal California gnatcatcher, the mitigation requirement referenced (a pre-construction nesting survey to be conducted within 72 hours prior to construction) is from MM-BIO-6 and does not reflect the pre-construction survey requirements of MM-BIO-15 for least Bell’s vireo and coastal California gnatcatcher.

Pre-construction nesting surveys required by MM-BIO-6 (as well as those in MM-BIO-1 and MM-BIO-15) constitute one element of the mitigation strategy intended to avoid and/or minimize impacts to nesting birds during construction. The pre-construction surveys alone are not intended to mitigate all potential construction-related impacts to nesting birds. As the comment acknowledges, in addition to pre-construction surveys, the Draft EIR identifies several measures to mitigate potential construction-related indirect impacts to birds nesting in areas adjacent to the project work area, including impacts related to construction noise (see MM-BIO-1, MM-BIO-6, MM-BIO-8 through MM-BIO-11, and MM-BIO-15 in the Draft EIR). With the exception of construction-related noise, the Draft EIR found that, with implementation of these mitigation measures, indirect impacts to special-status wildlife species would be reduced to less than significant. (Even after installation of noise barriers and other noise-reduction techniques identified in MM-BIO-1 and MM-BIO-15, the Draft EIR concluded that significant unavoidable impacts associated with construction-related noise may occur if nests are established close to work areas.)

The text in the Draft EIR’s discussion of Impact BIO-12 referenced in the comment does not contradict the Draft EIR’s identification of sound barriers as a potential noise-reducing techniques in MM-BIO-1 and MM-BIO-15. Earlier in the discussion of Impact BIO-12 in the Draft EIR, as well as in MM-BIO-1 and MM-BIO-15, sound barriers are identified as a potential noise reduction technique. The barriers identified as infeasible in the discussion of Impact BIO-12 are solid barriers that are so tall they would require anchoring. The Final EIR has been clarified to provide additional detail on the modeling done to

identify those barriers that can feasibly be installed to reduce indirect impacts resulting from construction activities in close proximity to active nests (see response to comment A-2-49 for further detail). These revisions further clarify that, although impacts may occur, through implementation of measures described in MM-BIO1, MM-BIO-6, and MM-BIO-15 in Section 3.3.8 of the Draft EIR, the CSU will avoid and minimize indirect impacts to nesting birds to the maximum extent feasible, as is required under CEQA.

MM-BIO-1, MM-BIO-6, and MM-BIO-15 clearly identify noise reduction techniques that may be employed to mitigate potential construction-related noise impacts. As is described in the Draft EIR, should construction activities occur within any established avoidance buffers around active nests, a qualified biologist shall conduct sound monitoring and implement noise-reduction techniques as appropriate, which could include utilizing quieter equipment, adhering to equipment maintenance schedules, shifting construction phase timelines so that they occur outside of the breeding season, installing temporary sound barriers, or shifting construction work further from the nest. The comment is correct that, even after installation of noise barriers and other noise-reduction techniques identified in MM-BIO-1 and MM-BIO-15, the Draft EIR concluded that significant unavoidable impacts associated with construction-related noise may occur if nests are established close to work areas.

The comment further states that the Draft EIR does not account for post-construction noise impacts, especially those associated with vehicular traffic. The comment also states that the presence of the bridge will degrade the habitat for sensitive species and that providing vague mitigation measures against such a drastic impact is callously disregarding the impact of the project on such wildlife.

Section 3.3.4 of the Draft EIR includes an analysis of long-term indirect impacts to special-status wildlife species and to wildlife movement and wildlife corridors, including operation-related noise from vehicle traffic on the new bridge. Areas where noise levels would result in a 3 A-weighted decibel sound equivalent level (or more) change between the current average noise levels and modeled noise levels in 2035 are limited to the fringes of the San Diego River where it meets Mission City Parkway and Camino Del Rio North (southern boundary of the river) or near the Mission Valley River Park, trolley tracks, Fenton Parkway, and River Park Road (northern boundary of the river). Birds such as least Bell's vireo have not been recorded along these outer fringes of the river and are less likely to nest in these areas compared to the interior protected portions of the river. The modeled areas with potentially significant noise levels that intersect with southern cottonwood-willow riparian forest in the north are within the permanent impact area (see Figure 3.3-3 of the Draft EIR); modeled noise levels do not result in additional impacts to this habitat beyond the permanent impact area. Potentially significant permanent impacts to this habitat are mitigated by implementation of MM-BIO-2 and MM-BIO-18.

O-3-14 The comment states that, while the Draft EIR emphasized breeding season impacts and mitigation, the impact of the bridge on wildlife movement and foraging extends well beyond the breeding season. The comment states that impacts to the wildlife corridor are not analyzed in the Draft EIR outside of construction-related impacts and identifies several specific potential causes of operational impacts. The comment states that no mitigation measures have been proposed against these impacts.

The Draft EIR analyzes both shorth-term construction-related indirect impacts and long-term, operational impacts to wildlife corridors in Section 3.3.4. Section 3.3.1.7 of the Draft EIR acknowledges the value the San Diego River provides as a wildlife movement corridor and as foraging, migratory, and live-in habitat. Because the bridge structure provides a much greater openness ratio than the minimum

recommended 0.8, the Draft EIR concluded that the structure design of the bridge itself is not expected to affect wildlife movement. The Draft EIR identifies potentially significant impacts to wildlife movement as a result of increased human activity, lighting, and noise.

Impacts due to increased human activity and lighting would be mitigated by MM-BIO-11, MM-BIO-13, and MM-BIO-14, as described in the discussion of Impact BIO-19 in Section 3.3.8 of the Draft EIR. Impacts due to the introduction of non-native invasive plants that may be introduced to the river by vehicles passing over the bridge would be addressed by implementation of MM-BIO-11, MM-BIO-13, and MM-BIO-14, as described in Impact BIO-11 for long-term indirect impacts to special-status plant species, in Section 3.3.8 of the Draft EIR. As discussed in the response to comment O-3-10, modeled noise levels do not result in additional impacts to this habitat beyond the permanent impact area; potentially significant permanent impacts to the wildlife corridor functionality of the habitat in the San Diego River are mitigated by implementation of MM-BIO-2 and MM-BIO-18. As discussed in the response to comment O-3-13, the Final EIR has been revised to clarify that long-term indirect impacts to special-status wildlife and to wildlife movement specifically related to increased vehicle collisions would be less than significant.

O-3-15 The comment refers to the proposed project's role in helping achieve the City's Climate Action Plan (CAP) goals by providing access to the trolley station and allowing for pedestrian and bicycle use and states that additional vehicular traffic for emergency vehicle access is contrary to the CAP goal of net zero greenhouse gas emissions by year 2035.

As is described in Section 2.1.2, Project Background, of the Draft EIR, based on planned growth in Mission Valley, which is expected to increase by 248% between 2012 and 2050 (Mission Valley Community Plan Update EIR Table 3.4-1, Buildout Summary [City of San Diego 2019a]), the City recommended the Fenton Parkway connection over the San Diego River, which would provide multiple approach route options for emergency response and alternate routes for diverting traffic during emergencies. This planned connection is particularly important because there are often multiple responders to an incident who need access from different directions to the area (Draft EIR Appendix A). Separately, supporting active transportation (walking, biking, and transit) mode shifts is an important component of the City's CAP, which aims to achieve net zero greenhouse gas emissions by Year 2035. As is described in Section 2.1.2 of the Draft EIR, the Fenton Parkway connection is critical to providing a safer and higher quality/lower stress environment for pedestrians and cyclists to help achieve the City's CAP targets, including providing access for Mid-City residents to the San Diego Trolley and the SDSU Mission Valley Campus via the I-15 bikeway (Draft EIR Appendix A).

By reducing regional VMT and improving emergency access and response, as well as overall circulation, in the project's vicinity (see Section 3.13.6 of the Draft EIR), the proposed project addresses a growing strain on emergency services and simultaneously addresses detrimental effects of greenhouse gas emissions and contributes to meeting the City's CAP goals. Improved emergency access between the communities north and south of the river in the eastern portion of the Mission Valley community would not lead to additional vehicular traffic from emergency vehicles, as is posited by the comment; on the contrary, the bridge's improved emergency access should result in reduced greenhouse gas emissions by lessening the distance currently traveled by emergency vehicles needing to cross the San Diego River.

O-3-16 The comment states there is no clear need for the project and suggests the needs of emergency vehicles have been co-opted as a justification for introducing vehicular traffic.

Please refer to Thematic Response 1. Section 3.13, Transportation, of the Draft EIR includes an analysis of the project's VMT impact using the City of San Diego Transportation Study Manual. Based on this analysis, the proposed project is not anticipated to increase VMT compared to the no project conditions. Furthermore, as described above and in Section 2.1.2 of the Draft EIR, the City identified the Fenton Parkway connection as essential to meet the emergency needs of the community and City (Draft EIR Appendix A), and the Draft EIR's analysis concluded that construction of the proposed bridge would improve emergency access and response (see Section 3.13.5 of the Draft EIR). The CSU disagrees with the comment that emergency vehicle needs have been co-opted as justification for introducing vehicular traffic.

O-3-17 The comment states that introducing vehicular traffic into a wildlife corridor could create a hotspot for wildlife-vehicle collisions and requests that the EIR model potential wildlife mortality due to wildlife-vehicle collisions.

Section 3.3.4 of the Draft EIR identifies increased vehicle traffic as a potential long-term indirect impact to wildlife and wildlife movement. Specifically, avian species flying above the riparian canopy may have increased vehicle interaction risk after project completion due to traffic on the new bridge. As is described in Section 3.3.4 of the Draft EIR, a 2017 study (Dudek 2018) tracking avian mortalities and avoidance flight behaviors at the West Mission Bay Bridge (along the San Diego River, but coastal) suggests that vehicles on the bridge could result in only occasional avian mortality due to collisions with vehicles. It is anticipated that vehicle collisions would be most likely for doves, barn owls, and waterfowl that may fly in the elevation range of the bridge (i.e., 25–30 feet). However, for smaller passerine birds such as least Bell's vireo, yellow warbler, and yellow-breasted chat, vehicle collisions on the proposed bridge are expected to be uncommon since these species typically fly shorter distances (outside of migration) and within the tree canopy and understory to avoid predation and are less likely to fly over the bridge. The Final EIR has been revised to clarify that long-term indirect impacts to special-status wildlife and to wildlife movement specifically related to increased vehicle collisions would be less than significant; therefore, mitigation measures are not required and modeling potential mortality due to wildlife-vehicle collisions is not necessary.

O-3-18 The comment states that loss of wetland habitat, sage scrub habitat, and a key wildlife corridor cannot be mitigated by purchasing credits against habitats set aside in a different location.

MM-BIO-2 requires overall mitigation ratios for temporary and permanent impacts as follows: 3:1 for southern cottonwood–willow riparian forest, 2:1 for non-vegetated channel, and 1.5:1 for Baccharis-dominated Diegan coastal sage scrub and restored Diegan coastal sage scrub. Conservation of habitat under MM-BIO-2 would be by land acquisition, off-site creation and/or enhancement, and/or purchase of appropriate credits at an approved mitigation bank in the City of San Diego. MM-BIO-2 further stipulates that mitigation habitat shall be appropriate habitat for special-status amphibians, reptiles, mammals, invertebrates, and birds with potential to occur on the project site. MM-BIO-18 requires 3:1 mitigation for impacts to wetlands/riparian habitat, consisting of a 2:1 mitigation-to-impact ratio to be met through a combination of off-site creation, enhancement, restoration, and/or purchase of credits at an approved mitigation bank, and a 1:1 impact-to-creation ratio by either the creation, or purchase of credits for the creation, of jurisdictional habitat of similar functions and values. Impacts to the unvegetated stream channel would require 2:1 mitigation, consisting of a 1:1 mitigation-to-impact ratio to be met through a combination of off-site creation, enhancement, restoration, and/or purchase of

credits at an approved mitigation bank, and a 1:1 impact-to-creation ratio by either the creation, or purchase of credits for the creation, of jurisdictional habitat of similar functions and values.

As is discussed in responses to comments O-3-4 and O-3-5, work is ongoing to identify an appropriate off-site mitigation site, with every effort being made to ensure off-site mitigation is located in the same watershed. Specifically, efforts are underway to identify compensatory mitigation opportunities within the San Diego River, as close to the project site as possible. Identification of the off-site mitigation site will be necessary for state and federal permit applications required in MM-BIO-18 and mitigation would include creation and enhancement in consultation with the appropriate federal and state regulatory agencies (i.e., USACE, CDFW, and the San Diego RWQCB).

Under CEQA, off-site mitigation may be appropriate to reduce impacts to less than significant, and mitigation banks, including biological mitigation banks, have been implemented and upheld under case law. The use of off-site mitigation banks is also consistent with the City's Land Development Code Biology Guidelines, which identifies the purchase of credits from an established bank as an acceptable form of mitigation for wetlands and uplands.

It should be noted also that MM-BIO-17 requires the restoration of all temporarily impacted areas to their original condition. In addition, despite being considered a permanent impact area, the area beneath the bridge, including the slopes at the base of the piers, will be revegetated.

0-3-19 The comment states that preserving wildlife corridors should be a priority and is an introductory comment for comment O-3-20. See the response to comment O-3-20.

0-3-20 The comment states that the mitigation strategy should include the rest of the year beyond the breeding season, post-construction, and the impact from everyday use of the bridge by pedestrians and vehicles throughout the year and states that the Draft EIR does not do so, further stating that mitigation details offered are too vague.

As has been detailed in previous responses to comments, potential operational (i.e., post-construction) impacts are analyzed in the Draft EIR. Potential impacts due to increased vehicle collisions are discussed in response to comment O-3-17; as previously mentioned, the Final EIR has been revised to clarify that these potential impacts would be less than significant. Other potential impacts due to increased human activity, including the introduction of non-native plant and animal species, lighting, and noise, which include the effects of these impacts on biological resources year-round, are discussed in response to comment O-3-14. As indicated in Draft EIR Section 3.3.8, potential operational impacts would be mitigated by MM-BIO-11 through MM-BIO-14 and MM-BIO-16 (see discussion of Impact BIO-11, Impact BIO-13, Impact BIO-17, and Impact BIO-19). These measures provide for signage/barriers to deter access from the bridge into the San Diego River, restrictions on landscape and revegetation planting, and brown-headed cowbird trapping. Additionally, these measures address requirements of and ensure consistency with the MHPA's Land Use Adjacency Guidelines, including guidelines related to drainage, toxics, lighting, barriers, and invasives within the MHPA.

The Draft EIR identifies feasible mitigation measures, as required by CEQA 14 CCR 15041), that would result in impact avoidance and minimization, provide for restoration of temporarily impacted areas, and require compensatory mitigation (see Section 3.3.7, MM-BIO-1 through MM-BIO-18). The inclusion of these measures is consistent with the requirements of CEQA, which requires public lead agencies to

impose feasible mitigation measures as part of the approval of a project in order to substantially lessen or avoid the significant adverse effects of the project. The comment that the project's mitigation is too vague is included in this Final EIR for review and consideration by the decision makers prior to a final decision on the proposed project.

- 0-3-21** The comment repeats statements made in comment 0-3-13 regarding mitigation to minimize and avoid impacts to nesting birds and in comment 0-3-18 regarding wetland mitigation at off-site mitigation banks. Please refer to responses to comments 0-3-13 and 0-3-18.
- 0-3-22** The comment repeats statements made in comment 0-3-9 regarding the need for the bridge. Please refer to response to comment 0-3-9 and Thematic Response 1.
- 0-3-23** The comment is a summary of preceding comments and expresses opposition to the proposed project. Please see responses to comments 0-3-1 through 0-3-22. The comment is included in this Final EIR for review and consideration by the decision makers prior to a final decision on the proposed project.

INTENTIONALLY LEFT BLANK

Comment Letter I-1

From: **Richard Erth** <cmdr1617@yahoo.com>
Date: Fri, May 10, 2024 at 10:26 AM
Subject: Fenton Parkway Bridge Project
To: <pjackson@sdsu.edu>

Hi Paul,

I am a member of the Mission Valley Planning Group and thank you for your presentation and receptivity to comments at our recent meeting.

I-1-1

Clearly, the view of the Committee was for more than a utilitarian bridge, but an appropriate gateway over the San Diego River to Snapdragon stadium and the university complex.

I-1-2

You indicated that your considered alternative designs would not work because sufficient “footage” was not available. How about a shorter span? The proposed bridge has major incursions into the river. Perhaps some intrusion could result in a truly “iconic” bridge.

I-1-3

Your consideration is appreciated,
Richard Erth
MVPG member and Mission Valley resident

INTENTIONALLY LEFT BLANK

Response to Comment Letter I-1

Richard Erth
May 10, 2024

- I-1-1** The comment indicates that the commenter is a member of the Mission Valley Planning Group and appreciates SDSU's presentation at a recent meeting. No response is required.
- I-1-2** This comment speaks to the commentor's wish to have the bridge appear as a gateway to the Snapdragon Stadium and SDSU Mission Valley Campus. The CSU appreciates Mr. Erth's concern for aesthetic elements of the bridge. The CSU will explore features to enhance the aesthetics of the concrete bridge; although it should be noted that the Draft EIR did not determine any potentially significant impacts related to aesthetics.
- I-1-3** The comment makes note of the fact that alternative designs were analyzed but determined to be infeasible, and suggests a shorter span bridge with fewer incursions into the river could result in a truly "iconic" bridge. In order to achieve a full span of the river, a much greater back-stay/tie-down footprint must be established. Given the location of the San Diego Trolley Fenton Parkway Station, trolley tracks and other infrastructure, existing residential land uses along the north side of the river, and existing transportation and utility infrastructure along the south side of the river, opportunity for larger tie-back foundations is extremely limited and is therefore even more infeasible than the suspension bridge alternative outlined in Chapter 5, Alternatives, and specifically Section 5.4.4, Suspension Bridge Alternative.

INTENTIONALLY LEFT BLANK

From: **D Wescott** <doug@wescotts.org>
Date: Sat, Apr 27, 2024 at 8:53 AM
Subject: Fenton Parkway Bridge Project EIR
To: pjackson@sdsu.edu <pjackson@sdsu.edu>
Cc: Rob Hutsel <rhutsel@sandiegoriver.org>

Hello Mr. Jackson,

I was the Serra Mesa Planning Group chair for five years, up to 2009, and lived in several places in Serra Mesa for about 14 years. I have a few comments on the proposed bridge over the San Diego River at Fenton Parkway.

I-2-1

The accommodation of motorized vehicles seems to be primarily about having an alternative emergency evacuation exit point. Much more is made of the bridge providing pedestrian and bicycle access. Why wasn't an alternative option to build a bridge to accommodate only pedestrians and bicycles, made wide enough to handle cars during an emergency, researched and included as an option? Three vehicle lanes for traffic, one bike lane, and one sidewalk could all be eliminated in the plan, yet made to easily handle car traffic in an emergency evacuation situation. This would make for a much narrower bridge, and fewer supporting columns set in the riverbed. In turn, this would allow for much less impact on the river habitat, during construction AND in operation.

I-2-2

In the table 3.12.1, Local and Regional Parks, the "Serra Mesa/Ruffin Canyon is listed as being 2.3 miles from the project. This is incorrect. Walking from the bridge, through the shopping center parking lot, through the pedestrian tunnel under Friars Road, and up through the Escala Development, mostly on pedestrian paths, is about 0.86 of a mile, much closer than as listed. One could take the same route with a bicycle.

I-2-3

Lastly, Murray Canyon, through which Mission Center Road runs north to Murray Ridge Road in Serra Mesa, is an excellent urban canyon natural habitat. Murray Creek runs through it, feeding the San Diego River. It was bought in the last few years by an environmental land trust. It holds great potential for a pedestrian and bicycle path connecting the communities of Serra Mesa and Mission Valley. While nothing definite is planned yet, to the best of my knowledge, I feel it should be listed in Table 3.0-1. Cumulative Projects. It is closer to the bridge project than the Murray Ridge Park, which is listed.

I-2-4

Sincerely,

Doug Wescott

INTENTIONALLY LEFT BLANK

Response to Comment Letter I-2

Doug Wescott
April 27, 2024

- I-2-1** The comment states that the commenter was chair of the Serra Mesa Planning Group for 5 years and provides an introduction to the comments that follow. No response is required.
- I-2-2** The comment asks why a pedestrian, bicycle, and emergency vehicle only option was not analyzed, as it would make for a much narrower bridge and fewer supporting columns in the riverbed and would allow for much less impact on the river habitat during construction and operation. A pedestrian, bicycle, and emergency vehicle only bridge would not have reduced impacts compared to the proposed project, and would not reduce vehicle miles traveled. A bridge that would be wide enough to allow emergency vehicles would need to be approximately 42 feet wide, compared to the proposed bridge that is 58 feet wide. Similar to the proposed project, the entire project site would need to be cleared of vegetation in order to construct a bridge that is 42 feet wide. Similar to the proposed project, this type of bridge would require two or three piers in the river bottom and construction would take approximately 60 weeks. This type of bridge would have almost identical construction impacts when compared to the proposed project; however, once operational, it would not provide a vehicular connection and therefore would not satisfy the project objectives and would not achieve the vehicle miles traveled reduction that would be realized with the proposed project, resulting in increased impacts to air quality and greenhouse gases compared to the proposed project in the long term. For these reasons and due to the lack of reduction in impacts when compared to the proposed project, this alternative analysis was not included in the Draft EIR.
- I-2-3** The comment notes that Serra Mesa/Ruffin Canyon is listed as 2.3 miles from the project site in the EIR; however, the commenter believes that this urban canyon is located 0.86 miles from the site. In Table 3.12-1, Local and Regional Parks, in the Draft EIR, each park or recreational facility is noted, as well as its driving distance from the project site. The CSU appreciates the commenter's input about the Serra Mesa/Ruffin Canyon Open Space being closer to the project site via non-motorized methods compared to vehicular methods. This shorter distance via pedestrian and/or bicycle has been clarified in the table.
- I-2-4** The comment notes the newly preserved Murray Canyon urban recreation area and suggests it should be included in Table 3.0-1, Cumulative Projects. As stated in EIR Chapter 3, the list of cumulative projects was generated by contacting relevant government entities who propose or review projects including the City of San Diego, San Diego County Water Authority, and Caltrans. CEQA requires that cumulative projects be reasonably foreseeable, which generally indicates that a project application or plan, sketch, design, or funding proposal has been prepared and is being contemplated by an agency or organization. CEQA case law has also reiterated the importance for CEQA documents to avoid data or elements of a project or another project that may be speculative. While the CSU appreciates the commenter's submittal of the information and potential for this newly conserved urban canyon to help increase recreational opportunities within Mission Valley, given its speculative nature, it is not appropriate to include it in Table 3.0-1. The above notwithstanding, enhancement of this urban canyon as a notable recreational resource in the Mission Valley area would not hinder the construction of the bridge, nor would the bridge affect local organizations' efforts to enhance recreational opportunities in this nearby urban canyon.

INTENTIONALLY LEFT BLANK

Comment Letter I-3



Brownstein Hyatt Farber Schreck, LLP
619.702.6100 main
225 Broadway, Suite 1670
San Diego, California 92101-5000

Ryan R. Waterman
Attorney at Law
619.702.7569 direct

May 27, 2024

VIA ELECTRONIC MAIL
(pjackson@sdsu.edu)

Mr. Paul Jackson
Program Manager
Facilities Planning, Design, and Construction
San Diego State University
5500 Campanile Dr.
San Diego, CA 92182-1624

RE: Comments on the Draft Environmental Impact Report for the
Proposed Fenton Parkway Bridge Project, State Clearinghouse #2023050534

Dear Mr. Jackson:

On behalf of Sudberry Properties, Inc. and Quarry Falls, LLC (jointly, "Quarry Falls"), please accept the following comments on the Draft Environmental Impact Report ("DEIR") prepared by the Board of Trustees for the California State University for the Proposed Fenton Parkway Bridge Project ("Project").

I-3-1

Our comments are focused on the underlying purpose of the Project—to provide for the all-weather vehicular crossing called for in the Mission Valley Community Plan. The DEIR should be revised to clarify that underlying purpose, and to consolidate duplicative and confusing project objectives.

Further, the DEIR erroneously includes the Pedestrian/Bicycle Only Bridge Alternative ("Pedestrian/Bicycle Alternative") in its alternatives analysis, and wrongfully identifies it as the "environmentally superior" alternative when substantial evidence in the DEIR demonstrates that it is not. The DEIR's analysis appears to elevate the importance of avoiding "direct environmental impacts during construction" over long-term, operational environmental impacts that would be avoided by both the Project and other alternatives. Accordingly, we urge the Board of Trustees to make the changes described below in the Final EIR ("FEIR").

I-3-2

I. QUARRY FALLS' INTEREST IN THE PROJECT

Sudberry Properties, Inc. is a San Diego-based developer that strives to develop and manage quality properties as sustainable enterprises. Sudberry embraces environmental thinking, social

I-3-3

28672154

www.bhfs.com

Mr. Paul Jackson
May 27, 2024
Page 2

responsiveness, and concerns for diversity, and is committed to a long-term investment mentality. Sudberry recognizes its responsibility to address environmental concerns and to give back to the community through responsible stewardship. The company began its long-term relationship with Mission Valley when it was chosen by the Grant Family to transform the 230-acre former sand and gravel quarry into the vibrant mixed-use urban village that is Civita in Mission Valley.

Quarry Falls is the developer of the Civita project, an award-winning mixed-use community that was approved by the City of San Diego in 2008 and which is nearing its full development of 4,780 residential units, 900,000 square feet of commercial and office, parks and civic/public open space. Civita is also home to Mission Valley’s first public elementary school, Nipaquay Elementary.

By virtue of its long-term investment and engagement in Mission Valley, Quarry Falls has been deeply involved in the City’s long-term planning for the Mission Valley community. Quarry Falls played a role in commenting on and advocating for the Mission Valley Community Plan Update, which was adopted by the City in 2019. Accordingly, Quarry Falls has a vested interest in the fulfillment of the City’s Mission Valley Community Plan, including but not limited to ensuring that transportation investments are made as planned to ensure a sound circulation network. In fact, to this day Quarry Falls continues to invest in Mission Valley’s transportation network as part of the Civita project’s commitment to the community.

Quarry Falls supports San Diego State University’s development of “SDSU West” in Mission Valley. It is critical, however, that SDSU follow through with the important task of supporting Mission Valley’s circulation system by building the Fenton Parkway Bridge as a multi-modal all-weather connection for vehicles, bicycles, and pedestrians to cross the San Diego River between Camino Del Rio North and Fenton Parkway.

In the Mission Valley Community Plan, this multi-modal bridge was identified as a critical piece of infrastructure to ensure that the Mission Valley circulation system works in a safe and reliable way. (See Mission Valley Community Plan, Figs. 3 and 14 [calling for the new bridge connection to improve roadway, pedestrian, and bicyclist connections between Fenton Parkway and Camino del Rio North], available at https://www.sandiego.gov/sites/default/files/missionvalley_cpu_adopted.pdf.) Notably, the Mission Valley Community Plan **does not** identify the Fenton Parkway Bridge as one of the six new pedestrian/bicyclist-only bridges called for in the plan. (*Id.*, at p. 38; see also Fig. 5 [showing pedestrian/bicyclist only bridges in purple and identifying the Fenton Parkway Bridge in green as a “connector”].)

Why is the proposed Fenton Parkway Bridge an important part of the Mission Valley circulation system? First, the traffic challenges in Mission Valley are typically a result of the regional freeway system backing up onto local streets. Mission Valley is somewhat limited in North/South vehicular options without having to cross a freeway interchange (Qualcomm Way and Mission Center Rd) or use the freeways themselves. The Fenton Parkway Bridge will provide an alternative route to access Southbound I-15 in

I-3-3
cont.

I-3-4

I-3-5

28672154

Mr. Paul Jackson
May 27, 2024
Page 3

lieu of having to use the interchange at I-15/Friars Rd., providing another way for North/South travel that does not funnel into existing bottlenecks.

↑ I-3-5
cont.

Second, Mission Valley needs additional all-weather crossings over the San Diego River. Mission Valley sits in the San Diego River flood plain, which is subject to periodic flooding. In the first few months of 2024 alone, Mission Valley experienced flooding in January, February, and March. Although Camino Del Este, Fashion Valley Road, Avenida Del Rio, and Ward Road all cross the river North/South without having to navigate regional freeway traffic, these local roads are designed as energy dissipation structures that flood and must be closed during major rain events. Except for the freeways themselves, there are no true all-weather crossings over the San Diego River. Of course, traffic studies do not analyze what happens to the Mission Valley circulatory system when these roadways flood, but it does not take a traffic study to understand that the Fenton Parkway Bridge—as an all-weather North/South crossing—will have a meaningful impact to the East side of Mission Valley, both with respect to overall vehicular circulation and emergency access.

I-3-6

II. THE DEIR MISCHARACTERIZES THE PROJECT’S UNDERLYING PURPOSE AND SKEWS THE PROJECT OBJECTIVES

The DEIR explains the “underlying purpose” of the Project is to “meet the needs of the communities north and south of the river by improving local and regional connectivity,” and that the Project’s objectives are informed by “the City’s vision for a Fenton Parkway crossing described in the Mission Valley Community Plan Update (adopted September 2019) . . .” (DEIR, p. 2-8.)

In fact, the “underlying purpose” of the Project is for it to serve as a vehicular connection, as contemplated in City long-range planning documents for more than thirty (30) years and adopted in the 2019 Mission Valley Community Plan. (DEIR, p. 1-2.)

The parties’ actions after the 2019 adoption of the Mission Valley Community Plan bear this conclusion out. As the DEIR explains, in the August 2020 purchase and sales agreement between the City and SDSU for the SDSU Mission Valley site, SDSU agreed to fund the planning, design, and construction of the Fenton Parkway Bridge. (DEIR, p. 5-1.) According to a later Memorandum of Understanding (“MOU”), SDSU agreed to “plan, design, and construct the bridge to City transportation department design standards on behalf of the City.” (*Id.*) Further, once the bridge is constructed, the City will assume ownership, operation and maintenance obligations for the bridge. (*Id.*) Finally, the bridge is categorized as an Essential Public Project under the City’s Land Development Code. (*Id.*, p. 5-2.)

I-3-7

In sum, the Project’s actual “underlying purpose” is to build a multi-modal bridge for vehicles, bicycles, and pedestrians to cross over the San Diego River between Camino Del Rio North and Fenton Parkway as called for in the Mission Valley Community Plan.

28672154

Mr. Paul Jackson
May 27, 2024
Page 4

The last three project objectives set forth in the DEIR (see p. 2-8) skew the DEIR’s alternatives analysis by inappropriately duplicating the same concept: minimizing impacts to natural resources. Accordingly, the last three objectives should be condensed into a single objective that calls for minimizing impacts to natural resources in order to eliminate the duplication.

I-3-8

Finally, the project objectives should also be updated to properly value the reductions to vehicle miles traveled (“VMT”), vehicular air quality emissions, and vehicular greenhouse gas (“GHG”) emissions that are also goals behind building the Project.

I-3-9

III. THE DEIR’S ALTERNATIVES ANALYSIS ERRONEOUSLY INCLUDES THE PEDESTRIAN/BICYCLE ALTERNATIVE AND WRONGLY SELECTS IT AS “ENVIRONMENTALLY SUPERIOR”

I-3-10

The DEIR identifies four alternatives to the Project: (1) No Project Alternative; (2) Pedestrian/Bicycle Alternative; (3) Tied-Arch Bridge Alternative; and (4) the Suspension Bridge Alternative. For each environmental impact, the proposed alternative is identified as having either a “slightly reduced,” “less beneficial,” or “similar impact” as compared to the Project. (DEIR, pp. 5-40 through 5-42.) After concluding that the No Project Alternative is environmentally superior, the DEIR summarily concludes that “because the Pedestrian/Bicycle Only Bridge Alternative would have reduced direct environmental impacts during construction, it would be considered the environmentally superior alternative.” (DEIR, p. 5-39.)

Yet for the reasons set forth below, the Pedestrian/Bicycle Alternative should have not even been analyzed in depth in the DEIR.

A. CEQA Guidelines Requirements for an Alternatives Analysis

I-3-11

An EIR must describe a range of reasonable alternatives to the project which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project and evaluate the comparative merits of the alternatives. (14 Cal. Code Regs. (“CEQA Guidelines”), § 15126.6(a).) Any alternatives considered that do not meet these basic requirements must be rejected and the EIR must briefly explain why. (*Id.*, § 15126.6(c).) The EIR must include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project. (*Id.*, § 15126.6(d).) If the environmentally superior alternative is the “no project” alternative, the EIR shall also identify another environmentally superior alternative. (*Id.*, § 15126.6(e)(2).)

B. The Pedestrian/Bicycle Alternative Conflicts With the Project’s Fundamental Purpose

I-3-12

It is well-established that an EIR need not evaluate an alternative that is incompatible with the project’s fundamental purpose. (*In re Bay-Delta Programmatic Env’t Impact Report Coordinated Proceedings* (2008) 43 Cal.4th 1143, 1165-66 [*In re Bay-Delta*].) In the *In re Bay-Delta* case, project opponents

28672154

Mr. Paul Jackson
May 27, 2024
Page 5

argued that the EIR should have analyzed reducing water exports from the Bay-Delta as an alternative to the project at issue, but the EIR explained that a “reduced export alternative would seriously compromise the water supply objective, and for this reason would not achieve this basic underlying goal of reducing conflicts and providing a solution that competing interests could support.” (*Id.*) On that basis, the California Supreme Court upheld the EIR’s decision not to include a reduced water export alternative because it would conflict with the “underlying goal” of reducing conflicts. (*Id.*)

I-3-12
cont.

By the same token, the “underlying purpose” for the Project is to build a multi-modal bridge for vehicles, bicycles, and pedestrians to cross the San Diego River between Camino Del Rio North and Fenton Parkway as documented in the Mission Valley Community Plan. This “underlying purpose” would not be satisfied by building a bridge that only serves pedestrians and bicyclists. The DEIR acknowledges this fundamental purpose in its assessment of the Pedestrian/Bicyclist Alternative.

While this alternative is feasible from a construction and operational perspective, the need for a vehicular north–south connection across the river is imperative for improved emergency access and evacuation. Pedestrians and cyclists would have access across the river under this alternative, **but the fundamental project objectives and need would not be met** with a Pedestrian/Bicycle Only Bridge Alternative.

I-3-13

(DEIR, p. 5-22 [emphasis added].) The DEIR should have rejected the Pedestrian/Bicyclist Alternative on the basis that it would not accomplish the Project’s “fundamental purpose.” (*In re Bay-Delta*, 43 Cal.4th at p. 1165-66.)

The FEIR should be revised to clarify the Project’s underlying purpose in Section 2.5. Further, the discussion of the Pedestrian/Bicycle Alternative should be moved to Chapter 5.3.2, “Alternatives Considered But Rejected.”

C. The Pedestrian/Bicycle Alternative Fails to Meet the Requirements of CEQA Guidelines Sections 15126.6(a) and (c)

The Pedestrian/Bicycle Alternative fails to meet the standards required by CEQA for developing and analyzing an alternative as part of a reasonable range of alternatives to a project.

I-3-14

CEQA Guidelines Sections 15126.6(a) and (c) establish several criteria that any alternative to the Project must meet in order to be included in the “range of reasonable alternatives” called for in Section 15126.6(a). For example, a qualifying alternative must: (1) be feasible, (2) “accomplish most of the basic objectives of the project,” and (3) “avoid or substantially lessen one or more of the significant effects of the project.” (CEQA Guidelines § 15126.6(c).)

28672154

Mr. Paul Jackson
 May 27, 2024
 Page 6

The Pedestrian/Bicycle Alternative violates Section 15126.6(a) and (c) in two respects. First, it fails to accomplish most of the basic objectives of the Project, and second, it fails to avoid or substantially lessen one or more of the significant effects of the Project. Accordingly, the DEIR errs by including the Pedestrian/Bicycle Alternative in the analysis of alternatives. The FEIR should be revised to move the Pedestrian/Bicycle Alternative to Chapter 5.3.2, “Alternatives Considered But Rejected.”

I-3-14
 cont.

1. The Pedestrian/Bicycle Alternative Does Not Meet Most Basic Project Objectives

The DEIR never fully explains how the Pedestrian/Bicycle Alternative meets most of the basic objectives of the Project. (See DEIR, pp. 5-4 through 5-5, and 5-39.) As explained in Table 1, below, however, the Pedestrian/Bicycle Alternative only meets three of nine Project objectives, falling well short of meeting the standard for an alternative established by CEQA Guidelines Sections 15126.6(a) and (c) to “accomplish **most** of the basic objectives of the project.” (CEQA Guidelines § 15126.6(c).)

I-3-15

TABLE 1. Analyzing Whether the Pedestrian/Bicycle Alternative Meets Project Objectives

	Project Objective	Does the Pedestrian/Bicycle Alternative Meet the Project Objective?
1.	Construct a multi-modal bridge over the San Diego River to improve north–south mobility in eastern Mission Valley by connecting the existing street network between I-805 and I-15.	No. The Pedestrian/Bicycle Alternative would not provide a multi-modal connection to the street network because it prohibits vehicle access.
2.	Provide accessible pedestrian and bicycle infrastructure that connects the communities south of the river to public open space and local and regional trail networks north of the river.	Yes.
3.	Improve direct connectivity between residential neighborhoods and commercial office centers south of the river and residential, commercial, institutional, and public park lands and recreational amenities north of the river.	No. By limiting transportation to pedestrian/bicycle access only, the alternative would not improve direct connectivity.
4.	Provide a high-water crossing in eastern Mission Valley.	Yes, although this objective would only be partially met by not permitting vehicular access.

I-3-16
 I-3-17
 I-3-18
 I-3-19

28672154

Mr. Paul Jackson
 May 27, 2024
 Page 7

	Project Objective	Does the Pedestrian/Bicycle Alternative Meet the Project Objective?	
5.	Improve emergency access between the communities north and south of the river in the eastern portion of the Mission Valley community, in support of San Diego Fire Department Station 45.	No. Emergency access would not be improved, or Fire Department Station 45 supported, because it prohibits emergency vehicle access. (But see DEIR, p. 5-39, taking opposite position.)	I-3-20
6.	Support multimodal transit by providing infrastructure to facilitate increased rider access to the MTS Trolley Green Line and the Fenton Parkway and Stadium Stations, for riders south of the river.	No. The Pedestrian/Bicycle Alternative would not facilitate increased rider access because it prohibits vehicular access to the MTS Trolley Green Line.	I-3-21
7.	Minimize temporary and permanent impacts to natural resources (shading, wildlife movement, native plant regrowth, etc.) consistent with the San Diego River Park Master Plan bridge design guidelines.	No. The Pedestrian/Bicycle Alternative would have a negligible difference in impacts to the Project but would result in greater vehicle miles traveled (“VMT”) and greenhouse gas (“GHG”) emissions than the Project that would not be mitigated, increasing future impacts to natural resources.	I-3-22
8.	Construct the bridge in a manner that minimizes temporary and permanent impacts to sensitive biological resources within the City’s Stadium Wetland Mitigation Site.	Yes.	I-3-23
9.	Minimize impacts to natural topography and sensitive biological resources.	No. The Pedestrian/Bicycle Alternative would have a negligible difference in impacts to the Project but would result in greater VMT and GHG emissions than the Project that would not be mitigated, increasing future impacts to natural resources.	I-3-24

28672154

Mr. Paul Jackson
 May 27, 2024
 Page 8

	Project Objective	Does the Pedestrian/Bicycle Alternative Meet the Project Objective?
	<p>Conclusion: The Pedestrian/Bicycle Alternative fails to meet six of the nine project objectives, and therefore fails to meet the standard of being able to “feasibly attain most of the basic objectives of the project” as required under CEQA Guidelines § 15126.6(a). Accordingly, the FEIR should be revised to screen the Pedestrian/Bicycle Alternative from further consideration under CEQA Guidelines § 15126.6(c) and summarize it in Chapter 5.3.2, “Alternatives Considered But Rejected.”</p>	

I-3-25

2. The Pedestrian/Bicycle Alternative Fails to Avoid or Substantially Reduce Significant Effects of the Project

The Pedestrian/Bicycle Alternative also fails to “avoid or substantially lessen any of the significant effects of the project” as required by CEQA Guidelines Section 15126.6(a).

The DEIR identifies two significant and unavoidable impacts related to short-term direct impacts to special-status wildlife species resulting from short-term construction noise impacts. (See DEIR, pp. 3.3-80 [BIO-12] and 3.11-23 [NOI-1].)

I-3-26

Yet the DEIR’s analysis of the Pedestrian/Bicycle Alternative explains that it would only result in “**slightly less disturbance** to biological resources with a smaller impact footprint and reduced indirect noise impacts to nesting birds due to the shorter construction schedule . . .” (DEIR, p. 5-16 [emphasis added].) The DEIR’s analysis goes on to conclude that under the Pedestrian/Bicycle Alternative, “impacts to biological resources would be **slightly reduced compared to the proposed project.**” (*Id.* [emphasis added].)

The same finding is made with respect to cultural, geology and soils, and tribal cultural resources, for which the Pedestrian/Bicycle Alternative only “slightly reduce[s]” those impacts. (DEIR, pp. 5-40 through 5-42.)

The standard set forth in CEQA Guidelines Section 15126.6(a) requires that alternatives must “**avoid or substantially lessen** any of the substantial impacts of the project . . .” The Pedestrian/Bicycle Alternative does not meet this standard because it only “slightly” reduces the Project’s significant and unavoidable biological and noise impacts and potentially significant cultural, geology and soils, and tribal cultural resource impacts. (DEIR, pp. 5-40 through 5-42.) On this basis, the FEIR should be revised to screen the Pedestrian/Bicycle Alternative from further analysis under CEQA Guidelines § 15126.6(c) and summarize it in Chapter 5.3.2, “Alternatives Considered But Rejected.”

28672154

Mr. Paul Jackson
May 27, 2024
Page 9

3. The FEIR Should Be Revised to Describe How the Tied-Arch and Suspension Bridge Alternatives Substantially Lessen Environmental Impacts

It is worth noting that according to the DEIR, the Tied-Arch and Suspension Bridge Alternatives also suffer from the same flaw that the Pedestrian/Bicycle Alternative does because neither alternative is described as avoiding or substantially lessening any of the significant impacts of the Project. (DEIR, pp. 5-40 through 5-42 [describing alternatives as having greater or similar impacts compared to the Project for all impact areas].) Taking a closer look at these alternatives, however, it appears that the DEIR sells several of their environmental benefits short.

For example, although the Project will rely on two to three piers in the river channel (see DEIR, p. 2-3), both the Tied-Arch or Suspension Bridge Alternatives avoid this intrusion into the channel because neither structure relies on piers installed in the river bottom for support. (DEIR, pp. 5-22, 5-29.) By not impacting the river channel in this way, these alternatives would entirely avoid the cultural, geology and soils (i.e., paleontological), and tribal cultural resource impacts that could be caused by the Project's construction in undisturbed soils in this area. (*Id.*, pp. 5-24 through 5-25, and 5-31 through 5-30.) Instead of relying on piers, these alternatives would rely on abutments constructed into each riverbank, in areas that not only have already been highly disturbed but are also planned to be disturbed by the Project. (DEIR, pp. 5-24, 5-29.)

The DEIR concludes that as compared to the Project, these alternatives “could reduce potential impacts to cultural and tribal cultural resources, as well as geology and soils (i.e., paleontological resources),” although it goes on to caution that mitigation will still be required because of the “potential to impact unknown subsurface resources.” (DEIR, pp. 5-28, 5-36 [emphasis added].) Despite this finding, the alternatives comparison matrix inexplicably concludes that both alternatives will have “similar” impacts to cultural, geology and soils (i.e., paleontological), and tribal cultural resources as the Project, even though they will entirely avoid impacts to undisturbed soils. (*Id.*, pp. 5-40 through 5-42.)

What the DEIR fails to do, however, is answer this question: will these alternatives substantially lessen the *potential* for impacts to cultural, geology and soils (i.e., paleontological), and tribal cultural resources by concentrating disturbance in areas that are already highly disturbed and are also planned to be disturbed by the Project?

That is the appropriate question for the DEIR to answer because there are no known cultural, geology and soils (i.e., paleontological), or tribal cultural resources that will be impacted by the Project. (See DEIR, p. 3.4-11 to 12 [cultural], 3.6-18 [paleontological], and 3.14-3 to -4 [tribal cultural].) Accordingly, the best that the DEIR's alternatives analysis can do is evaluate whether the *potential* for such theoretical impacts will be avoided or substantially lessened by the Tied-Arch and Suspension Bridge Alternatives' avoidance of undisturbed soils in the riverbed.

I-3-27

28672154

Mr. Paul Jackson
May 27, 2024
Page 10

CEQA does not require an alternative to completely avoid a potentially significant impact—substantially lessening the impact is enough. (CEQA Guidelines § 15126.6(a).) Yet here the DEIR fails to assess whether the Tied-Arch and Suspension Bridge Alternatives will substantially lessen cultural, geology and soils (i.e., paleontological), and tribal cultural resources impacts as compared to the Project.

I-3-27
cont.

Arguably, the answer to this question is “yes” because both alternatives avoid undisturbed soils while concentrating development within areas that not only have been highly disturbed, but are also within the development footprint already planned for disturbance by the Project.

The FEIR should be revised to correct this analytical shortfall and find that the Tied-Arch and Suspension Bridge Alternatives substantially lessen potentially significant impacts to cultural, geology and soils (i.e., paleontological), and tribal cultural resources.

D. The DEIR’s Comparison of Project Alternatives Erroneously Identifies the Pedestrian/Bicycle Alternative as the “Environmentally Superior Alternative”

The DEIR identifies the Pedestrian/Bicycle Alternative as the “environmentally superior alternative” because of its “reduced direct environmental impacts during construction.” (DEIR, p. 5-39.) Yet reducing the question of which alternative is “environmentally superior” to a comparison of short-term construction impacts, without regard for the magnitude and duration of very long-term operational impacts associated with critical infrastructure that will be in place for decades, is a finding unsupported by substantial evidence.

I-3-28

In fact, comparing the number of increased, decreased, or equal impacts between the three alternatives to the Project—Pedestrian/Bicycle, Tied-Arch Bridge, or Suspension Bridge—demonstrates that in comparison to the Project, the Pedestrian/Bicycle Alternative would have five “less beneficial” **long-term** operational impacts (air quality, GHG emissions, land use and planning, transportation and traffic, and wildfire) and five “slightly reduced” **short-term** construction impacts (air quality, biological resources, cultural resources, GHG emissions, noise, and tribal cultural resources).¹ (DEIR, pp. 5-40 through 5-42.) Accordingly, the DEIR’s finding that the Pedestrian/Bicycle Alternative is “environmentally superior” requires turning a blind eye to its significant, long-term unquantified impacts that, if quantified, would swamp its “slight” reductions to short-term, construction impacts.

In contrast, both the Tied-Arch and Suspension Bridge Alternatives have four “greater” short-term construction impact areas (air quality, biological resources, noise, and energy), but only one long-term

¹ The DEIR finds that the Pedestrian/Bicycle Alternative would have a “similar” impact on Energy to the Project, but that conclusion strains credulity where the DEIR acknowledges that it will result in higher long-term operational air quality and GHG emissions and will result in more VMT than the Project. (See DEIR, pp. 5-40 through 5-42.)

28672154

Mr. Paul Jackson
May 27, 2024
Page 11

operational impact (aesthetics, which the DEIR labels “potentially significant” without support). In comparison with the Pedestrian/Bicycle Alternative, the Tied-Arch and Suspension Bridge Alternatives perform similarly to the Project with respect to long-term operational impacts for all the categories where the Pedestrian/Bicycle Alternative would lead to “less beneficial” outcomes.² (See DEIR, pp. 5-40 through 5-42.)

By focusing on how the alternatives differ with respect to short-term construction and long-term operational impacts, it becomes easy to see that the Pedestrian/Bicycle Alternative cannot be the “environmentally superior” alternative since all of its “slightly reduced” impacts are short-term effects that will be swamped by its long-term “less beneficial” impacts. In fact, the Pedestrian/Bicycle Alternative is the *least* environmentally superior alternative because it lacks many of the most substantial long-term benefits that the Project will attain as part of its fundamental purpose: building an all-weather multi-modal bridge for vehicles, bicycles, and pedestrians over the San Diego River between Camino Del Rio North and Fenton Parkway, as called for in the Mission Valley Community Plan.

I-3-28
cont.

IV. CONCLUSION

Thank you for the opportunity to comment on the Draft Environmental Impact Report for the Proposed Fenton Parkway Bridge Project, State Clearinghouse #2023050534. If you have any questions about the foregoing, please do not hesitate to contact me at rwaterman@bhfs.com.

I-3-29

Sincerely,



Ryan Waterman

Cc: Mr. Marco Sessa, Quarry Falls, LLC (via electronic mail)
Mr. Tom Sudberry, Sudberry Properties, Inc. (via electronic mail)
Mr. Alan Grant, Alta Company, LLC (via electronic mail)

² The DEIR finds that the Tied-Arch and Suspension Bridge Alternatives would have “greater” impacts on Energy as compared to the Project, but that conclusion should be limited to construction. Energy use during operations should be classified as “similar” to the Project.

28672154

INTENTIONALLY LEFT BLANK

Response to Comment Letter I-3

Brownstein Hyatt Farber Schreck, LLP, on behalf of Sudberry Properties
Ryan Waterman
May 27, 2024

- I-3-1** The comment provides an introduction to the comments that follow. No further response is required.
- I-3-2** The comment suggests that the Pedestrian/Bicycle Only Alternative was wrongfully identified as an alternative in the EIR. CEQA Section 15126.6, Consideration and Discussion of Alternatives to the Proposed Project, notes that an EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. These guidelines note that there is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason. Finally, alternatives should be evaluated because they avoid or substantially lessen a significant impact of the project, even if an alternative would impede to some degree the attainment of the objectives or would be more costly.

Serving in its role as CEQA lead agency, the CSU evaluated a reasonable range of alternatives, such as those that were disclosed in relevant planning documents or had been brought up during public scoping or other stakeholder engagement venues. As required by CEQA, the CSU selected alternatives that could avoid or substantially lessen any of the project's significant environmental impacts while still meeting most of the basic project objectives (California Public Resources Code, Section 21002; 14 CCR 15126.6[a], [b]). The alternatives selected are intended to promote informed decision-making by presenting a range of alternatives and associated environmental impacts. The Pedestrian/Bicycle Only Alternative is essentially a reduced development footprint alternative, which is commonly included in CEQA alternatives analyses. Contrary to the commenter's assertion, the CSU's consideration of the Pedestrian/Bicycle Only Alternative did not elevate the importance of temporary environmental impacts over long-term, (less-than-significant) operational environmental impacts. Rather, its selection was driven by alternatives to the project that could avoid or lessen the significant environmental impacts of the proposed project.

This comment notes that the EIR erroneously identifies the Pedestrian/Bicycle Only Alternative as the environmentally superior alternative. As outlined above, the Pedestrian/Bicycle Only Alternative was identified because it would reduce some of the environmental impacts associated with the proposed project. As outlined in Draft EIR Section 5.5, Environmentally Superior Alternative, in Chapter 5, Alternatives, the Pedestrian/Bicycle Only Bridge Alternative would consist of a narrower bridge with no vehicle access. This alternative would still require either two or three piers to be installed in the river bottom, but the piers would only have one column compared to two required for the proposed project. Construction of the Pedestrian/Bicycle Only Bridge Alternative would require a reduced construction duration compared to the cast-in-place construction method (54 weeks compared to 60 weeks). Reduced impacts to air quality and greenhouse gas (GHG) emissions would occur during construction under this alternative because the bridge would be smaller and have a reduced construction schedule. This alternative would result in a smaller overall footprint and less area within the river bottom would need to be cleared. There would be reduced land disturbance with the installation of this alternative compared to

the project, so potential impacts to biological resources, cultural and tribal cultural resources, and geology and soils (i.e., paleontological resources) would be slightly reduced. For these reasons, the Pedestrian/Bicycle Only Alternative was selected as the Environmentally Superior Alternative.

- I-3-3** The comment provides background information on Sudberry Properties Inc. and their interest in Mission Valley generally and the proposed project more specifically. The comment does not address analysis or information provided in the Draft EIR. No further response is required.
- I-3-4** The comment provides factual background information regarding the Fenton Parkway Bridge being identified in the Mission Valley Community Plan as being a critical piece of infrastructure, but it does not identify the bridge as being one of the six new pedestrian/bicycle only bridges. The comment does not address analysis or information provided in the Draft EIR. No further response is required.
- I-3-5** The comment explains why the Fenton Parkway Bridge is an important part of the Mission Valley circulation system, making specific reference to its potential to alleviate congestion on existing local streets. The comment does not address analysis or information provided in the Draft EIR, and CEQA states expressly that congestion cannot be considered a significant environmental impact (California Public Resources Code, Section 21099[b][2]; 14 CCR 15064.3[a]). No further response is required.
- I-3-6** The comment explains why the Fenton Parkway Bridge is an important part of the Mission Valley circulation system, specifically as a need during flood events. The CSU agrees that a high river vehicular crossing would benefit overall vehicular circulation and emergency access during flood events in Mission Valley. The comment does not address analysis or information provided in the Draft EIR. No further response is required.
- I-3-7** The comment restates information provided in the Draft EIR, Chapter 2, Project Description, including that the “underlying purpose” of the project is to provide a vehicular connection over the San Diego River, as evidenced by the Memorandum of Understanding and related purchase agreement terms concerning the Fenton Parkway Bridge. The CSU agrees that the purpose of the proposed project is to provide a multimodal bridge over the San Diego River, including a vehicular crossing. No further response is required.
- I-3-8** The comment suggests that the last three project objectives listed in Draft EIR Chapter 2 inappropriately duplicate the same concept and that they should be combined into one single objective that calls for minimizing impacts to natural resources. The CSU appreciates the careful consideration of project objectives, but believes the three objectives are distinct and should remain separate. Moreover, the CSU team worked collaboratively with the City to determine appropriate project objectives throughout the preparation of the Draft EIR and therefore will decline the offer to revise the project objectives.
- I-3-9** The comment states that the objectives should be revised to include the goals of reducing vehicle miles traveled (VMT), vehicular air quality emissions, and vehicular GHG emissions. As noted in Draft EIR Section 2.5, Project Goals and Objectives, CEQA does not require that the criteria used to evaluate alternatives be quantitative in nature. Further, the project would not require a certain reduction in VMT; instead, the project is a catalyst from which VMT reduction in the eastern Mission Valley area would occur. The specific amount of VMT that would occur as a result of the project has not been quantified; rather, this project, combined with others in the area, which would be built-out in accordance with the

Mission Valley Community Plan Update, would result in VMT reduction and help the City's efforts to meet the goals of their Climate Action Plan.

- I-3-10** The comment restates information provided in Draft EIR Chapter 5. No further response is required.
- I-3-11** The comment provides background information and reiterates CEQA Guidelines Section 15126.6 regarding requirements for an alternatives analysis. No further response is required.
- I-3-12** The comment cites a California Supreme Court case, *In re Bay-Delta Programmatic Env't Impact Report Coordinated Proceedings* (2008) 43 Cal.4th 1143, 1165-66, supporting the position that an EIR is not required to evaluate an alternative that is incompatible with a project's fundamental purpose. This may be true; however, the case does not prohibit a lead agency from evaluating an alternative that may not fully implement a project's fundamental purpose.
- I-3-13** The comment restates information from the Draft EIR Chapter 5 regarding the Pedestrian/Bicycle Only Alternative and its inability to meet "fundamental project objectives and need" in the absence of a vehicular crossing to provide for improved emergency access and evacuation. As noted in response to comment I-3-12, CEQA may not require consideration of an alternative that does not achieve a "fundamental purpose," but it is not prohibited from evaluating such an alternative. As disclosed in Draft EIR Chapter 5, Alternatives, the Pedestrian/Bicycle Only Alternative meets some of the basic project objectives and, importantly, it substantially lessens the significant impacts on biology that would result with the proposed project. This alternative provides relevant information about environmental impacts of the proposed project and its alternatives that may aid decision-making and public participation. For these reasons and the reasons stated in the Draft EIR, the CSU believes the Pedestrian/Bicycle Only Alternative was properly considered in the Draft EIR and is not required to be rejected for failure to provide a vehicular crossing.
- I-3-14** The comment states that the Pedestrian/Bicycle Only Alternative fails to meet CEQA Guidelines Sections 15126.6(a) and (c) and that this alternative should be moved to Section 5.3.2, Alternatives Considered but Rejected. The comment states the Pedestrian/Bicycle Only Alternative fails to accomplish most of the basic objectives of the project and fails to avoid or substantially lessen one or more environmental effects of the project, as required by as required by CEQA Guidelines Sections 15126.6(a) and (c). Regarding CEQA Guidelines Section 15126.6(a), the alternative meets some, but not all of the basic project objectives. In addition, regarding CEQA Guidelines Section 15126.6(c), the alternative does substantially lessen one or more of the significant impacts of the proposed project. As stated in Section 5.4.2, this alternative would result in a smaller overall footprint, as less area within the river bottom would need to be cleared. This alternative was deemed worthy of additional analysis due to the reduced impacts and its ability to meet most of the project objectives. For these reasons, it was not included as an alternative considered but rejected.
- I-3-15** The comment states that the Draft EIR does not fully explain how the Pedestrian/Bicycle Only Alternative meets most of the basic project objectives. This comment is an introduction to the comments that follow. See responses to comments I-3-16 through I-3-25.
- I-3-16** Objective 1 is to construct a multimodal bridge over the San Diego River to improve north-south mobility in eastern Mission Valley by connecting the existing street network between I-805 and I-15. The comment states that the Pedestrian/Bicycle Only Alternative would not meet this project objective.

While it is true that the Pedestrian/Bicycle Only Alternative would not fully meet this objective, it would partially achieve this objective by providing a multimodal (bike and pedestrian) bridge over the San Diego River to improve north-south mobility in eastern Mission Valley, connecting to the existing street network between I-805 and I-15. Obviously, this alternative would not provide a vehicular connection to roadways in the street network, but it would provide connections to pedestrian and bicycle facilities within the street network. As such, this alternative would still provide a multimodal connection, albeit more limited in modal use, for pedestrians and bicyclists to cross the river. The alternative would partially meet this project objective.

I-3-17 Objective 2 is to provide accessible pedestrian and bicycle infrastructure that connects the communities south of the river to public open space and local and regional trail networks north of the river. The comment correctly indicates that the Pedestrian/Bicycle Only Alternative would meet this project objective.

I-3-18 Objective 3 is to improve direct connectivity between residential neighborhoods and commercial office centers south of the river and residential, commercial, institutional, and public park lands and recreational amenities north of the river. The comment states that the Pedestrian/Bicycle Only Alternative would not meet this project objective; however, while this alternative would not allow vehicular access, it would still improve direct connectivity between the land uses on either side of the river. Therefore, the alternative would meet this project objective, though not to the same extent as an alternative that provides for vehicular use of the bridge.

I-3-19 Objective 4 is to provide a high-water crossing in eastern Mission Valley. The comment correctly indicates that the Pedestrian/Bicycle Only Alternative would partially meet this project objective. As stated in Section 5.5, “This alternative would provide a high-water crossing and would improve emergency access and evacuation, only for pedestrians and cyclists.”

I-3-20 Objective 5 is to improve emergency access between the communities north and south of the river in the easter portion of the Mission Valley community, in support of San Diego Fire Department Station 45. The comment correctly indicates that the Pedestrian/Bicycle Only Alternative would not meet this project objective. As stated in Section 5.5, “The Pedestrian/Bicycle Only Bridge Alternative would not necessarily improve emergency evacuation routes during flood events as it would only allow pedestrians and bicycles, and no emergency vehicles would have access. Therefore, it would not enable nearby fire stations and other emergency responders to serve a greater area when multiple stations are responding to incidents and/or covering adjacent districts. Under the Pedestrian/Bicycle Only Bridge Alternative, the community would not benefit from improvements to emergency response times, increased access, and additional emergency evacuation/ingress options, as no vehicles would be allowed across the bridge.”

I-3-21 Objective 6 is to support multimodal transit by providing infrastructure to facilitate increased rider access to the MTS Trolley Green Line and the Fenton Parkway and Stadium Stations, for riders south of the river. The comment states that the Pedestrian/Bicycle Only Alternative would not meet this project objective because it would prohibit vehicular access to the MTS Trolley Green Line. The Pedestrian/Bicycle Only Alternative would implement this objective by providing pedestrians and bicyclists south of the river with new direct access to the MTS Trolley Green Line, Fenton Parkway, and Stadium Stations. Pedestrians and bicyclists are more likely to utilize the trolley than those arriving to

the trolley station by car. Nevertheless, the CSU acknowledges that a vehicular bridge might further implement this objective by providing vehicular access to the MTS Trolley Green Line.

I-3-22 Objective 7 is to minimize temporary and permanent impacts to natural resources (shading, wildlife movement, native plant regrowth, etc.) consistent with the San Diego River Park Master Plan bridge design guidelines. The comment states that the Pedestrian/Bicycle Only Alternative would not meet this project objective because it would have negligible differences in impacts but would result in greater VMT and GHG emissions that would not be mitigated and would increase future impacts to natural resources. As stated in Section 5.4.2, “This alternative would result in a smaller overall footprint and less area within the river bottom would need to be cleared. There would be reduced land disturbance with the installation of this alternative compared to the project, so potential impacts to biological resources, cultural and tribal cultural resources, and geology and soils (i.e., paleontological resources) would be slightly reduced.” Additionally, the construction schedule would be 6 weeks shorter with this alternative, which in turn would lessen the severity of construction noise impacts on biology, among other things.

Furthermore, while this alternative would not help reduce future VMT or GHG emissions, it would not create an increase in VMT or GHG emissions. As stated in Final EIR Section 5.4.2, “this alternative would not provide a vehicular connection and therefore would not achieve the VMT reduction that would be realized with the proposed project, resulting in ~~increased impacts~~ no benefit to air quality and GHG compared to the proposed project in the long term.” The proposed project would not have a significant impact on VMT or GHG emissions and therefore is not required to consider alternatives that would avoid or substantially lessen environmental effects in that regard (14 CCR 15126.6[a], [c]). In addition, “This alternative would be consistent with the City’s CAP because it would provide a safer and higher quality/lower stress environment for pedestrians and cyclists to help achieve the City’s CAP targets.” The Pedestrian/Bicycle Only Alternative would meet this project objective.

I-3-23 Objective 8 is to construct the bridge in a manner that minimizes temporary and permanent impacts to sensitive biological resources within the City’s Stadium Wetland Mitigation Site. The comment correctly states that the Pedestrian/Bicycle Only Alternative would meet this project objective.

I-3-24 Objective 9 is to minimize impacts to natural topography and sensitive biological resources. The comment states that the Pedestrian/Bicycle Only Alternative would not meet this project objective because it would have negligible differences in impacts but would result in greater VMT and GHG emissions that would not be mitigated and would increase future impacts to natural resources. The alternative would not have a greater impact on VMT or GHG emissions than the proposed project, as described in response to comment I-3-22. Moreover, this alternative does lessen significant environmental effects of the proposed project. As stated in Section 5.4.2, this alternative would result in a smaller overall footprint, as less area within the river bottom would need to be cleared. There would be reduced land disturbance with the installation of this alternative compared to the project so potential impacts to biological resources, cultural and tribal cultural resources, and geology and soils (i.e., paleontological resources) would be slightly reduced. The construction timeline for this alternative would be 6 weeks shorter than the proposed project, which would reduce the significant and unavoidable noise-related biology impacts as compared to the proposed project. As such, the CSU disagrees with the commenter and believes that the Pedestrian/Bicycle Only Alternative would meet this project objective.

I-3-25 The comment provides a conclusory statement that the Pedestrian/Bicycle Only Alternative would not meet six of the nine project objectives and it should be moved to Section 5.3.2. However, as demonstrated in the responses above (responses to comments I-3-16 through I-3-24), this alternative would meet most of the project objectives with the exception of objective 5, improve emergency access between the communities north and south of the river in the eastern portion of the Mission Valley community, in support of San Diego Fire Department Station 45 and other emergency services, though its fulfillment of certain other objectives would be to a lesser extent than the proposed project. The requirement under CEQA Guideline 15126.6(a) states that an alternative should “meet most of the project objectives,” which this alternative does.

I-3-26 The comment restates information provided in Section 5.4.2 regarding the alternative’s reduction in impacts and states that a slight reduction in impacts is not consistent with CEQA Guidelines Section 15126.6(c), which indicates that an alternative must “avoid or substantially lessen” impacts of the proposed project. Regarding biological resources, as stated in Section 5.4.2, “Under the Pedestrian/Bicycle Only Bridge Alternative, there would be slightly less disturbance to biological resources with a smaller impact footprint and reduced indirect noise impacts to nesting birds due to the shorter construction schedule; however, potentially significant impacts to biological resources would still result, and mitigation would be required. Overall, impacts to biological resources would be slightly reduced compared to the proposed project.”

Regarding cultural and tribal cultural resources, as stated in Section 5.4.2, “Under the Pedestrian/Bicycle Only Bridge Alternative, there would be ground-disturbing activities similar to the proposed project, albeit slightly reduced because of the narrower bridge configuration and smaller footprint in the riverbed. Therefore, there would still be potentially significant impacts to cultural resources, archeological resources, human remains, or tribal cultural resources, albeit slightly reduced compared to the proposed project. Potentially significant impacts would be reduced with mitigation similar to the proposed project. Impacts would be slightly reduced compared to the proposed project.”

Regarding geology and soils, as stated in Section 5.4.2, “Under the Pedestrian/Bicycle Only Bridge Alternative, soil disturbance associated with construction would be similar to the proposed project, and potential impacts to paleontological resources would still occur. However, this bridge design would only require one column per pier compared to two columns needed for the proposed project; therefore, there would be a slightly reduced potential to encounter paleontological resources. Mitigation would still be required but impacts would be slightly reduced compared to the proposed project.”

Regarding noise, as stated in Section 5.4.2, “The Pedestrian/Bicycle Only Bridge Alternative would alter the project site through construction activities and installation of piers within the river channel; impacts would be slightly reduced because of the narrower bridge deck and slightly shorter construction schedule. Operational noise would be less than the proposed project due to the lack of vehicles on the bridge. This alternative would therefore result in slightly less construction noise and reduced noise once operational, due to the lack of vehicles on the roadway.”

While the Pedestrian/Bicycle Only Alternative would not avoid significant impacts of the project, when considered individually, impacts would be slightly reduced, and when considered in aggregate, impacts would be substantially reduced consistent with CEQA Guidelines Section 15126.6(c).

I-3-27 The comment pertains to the Tied-Arch and Suspension Bridge Alternatives and states that the Draft EIR sells several of their environmental benefits short as it relates to cultural, tribal cultural, and geology and soils, because these alternatives would entirely avoid impacts to undisturbed soils. The comment correctly states that both of these alternatives avoid undisturbed soils within the riverbed, however, excavation for the abutments of these alternatives would be deeper and over a larger area within the roadways on either side of the bridge. The depths to which disturbance would occur under the existing roadways would not reduce potential impacts to cultural, tribal cultural, or geology and soils. As stated in Section 5.4, Alternatives, “This alternative would avoid direct cultural and tribal cultural resource impacts within the river but would necessitate broader impact footprints within the existing street infrastructure along the southern edge of the river and the proposed street infrastructure along the northern edge of the river. Although the majority of deep ground disturbance would occur within previously disturbed areas outside the river bed, the potential to encounter unknown subsurface resources would still occur and mitigation would still be required. Potentially significant impacts would be similar to the proposed project.”

I-3-28 The comment expresses the opinion that that the Pedestrian/Bicycle Alternative should not be considered the environmentally superior alternative, but the Tied-Arch Bridge or Suspension Bridge should be instead. In supporting this opinion, the commenter tallies short-term construction impacts against long-term operational impacts and generally concludes that short-term construction impacts should be given more weight when selecting an environmentally superior alternative. The commenter fails to recognize that CEQA requires the analysis of alternatives to consider alternatives that would avoid or substantially lessen significant environmental effects of a project. The only significant, unmitigable impact of the proposed project relates to construction noise impacts on biology. The Pedestrian/Bicycle Alternative has a reduced development footprint and a shorter construction period and therefore would have a reduced impact on construction noise impacts as compared to the proposed project. The Tied-Arch Bridge and Suspension Bridge both have larger development footprints that would have greater impacts on biology and construction schedules that would run twice as long as the proposed project, which would also result in increased construction noise impacts on biology.

Although the tied-arch bridge or suspension bridge would achieve VMT and GHG reductions, same as the proposed project, that the Pedestrian/Bicycle Only Bridge Alternative would not realize, the Pedestrian/Bicycle Only Bridge Alternative would have less significant environmental impacts overall. However, the Pedestrian/Bicycle Only Bridge Alternative would not provide a vehicular highwater crossing, which is a fundamental purpose of the proposed project. The comment is noted for the record and is included in this Final EIR for review and consideration by the decision makers prior to a final decision on the proposed project.

I-3-29 The comment provides a conclusory statement to the comment letter, indicates the project’s SCH No., and offers the opportunity to ask questions to the commenter. No further response is required.

INTENTIONALLY LEFT BLANK



P.O. Box 882676
San Diego, CA 92168-2676
karen@klrplanning.com
619.578.9505

May 28, 2024

Paul Jackson, Program Manager
Facilities Planning, Design, and Construction
SDSU, 5500 Campanile Drive
San Diego, California 92182-1624

SUBJECT: San Diego State University Fenton Parkway Bridge Project ‘
Draft Environmental Impact Report (SCH #2023050534)

Dear Mr. Jackson:

We appreciate the opportunity to review the Fenton Parkway Bridge Project Draft Environmental Impact Report (“Draft EIR”). As stated in the Project Objectives for this project, the Fenton Parkway Bridge plays a critically important role in the transportation and emergency response/evacuation network for the Mission Valley community. Additionally, because Mission Valley serves the region as a whole – with its regional malls; Snapdragon Stadium, new river park, and associated future expansion of San Diego State University; restaurants; employment centers; and more – completion of this circulation element roadway benefits motorists, bicyclists, and pedestrians that travel to and through Mission Valley, as well. Thus, completion of this roadway is essential.

I-4-1

The Draft EIR provides a comprehensive evaluation of the potential significant environmental effects of the project. However, in our review, we found that certain critical elements will benefit from further detail and analysis.

Project Objectives for the Fenton Parkway Bridge Project include: *Improve emergency access between the communities north and south of the river in the eastern portion of the Mission Valley community, in support of San Diego Fire Department Station 45.* However, construction of the Fenton Parkway Bridge would also improve access for other emergency and police services. As stated as one of the Project Objectives in the Mission Valley Community Plan Update Program EIR, the Community Plan Update would: *Accommodate new roadway connections within developed areas or areas planned for development for improved connectivity and adequate emergency access and response.* (Emphasis added.) This should also be an objective of the Fenton Parkway Bridge Project – to improve connectivity and adequate access and response for all public emergency and police services and not just to support San Diego Fire Department Station 45.

I-4-2

Mr. Paul Jackson
 San Diego State University Fenton Parkway Bridge Project
 May 28, 2024
 Page 2

Additionally, this bridge would provide critical connectivity in times of river flooding, which is happening more frequently and with greater severity. The objective *Provide a high-water crossing in eastern Mission Valley* should be expanded to bolster the objective that both motorists and non-motorist (pedestrians, bicyclists, transit riders, etc.) individuals, alike, should have the ability to transit the valley in times of flooding, for both personal and emergency access reasons. Vehicular access is particularly critical for emergency services.

I-4-3

Relative to the **Environmental Analysis** chapter (Chapter 3), the Draft EIR does not adequately evaluate public services. The Draft EIR addresses Public Services in Chapter 4 – specifically, Section 4.2.4, under *Effects Found Not To Be Significant*. The Draft EIR does address if the project would *substantially impair an adopted emergency response plan or emergency evacuation plan* in Section 3.16 (*Wildfire*), focusing primarily on emergency access and evacuation, and concludes that *the project would potentially improve acceptable response times for local fire provision and evacuation conditions*. In response to a comment from the U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife, Section 3.16 includes a general discussion of how the bridge would improve emergency response times and emergency transport time to hospitals and the ability for fire stations to serve a greater area. The discussion of public services, with regard to emergency access and service, should be analyzed in greater detail. Improvements to access routes should be evaluated (which additionally provides ability in the alternative to contrast with existing and alternative accessibility). Response times for police, fire, and emergency services should be quantified. Additionally, the effect (physical access, time, and VMT) on individuals seeking to leave or access Mission Valley in times of emergency (i.e. flooding) should be analyzed, as this individual movement additionally plays a role in formal emergency response and access. With that analysis added to the EIR, each project alternative can include a comparative evaluation, with emergency access routes discussed and response times quantified. This is important for the public to understand and for the decision maker to consider.

I-4-4

With regard to the evaluation of project **Alternatives** (Chapter 5), a quantitative analysis for several of the environmental issues addressed under all of the alternatives in the Alternatives Analysis section (Section 5.4) would enhance the thoughtful review of each project alternative. For example, with regard to air quality, the alternatives' discussions generalize the impacts for each alternative by stating emissions "would be similar" or "emissions would increase." However, there is no quantification to understand what "similar" means or how much emissions would "increase." The same is true for the discussions of biological impacts, which make statements such as "slightly less disturbance," "greater permanent disturbance," and "increase impacts"; and for the discussion of noise impacts under each alternative, which uses similar unsubstantiated statements such as "slightly reduced," "would be less," and "would be similar." Without quantifying impacts, where possible, the public and decision-makers are unable to understand the merits of each alternative when compared to the project.

I-4-5

This becomes particularly important when trying to understand how the Pedestrian/Bicycle Only Bridge alternative was selected as the Environmentally Superior alternative, which may be in error. As shown in the table below, while it may be true that the Pedestrian/Bicycle Only Bridge has less impacts to biological resources, as it would not require encroachment into the City's Stadium Wetland Mitigation Site, it also would not support two of the primary project objectives; those being:

I-4-6

Mr. Paul Jackson
San Diego State University Fenton Parkway Bridge Project
May 28, 2024
Page 3

- Improve direct connectivity between residential neighborhoods and commercial office centers south of the river and residential, commercial, institutional, and public park lands and recreational amenities north of the river.
- Improve emergency access between the communities north and south of the river in the eastern portion of the Mission Valley community, in support of San Diego Fire Department Station 45.

I-4-6
cont.

Understanding on how much encroachment would occur with each alternative would assist in balancing the environmental impacts of the project with the project alternatives, which the decision-makers will need to do as part of the CEQA Findings. Furthermore, as stated in the Draft EIR, “the elimination of a vehicular access point that would in effect further reduce potential VMT would be less beneficial as it relates to air quality and GHG in the long term compared to the proposed project.” Also, as stated in the Draft EIR, the Pedestrian Bicycle Only Bridge alternative would not “achieve VMT reductions associated with shorter vehicle trips that would be realized with a vehicular bridge. Therefore, a substantial reduction in VMT would not occur, and the full benefits of a vehicular bridge would not be realized when compared to the proposed project.” The Draft EIR needs to weigh all environmental effects of the project alternative when selecting the Environmentally Superior alternative rather than placing an emphasis on a single issue area (i.e. biological resource). Additionally, these conclusions need to be quantitatively substantiated so the public and the decision makers can balance the benefits and effects of each alternative.

I-4-7

We support the Fenton Parkway Bridge and cannot stress enough the importance that this critical circulation element be approved and constructed in a manner that serves all of Mission Valley in the region – emergency vehicles, motorists, and non-motorists alike – in all conditions – fair and foul weather. We appreciate your consideration of our comments and look forward to transiting this bridge in the future.

I-4-8

Sincerely,

K L R PLANNING


Karen L. Ruggels

ALTERNATIVE COMPARISON WITH PROJECT OBJECTIVES

PROJECT OBJECTIVE	Alternative			
	5.4.1 No Project (No Build)	5.4.2 Pedestrian/Bicycle Only Bridge	5.4.3 Tied-Arch Bridge	5.4.4 Suspension Bridge
Construct a multi-modal bridge over the San Diego River to improve north-south mobility in eastern Mission Valley by connecting the existing street network between I-805 and I-15.	NO	NO	YES	YES
Provide accessible pedestrian and bicycle infrastructure that connects the communities south of the river to public open space and local and regional trail networks north of the river.	NO	YES	YES	YES
Improve direct connectivity between residential neighborhoods and commercial office centers south of the river and residential, commercial, institutional, and public park lands and recreational amenities north of the river.	NO	NO. Does not improve direct connectivity for motorists and emergency vehicles.	YES	YES
Provide a high-water crossing in eastern Mission Valley.	NO	Partial. Not for Vehicles	YES	YES
Improve emergency access between the communities north and south of the river in the eastern portion of the Mission Valley community, in support of San Diego Fire Department Station 45.	NO	NO	YES	YES
Support multimodal transit by providing infrastructure to facilitate increased rider access to the Metropolitan Transit System Trolley Green Line and the Fenton Parkway and Stadium Stations, for riders south of the river.	NO	Partial. Not for Vehicles	YES	YES
Minimize temporary and permanent impacts to natural resources (shading, wildlife movement, native plant regrowth, etc.) consistent with the San Diego River Park Master Plan bridge design guidelines.	YES ¹	YES	YES	YES
Construct the bridge in a manner that minimizes temporary and permanent impacts to sensitive biological resources within the City's Stadium Wetland Mitigation Site.	NO	YES	NO Greater encroachment into Mitigation Site.	NO Greater encroachment into Mitigation Site.
Minimize impacts to natural topography and sensitive biological resources.	YES	YES	YES	YES

I-4-9

¹ The Draft EIR identifies that the No Project (No Build) alternative does not meet any of the project objectives. However, that is not the case. By virtue of the No Project (No Build) alternative not resulting in any construction activity, it would meet the project objectives directed at minimizing impacts to the natural resources, natural topography, and sensitive biological resources.

Response to Comment Letter I-4

KLR Planning
Karen Ruggels
May 28, 2024

- I-4-1** The comment provides an introduction to the comments that follow and states that completion of this roadway is essential. No further response is required.
- I-4-2** The comment restates one of the project’s objectives and one of the objectives of the Mission Valley Community Plan Update Program EIR and indicates that the project’s objectives should be to improve connectivity and ensure adequate access and response for all public emergency and police services, and not just to support San Diego Fire Department Station 45. The project’s objective has been revised in Final EIR Chapter 2, Project Description, to reflect the inclusion of all other emergency services.
- I-4-3** The comment suggests that the project objective that states “Provide a high-water crossing in eastern Mission Valley” be expanded to bolster the objective that motorists and non-motorists should have the ability to transit the valley in times of flooding. This objective has been revised in Final EIR Chapter 2 to include language about motorists and non-motorists having the ability to cross the valley during flood events.
- I-4-4** The comment suggests inclusion of quantified response times for police, fire, and emergency services. The comment also suggests inclusion of the effects on individuals seeking to leave or access Mission Valley in times of emergency. See Thematic Response 1 and response to comment A-3-15. No further response is required.
- I-4-5** The comment states that the alternatives analysis in the Draft EIR does not quantify air quality emissions or biological resource impacts. CEQA Guidelines Section 15126.6, Consideration and Discussion of Alternatives to the Proposed Project, specifically subsection (d), Evaluation of Alternatives, states that the EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project. A matrix displaying the major characteristics and significant environmental effects of each alternative may be used to summarize the comparison. If an alternative would cause one or more significant effects in addition to those that would be caused by the project as proposed, the significant effects of the alternative shall be discussed, but in less detail than the significant effects of the project as proposed (*County of Inyo v. City of Los Angeles* [1981] 124 Ca. App. 3d 1).
- As customary in EIRs, and unlike the requirements of the National Environmental Policy Act, comparison of alternatives throughout Chapter 5, Alternatives, uses “less than,” “similar to,” and “greater than” statements when comparing alternatives to the proposed project. Further, a matrix such as suggested above was included at the end of Chapter 5 of the EIR.
- I-4-6** The comment states that the Pedestrian/Bicycle Only Alternative does not meet two of the project objectives. Regarding the objective to improve direct connectivity between land uses south and north of the river, the Pedestrian/Bicycle Only Alternative would improve direct connectivity for pedestrians and bicyclists, but it would not improve vehicular connectivity. The objective does not specify that the means of transportation that would improve connectivity must be by vehicle. The Pedestrian/Bicycle

Only Alternative partially fulfills this objective by providing pedestrian and bicycle connections, albeit to a lesser extent than could be provided with a vehicular bridge.

Regarding the objective to improve emergency access, the Pedestrian/Bicycle Only Alternative would not achieve this objective, as correctly stated in the comment. This alternative would not provide access for emergency vehicles and would not improve emergency access between the communities north and south of the river. Also see response to comment I-2-2. Further, CEQA Guidelines Section 15126.6(c) states that an alternative must “meet most of the project objectives.” Therefore, while it would not achieve this specific project objective, it does meet most of the project objectives.

I-4-7 The comment pertains to the reduction in vehicle miles traveled (VMT) that would not occur under the Pedestrian/Bicycle Only Alternative. While this alternative would not result in a reduction in VMT, similar to the proposed project, CEQA Guidelines Section 15126.6(c) states that an alternative must “avoid or substantially lessen the significant impacts resulting from the project.” Therefore, while a reduction in VMT would not be realized under this alternative, the focus was on avoiding or substantially reducing significant impacts of the project, not whether the alternative would achieve the same benefits as the proposed project. A majority of the significant impacts as a result of the proposed project were related to biological resources, which is why the Pedestrian/Bicycle Only Alternative was chosen as the Environmentally Superior Alternative. See also response to comment I-3-2.

I-4-8 The comment provides a conclusory statement to the comment letter. No further response is required.

I-4-9 The comment is a comparison table of the proposed alternatives and the ability of the alternatives to comply with the project objectives. The table reflects the results of the alternatives analysis in Draft EIR Chapter 5, with the exception of the commenter’s suggestions that the Pedestrian/Bicycle Only Alternative does not meet two of the project objectives. See response to comment I-4-6 above.

2 References Cited

- Caltrans (California Department of Transportation). 2016. *Technical Guidance for Assessment and Mitigation of the Effects of Highway and Road Construction Noise on Birds*. June 2019. (Contract 43A0306.) Sacramento, CA. Prepared by ICF International, Sacramento, CA, Robert Dooling, Gaithersburg, MD, and Arthur Popper, Silver Spring, MD.
- Caltrans. 2024. "District 11 State Roads, Right of Way, Postmiles" [map application]. <https://www.arcgis.com/apps/webappviewer/index.html?id=47a8e6fe68014f31b8e10c07df64df2f>.
- City of San Diego. 1997. *City of San Diego MSCP Subarea Plan*. March 1997. <https://www.sandiego.gov/sites/default/files/legacy/planning/programs/mscp/pdf/subareafullversion.pdf>.
- City of San Diego. 2001. *Draft Environmental Impact Report for the Proposed Mission City Parkway Bridge and Associated Facilities*. SCH No. 2000101088. May 2001.
- City of San Diego. 2007. "Appendix IV. Storm Drain System Map." In *Urban Runoff Management Program*. <https://www.sandiego.gov/sites/default/files/legacy/stormwater/pdf/jurmpapp4.pdf>.
- City of San Diego. 2013. *San Diego River Park Master Plan*. May 20, 2013. https://www.sandiego.gov/sites/default/files/sdrp_master_plan_full.pdf.
- City of San Diego. 2017. *Final Mobility Existing Conditions Report*. Prepared by Chen Ryan. June 2017. https://www.sandiego.gov/sites/default/files/mission_valley_ecr_final_06082017.pdf.
- City of San Diego. 2018a. *Mobility Technical Report*. Draft Report. Prepared by Chen Ryan. December 4, 2018. https://www.sandiego.gov/sites/default/files/mission_valley_mobility_technical_report_draft12042018.pdf.
- City of San Diego. 2018b. *Biology Guidelines*. Amended February 1, 2018. https://www.sandiego.gov/sites/default/files/amendment_to_the_land_development_manual_biology_guidelines_february_2018_-_clean.pdf.
- City of San Diego. 2019a. *Mission Valley Community Plan Update Final Program EIR*. SCH No. 2017071066. May 31, 2019. Accessed June 10, 2019. https://www.sandiego.gov/sites/default/files/mvcpu_feir_compiled_compressed.pdf.
- City of San Diego. 2019b. "Transit Priority Areas per SB743" [map]. Current as of February 5, 2019. Accessed June 28, 2019. <https://www.sandiego.gov/sites/default/files/transit-priority-map.pdf>.
- City of San Diego. 2019c. *Systemic Safety: The Data-Driven Path to Vision Zero*. April 2019. <https://www.sandiego.gov/sites/default/files/systemic-safety-the-data-driven-path-to-vision-zero.pdf>.
- City of San Diego. 2019d. *Mission Valley Community Plan Update*. September 2019. https://www.sandiego.gov/sites/default/files/missionvalley_cpu_adopted.pdf.

City of San Diego. 2020. *Mission Valley Impact Fee Study*. https://www.sandiego.gov/sites/default/files/fy_2020_mission_valley_ifs_0.pdf.

City of San Diego. 2022. *Climate Action Plan*. https://www.sandiego.gov/sites/default/files/san_diegos_2022_climate_action_plan_0.pdf

City of San Diego. 2023. "Fenton Parkway Bridge Project: City of San Diego Essential Public Project." November 9, 2023.

City of San Diego. 2024. "Maps of Flood-Prone Areas." <https://www.sandiego.gov/storm/maps>.

City of San Diego and CR Associates. 2017. Mission Valley Community Planning Group: Community Plan Update Subcommittee Meeting 4/17/2017: Future Growth and Mobility [presentation]. April 17, 2017.

Citygate Associates LLC. 2017. Standards of Response Cover Review (vol. 2). February 22, 2017. <https://www.sandiego.gov/sites/default/files/citygate-rpt-vol2.pdf>.

DEFRA (Department for Environment Food and Rural Affairs). 2005. Update of Noise Database for Prediction of Noise on Construction and Open Sites.

Dudek. 2018. West Mission Bay Bridge Replacement Vehicle Bridge Avian Mortality Study Phase 1 Report (R-3080/H125700), City of San Diego, California. Prepared for the City of San Diego Public Works Department. Encinitas, California: Dudek. February 20, 2018. Dudek. 2024. SDSU Mission Valley Campus Master Plan Project (USFWS File No. FWS-SDG-2022-0028183). Final Report. Encinitas, California: Dudek. May 21, 2024.

Esquig, R. 2024. Source data from Central Square Computer Aided Dispatch (CAD) Archive SQL Server. Email between R. Esquig (City of San Diego Fire Rescue Department) and A. Martini (Dudek). July 11, 2024.

Esquig, R., and M. Gardiner. 2024. CDFW Draft Responses – Purpose and Need. Email between R. Esquig (City of San Diego Fire Rescue Department), M. Gardiner (City of San Diego Senior Mobility Engineer), and A. Martini (Dudek). July 11, 2024.

FHWA (Federal Highway Administration). 2006. Roadway Construction Noise Model User's Guide. January 2006. https://planning.lacity.gov/eir/8150Sunset/References/4.G.%20Noise/N.07_FHWA%20User%20Guide_2006.pdf.

Francis, C.D. and J.R. Barber. 2013. A framework for understanding noise impacts on wildlife: an urgent conservation priority. *Front Ecol Environ* 2013; 11(6): 305–313, doi:10.1890/120183 (published online 15 Jul 2013).

Franzreb, K.E. 1989. *Ecology and Conservation of the Endangered Least Bell's Vireo*. Sacramento, California: U.S. Fish and Wildlife Service. Biological Report 89(1).

FTA (Federal Transit Administration). 2006. *Transit Noise and Vibration Impact Assessment*. May 2006. https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/FTA_Noise_and_Vibration_Manual.pdf.

GO by BIKE. n.d. "SR 15 Commuter Bikeway." <https://keepsandiegomoving.com/RegionalBikeProjects/sr15.aspx>.

- Google Maps. 2024. Driving Directions from Fire Station 45 to Centerside Office Complex. Accessed July 2024. <https://www.google.com/maps>.
- Hafertape, D. 2024. "Displaying Incidents as Individual Points and Heat Map (Incident Concentration) Within the 45-NSR-01, 45-CW-03 and 18-CW-01 Response Areas from 6/1/23 through 5/31/24 [map]." Fire-Rescue Emergency Command and Data Center.
- Kus, B.E. and K.L. Miner. 1989. "The Use of Non-Riparian Habitats by Least Bell's Vireos (*Vireo bellii pusillus*)." In *California Riparian Systems Conference: Protection, Management, and Restoration for the 1990's; 1988 September 22-24, Davis, CA*, D.L. Abell, ed. U.S. Forest Service General Technical Report. PSW-110. Berkeley, California: U.S. Forest Service, Pacific Northwest Forest and Range Experiment Station.
- NWPS (National Water Prediction Service). 2024. "San Diego River at Fashion Valley." Updated August 19, 2024. <https://water.noaa.gov/gauges/fsnc1>.
- Salata, L. 1983. *Status of the Least Bell's Vireo on Camp Pendleton, California: Report on Research Done in 1983*. Laguna Niguel, California: USFWS.
- San Diego River Conservancy. 2020. *San Diego River Recreational Trail Plan*. November 12, 2020. https://sdrca.gov/wp-content/uploads/2021/02/SDRRT_Plan_111020-CLEAN.pdf.
- SANDAG (San Diego Association of Governments). n.d. "San Diego Regional Bike Map" [map]. <https://gis.sandag.org/BikeMap/index.html>.
- SANDAG. 2020. "Central Avenue Bikeway." March 2020. <https://www.sandag.org/-/media/SANDAG/Documents/PDF/projects-and-programs/bikeways-and-walkways/bikeway-walkway-projects/central-avenue-bikeway-fact-sheet-2020-03-30.pdf>.
- SANDAG. 2021. "Appendix T: Network Development and Performance." In *San Diego Forward: The 2021 Regional Plan*. <https://www.sandag.org/-/media/SANDAG/Documents/PDF/regional-plan/2021-regional-plan/final-2021-regional-plan/2021-regional-plan-appendix-t-2021-05-01.pdf>.
- Sedgwick, J.A. 2000. "Willow Flycatcher (*Empidonax traillii*)." In *The Birds of North America Online*, edited by A. Poole. Ithaca, New York: Cornell Lab of Ornithology. Accessed September 2012. <http://bna.birds.cornell.edu/bna/species/533/articles/introduction>.
- Sogge, M.K., D. Ahlers, and S.J. Sferra. 2010. *A Natural History Summary and Survey Protocol for the Southwestern Willow Flycatcher*. U.S. Geological Survey Techniques and Methods 2A-10.USDOT (U.S. Department of Transportation). 2022. "Safer Speeds." Last updated October 2022. <https://www.transportation.gov/NRSS/SaferSpeeds>.
- Tardy, A. 2023. "New NWS Flood Stage for San Diego River." September 2023.
- USFWS (U.S. Fish and Wildlife Service). 1997. "Coastal California Gnatcatcher (*Poliptila californica californica*) Presence/Absence Survey Protocol." Carlsbad, California: USFWS. Revised July 28, 1997. Accessed April 2018. <http://www.fws.gov/pacific/ecoservices/endangered/recovery/documents/CCalGnatcatcher.1997.protocol.pdf>.
- Whitmore, R.C. 1977. "Habitat Partitioning in a Community of Passerine Birds." *Wilson Bulletin* 89:253-265.

INTENTIONALLY LEFT BLANK