

Comment Letter L1



**San Diego County Archaeological Society, Inc.**  
Environmental Review Committee

21 May 2017

To: Ms. Laura Shinn, Director  
Facilities Planning, Design and Construction  
San Diego State University  
5500 Campanile Drive  
San Diego, California 92182-1624

Subject: Draft Environmental Impact Report  
New Student Housing Project

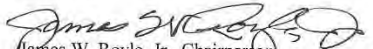
Dear Ms. Shinn:

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

Based on the information contained in the DEIR and its cultural resources appendix, we concur with the impact analysis and mitigation measures as presented.

Thank you for affording SDCAS the opportunity to participate in the public review of this project's environmental documents.

Sincerely,

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

cc: Dudek  
SDCAS President  
File

[ L1-1  
[ L1-2  
[ L1-3

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

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**Response to Comment Letter L1**

**San Diego County Archaeological Society, Inc.**

**James W. Royle, Jr.**

**Dated May 21, 2017**

- L1-1** The comment is an introduction to comments that follow. No further response is required.
- L1-2** The comment expresses the concurrence of the commenter with the impact analysis and mitigation measures presented in the Draft EIR and cultural resources appendix. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the Project. No further response is required because the comment does not raise an environmental issue.
- L1-3** The comment is acknowledged and appreciated. The comment does not raise any issue concerning the adequacy of the EIR. For that reason, no further response to this comment is provided.

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THE CITY OF SAN DIEGO  
OFFICE OF COUNCILMEMBER GEORGETTE GÓMEZ  
NINTH DISTRICT

June 2, 2017

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

**RE: Response to SDSU's New Student Housing Project Draft Environmental Impact Report**

Dear Ms. Shinn:

On behalf of the residents of the City of San Diego's Ninth Council District, and the immediately affected communities of College View Estates and the College Area, I submit this letter to you for inclusion in San Diego State University's New Student Housing Project Draft Environmental Impact Report released on April 21, 2017.

L2-1

It is my firm belief that the City of San Diego and San Diego State University (SDSU) must work together to ensure the growth and prosperity of SDSU and the San Diego region. SDSU is a community asset; and as such, holds a responsibility to the community, just as the community holds a responsibility to SDSU.

L2-2

As the SDSU campus expands, the need for more student housing is paramount to the quality of life for the surrounding communities and the thriving campus life of SDSU. To that effect, we must recognize the need for SDSU to continue the development of student housing around SDSU. However, the development must recognize the community character and needs of the surrounding environment.

L2-3

As you may be aware, a primary goal of the City of San Diego's General Plan Open Space Element is the preservation and long-term management of the natural land forms and open spaces that help make San Diego unique. As such, there are a number of policies contained in the Conservation Element Plan that are applicable to the project site.

L2-4

In particular, CE-B.1. states: ***"Protect and conserve landforms, canyon lands, and open spaces that: define the City's urban form; provide public views/vistas; serve as core biological areas and wildlife linkages; area wetlands habitats; provide buffers within and between communities; or provide outdoor recreational opportunities."*** Subsection (c) further states ***"Protect urban canyons and other important community open spaces including those that have been designated in community plans for the many benefits they offer locally, and regionally as part of a collective citywide open space system."***

L2-4

My staff and I have had numerous meetings with constituents regarding the proposed development, and we have a few recommendations and questions regarding the project. I would also like to thank SDSU President Elliot Hirshman and University staff for their commitment to develop the student housing while

L2-5

## Responses to Comments – Local Agencies

altering the project to exclude any aspects that would have significant and unavoidable impacts to the surrounding environment.

↑ L2-5  
Cont.

Below is a list of questions and concerns I echo along with those of our community:

↑ L2-6

- In the original plans of the project, Phase II and III are shown to be taller than the existing Chapultepec Hall. It is our understanding that Phase III will be eliminated from the proposal and that Phase II will be modified to be as tall as or shorter than the existing structure. **Does SDSU commit to such plan?**
- While not required by the California Environmental Quality Act (CEQA) review process, **I request that SDSU present the revised project proposal to the College View Estates Community Association, and/or the College Area Community Planning Board, for community feedback prior to the final vote being taken by the California State University Board of Trustees meeting.**
- Understandably, the adjacent community is concerned with the impacts to Remington Road. As you are aware, Remington Road is the main road in and out of the College View Estates community. In recent years, the community has been faced with increased traffic congestion due to illegally parked vehicles that subsequently block through traffic and the overall increase in vehicular traffic. This development would add to this problem unless adequately addressed within your project. **I request that you collaborate with the City of San Diego staff to readjust the traffic lanes on Remington Road to allow for two lanes of through traffic, either Class I or II bike facilities, and time-limited on-street parking.**
- In order to fully connect the future project with the existing campus, **I request that the revised project be designed to ensure that ingress/egress for students and visitors occur along 55<sup>th</sup> Street** rather than Remington Road.
- The preservation of canyon land and open spaces is extremely important to me and the constituents that I represent. **I request that SDSU make a formal commitment to preserve and protect the canyon land by dedicating it as public open space.** I believe this to be a good faith effort and commitment to the surrounding community and a public benefit for the environment.

↑ L2-7

↑ L2-8

↑ L2-9

↑ L2-10

↑ L2-11

I wish to acknowledge that these are only three areas of concern that I am expressing, yet I am cognizant of other aspects of the project which concern the community. I stand with my constituents and share in those concerns as well.

↑ L2-12

I believe that, together, SDSU and the City of San Diego can come to a compromise that will be beneficial to both SDSU and the surrounding area. Should SDSU address the three concerns I have shared, and the countless others raised by the College Area Community Planning Board and the College View Estates Community Association, I firmly believe we can continue to enjoy SDSU and welcome the extended Chapultepec development slated to being in Fall 2017.

↑ L2-13

I thank you for your time and consideration.

Sincerely,



Georgette Gómez  
Councilmember, Ninth District

**Response to Comment Letter L2**

**City of San Diego  
Councilmember Georgette Gomez  
Dated June 2, 2017**

- L2-1** The comment is an introduction to comments that follow. No further response is required.
- L2-2** The comment is acknowledged and appreciated, and California State University/ SDSU agrees the City and SDSU must work together to ensure the growth and prosperity of SDSU and the San Diego region.
- L2-3** The comment is acknowledged, and SDSU agrees with the need to continue the development of student housing on the SDSU campus and that SDSU will continue to consider the effects of such development on the surrounding environment.
- L2-4** The comment is acknowledged, although as a state agency, the Conservation Element Plan referenced in the comment is not directly applicable to SDSU. Nonetheless, the proposed Project is protective of the nearby urban canyon. As explained in the Final EIR, SDSU has agreed to modify the proposed Project to eliminate both Phases II and III from the development. This Project modification will substantially reduce the Project's impacts on the nearby canyon. Please see Final EIR, Preface, for additional information regarding the project modifications. SDSU appreciates the comment, which will be included as part of the record and made available to the decision makers prior to a final decision on the Project
- L2-5** The comment provides factual background information and does not raise an environmental issue within the meaning of CEQA. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the Project. No further response is required because the comment does not raise an environmental issue.
- L2-6** The comment is an introduction to comments that follow. No further response is required.
- L2-7** The comment addresses modifications to project Phases II and III. As noted in response to comment L2-4 above, as described in the Final EIR, both Phases II and III have been eliminated from the proposed Project. SDSU commits to these modifications.
- L2-8** The comment requests presentation of the modified project to the affected community. In response to the request, SDSU presented the interim-modified project proposal to the College Area Community Planning Board (CACPB) for community feedback on June 14, 2017, well in advance of the September 2017 Board of Trustees meeting to consider approval of the project. A Powerpoint prepared to illustrate the

## Responses to Comments – Local Agencies

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modifications is available on the SDSU website at <http://newscenter.sdsu.edu/chapultepec-info/>. Since that date, SDSU appeared at the July 12, 2017 CACPB meeting to announce the elimination of Phase II in its entirety from the proposed project so the Board has been informed of the project modifications.

- L2-9** The comment addresses existing conditions on Remington Road attributable to vehicles illegally blocking traffic and raises concern due to the additional traffic generated by the Project. The New Student Housing project includes curb cut-outs for up to six cars on the south side of the proposed project fronting Remington Road so that vehicles picking up or dropping off passengers will now have a designated location out of the Remington Road travel lanes for that purpose. (See Final EIR Project Description, Figure 2-11.) As a result, vehicles picking up or dropping off passengers destined for existing Chapultepec Hall or the New Student Housing would no longer affect the flow of traffic on Remington Road. In addition, under the Project, student move-in and move-out events are provided for on the north side of the proposed project, far removed from Remington Road, thereby further eliminating the potential for vehicles to block traffic on Remington Road. (See Final EIR Project Description, Figure 2-11.)

Additionally, under the proposed Project, the red curbs along Remington Road would be re-painted and the existing “No Parking” signs would be modified to “No Stopping at Any Time” signs. SDSU shares enforcement responsibility of these signs with the City of San Diego Police Department and SDSU will provide additional enforcement as necessary. Lastly, while the EIR traffic analysis determined that traffic operations along Remington Road and 55<sup>th</sup> Street would operate at an acceptable level of service with the addition of Project traffic, the Project proposes to synchronize the five traffic signals along 55<sup>th</sup> Street between Montezuma Road and Remington Road, which would further improve the flow of traffic on these roads. SDSU believes that the combination of these proposed improvements would substantially improve the flow of traffic on Remington Road and satisfactorily address the concerns raised by the comment.

- L2-10** The comment requests that ingress/egress to the New Student Housing for students and visitors be provided along 55<sup>th</sup> Street rather than Remington Road. Under the proposed Project, the primary access to the New Student Housing will be provided at the corner of 55<sup>th</sup> Street and Remington Road, thereby connecting the Project with the existing campus, as requested by the comment.

- L2-11** The comment requests that SDSU dedicate the canyon land adjacent to the site of the proposed Project as public open space in order to preserve the space. With the elimination of Phases II and III, there are no direct impacts to the canyon, and all potentially significant environmental effects would be fully mitigated. For that



## **Responses to Comments – Local Agencies**

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reason, with the elimination of Phases II and III from the proposed Project, SDSU does not believe it is necessary to dedicate the canyon land as public open space.

**L2-12** The comment is acknowledged and will be included as part of the record and made available to the decision makers prior to a final decision on the Project. No further response is required because the comment does not raise an environmental issue.

**L2-13** The comment is acknowledged and will be included as part of the record and made available to the decision makers prior to a final decision on the Project. No further response is required because the comment does not raise an environmental issue.

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

June 5, 2017

File Number 3300300

Ms. Laura Shinn  
 Facilities Planning, Design, and Construction  
 San Diego State University  
 550 Campanile Drive  
 San Diego, CA 92182

MEMBER AGENCIES

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

ADVISORY MEMBERS

- Imperial County
- California Department of Transportation
- Metropolitan Transit System
- North County Transit District
- United States Department of Defense
- San Diego Unified Port District
- San Diego County Water Authority
- Southern California Tribal Chairmen's Association
- Mexico

Dear Ms. Shinn:

SUBJECT: California State University/San Diego State University New Student Housing Project Draft Environmental Impact Report

Thank you for the opportunity to comment on the California State University/San Diego State University (CSU/SDSU) New Student Housing Project Draft Environmental Impact Report (EIR). The San Diego Association of Governments (SANDAG) recognizes the important role that SDSU plays in the San Diego region as an educational institution and employer. Further, SANDAG appreciates efforts to implement policies included in San Diego Forward: The Regional Plan (Regional Plan) that helps provide people with more travel and housing choices, protect the environment, create healthy communities, stimulate economic growth, and reduce greenhouse gas emissions. SANDAG comments are based on policies included in the Regional Plan and are submitted from a regional perspective.

**Smart Growth**

SANDAG appreciates that SDSU has prioritized transit-oriented development that supports the goals of the Regional Plan, which aims to focus growth in smart growth opportunity areas. The Project is located within an Existing/Planned Special Use Center (SD-CO-2), a smart growth opportunity area identified on the Smart Growth Concept Map. Development in these areas support a sustainable and healthy region, a vibrant economy, and an outstanding quality of life for all. The proposed project is currently well-served by a number of high-frequency bus routes, as well as *Rapid* service and Trolley service. Facilitating access to these nearby transit services will help to reduce greenhouse gas emissions associated with individual car trips, especially for students who live on campus.

L3-1

L3-2

## Transportation Demand Management

The Draft EIR refrained from incorporating a Transportation Demand Management (TDM) program because “the proposed project is a residential project and thus [a TDM program] would not apply” (Draft EIR, page 4.7-43). Please take into consideration that TDM strategies extend beyond employer based programs and are applicable to a wide array of projects, including student housing. Implementation of these strategies can help encourage the use of transportation alternatives and reduce parking demand at the SDSU campus and support goals identified in the CSU Transportation Demand Management Manual. Examples of TDM strategies to consider include:

- Provision of safe bicycle and pedestrian facilities that seamlessly and safely connect to the SDSU Transit Center and other major campus destinations.
- Consider a secure group bike parking facility for students living in the housing units. Additional bike amenities, such as bicycle repair stands, would further encourage bicycling as a transportation choice.
- Provision and promotion of shared mobility services (on-demand rideshare, carshare, bikeshare, shuttle service) to help reduce the demand for private vehicles and on-site parking. Consider partnering with on-demand rideshare providers (Uber and Lyft) as a flexible and cost-effective transportation alternative for students.
- Provision of smart parking technologies that indicate space availability, facilitate parking reservations, and account for flexible or transitional use of parking areas based on student and faculty parking demands.
- Provision of wayfinding signage that connects to transportation services and other destinations throughout the university.
- Interactive transportation kiosks that display real-time information about regional transit services, bikeshare, carshare, on-demand rideshare, and other available transportation options.

Please continue partnering with the SANDAG iCommute program, which can assist with promoting rideshare options, as well as other regional services that encourage the use of transportation alternatives, and reduce parking demand. Regional TDM programs include online ridematching services, multimodal trip planning, the Guaranteed Ride Home service, and support for bicycling. Information on the SANDAG TDM program can be accessed through iCommuteSD.com.

## Other Considerations

SANDAG has a number of additional resources that can be used for additional information or clarification on topics discussed in this letter. These can be found on our website at [sandag.org/igr](http://sandag.org/igr):

1. SANDAG Regional Parking Management Toolbox
2. Riding to 2050, the San Diego Regional Bike Plan
3. Regional Multimodal Transportation Analysis: Alternative Approaches for Preparing Multimodal Transportation Analysis in Environmental Impact Reports
4. Planning and Designing for Pedestrians, Model Guidelines for the San Diego Region

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# Responses to Comments – Local Agencies

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5. Integrating Transportation Demand Management into the Planning and Development Process – A Reference for Cities
6. Trip Generation for Smart Growth
7. Parking Strategies for Smart Growth
8. Designing for Smart Growth, Creating Great Places in the San Diego Region

When available, please send any additional environmental documents related to this project to:

Intergovernmental Review  
c/o SANDAG  
401 B Street, Suite 800  
San Diego, CA 92101

We appreciate the opportunity to comment on the CSU/SDSU New Student Housing Project Draft EIR. If you have any questions or concerns, please contact me at (619) 699-1943 or via e-mail at [seth.litchney@sandag.org](mailto:seth.litchney@sandag.org).

Sincerely,



SETH LITCHNEY  
Senior Regional Planner

SL/KHE/kav

L3-11  
Cont.

L3-12

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**Response to Comment Letter L3**

**SANDAG**  
**Seth Litchney**  
**Dated June 5, 2017**

- L3-1** The comment is an introduction to comments that follow. No further response is required.
- L3-2** The comment provides factual background information and does not raise an environmental issue within the meaning of CEQA. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the Project. No further response is required because the comment does not raise an environmental issue.
- L3-3** The comment refers to Draft EIR page 4.7-43 and asks that Transportation Demand Management (TDM) strategies be considered as part of the proposed New Student Housing project. The context of the excerpted Draft EIR text is a checklist question specific to employment-related projects, i.e., projects that will accommodate over 50 employees. Because the proposed Project is a residential student housing project that will not accommodate over 50 employees, the Draft EIR correctly states that the checklist item is not applicable. Notwithstanding, as explained in the following responses, the proposed Project, and existing operations at SDSU, include many of the TDM strategies suggested by the comments. Also, providing student housing on campus as the proposed Project would do is a trip reduction strategy in and of itself in that students who otherwise might live in Pacific Beach, for example, would now live on campus, thereby reducing vehicle trips by eliminating the school commute, and reducing the corresponding vehicle miles travelled.
- L3-4** With regards to bicycle and pedestrian facilities connecting to the MTS Transit Center, both bike lanes and pedestrian walkways throughout the campus connect the west campus area, where the proposed Project will be built, to the Transit Center and other campus destinations.
- L3-5** With respect to secured bike parking, the proposed Project includes a secured, covered area for bicycle parking that will be available for use both by students living in the proposed housing, as well as SDSU students at large.
- L3-6** With regards to shared mobility services, SDSU presently has in place ZIMRide, which is a rideshare app for the exclusive use of SDSU students and staff. (See <https://www.as.sdsu.edu/zimride/>.) Additionally, SDSU provides the on-campus “red and black” shuttle, a service that runs Monday through Thursday from 5 PM to 10 PM during fall and spring semesters (see [http://bfa.sdsu.edu/safety/police/services/SDSU\\_](http://bfa.sdsu.edu/safety/police/services/SDSU_)

## Responses to Comments – Local Agencies

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- Shuttle2017.pdf), and Student Disability Services provides an accessible cart service by prior arrangement. (See [http://go.sdsu.edu/student\\_affairs/sds/mobility.aspx](http://go.sdsu.edu/student_affairs/sds/mobility.aspx).) The students on campus also make use of ride share services such as Lyft and Uber, and the University continues to work with these services to ensure safe and adequate pick up/drop off locations. Relatedly, the proposed Project will provide pull off space for 6 cars along Remington Road to allow both formal and informal ride-share vehicles to pull out of the lane of traffic in order to pick up and drop off passengers. Finally, the University also provides two locations on campus for accessing ZipCar (See <http://www.zipcar.com/universities/san-diego-state-university>).
- L3-7** With respect to smart parking technologies that indicate space availability, SDSU has investigated the idea in the past, and will continue to do so in the coming years.
- L3-8** With respect to signage, the proposed Project will include wayfinding signage that connects pedestrians and bicyclists to transportation services and other destinations throughout the university.
- L3-9** As to interactive transportation kiosks, the proposed Project does not include such facilities.
- L3-10** The comment requests that SDSU continue partnering with the SANDAG iCommute program. The comment is acknowledged and appreciated, and, like all of the SANDAG comments, will be included as part of the record and made available to the decision makers prior to a final decision on the Project.
- L3-11** The comment lists additional resources that can be used for additional information relating to TDM strategies. The comment is acknowledged.
- L3-12** The comment is a conclusion statement referencing previous comments. No further response is required.





1255 Imperial Avenue, Suite 1000  
San Diego, CA 92101-7490  
(619) 231-1466 • FAX (619) 234-3407

June 5, 2017

SRTP 820.2 (PC 50451)

Laura V. Shinn  
Director, Facilities Planning, Design, and Construction  
San Diego State University  
5500 Campanile Drive  
San Diego, CA 92182

Ms. Shinn:

SUBJECT: DRAFT ENVIRONMENTAL IMPACT REPORT, PROPOSED NEW STUDENT HOUSING PROJECT

Thank you for extending MTS the opportunity to comment on the Draft EIR for the proposed New Student Housing Project. Our comments are as follows:

- In section 4.14, a number of MTS routes both current and historical are referenced. For clarification, current MTS service to the SDSU Transit Center includes:
  - The MTS Green Line Trolley operating between the 12th and Imperial Transit Center in Downtown San Diego and Santee
  - Rapid 215, operating between Santa Fe Depot in Downtown San Diego and SDSU
  - Route 11, operating between Skyline Hills and SDSU via Downtown San Diego
  - Route 14, operating between Grantville Trolley and Lake Murray Village in La Mesa
  - Route 115, operating between SDSU and the El Cajon Transit Center
  - Route 856, operating between SDSU and Cuyamaca College
  - Route 936, operating between SDSU and Spring Valley Center in Spring Valley
  - Route 955, operating between SDSU and the 8th Street Transit Center in National City
- We anticipate that residents choosing to make use of Routes 11 and 955 are likely to access those services at the stop pair at Montezuma Road and 55th Street. While the westbound stop currently meets ADA guidelines, the eastbound stop currently falls below guidelines. MTS would like to request the inclusion of an ADA boarding area at this stop (MTS stop number 11395) that measures a minimum of eight feet back from the curb over a distance of five feet parallel to the curb.

L4-1

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L4-3



Metropolitan Transit System (MTS) is a California public agency and is comprised of San Diego Transit Corporation and San Diego Trolley, Inc. nonprofit public benefit corporations, in cooperation with Chula Vista Transit and National City Transit. MTS is the fiscal administrator for eight cities and the owner of the San Diego and Arizona Eastern Railway Company. MTS member agencies include: City of Chula Vista, City of Coronado, City of El Cajon, City of Imperial Beach, City of La Mesa, City of Lemon Grove, City of National City, City of Poway, City of San Diego, City of Santee, and the County of San Diego.

## Responses to Comments – Local Agencies

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- We continue to harbor concerns over traffic volumes and traffic congestion along College and Montezuma Avenues and the resulting impacts on our service running time and reliability. In particular, routes that suffer delay early in a route are more susceptible to cascading delays further along the route, which jeopardizes the quality of service that we are able to deliver. While the LOS impacts reported in this draft do not indicate that significant changes in traffic volumes and traffic delay will occur as a result of this individual project, we would ask that any potential street or lane closures required for this project along any of our operating corridors occur outside our peak service hours if possible.

L4-4

Feel free to contact me if you have any questions or comments.

L4-5

Sincerely,



Peter Casellini, AICP  
Associate Transportation Planner

cc: Sharon Cooney, Denis Desmond

**Response to Comment Letter L4**

**Metropolitan Transit System (MTS)**

**Peter Casellini, AICP**

**Dated June 5, 2017**

- L4-1** The comment is an introduction to comments that follow. No further response is required.
- L4-2** The comment provides clarification of MTS trolley and bus routes referenced in Draft EIR Section 4.14, Transportation/Circulation and Parking. In response to the comment, Final EIR Section 4.14, and corresponding Appendix K, Transportation Technical Report, includes the appropriate revisions.
- L4-3** The comment reports that the eastbound stop of Bus Routes 11 and 955 at Montezuma Road and 55<sup>th</sup> Street does not currently meet Americans With Disabilities Act guidelines. The referenced location is under the jurisdiction and control of the City of San Diego, not SDSU/California State University. Because the comment does not raise any specific issue regarding the analysis presented in the EIR, no more specific response can be provided. The comment, as well as all of the MTS comments, will be included as part of the record and made available to the decision makers prior to a final decision on the Project.
- L4-4** The comment raises concern regarding current traffic congestion along College Avenue and Montezuma Road and its effect on transit operations and asks that any potential street or lane closures required for the Project along any MTS operating corridors occur outside peak service hours if possible. In response, construction and/or operation of the proposed Project would not require street or lane closures along College Avenue or Montezuma Road, the two corridors referenced in the comment. In addition, as to any streets or lanes that may be affected by Project construction, the proposed Project includes a mitigation measure (MM-TRA-5) that requires preparation and implementation of a Traffic Control Plan prior to the commencement of construction activities to provide for the safe and effective movement of vehicles, pedestrians, and bicyclists through or around temporary traffic control zones.
- L4-5** The comment is a conclusion statement referencing previous comments. No further response is required.

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June 5, 2017

Ms. Laura Shinn, Director  
San Diego State University,  
Facilities Planning, Design and Construction  
550 Campanile Drive  
San Diego, CA 92182-1624

Subject: **CITY OF SAN DIEGO COMMENTS ON THE NEW STUDENT HOUSING PROJECT  
DRAFT ENVIRONMENTAL IMPACT REPORT (SCH# 2016121025)**

Dear Ms. Shinn:

The City of San Diego ("City") Planning Department has received the Draft Environmental Impact Report (DEIR) prepared by San Diego State University (SDSU) and distributed it to applicable City departments for review. The City, as a Responsible Agency under CEQA, has reviewed the DEIR and appreciates this opportunity to provide comments to SDSU. In response to this request for public comments, the City has the following comments on the DEIR for your consideration.

L5-1

**Transportation & Storm Water Department – Mark Stephens, Associate Planner -  
[MGStephens@sandiego.gov](mailto:MGStephens@sandiego.gov), 858-541-4361**

Throughout Chapter 4.9 Hydrology and Water Quality, as well as any other references within the DEIR, please use the correct convention for the "City of San Diego (City) Storm Water Division" of the Transportation & Storm Water Department (i.e., not "City Stormwater Division").

L5-2

Section 4.9.3 Existing Conditions, page 4.9-6. In the first paragraph of this page, clarify that the Preliminary Drainage Study is actually Appendix A of the Draft Hydrology and Water Quality Technical Report (Draft EIR Appendix I) to avoid confusion with the Draft EIR Appendix A, which contains the Notice of Preparation and Comments and Public Scoping Meeting Materials. Similarly, the reference to "Appendix B" as the source for Table 4.9-2 on page 4.9-5 should clarify that it is Appendix B to the Draft Hydrology and Water Quality Technical Report (Draft EIR Appendix I), or just refer to Draft EIR Appendix I. In the second paragraph of page 4.9-8, please clarify the bolded "Section 3.2.1" is referring to Appendix I. This also applies to "Section 3.2.2" in the first paragraph on page 4.9-11 and first paragraph on page 4.9-26, and "Section 3.1.3" in the third paragraph on page 4.9-23.

L5-3

L5-4

Section 4.9.4 Relevant Plan, Policies, and Ordinances, page 4.9-21. Under City of San Diego Storm Water Runoff Control and Drainage Regulations, the first paragraph reference to the City Storm Water Standards Manual Section 1.2 quotes outdated information from a superseded (2012) version of this source. (The listing under 4.9.9 References is correct, but text presented on page 4.9-21 is

L5-5

# Responses to Comments – Local Agencies

Page 2  
Ms. Laura Shinn  
June 5, 2017

from the older version of the source document.) Please use information from the current January 2016 version of City Storm Water Standards. This information, as well as the current City Storm Water Management and Discharge Control Ordinance, can be accessed at: <https://www.sandiego.gov/stormwater/regulations>.

Section 4.9.4 Relevant Plan, Policies, and Ordinances, page 4.9-21, in the paragraph on the premise that California State University (CSU)/San Diego State University (SDSU) is not subject to local planning regulations needs to be qualified by at least recognizing prohibition of illicit discharges to the City's Municipal Separate Storm Sewer System (MS4), which receives runoff from SDSU, and permitting requirements for work done in the City's public right-of-way. The proposed project would entail replacing existing 24-inch and 12-inch diameter corrugated metal pipes within City public right-of-way. Permitting would be through the City Development Services Department.

**Fire-Rescue Department – Michelle Abella-Shon, Project Officer II – [MShon@sandiego.gov](mailto:MShon@sandiego.gov), 858-573-1362**

San Diego State University (SDSU) has been expanding its campus for several decades, and as a whole, it has increasingly added significantly to San Diego Fire-Rescue department's call volumes and emergency responses. This issue should be considered significant, and mitigation identified within the DEIR. Mitigating for these ongoing significant impacts is vital and crucial in order for SDFD to maintain adequate levels of service within the City of San Diego that meet both local and national standards of response.

Chapter 4.8 Hazards and Hazardous Materials, Section 4.8.7 Mitigation Measures, Page 4.8-27. The location of the new infrastructure to the canyon presents complications as a fire in this area would be difficult to contain. Part of the project includes a park with fire-pits that would be adjacent to the canyon open space. Despite the mitigation measures mentioned, an increased fire risk from additional student and staff numbers may occur. The impact and mitigation measure address the water infrastructure and flow rates for fire fighting. However, this added amenity would likely result in a greater frequency of calls from the current condition without fire-pits, and thus, there would be a significant impact to fire response despite the mitigation efforts.

Chapter 4.13 Public Services and Utilities, Section 4.13.3 Existing Conditions, Fire Protection, Page 4.13-5. The expansion project needs to mitigate and demonstrate adequate and proper Emergency vehicle access, taking into account the increase volume of traffic based on ADT on roadways within the project vicinity.

Section 4.13.6 Impact Analysis, Page 4.13-32. Table 4.13-10 shows that Station 10 and Station 31 exceed CityGate's 7:30 minute objective, while Station 17 meets the objective by one second. Further comprehensive analysis needs to be conducted for the added structures and persons in this area. The data provided is based on assumptions, with no substantial evidence to support the conclusions of the analysis of the impacts of the project on response times. Also, the analysis focuses only on this particular project's impact. The analysis within the DEIR must address the cumulative condition that exists, and the project's contribution to the existing cumulative condition to determine if there is a significant impact. This analysis must be supported by substantial evidence. The analysis needs

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L5-11



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to take into account the overall SDSU campus' current reliance and impacts to existing fire stations and response times. For example, the additional traffic in the project area and the associated impacts to circulation in the project vicinity was not known at the time of the CityGate report and would likely reduce response times for SDFD. This new information must be considered in the analysis of impacts to Fire Response times and public services.

L5-11  
Cont.

Chapter 4.14 Transportation/Circulation and Parking, Section 4.14.6.5 Access and Other Issues, Page 4.14-42 Red Zone Violations. SDFD prefers to keep area red curb with the addition of "No stopping at any time" signs. There are concerns that the additional signs will curtail the area being used as drop-off zone. A two-lane turning into a "one lane" could impact SDFD response times. Further studies in coordination with SDFD Fire Prevention Bureau is recommended for these design proposals to mitigate impacts that would likely occur.

L5-12

Section 4.14.6.11, Emergency Response Times, Page 4.14-47. This section assumes there is adequate room for Emergency Vehicles (EV) to maneuver. It is recommended that an exhibit to show dimensions for adequate space for EV egress and ingress during peak time traffic be included to substantiate these conclusions within the DEIR.

L5-13

Emergency Response Times, Page 4.14-48. "Even assuming cars are illegally parked on one side of the street, this leaves approximately 30 feet of roadway, which is a sufficient width for cars traveling in opposite directions to pull over next to the parked car and for the emergency vehicle to pass." This assumes there is no opposite direction traffic. If vehicles are parked illegally, and traffic is flowing in both directions, EVs may not have 30 feet to maneuver. Provide an exhibit to show the dimensions under the worst-case, and likely scenario that you have described, and demonstrate that there is adequate space for EV at this worst case scenario to substantiate the conclusion within the DEIR.

L5-14

Section 4.14.7, Mitigation Measures, Page 4.14-49. "...the Project would result in a net benefit in terms of regional traffic since the development of additional student housing on the SDSU campus would significantly shorten or eliminate much longer trips associated with students commuting..." The project may reduce distance traveled for students but it may not reduce total traffic, thus impacting emergency response times. Furthermore, CEQA documentation should not outline benefits, or contain advocacy for a project; but is limited to a disclosure document of the potential impacts on the environment related to the project. This information is also not substantiated by factual evidence, and under CEQA would only appropriate within Statement of Overriding Considerations if there are significant and unavoidable impacts. It is recommended that such opinions when not supported by fact or related to the impacts of the project be removed from the DEIR.

L5-15

L5-16

**Development Services Department, Transportation Development – Leo Alo, Associate Traffic Engineer – [LAlo@sandiego.gov](mailto:LAlo@sandiego.gov), 619-446-5033**

Executive Summary, Table ES-2, page ES-30. MM-TRA-1 proposes to restripe the southbound approach to the 55<sup>th</sup> Street/Montezuma Road intersection. The number two lane is proposed to be modified from a shared southbound thru/left-turn to a shared southbound right/thru/left-turn lane.

L5-17

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This improvement could have an impact on pedestrians crossing at the intersection. CEQA requires that impacts of proposed mitigation should also be analyzed within a DEIR. Please include an analysis of these improvements as they relate to circulation of pedestrians.

Executive Summary, Table ES-2, page ES-30 and Section 4.14, Traffic of DEIR. MM-TRA-2 states SDSU "shall coordinate with the City of San Diego" regarding installation of a raised median on Montezuma Road between 55<sup>th</sup> Street and College Avenue. As stated in the following comments on Appendix K Transportation Report to the DEIR, this portion of Montezuma Road should be analyzed as two segments. The portion between 55<sup>th</sup> Street and Campanile Drive has three driveways, with two sets of double yellow lines in locations without a raised median today, so installation of a raised median would not result in much increase in capacity. Capacity may be increased for the segment between Campanile Drive and College Avenue, which currently has seven access points. A mitigation measure must be fully enforceable and outline performance standard or improvement to be implemented. The use of "shall coordinate" is vague and does not specify what actions must take place and specific commitments to implement this mitigation measure. Please revise to provide for a more complete and enforceable mitigation measure.

Executive Summary, Table ES-2, pages ES-30 and 31 and Section 4.14, Traffic of DEIR. Regarding MM-TRA-3 and MM-TRA-4, SDSU should actively mitigate and/or participate in mitigating the impacts of its projects, even if the impacts are on facilities outside the boundaries of the campus.

Executive Summary, Table ES-2, page ES-31 and Section 4.14, Traffic of DEIR. Regarding MM-TRA-5, implementation of a Traffic Control Plan in and of itself does not guarantee a result of "less than significant impact". The DEIR should provide specific performance standards to demonstrate that impacts can be reduced below a level of significance, analysis of traffic during the various phases of construction, and should identify specific restrictions in work hours or other mitigations that may be needed to demonstrate a less than significant impact. MM-TRA-5 should also state that any Traffic Control Plan covering City facilities must be satisfactory to the City Engineer.

The number of trips during the grading phase of the project must be included in analysis of the construction traffic in the traffic analysis. Significant impacts to street segments and intersections related to construction traffic (short-term impacts) should be analyzed and identified in the DEIR. If such impacts are identified, mitigation shall be included to be implemented to avoid or reduce such significant short-term construction impacts.

It is recommended that the parking spaces removed by the proposed project be replaced in close proximity to the project site to prevent any potential parking impacts in the adjacent neighborhoods.

It is unclear if the "project features" outlined in the DEIR are all planned to be implemented prior to first occupancy of the dormitories or at a subsequent phase. This should be clarified in the DEIR, and SDSU should consult with the appropriate City of San Diego Traffic Engineering Operations staff in regards to all "project features" which will require City approval to implement.

Regarding Appendix K, Transportation Technical Report:

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L5-23  
L5-24



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1. Throughout the report, roadway ultimate classifications and existing configurations should be identified correctly and completely. For example, Montezuma Road should be broken into separate segments between 55<sup>th</sup> Street and Campanile Drive and between Campanile Drive and College Avenue due to differences in roadway configuration, presence/absence of allowed parking and number of driveways and allowed turning movements along each segment. Also, locations of gaps in the Class II bikeways on Montezuma Road and College Avenue should be identified.
2. In Section 7 "Cumulative Projects", a figure should be provided showing only the cumulative projects' traffic volumes. The increases between "existing" volumes and "existing plus cumulative projects" volumes seem low, considering the number and projected trip generation of cumulative projects listed in Table 7-1 "Cumulative Projects Summary".
3. The information in Table 7-1 "Cumulative Projects Summary", page 28 should be updated to reflect the status of each project at the time of this project's existing conditions.
4. The trip distribution shown in Figure 8-1 "Project Traffic Distribution", page 38, does not match the distribution and assignment discussion in Section 8.2, "Trip Distribution/Assignment", which states that 95% of project traffic would use Canyon Crest Avenue since it is assumed to have an origin/destination at Parking Structure 12. Please correct Figure 8-1 and the analysis to show the appropriate percentage of project traffic on 55<sup>th</sup> Street and on Canyon Crest Drive.
5. Table 10-1 "Horizon Year Intersection Operations", page 56, and all other appropriate tables and figures should be revised to reflect fewer project trips on 55<sup>th</sup> Street and more project trips on Canyon Crest Avenue, per Section 8.2 and comment #4 above. Also, results should be rechecked and correctly reported for intersections #7 55<sup>th</sup> Street/Montezuma Road, #10 College Avenue/Canyon Crest Drive, #11 College Avenue/Zura Way, and #12 College Avenue/Montezuma Road.
6. For the Vehicle Miles Traveled (VMT) analysis in Section 12 "VMT Analysis", all results should be reported in terms of VMT/capita, as stated in Section 12.1 as the recommended metric.

**Planning Department, Environment and Policy Analysis Division – Rebecca Malone, Senior Planner – [RMalone@sandiego.gov](mailto:RMalone@sandiego.gov), 619-446-5371**

Chapter 4.14, Transportation/Circulation and Parking, Page 4.14-9. The DEIR states that the Green Line Trolley's western terminus is at Old Town San Diego. The western terminus for the Green Line is at 12<sup>th</sup> and Imperial in Downtown.

Page 4.14-36. It was noted that there is a decrease in trolley ridership. It is stated that this is "an aberration"; however, no substantial evidence is provided to support this statement. Further, the DEIR then goes on to state that there will be a two percent increase in trolley ridership in the future. Please include substantial evidence for this assumption that the analysis relies on for transit ridership versus automobile use as this assumption can greatly affect the modeling, analysis, and conclusions contained within the DEIR.

Page 4.14-51, MM-TRA-4. Please include a summary of the coordination that SDSU has had with the City (either the Transportation Engineering Operations Division in the Transportation and Storm

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Water Department or Facilities Financing in the Planning Department) regarding this mitigation measure and the determination of infeasibility.

↑ L5-33  
Cont.

**Planning Department, Environment and Policy Analysis Division – Kurtis Steinert, Senior Planner – [KSteinert@sandiego.gov](mailto:KSteinert@sandiego.gov), 619-235-5206**

General comment on DEIR: Although there are some general references in the Project Description, Chapter 2, Objectives and Goals, about the number of beds being proposed with this project, there is no specific or clear statement made within the DEIR as to how or whether the proposed project would affect the university's full-time equivalent (FTE) enrollment. The current Campus Master Plan lists the FTE cap as 25,000. If the proposed project is to simply accommodate the FTE in the Master Plan, or increase the FTE, this should be stated within the DEIR Project Description.

L5-34

Chapter 2 Project Description, Page 2-4. The reference to SDSU 2010, p. 1.0-8-1.0-10 is not included in the list of references. A reference should be included in the list of references to allow for review and consideration of the referenced document.

L5-35

Chapter 2 Project Description, Page 2-5. Project Background. The first paragraph has a discussion on the 2007 Campus Master Plan. The paragraph goes on to state that the EIR for the plan was litigated and resulted in the court directing the CSU Board of Trustees to set aside its prior approval of the 2007 Campus Master Plan. The paragraph that follows describes that the Campus Master Plan was revised in 2011 with subsequent minor revision. As written, it appears that the 2007 Campus Master Plan was revised. However, as shown in Figures 2-4 and 2-14 the revisions made in 2011, and those being proposed for the project were made not to the 2007 plan but to the previously adopted 1963 Campus Master Plan. Please clarify what Master Plan is being referenced in the figures provided. Overall, this section is very confusing and would benefit from further clarification.

L5-36

Page 2-6. The Project Description states that the 850 beds of Phase I of the Project are intended for freshmen, to free up other student housing on campus that is more suitable for sophomores. What is the intention for the 1,716 beds in Phases II and III? Would the proposed housing be within the 25,000 FTE students allowed for in the 1963 Campus Master Plan?

L5-37

Chapter 4.3 Biological Resources, Page 4.3-11 Critical Habitat. The DEIR states that there is critical habitat mapped within five miles of the project site for three species, but only identifies two: coastal California gnatcatcher and least Bell's vireo. Please revise the section to include the third species in this analysis.

L5-38

Biological Resources, Page 4.3-21. Please correct the title of Alyssa Muto. The correct title is Deputy Director, Environment and Policy Analysis Division.

L5-39

Chapter 6 Alternatives, page 6-2. The first full paragraph of the page states:

↓ L5-40

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The analysis in this EIR indicates that implementation of the proposed project would result in the following potentially significant and significant and unavoidable impacts: (1) Aesthetics; (2) Air Quality; and (3) Biological Resources; (4) Cultural Resources; (5) Geotechnical Resources; (6) Greenhouse Gas Emissions; (7) Hazards and Hazardous Materials; (8) Noise; (9) Transportation/Circulation and Parking. All other potential impacts associated with the proposed project would be either less than significant or can be mitigated to less than significant levels with mitigation measures identified in this EIR.

However, analysis presented in the individual sections in Chapter 4 for a number of these issue areas (e.g., Air Quality, Cultural Resources, and Greenhouse Gas Emissions) show that the impacts are less than significant or can be mitigated to less than significance. As written the paragraph is inconsistent with the analysis presented in the individual sections. The paragraph should be corrected to identify which impacts are significant and unavoidable, and those that are less than significant or less than significant with mitigation incorporated.

**Planning Department, Multiple Species Conservation Program – Kristen Forburger, Senior Planner – [KForburger@sandiego.gov](mailto:KForburger@sandiego.gov), 619-236-6583**

SDSU is not signatory to the Multiple Species Conservation Program (MSCP) nor would the City of San Diego be an entitlement permitting authority for the construction of the proposed project. The City of San Diego, California Department of Department of Fish and Wildlife (CDFW), and United States Fish and Wildlife Service (USFWS) concurred on April 21, 2017, that the subject parcel was incorrectly mapped Multi-Habitat Planning Area (MHPA) and would be corrected out of the City's MHPA preserve and will be included in the City's 2017 MSCP Annual Report to reflect the MHPA Boundary Line Correction change of habitat loss and gain under the City's MSCP. Incidental Take Authority for MSCP covered species would be granted by the appropriate permitting agency based upon potential impact. While analysis of the MSCP Subarea Plan and MHPA Land Use Adjacency Guidelines (LUAG) has been included within the DEIR Biological Resources Section to demonstrate compliance with the City's MHPA LUAG and MSCP for adjacent MHPA Land, such measures should be incorporated into the proposed project to address indirect impacts to sensitive habitats and species.

**Planning Department, Long Ranch Planning Division – Michael Prinz, Senior Planner – [MPrinz@sandiego.gov](mailto:MPrinz@sandiego.gov), 619- 533-5931**

Chapter 2 Project Description, Page 2-4. The Project Description states that “the 2007 Campus Master Plan Revision provided the framework for implementing SDSU’s long-term goals and programs for the campus by identifying needed buildings, facilities, improvements, and services to support campus growth and development from 25,000 full-time equivalent students to a new enrollment of 35,000 full-time equivalent students.” Why do the Project Goals and Objectives prioritize creating a west campus identity over identifying more suitable sites to support campus growth and development that achieves the 35,000 full-time equivalent students?

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L5-42

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Why was an alternative that increased the density of Phase 1 as an alternative to reduce the density and associated impacts of Phases II and III not considered? This alternative could reduce near-term CEQA impacts related to delay of Phase II and Phase II development.

The above comments may likely result in greater impacts to the environment from the project related to Public Services (fire response), transportation and traffic (near-term construction, and cumulative), and other related issue areas. These revisions to the DEIR would require recirculation of the DEIR for public review. We appreciate the opportunity to provide comments on the DEIR. Please contact me directly if you would like to set up a meeting to go over any specific comments or concerns outlined in this letter.

Sincerely,



**Alyssa Muto**, Deputy Director  
Planning Department

cc: Reviewing Departments (via email)  
Review and Comment online file

L5-43

L5-44

**Response to Comment Letter L5**

**The City of San Diego Planning Department**

**Alyssa Muto, Deputy Director**

**Dated June 5, 2017**

- L5-1** The comment is an introduction to comments that follow. No further response is required.
- L5-2** Thank you for this comment regarding the use of “City of San Diego (City) Storm Water Division” instead of the “City Stormwater Division” that was used in the Draft EIR Chapter 4.9 Hydrology and Water Quality and elsewhere in the Draft EIR. This revision will be incorporated into the Final EIR. No further response is required.
- L5-3** Thank you for this comment regarding the references to Appendix I, Draft Hydrology and Water Quality Technical Report in Chapter 4.9 Hydrology and Water Quality. These revisions will be incorporated into the Final EIR. No further response is required.
- L5-4** Please see response to L5-3.
- L5-5** Thank you for this comment regarding the reference to the outdated City of San Diego Storm Water Runoff Control and Drainage Regulations (2012 version) and for providing the updated January 2016 version of the City Storm Water Standards. These revisions will be incorporated into the Final EIR. These revisions will not change the conclusions presented in the Draft EIR. No further response is required.
- L5-6** Thank you for this comment regarding the storm water system permitting requirements. These revisions will be incorporated into the Final EIR. These revisions will not change the conclusions presented in the Draft EIR. No further response is required.
- L5-7** The comment states the SDSU campus has been expanding over the years and has added significantly to San Diego Fire-Rescue Department’s call volumes and emergency response and this is a significant impact that requires mitigation to maintain adequate levels of service. The comment is accurate in stating that the SDSU campus has expanded, remodeled and constructed new educational, food service, residential, athletic and support facilities over the last two decades. These facility improvements have been made in an effort to better serve the existing student body. However, even though these improvements have been made in support of the existing 25,000 FTE cap, increasing the availability of housing, dining facilities and other residential amenities into an area may have a localized effect on emergency medical and fire support services that serve the SDSU area. All facility expansions and improvements that have been constructed to date have been fully evaluated in the

## Responses to Comments – Local Agencies

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applicable CEQA documents, which have addressed potential impacts to local fire and emergency medical services, as appropriate.

Specific to mitigation, the court has recently rejected the assertion that the California Environmental Quality Act requires California State University to provide mitigation to address the need for additional fire protection services. “[T]he obligation to provide adequate emergency medical services is the responsibility of the city. (Cal. Const., art. XIII, § 35, subd. (a)(2) [“The protection of the public safety is the first responsibility of local government and local officials have an obligation to give priority to the provision of adequate public safety services.”] The need for additional fire protection services is not an environmental impact that CEQA requires a project proponent to mitigate.” (*City of Hayward v. Board of Trustees of the California State University* (2015) 242 Cal.App.4th 833,843.) The court went on to further state: “Although there is undoubtedly a cost involved in the provision of additional emergency services, there is no authority upholding the city’s view that CEQA shifts financial responsibility for the provision of adequate fire and emergency response services to the project sponsor. The city has a constitutional obligation to provide adequate fire protection services. Assuming the city continues to perform its obligations, there is no basis to conclude that the project will cause a substantial adverse effect on human beings.” (*City of Hayward, Id.* 242 Cal.App.4th 833, 847.)

**L5-8** The comment indicates a concern with the previously proposed park and related fire pits identified in the Draft EIR that would have been constructed adjacent to the canyon open space, which, given its existing undeveloped nature, is an area that represents a wildfire hazard. However, the proposed project has been modified such that the project no longer includes development of a park adjacent to the canyon open space. See, Final EIR, Project Description. While the modified project would include fire pits located within the interior courtyards of Phase I, the pits would be removed from the canyon open space, surrounded by buildings 4 to 5 stories in height, which would serve as a substantial barrier between the fire pits and the canyon to the north. Further, the northern edge of the project site would be bordered by a masonry wall that would provide further separation from the canyon.

Additionally, the exterior fire pits would be natural gas-powered and would be shielded so that material cannot be inserted into the units to burn, thereby eliminating the potential for ember generation. The fire pits would also be affixed with governors so that they will automatically shut off after 10:00 pm, and would include automatic shutoffs controlled by the main residence hall office so that the fire pits could be shut-off at any time, particularly during periods of high fire danger (i.e., late summer, during drought conditions, during Santa Ana Wind conditions, etc.).



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With the elimination of Phases II and III, canyon slopes would not be affected by construction of the proposed project. Based on the design of the fire pits, position on the proposed project site, the treatment of canyon revegetation to reduce the proximity of fuel load, the proposal to provide fire pits in the outdoor plaza areas would not result in a significant impact.

The introduction of an additional 850 new on-campus residents and the staff that supports these on-campus residents would add to the existing demand for fire services on campus both during daytime (when employees and staff are present) as well as evening hours. Beginning on page 4.13-31, the Draft EIR outlines the proposed project's impact on fire services. The Draft EIR notes that due to the small number of calls that would be generated by the proposed project, coupled by the existing fire stations which serve the SDSU campus' ability to maintain service levels, a less than significant impact to fire service would occur. Furthermore, in response to the City's comment, SDSU has reviewed campus emergency call procedures in further detail and offers the following clarifications on the data used and conclusions made to reiterate that the stated impacts to the City's Fire-Rescue Department would be less than significant.

First, by way of background, the vast majority of calls received by the City of San Diego Fire-Rescue Department are related to emergency medical situations as opposed to traditional fire hazards. As indicated in the February 22, 2017 San Diego Fire-Rescue Department Standards of Response Review, prepared by CityGate Associates, Inc., (see Draft EIR page 4.13-51 for full citation), the City of San Diego Fire-Rescue Department responded to 91,251 incidents during the 2015/2016 fiscal year, 2.39% of which were fire related. The remaining 83.92% were emergency medical incidents and 13.69% were "other" incident types (Citygate 2017, p. 44). Fire Stations 10, 17 and 31, which are the three closest stations to the SDSU campus, responded to 5,339, 6,530 and 2,058 incidents in 2015/2016, respectively. Approximately 6% of Fire Station 10's calls were fire related, 6% of Fire Station 17's were fire related and 8% of Fire Station 31's calls were fire related.

There are several reasons why the introduction of 850 new residents to the SDSU campus would result in much less of a draw to the City of San Diego Fire -Rescue Department when compared to a new 850-occupant apartment complex within the surrounding neighborhoods. As indicated on Draft EIR page 4.13-2, when an on-campus emergency is reported from a residence hall, typically both the University Police and the on duty residence hall advisor would be summoned. Residence hall advisors must undergo 30+ hours of safety and university policy training per year (including procedures for handling incidents with weapons, bomb threats, sexual harassment or assault, injury, etc.) and are CPR certified. University Police

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Department officers are also trained in CPR and undergo ongoing training in emergency crisis and medical response training.

All emergency calls made from campus phones or cellular phones that are located on the SDSU campus are directed to the SDSU dispatch call center (Draft EIR page 4.13-2). A member of the University Police Department is dispatched to the scene of the call to verify the situation and determine the type of emergency service needed, if any, from the City of San Diego Fire-Rescue Department. Due to the training of on campus residence hall personnel coupled with the training and capabilities of the University Police Department, unlike a traditional multi-family residential complex in a surrounding neighborhood, the majority of on-campus emergency calls can be handled and resolved by these entities without the need for City Fire-Rescue Department involvement. Once the situation is verified, and if it is determined that assistance from the City of San Diego Fire-Rescue Department is needed, the University Police will call the City's Fire-Rescue Department. The campus police officer dispatched to the scene establishes an "Incident Command Post" and manages the incident until relieved by Fire-Rescue Department personnel. As indicated on page 4.13-2 of the Draft EIR, University Police act as first responders in the event of a medical emergency or a fire. University police are trained in basic emergency medical response and are the first responders to determine if the emergency warrants calling the City's Fire-Rescue Department. This first line of defense helps to minimize and reduce non-emergency and emergency calls to the City's Fire-Rescue Department.

During preparation of the Draft EIR, SDSU University Police provided historic call data associated with existing on-campus residence halls. This data showed that each on-campus resident produces approximately 0.01 call per year that warrants Fire-Rescue Department assistance. Based on this data, the Draft EIR reported that a total of 26 additional annual calls would be generated by the proposed 2,566 new on campus residents (see Table 4.13-9 of the Draft EIR, page 4.13-32). However, with the elimination of Phases II and III (reduction in 1,716 beds), the project would actually result in an increase of only 850 on-campus student residents and would equate to approximately 9 annual calls to the San Diego Fire-Rescue Department, and would not result in a significant impact relative to fire protection services. (See *City of Hayward v. Board of Trustees of the California State University* (2015) 242 Cal.App.4th 833 ("*City of Hayward*").) The table below shows this revised projection of emergency calls to the San Diego Fire-Rescue Department.



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### Projected Fire-Rescue Department Priority 1 Calls From On-Campus Residences

| Call Origination | Average annual calls per student <sup>1</sup> | Project Population | Projected Additional Priority 1 Calls |
|------------------|-----------------------------------------------|--------------------|---------------------------------------|
| Student Housing  | 0.01                                          | 850                | 8.5                                   |

**Note:**

<sup>1</sup> Source: See Table 4.13-2. To calculate average per student, the arithmetic mean of the 2015 and 2016 Priority 1 calls received were used.

In addition to the factors above, which reduce the need for assistance from the San Diego Fire-Rescue Department in the first place, should there be a fire at the proposed project site, there are numerous building design features that help slow, and in many cases eliminate, the spread of fire. Similar to all modern buildings on campus, all proposed buildings would be constructed of concrete masonry (as opposed to wood construction), affixed with sprinklers in all interior rooms and support fire alarms as specified by state and local guidelines. All building plans would be reviewed by fire personnel to ensure that all modern fire prevention and containment features are included. All of the above design features have been proven to be very effective in minimizing damage and injuries associated with fires.

**L5-9** The comment is requesting the proposed project demonstrate adequate emergency vehicle access is available factoring in traffic on local roadways.

The proposed project is an expansion of on-campus student housing and includes construction of new buildings that would provide housing for 850 students along with associated amenities. From campus, the project site can be accessed via Remington Road, 55th Street, and Aztec Circle Drive, as shown on EIR Figure 2-11 in Chapter 2, Project Description. As shown on Figure 2-11, vehicular and emergency access would be provided along the north side of the project site via a proposed fire lane/service road. Vehicular and emergency access to the south side of the project site would be provided via Remington Road (Draft EIR p. 2-14). The new vehicular and emergency access roadways have been designed consistent with required International Fire Code standards and have been reviewed by the City’s Fire-Rescue Department to ensure adequate fire and emergency vehicle access and turning radii requirements are met. The Draft EIR evaluates emergency response time in Section 4.14, Transportation/Circulation and Parking. The analysis indicates the roadway configuration of 55th Street and Remington Road provides adequate right-of-way access for emergency vehicles to maneuver around traffic, even under congested conditions (Draft EIR p. 4.14-48). The Draft EIR did not identify any impacts associated with emergency vehicle access; therefore, no mitigation is required. Additionally, EIR Tables 4.14-7, 4.14-9, and 4.14-11, show that with the addition of Project traffic, levels of service meeting City standards are calculated on the two main

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roadways serving the site, Remington Road and 55<sup>th</sup> Street. Therefore, there is no indication that the Project would result in inadequate emergency vehicle access based on the increased traffic volumes generated by the Project.

**L5-10** The comment requests that additional analysis be prepared to prove that additional fire facilities and services are not necessary to support the needs of the proposed project as a result of current response times present at Fire Stations 10, 17 and 31. The Draft EIR summarizes the City's General Plan stated goals for fire response as deployment and arrival of first-in engine company within 7:30 minutes, 90% of the time. As indicated in Table 4.13-10 of the Draft EIR (see page 4.13-32), the current response times for each fire station that could potentially service the project are as follows: Station 10: 7:49 minutes, Station 17: 7:29 minutes and Station 31: 8:25 minutes. The Draft EIR notes that the City of San Diego General Plan indicates that a 2- to 2.5-mile distance between fire stations is typically sufficient to achieve response time goals and all three of the nearby fire stations (Station 10, Station 17, and Station 31) are all less than 2 miles from the campus (Draft EIR p.4.13-4). Finally, the City's fire stations are staffed so that they can respond to multiple incidents at the same time.

The City Fire-Rescue Department commissioned an independent evaluation of their service provision in 2010. This evaluation was performed by CityGate Associates, LLC and is referred to in the Draft EIR as the 2010 CityGate Study. The 2010 Study noted that there were service gaps throughout the City that could be filled by the construction and funding of up to 10 new fire stations, including a station in the College Area.

In 2017, the City updated the 2010 CityGate Study by preparing the February 22, 2017 San Diego Fire-Rescue Department Standards of Response Report (referenced on page 4.13-32 of the Draft EIR and referred to as the 2017 CityGate Study), which outlined existing fire service provisions and provided an update to the 2010 service gap analysis. The 2017 CityGate Study generally concludes that the City Fire-Rescue Department has not kept pace with the rate of growth in the City of San Diego as evident by the fact that they are not meeting their stated response goals uniformly throughout the City. The 2017 CityGate Report suggests that service gaps could be filled by constructing six new fire stations (Skyline-Paradise Hills, Encanto, University City, Pacific Beach, Torrey Hills, Northeastern Rancho Bernardo and Southern Sabre Springs). The gap in service identified in the 2010 CityGate study for the College Area was no longer identified in the 2017 CityGate study.

However, as outlined in the Draft EIR (see pages 4.13-32 – 4.13-33) the City's 2017 Capital Improvement Program (CIP) includes a new fire station in the College Area. This new fire station has been identified as a 10,500-square-foot fire station planned

## Responses to Comments – Local Agencies

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to be located near 55th Street and Hardy Avenue to serve the college area and the Mid-City neighborhood (City of San Diego 2014). According to the 2017 CityGate Study, this new fire station will no longer be funded even though it is included in the City's Capital Improvement Program. Further, in recent years, many multi-family redevelopment projects have been approved by the City and constructed on the privately-owned land within the vicinity of 55<sup>th</sup> Street and Hardy Avenue, giving further credence to the 2017 CityGate Study, which indicates that a new fire station in the College Area is no longer a priority.

Accordingly, and pursuant to *City of Hayward, supra*, 242 Cal.App.4th 833, the Draft EIR's determination in this case that impacts relating to fire protection services would be less than significant is supported. Based on *City of Hayward*, response time is one factor, but not the determinative factor in making a significance determination. Instead, *City of Hayward* instructs that the employment of additional firefighters and the construction of additional facilities is determinative. Here, the Draft EIR demonstrates that no additional facilities or firefighters would be necessary to reduce response times or to address the minimal additional calls the proposed Project would generate. Please see response to comment L5-8 for additional information responsive to this comment.

Under *City of Hayward*, a delay in fire service response times is not critical to the significance determination; rather, the physical effect of construction of the facilities drives the significance determination. As demonstrated above and in the Draft EIR, no additional facilities or firefighters are required. For these reasons, the proposed project would not result in significant impacts related to fire protection services and, as a result, no mitigation is required.

**L5-11** The commenter is requesting the Draft EIR address the project's cumulative impacts and the project's contribution to any existing cumulative impact relating to adequate fire services (fire stations) and response times. The comment goes on to state when the February 2017 Standards of Response Coverage Review (Response Report) was prepared it did not factor in the additional traffic and associated impacts to circulation in the project vicinity.

Preliminarily, as noted in response L5-7, "[T]he obligation to provide adequate emergency medical services is the responsibility of the city. (Cal. Const., art. XIII, § 35, subd. (a)(2). The need for additional fire protection services is not an environmental impact that CEQA requires a project proponent to mitigate." (*City of Hayward v. Board of Trustees of the California State University* (2015) 242 Cal.App.4th 833,843.)

## Responses to Comments – Local Agencies

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The cumulative context for fire service would include the service area of Fire Stations 10, 17, and 31. Based on the list of past, present, and probable projects in the area provided in Table 3-1 in Chapter 3, Cumulative Methods and Projects, potential development on campus includes additional housing facilities, along with new retail and classroom space. In the City of San Diego, there could be development of up to approximately 1,000 new residential units. Of this future cumulative development, uses on the campus would be served by existing fire stations (10, 17, and 31). Off-campus development within the City would also be serviced by City of San Diego Fire Stations. The City's *College Area Public Facilities Financing Plan, Development Impact Fee Schedule*, includes a fee schedule that is applicable to new development off-campus. This Development Impact Fee is collected on a per dwelling unit basis during project planning and contains funds to support transportation facilities, park and recreation resources, libraries and fire services. The City has or will apply this fee to each of the proposed projects that are included on the cumulative projects list which will offset potential cumulative impacts to City of San Diego Fire and Rescue Department operations. It should be noted that all proposed development/cumulative projects outlined in Chapter 3 of the EIR that are in the City of La Mesa would be served by the City of La Mesa Fire Department.

Specific to the proposed project, because the project would be contributing a relatively small increase in call numbers, approximately 9 calls per year, the project's contribution is not cumulatively considerable and, therefore, cumulative impacts would be less than significant.

As to traffic conditions, Final EIR Table 4.14-8, Section 4.14, Transportation/Circulation and Parking, evaluates cumulative traffic conditions. As shown on the table, under cumulative conditions, the key intersections for emergency vehicles traveling from the north, Canyon Crest/55th Street and Remington Road/55th Street, would maintain acceptable levels of service under AM and PM peak hours (worst case conditions). For emergency vehicles traveling to the site from the south, the 55th Street / Montezuma Road also would continue to operate under acceptable levels of service. Therefore, under cumulative conditions it is anticipated the response time for emergency vehicles would be maintained.

- L5-12** The comment states that the San Diego Fire Department would prefer to keep area red curb with the addition of a "No Stopping at any time" signs. This is consistent with the improvements proposed by the Project, which would re-paint the red curbs and modify the existing "No Parking" signs to "No Stopping at Any Time" signs. In addition to the signs, the proposed Project would address the illegal stopping on Remington Road by providing six (6) off-street parking spaces along the north side of Remington Road for pick-ups/drop-offs so that such activities would not interfere

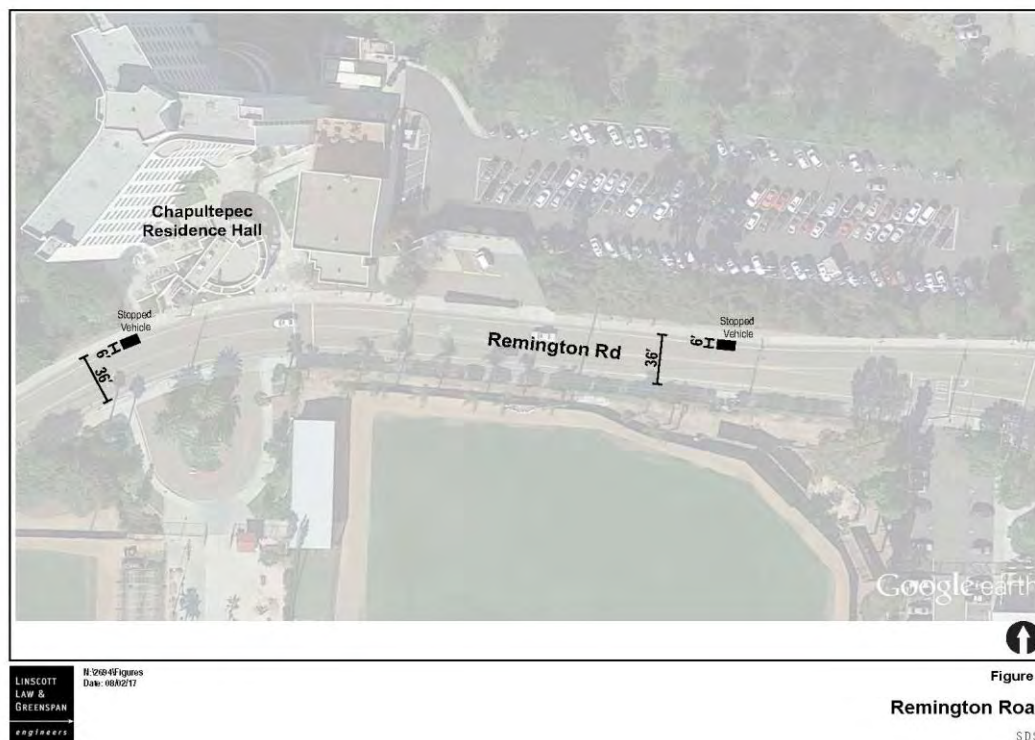
## Responses to Comments – Local Agencies

with the flow of traffic on Remington. (Please see Final EIR, Project Description, Figure 2-11.)

**L5-13** The comment requests an exhibit to show adequate space for emergency vehicle ingress and egress on Remington Road. Please see the response to comment L-5-14 for information responsive to this comment.

**L5-14** The comment requests an exhibit to show that under the scenario in which cars are illegally parked and traffic is flowing in both directions, emergency vehicles have sufficient space to maneuver. Remington Road is about 36 feet wide along the frontage of the proposed Project. This leaves about 30 feet of width if a vehicle is parked illegally. If vehicles heed to the emergency vehicle flashing lights and sirens and move to the curb as required by law, there is ample room for emergency vehicles to pass, as shown on Figure A.

In addition, as noted in the response to comment L-5-12, the proposed Project would provide six (6) off-street parking spaces along Remington Road that would be designated for very short term parking (i.e. 15 minute max) and also would install “no stopping any time” signage. These features will significantly reduce the number of illegally parked cars along Remington Road and provide additional space for drivers to move off of Remington Road when emergency vehicles are present.



## Responses to Comments – Local Agencies

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**L5-15** The comment criticizes the portion of the EIR that explains the proposed Project would result in a benefit in that the provision of on-campus student housing necessarily results in reduced vehicle trips and vehicle miles traveled for those students as they no longer need to commute to traffic. Importantly, any such benefit was not quantified as part of the analysis and, therefore, was not factored into the analysis to reduce impacts, including impacts related to emergency response times. Please see responses L-5-12 through L-5-14 for responses regarding emergency response times.

**L5-16** The comment recommends that the EIR text referenced in the preceding comment be removed from the Draft EIR. However, the text is based on the experience and professional judgment of the EIR traffic engineer and, as noted in the preceding comment, does not substantively affect the impact analysis presented in the Draft EIR.

**L5-17** The comment regards mitigation measure MM-TRA-1. As identified in the Draft EIR, mitigation measure MM-TRA-1 would be triggered by the development of Phases II and III. (See Draft EIR, p. 4.14-50.) As explained in the Final EIR, the proposed project has been modified to eliminate Phases II and III. Please see Final EIR, Preface, for additional information regarding the project modifications. With the elimination of Phases II and III, the mitigation measure is no longer required to mitigate a significant impact. Therefore, the comment is no longer applicable.

**L5-18** The comment states that the segment of Montezuma Road between 55<sup>th</sup> Street and College Avenue should be analyzed as two segments. However, based on the traffic engineer's experience and background, the two segments of Montezuma Road outlined in the comment have comparable characteristics and, therefore, should be analyzed as one segment. Both segments provide four travel lanes, no bike lanes, multiple unsignalized driveways, and neither has a raised median. Any small differences between the two segments do not justify preparing two separate analyses.

The comment also states that mitigation measure MM-TRA-2 should be revised to provide greater specificity regarding the actions that must be taken to implement the measure. As identified in the Draft EIR, mitigation measure MM-TRA-2 would be triggered by the development of Phases II and III. (See Draft EIR, p. 4.14-50.) As explained in the Final EIR, the proposed project has been modified to eliminate Phases II and III. Please see Final EIR, Preface, for additional information regarding the project modifications. With the elimination of Phases II and III, the mitigation measure is no longer required to mitigate a significant impact. Therefore, the comment is no longer applicable.

**L5-19** The comment regards mitigation measures MM-TRA-3 and MM-TRA-4, each of which would be triggered by implementation of Phase III. As explained in the Final

## Responses to Comments – Local Agencies

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EIR, the proposed project has been modified to eliminate Phases II and III. Please see Final EIR, Preface, for additional information regarding the project modifications. With the elimination of Phase III, the mitigation measures are no longer required to mitigate a significant impact. Therefore, the comment is no longer applicable.

- L5-20** The comment states that mitigation measure MM-TRA-5, which requires preparation of a traffic control plan prior to the commencement of project activities should be revised to provide greater specificity. In response to the comment, MM-TRA-5 has been revised as follows (new text shown in double-underline):

**MM-TRA-5: Project Vicinity.** Prior to the commencement of construction activities, SDSU, or its designee, shall prepare and implement a traffic control plan (TCP). The primary function of the TCP shall be to provide for the safe and effective movement of vehicles, pedestrians, and bicyclists through or around temporary traffic control zones. The TCP shall institute construction traffic management controls in accordance with City Engineer standards and the Caltrans California Manual of Uniform Traffic Control Devices (2014 edition). These traffic management controls will include measures determined on the basis of site-specific conditions, including the use of construction signs, delineators, and lane closures. The TCP will limit the number of peak hour construction employee and delivery trips, require workers to park in remote parking lots (e.g., Lot 17C), and include graphics illustrating the placement of signage, striping, traffic personnel, and road cones, as applicable such that the amount of construction-related trips generated during peak commuter hours would not result in significant traffic impacts based on City of San Diego and California State University standards.

- L5-21** The comment states that impacts associated with the grading phase of project construction need to be addressed. The grading phase of the proposed Project will be the most traffic intensive phase of construction. Table A shows that the maximum amount of construction traffic that would be generated is 186 average daily trips (“ADT”). This amount is approximately 17% of the total project ADT and is well below the amount of traffic that would require preparation of a traffic study according to City of San Diego guidelines. Therefore, analysis of segments and intersections is not required. Nonetheless, even with this low amount of construction trips, as noted above in response to comment L-5-20, the proposed Project includes implementation of a Traffic Control Plan to provide for the safe and effective movement of vehicles, pedestrians, and bicyclists through or around temporary traffic control zones.

## Responses to Comments – Local Agencies

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**Table A**  
**SDSU Student Housing - Construction Analysis**

|                                  |            |
|----------------------------------|------------|
| Total haul truck trips (one-way) | 2,200      |
| trips/ADT                        | 2          |
| Total haul truck trips (two-way) | 4,400      |
| Grading phase duration           | 25         |
| Average daily truck trips        | 176        |
| Average daily worker trips       | 10         |
| Average daily vendor truck trips | 0          |
| <b>Total ADT</b>                 | <b>186</b> |

\* Grading phase excluding weekends/holidays

Source: Linscott Law & Greenspan; Dudek (2017)

- L5-22** The comment recommends that the parking places to be removed with development of the proposed project be replaced close to the Project site to not adversely impact the adjacent residential neighborhood. However, there is a parking permit program in place in the referenced neighborhood, which limits non-resident parking in the area. Additionally, the EIR analysis determined that the proposed Project would not result in significant impacts to parking, taking into account the elimination of surface parking spaces. Therefore, there is no need to provide replacement parking spaces.
- L5-23** The comment requests clarity regarding implementation of the project features outlined in the Draft EIR. The project features will be implemented prior to first occupancy of the proposed project, and implementation of any features that require City approval will be coordinated with the appropriate City staff.
- L5-24** The comment is an introduction to comments that follow. No response is required.
- L5-25** The comment repeats the prior request that Montezuma Road between 55<sup>th</sup> Street and College Avenue be studied as two separate segments. Please see response to comment L-5-18 for information responsive to this comment. As to the comment regarding gaps in the depiction of bikeways, information regarding the gaps in existing bike facilities has been added to the EIR.
- L5-26** The comment requests a figure in the TIA showing only the cumulative projects' traffic volumes. However, the cumulative volumes can be obtained by subtracting the volumes shown on TIA Figure 3.2 from the volumes shown on Figure 7-1. With respect to the comment regarding cumulative volumes, LLG reviewed the total cumulative project volumes and found them to be reasonable, in part due to the fact that many of the cumulative projects are on-campus projects that either (1) do not generate new traffic, or (2) are replacement buildings.



## Responses to Comments – Local Agencies

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- L5-27** The comment requests that the information in TIA Table 7-1 be updated. However, Table 7-1 indicates the current status of each cumulative project.
- L5-28** The comment questions the trip distribution shown on TIA Figure 8-1. While 95% of the Project trips were assumed to use parking structure 12, only 23% of the total number of trips are assumed to use Canyon Crest towards College Avenue, as shown on Figure 8-1. In response to the comment, LLG reviewed each of the percentages, which were found to be accurate. 75% of total Project traffic would use 55th Street, and the remaining 2% would use Remington Road. As a result, the total distribution percentage adds to 100% (23% + 75%+ 2%). The text in TIA Section 8.2 and the related EIR text has been revised to provide further clarification. Additionally, TIA Figure 8-1 has been revised to clarify the total percentage of Project traffic on 55th Street and on Canyon Crest Drive.
- L5-29** The comment questions the numbers contained in TIA Table 10-1 based on previous related comments. However, LLG checked the number of trips shown on 55<sup>th</sup> Street and Canyon Crest Drive determined them to be correct. Therefore, no changes to the project distribution and assignment are necessary.
- L5-30** The comment requests that the VMT analysis use VMT/capita as a metric. However, as discussed in TIA Section 12.4, a quantitative analysis of VMT/capita is neither required nor possible based on the information presently available.
- L5-31** The comment notes that the western terminus of the Green Line Trolley is at 12th Avenue and Imperial Avenue in downtown San Diego. EIR section 4.14 has been revised accordingly.
- L5-32** The comment raises questions regarding the trolley analysis. Preliminarily, the EIR text does not definitively state that the decrease in trolley ridership is an aberration. For the purpose of the transit analysis, a conservative approach was taken by assuming that the past decrease in trolley ridership may be an aberration and, as a result, a 2% annual *increase*, rather than decrease, was assumed for the future.
- L5-33** The comment addresses mitigation measure MM-TRA-4. However, as explained in response to comment L-5-19, MM-TRA-4, which would be triggered by implementation of Phase III, is no longer applicable. In response to comments submitted on the Draft EIR, the proposed Project has been modified to eliminate Phase III from development, making both mitigation measures MM-TRA-3 and MM-TRA-4 no longer applicable.
- L5-34** The comment states it is unclear whether the proposed Project would simply accommodate the existing approved enrollment of 25,000 full-time equivalent

## Responses to Comments – Local Agencies

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- (“FTE”) students, or increase that number. To be clear, the proposed Project is the development of on-campus student housing only; the proposed Project does not include a request or component to increase the present approved FTE student enrollment cap. The Final EIR Project Description has been revised to clarify this point in response to the comment.
- L5-35** Thank you for this comment regarding the SDSU 2010 p. 1.0-8-1.0-10 reference not being included in the list of references. This revision will be incorporated into the Final EIR. No further response is required.
- L5-36** The comment asks several questions regarding the current SDSU Campus Master Plan. As reported in the Draft EIR, the 2007 Campus Master Plan Revision, which included an increase in student enrollment from 25,000 FTE to 35,000 FTE, was set aside following litigation. The Master Plan approved as part of the 2011 Plaza Linda Verde project, now South Campus Plaza, remains effective, except to the extent it includes components from the 2007 Campus Master Plan that, subsequent to approval of Plaza Linda Verde, were set aside. Prior to the 2007 Master Plan, the operative Master Plan relative to student enrollment was the 1963 Master Plan, which established the 25,000 FTE enrollment presently in place. Accordingly, the current SDSU Master Plan is based on several prior Master Plans, and is shown in Draft EIR Figure 2-4.
- L5-37** The comment asks the intention for the beds to be developed as part of Phases II and III. As noted above, Phases II and III have been eliminated from the proposed Project and, therefore, the comment regarding these two phases is no longer applicable. As to the comment regarding FTE, the proposed Project does not include a request or component to increase the present approved 25,000 FTE student enrollment cap.
- L5-38** Chapter 4.3 of the Final EIR has been revised as follows: “there is USFWS-designated critical habitat for ~~three~~**two** species located within 5 miles of the project area: coastal California gnatcatcher; and least Bell’s vireo.”
- L5-39** Thank you for this comment regarding the incorrect title for Alyssa Muto in Chapter 4.3 Biological Resources. This revision will be incorporated into the Final EIR. No further response is required.
- L5-40** Thank you for this comment regarding the consistency of the Draft EIR Chapter 6 Alternatives summary paragraph on page 6-2 with the analysis presented in EIR Chapter 4, Environmental Analysis. The results of the analyses presented in Chapter 4 are correct and the Alternatives section will be revised accordingly. The revisions will be incorporated into the Final EIR.

## Responses to Comments – Local Agencies

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- L5-41** SDSU agrees with the City in their summary of the proposed project, and SDSU’s, relationship to the Multiple Species Conservation Program (MSCP) and City of San Diego MSCP Subarea Plan. The Land Use Adjacency Guidelines were reviewed and incorporated into the proposed project. For example, the guidelines from LUAG “Lighting” are included in mitigation measure MM-BIO-5, which states that “The lighting shall be designed to minimize light pollution within native habitat areas, while enhancing safety, security, and functionality. All artificial outdoor light fixtures shall be installed so they are directed away from the undeveloped canyon”; noise reduction measures are included in mitigation measure MM-BIO-6, which are consistent with LUAG “Noise”; fencing will be installed around the construction activities to prevent personnel from accessing the canyon per mitigation measure MM-BIO-3, which is similar to LUAG “Barriers”; mitigation measure MM-BIO-4 prevents the inclusion of invasive plant species included on the most recent version of the California Invasive Plant Council (Cal-IPC) from landscaping, which is consistent with LUAG “Invasives”. Page 2-11 of the Draft EIR describes the fuel management activities to be consistent with the City of San Diego fuel modification and steep hillside landscape guidance; the Brush Management Zones are described on pgs. 4.8-25 and 4.8-26, which are consistent with the LUAG “Brush Management”.
- L5-42** The comment asks why the Project goals and objectives prioritize a west campus identity over other sites to support growth that achieves 35,000 FTE. As noted in the response to comment L-5-34 and L-5-36, the current approved campus master plan enrollment is 25,000 FTE. Please see the Alternatives Thematic Response included in this Final EIR for information regarding the selection of the site of the proposed Project.
- L5-43** The comment asks about an increased density Phase I alternative. The Draft EIR included the Reduced Density Alternative due to its ability to reduce the potential impacts associated with the project; an increased density alternative would result in increased impacts. For additional information regarding the selection of alternatives, please see the Alternatives Thematic Response included in this Final EIR.
- L5-44** The comment states that based on the above comments, the proposed Project may likely result in greater impacts requiring recirculation of the Draft EIR. However, as explained in each of the corresponding responses, the analysis presented in the Draft EIR adequately analyzed the potential impacts of the proposed Project and no additional significant impacts requiring recirculation have been identified as a result of the City’s comments. In addition, as noted above, the project has been modified to eliminate Phases II and III and, thereby, further reduce potential impacts.

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# Responses to Comments – State Agencies

Comment Letter S1



EDMUND G. BROWN, JR.  
GOVERNOR

June 6, 2017

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



KEN ALEX  
DIRECTOR

Laura Shinn  
California State University, San Diego  
5300 Campanile Drive  
San Diego, CA 92182

Subject: San Diego State University New Student Housing Project  
SCH#: 2016121025

Dear Laura Shinn:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on June 5, 2017, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

S1-1

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

S1-2

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

S1-3

Sincerely,

Scott Morgan  
Director, State Clearinghouse

Enclosures  
cc: Resources Agency

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044  
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

# Responses to Comments – State Agencies

## Document Details Report State Clearinghouse Data Base

|                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                        |                                            |
|----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|--------------------------------------------|
| <b>SCH#</b>                | 2016121025                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                        |                                            |
| <b>Project Title</b>       | San Diego State University New Student Housing Project                                                                                                                                                                                                                                                                                                                                                                                                                                   |                        |                                            |
| <b>Lead Agency</b>         | California State University, San Diego                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                        |                                            |
| <hr/>                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                        |                                            |
| <b>Type</b>                | EIR Draft EIR                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                        |                                            |
| <b>Description</b>         | The proposed project would include the construction of new on-campus student housing facilities to be located adjacent to the existing Chapultepec Residence Hall. Specifically, the proposed project would consist of the development of facilities to accommodate up to 2,566 student-housing beds in a series of residential towers to be located on the existing Parking lot 9 and centered around the existing Chapultepec Residence Hall.                                          |                        |                                            |
| <hr/>                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                        |                                            |
| <b>Lead Agency Contact</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                        |                                            |
| <b>Name</b>                | Laura Shinn                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                        |                                            |
| <b>Agency</b>              | California State University, San Diego                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                        |                                            |
| <b>Phone</b>               | (619) 594-6619                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <b>Fax</b>             |                                            |
| <b>email</b>               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                        |                                            |
| <b>Address</b>             | 5500 Camponile Drive                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                        |                                            |
| <b>City</b>                | San Diego                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <b>State</b>           | CA <b>Zip</b> 92182                        |
| <hr/>                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                        |                                            |
| <b>Project Location</b>    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                        |                                            |
| <b>County</b>              | San Diego                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                        |                                            |
| <b>City</b>                | San Diego                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                        |                                            |
| <b>Region</b>              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                        |                                            |
| <b>Lat / Long</b>          | 32° 46' 32.5" N / 117° 4' 41.8" W                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                        |                                            |
| <b>Cross Streets</b>       | Remington Rd and 55th.St                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                        |                                            |
| <b>Parcel No.</b>          | 462-130-06, 07                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                        |                                            |
| <b>Township</b>            | <b>Range</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <b>Section</b>         | <b>Base</b>                                |
| <hr/>                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                        |                                            |
| <b>Proximity to:</b>       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                        |                                            |
| <b>Highways</b>            | I-8                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                        |                                            |
| <b>Airports</b>            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                        |                                            |
| <b>Railways</b>            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                        |                                            |
| <b>Waterways</b>           | Alvarado Creek                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                        |                                            |
| <b>Schools</b>             | Hardy ES                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                        |                                            |
| <b>Land Use</b>            | Parking, undeveloped hillside/residential:RM-4-10, RS 1-7/Residential, institutional and public and semi-public facilities                                                                                                                                                                                                                                                                                                                                                               |                        |                                            |
| <hr/>                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                        |                                            |
| <b>Project Issues</b>      | Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Septic System; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Growth Inducing; Landuse; Cumulative Effects; Aesthetic/Visual |                        |                                            |
| <hr/>                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                        |                                            |
| <b>Reviewing Agencies</b>  | Resources Agency; Department of Fish and Wildlife, Region 5; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol, Caltrans, District 11; Department of Housing and Community Development; State Water Resources Control Board, Division of Drinking Water, District 14; Regional Water Quality Control Board, Region 9; Department of Toxic Substances Control; Native American Heritage Commission            |                        |                                            |
| <hr/>                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                        |                                            |
| <b>Date Received</b>       | 04/21/2017                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <b>Start of Review</b> | 04/21/2017 <b>End of Review</b> 06/05/2017 |

S1-4

Note: Blanks in data fields result from insufficient information provided by lead agency.

# Responses to Comments – State Agencies



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

EDMUND G. BROWN JR., Governor  
CHARLTON H. BONHAM, Director



clear  
6/15/17

Governor's Office of Planning & Research

JUN 02 2017

STATE CLEARINGHOUSE

June 2, 2017

Ms. Laura Shinn, Director  
Facilities Planning, Design, and Construction  
San Diego State University  
5500 Campanile Drive  
San Diego, CA 92182  
lshinn@mail.sdsu.edu

**Subject: Comments on the Draft Environmental Impact Report for the San Diego State University New Student Housing Project SCH# 2016121025**

Dear Ms. Shinn:

The California Department of Fish and Wildlife (Department) has reviewed the above-referenced Draft Environmental Impact Report (DEIR) for the San Diego State University (SDSU) New Student Housing Project (proposed project). The following statements and comments have been prepared pursuant to the Department's authority as Trustee Agency with jurisdiction over natural resources affected by the project (California Environmental Quality Act, [CEQA] Guidelines § 15386) and pursuant to our authority as a Responsible Agency under CEQA Guidelines section 15381 over those aspects of the proposed project that come under the purview of the California Endangered Species Act (CESA; Fish and Game Code [FGC] § 2050 et seq.) and FGC section 1600 et seq. The Department also administers the Natural Community Conservation Planning (NCCP) program.

The 7.84-acre proposed project is located on the main San Diego State University (SDSU) campus, west of the academic buildings and north of the campus athletic fields. The proposed project is immediately north of Remington Road, west of 55<sup>th</sup> Street, and south of Interstate 8, within the City of San Diego Assessor's Parcel Number (APN) number 462-130-07.

The proposed project would construct a new student housing project that would provide additional student housing, dining, and retail uses on the western portion of the SDSU campus. The proposed project includes the expansion of on-campus student housing located adjacent to the existing Chapultepec Residence Hall. The additional housing would accommodate 2,566 student-housing beds in a series of residential towers to be located on the existing Parking Lot nine. The Proposed Project would be developed in three phases. The first phase would include the construction of up to 850 beds on the existing Parking Lot nine, the second phase would include the construction of up to 850 beds to the west of the existing Chapultepec Residence Hall, and the third phase would include the construction of up to 866 beds in buildings that cantilever over the canyon. The proposed project would consist of up to eight new buildings. One building would serve as a dining hall and the remainder of the buildings would consist of four 14-story towers of student housing units.

S1-5

*Conserving California's Wildlife Since 1870*

## Responses to Comments – State Agencies

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Ms. Laura Shinn, Director  
Facilities Planning, Design, and Construction  
June 2, 2017  
Page 3 of 3

gnatcatcher (*Poliopitila californica californica*, gnatcatcher). Impacts to CSS not occupied by gnatcatcher are proposed to be mitigated at a 1:1 mitigation ratio and CSS occupied by gnatcatcher is proposed at a 2:1 ratio. The Department recommends these mitigation ratios be revised given that SDSU is not signatory to a NCCP/HCP. The intent of an NCCP is to provide a comprehensive broad-based conservation planning design to minimize habitat fragmentation and impacts to natural resources and to provide the level of surety necessary to maintain the continued viability of the biological communities impacted by human changes to the landscape. We recommend that impacts to CSS unoccupied by gnatcatcher (disturbed or undisturbed) be mitigated at a 2:1 ratio and impacts to gnatcatcher occupied habitat be mitigated at a 3:1 ratio. In addition, any compensatory mitigation (e.g. habitat conservation, preservation, enhancement, etc.) whether pursued through a mitigation bank or otherwise should be (1) protected in perpetuity through a biological conservation easement; (2) managed by a land manager having expertise in wildlands management for the benefit of native habitats; and (3) sufficiently endowed to fund the management of the land to the benefit of the native habitat and species dependent on the land. Given suitable gnatcatcher habitat on site, the Department also recommends SDSU consult the U.S. Fish and Wildlife Service on any mitigation proposal, proposed land manager, and endowment proposal prior to taking action.

The Department appreciates the opportunity to comment on the DEIR and assist SDSU in identifying and mitigating project impacts on biological resources. Questions regarding this letter or further coordination should be directed to Eric Weiss, Senior Environmental Scientist at (658) 467-4289 or Eric.Weiss@wildlife.ca.gov.

Sincerely,



for  
Gail K. Sevens  
Environmental Program Manager

cc: State Clearinghouse, Sacramento  
David Zoutendyk, U.S. Fish and Wildlife Service, Carlsbad



S1-5  
Cont.



# Responses to Comments – State Agencies



Matthew Rodriguez  
Secretary for  
Environmental Protection



CLEAR  
6-5-17  
E

## Department of Toxic Substances Control

Barbara A. Lee, Director  
5796 Corporate Avenue  
Cypress, California 90630



Edmund G. Brown Jr.  
Governor

May 22, 2017

Governor's Office of Planning & Research  
MAY 22 2017  
STATE CLEARINGHOUSE

Ms. Laura Shinn, Director  
Facilities Planning, Design, and  
Construction Business and Financial Affairs  
California State University, San Diego  
5500 Camponile Drive  
San Diego, California 92182  
[lsinn@mail.sdsu.edu](mailto:lsinn@mail.sdsu.edu)

ENVIRONMENTAL IMPACT REPORT (EIR) FOR SAN DIEGO STATE UNIVERSITY  
NEW STUDENT HOUSING PROJECT (SCH# 2016121025)

Dear Ms. Shinn:

The Department of Toxic Substances Control (DTSC) has reviewed the subject document. The following project description is stated in the EIR: "The proposed project is the expansion of on-campus student housing facilities to be located adjacent to the existing Chapultepec Hall. Specifically, the proposed project would consist of the development of facilities to accommodate up to 2,566 student housing beds in a series of residential towers to be located on the existing Parking Lot 9 (formerly "U" Parking Lot) and the areas west and northwest of Parking Lot 9, centering around the existing Chapultepec Hall."

Based on the review of the EIR, DTSC has the following comments:

1. If the project plans include discharging wastewater to a storm drain, you may be required to obtain an NPDES permit from the overseeing Regional Water Quality Control Board (RWQCB).
2. The EIR states, the 1949 and 1953 Aerial Photographs shows, "Orchards or other agricultural development is present on a small portion of the southwestern project site along Remington Road." If the site was used for agricultural or related activities, residual pesticides may be present in onsite soil. DTSC recommends investigation and mitigation, as necessary, to address potential impact to human health and environment from residual pesticides.

S1-6

## Responses to Comments – State Agencies

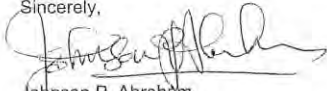
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Ms. Laura Shinn, Director  
May 22, 2017  
Page 2

3. Appendix H, Hazards Technical Report states, "Observations made during the site reconnaissance in 2007 included the presence of stains associated with transformers in the U Parking Lot. The staining was noted to be de minimus." DTSC recommends evaluation, proper investigation and mitigation, if necessary, on onsite areas with current or historic PCB-containing transformers.
4. If soil contamination is suspected or observed in the project area, then excavated soil should be sampled prior to export/disposal. If the soil is contaminated, it should be disposed of properly in accordance with all applicable and relevant laws and regulations. In addition, if the project proposes to import soil to backfill the excavated areas, proper evaluation and/or sampling should be conducted to make sure that the imported soil is free of contamination.
5. If during construction/demolition of the project, soil and/or groundwater contamination is suspected, construction/demolition in the area should cease and appropriate health and safety procedures should be implemented. If it is determined that contaminated soil and/or groundwater exist, the EIR should identify how any required investigation and/or remediation will be conducted, and the appropriate government agency to provide regulatory oversight.

If you have any questions regarding this letter, please contact me at (714) 484-5380 or email at [Johnson.Abraham@dtsc.ca.gov](mailto:Johnson.Abraham@dtsc.ca.gov).

Sincerely,



Johnson P. Abraham  
Project Manager  
Brownfields Restoration and School Evaluation Branch  
Brownfields and Environmental Restoration Program - Cypress

kl/sh/ja

cc: See next page.

S1-6  
Cont.

# Responses to Comments – State Agencies

---

Ms. Laura Shinn, Director  
May 22, 2017  
Page 3

cc: Governor's Office of Planning and Research (via e-mail)  
State Clearinghouse  
P.O. Box 3044  
Sacramento, California 95812-3044  
[State.clearinghouse@opr.ca.gov](mailto:State.clearinghouse@opr.ca.gov)

Mr. Dave Kereazis (via e-mail)  
Office of Planning & Environmental Analysis  
Department of Toxic Substances Control  
[Dave.Kereazis@dtsc.ca.gov](mailto:Dave.Kereazis@dtsc.ca.gov)

Mr. Shahir Haddad, Chief (via e-mail)  
Schools Evaluation and Brownfields Cleanup  
Brownfields and Environmental Restoration Program - Cypress  
[Shahir.Haddad@dtsc.ca.gov](mailto:Shahir.Haddad@dtsc.ca.gov)

CEQA# 20162016121025




S1-6  
Cont.

# Responses to Comments – State Agencies

STATE OF CALIFORNIA  
NATIVE AMERICAN HERITAGE COMMISSION  
Environmental and Cultural Department  
1550 Harbor Blvd., Suite 100  
West Sacramento, CA 95691  
Phone (916) 373-3710

Edmund G. Brown Jr., Governor

*clear 6/5/17*



April 28, 2017

Laura Shinn  
Board of Trustees of the California State University  
5500 Campanile Drive  
San Diego, CA 92182

GOVERNOR'S OFFICE OF PLANNING & REVENUE

MAY 02 2017

STATE CLEARINGHOUSE

sent via e-mail: lshinn@mail.sdsu.edu

Re: SCH# 2016121025, San Diego State University New Student Housing Project, City of San Diego, San Diego County, California

Dear Ms. Shinn:

The Native American Heritage Commission (NAHC) has reviewed the Draft Environmental Impact Report prepared for the project referenced above. The review included the Introduction and Project Description, the Environmental Analysis section 4.4 Cultural Resources, the Summary of Environmental Impacts and Mitigation Measures, and Appendix E Cultural Resources Technical Report prepared by Dudek for the Board of Trustees of the California State University. We have the following concerns:

- There is no Tribal Cultural Resources section, or a clearly delineated subsection for Tribal Cultural Resources within the Cultural Resources section of the Environmental Analysis, as per California Natural Resources Agency (2016) "Final Text for tribal cultural resources update to Appendix G: Environmental Checklist Form," <http://resources.ca.gov/ceqa/docs/ab52/Clean-final-AB-52-App-G-text-Submitted.pdf>
- There are no mitigation measures specifically addressing Tribal Cultural Resources separately. Mitigation measures must take Tribal Cultural Resources into consideration as required under AB-52, **with or without consultation** occurring. Mitigation language for archaeological resources is not always appropriate for or similar to measures specifically for handling Tribal Cultural Resources.

The California Environmental Quality Act (CEQA)<sup>1</sup>, specifically Public Resources Code section 21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment.<sup>2</sup> If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an environmental impact report (EIR) shall be prepared.<sup>3</sup> In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources with the area of project effect (APE).

CEQA was amended in 2014 by Assembly Bill 52. (AB 52).<sup>4</sup> **AB 52 applies to any project for which a notice of preparation or a notice of negative declaration or mitigated negative declaration is filed on or after July 1, 2015.** AB 52 created a separate category for "tribal cultural resources"<sup>5</sup>, that now includes "a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment."<sup>6</sup> Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource.<sup>7</sup> Your project may also be subject to **Senate Bill 18 (SB 18)** (Burton, Chapter 905, Statutes of 2004), Government Code 65352.3, if it also involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space. **Both SB 18 and AB 52 have tribal consultation requirements.** Additionally, if your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966<sup>8</sup> may also apply.

**Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.**

<sup>1</sup> Pub. Resources Code § 21000 et seq.

<sup>2</sup> Pub. Resources Code § 21084.1; Cal. Code Regs., tit. 14, § 15064.5 (b); CEQA Guidelines Section 15064.5 (b)

<sup>3</sup> Pub. Resources Code § 21080 (d); Cal. Code Regs., tit. 14, § 15064 subd. (a)(1); CEQA Guidelines § 15064 (a)(1)

<sup>4</sup> Government Code 65352.3

<sup>5</sup> Pub. Resources Code § 21074

<sup>6</sup> Pub. Resources Code § 21084.2

<sup>7</sup> Pub. Resources Code § 21084.3 (a)

<sup>8</sup> 16 U.S.C. 300101, 36 C.F.R. § 800 et seq.

S1-7

## Responses to Comments – State Agencies

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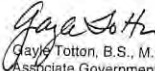
Agencies should be aware that AB 52 does not preclude agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52. For that reason, we urge you to continue to request Native American Tribal Consultation Lists and Sacred Lands File searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>. Additional information regarding AB 52 can be found online at [http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation\\_CalEPAPDF.pdf](http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf), entitled "Tribal Consultation Under AB 52: Requirements and Best Practices".

The NAHC recommends lead agencies consult with all California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources.

A brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments is also attached.

Please contact me at [gayle.totton@nahc.ca.gov](mailto:gayle.totton@nahc.ca.gov) or call (916) 373-3710 if you have any questions.

Sincerely,

  
Gayle Totton, B.S., M.A., Ph.D.  
Associate Governmental Project Analyst

Attachment

cc: State Clearinghouse

S1-7  
Cont.

## Responses to Comments – State Agencies

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### Examples of Mitigation Measures That May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:

- Avoidance and preservation of the resources in place, including, but not limited to:
  - Planning and construction to avoid the resources and protect the cultural and natural context.
  - Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
- Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
  - Protecting the cultural character and integrity of the resource.
  - Protecting the traditional use of the resource.
  - Protecting the confidentiality of the resource.
- Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
- Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed.<sup>23</sup>
- Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated.<sup>24</sup>

The lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.

- Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources.<sup>25</sup> In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
- Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
- Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code section 7050.5, Public Resources Code section 5097.98, and Cal. Code Regs., tit. 14, section 15064.5, subdivisions (d) and (e) (CEQA Guidelines section 15064.5, subs. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

S1-7  
Cont.

<sup>23</sup> (Civ. Code § 815.3 (c)).

<sup>24</sup> (Pub. Resources Code § 5097.931).

<sup>25</sup> per Cal. Code Regs., tit. 14, section 15064.5(f) (CEQA Guidelines section 15064.5(f)).

**Response to Comment Letter S1**

**State of California Governor’s Office of Planning and Research**

**State Clearinghouse and Planning Unit**

**Scott Morgan**

**June 6, 2017**

- S1-1** The comment provides factual background information and does not raise an environmental issue within the meaning of CEQA. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the Project. No further response is required because the comment does not raise an environmental issue.
- S1-2** The comment provides factual background information and does not raise an environmental issue within the meaning of CEQA. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the Project. No further response is required because the comment does not raise an environmental issue.
- S1-3** The comment provides factual background information and does not raise an environmental issue within the meaning of CEQA. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the Project. No further response is required because the comment does not raise an environmental issue.
- S1-4** The comment provides factual background information and does not raise an environmental issue within the meaning of CEQA. However, it is noted that since release of the Draft EIR the proposed project has been modified to reduce impacts. Specifically, the proposed project will now provide facilities to house 850 student beds, down from 2,566. For additional information regarding the project modifications, please see Final EIR, Preface. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the Project. No further response is required because the comment does not raise an environmental issue.
- S1-5** Please see responses to comment letter S4.
- S1-6** Please see responses to comment letter S3.
- S1-7** Please see responses to comment letter S2.

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STATE OF CALIFORNIA  
NATIVE AMERICAN HERITAGE COMMISSION  
Environmental and Cultural Department  
1550 Harbor Blvd., Suite 100  
West Sacramento, CA 95691  
Phone (916) 373-3710

Edmund G. Brown Jr., Governor



April 28, 2017

Laura Shinn  
Board of Trustees of the California State University  
5500 Campanile Drive  
San Diego, CA 92182

sent via e-mail: lshinn@mail.sdsu.edu

Re: SCH# 2016121025, San Diego State University New Student Housing Project, City of San Diego; San Diego County, California

Dear Ms. Shinn:

The Native American Heritage Commission (NAHC) has reviewed the Draft Environmental Impact Report prepared for the project referenced above. The review included the Introduction and Project Description, the Environmental Analysis section 4.4 Cultural Resources, the Summary of Environmental Impacts and Mitigation Measures, and Appendix E Cultural Resources Technical Report prepared by Dudek for the Board of Trustees of the California State University. We have the following concerns:

- There is no Tribal Cultural Resources section, or a clearly delineated subsection for Tribal Cultural Resources within the Cultural Resources section of the Environmental Analysis, as per California Natural Resources Agency (2016) "Final Text for tribal cultural resources update to Appendix G: Environmental Checklist Form," <http://resources.ca.gov/ceqa/docs/ab52/Clean-final-AB-52-App-G-text-Submitted.pdf>
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CEQA was amended in 2014 by Assembly Bill 52. (AB 52).<sup>4</sup> **AB 52 applies to any project for which a notice of preparation or a notice of negative declaration or mitigated negative declaration is filed on or after July 1, 2015.** AB 52 created a separate category for "tribal cultural resources"<sup>5</sup>, that now includes "a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment."<sup>6</sup> Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource.<sup>7</sup> Your project may also be subject to **Senate Bill 18 (SB 18)** (Burton, Chapter 905, Statutes of 2004), Government Code 65352.3, if it also involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space. **Both SB 18 and AB 52 have tribal consultation requirements.** Additionally, if your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966<sup>8</sup> may also apply.

**Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.**

<sup>1</sup> Pub. Resources Code § 21000 et seq.  
<sup>2</sup> Pub. Resources Code § 21084.1; Cal. Code Regs., tit. 14, § 15064.5 (b); CEQA Guidelines Section 15064.5 (b)  
<sup>3</sup> Pub. Resources Code § 21080 (d); Cal. Code Regs., tit. 14, § 15064 subd. (a)(1); CEQA Guidelines § 15064 (a)(1)  
<sup>4</sup> Government Code 65352.3  
<sup>5</sup> Pub. Resources Code § 21074  
<sup>6</sup> Pub. Resources Code § 21084.2  
<sup>7</sup> Pub. Resources Code § 21084.3 (e)  
<sup>8</sup> 16 U.S.C. 300101, 36 C.F.R. § 800 et seq.

S2-1  
S2-2  
S2-3  
S2-4  
S2-5

## Responses to Comments – State Agencies

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Agencies should be aware that AB 52 does not preclude agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52. For that reason, we urge you to continue to request Native American Tribal Consultation Lists and Sacred Lands File searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>. Additional information regarding AB 52 can be found online at [http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation\\_CalEPAPDF.pdf](http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf), entitled "Tribal Consultation Under AB 52: Requirements and Best Practices".

The NAHC recommends lead agencies consult with all California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources.

A brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments is also attached.

Please contact me at [gayle.totton@nahc.ca.gov](mailto:gayle.totton@nahc.ca.gov) or call (916) 373-3710 if you have any questions.

Sincerely,

  
Gayle Totton, B.S., M.A., Ph.D  
Associate Governmental Project Analyst

Attachment

cc: State Clearinghouse

S2-6

S2-7

## Pertinent Statutory Information:

### **Under AB 52:**

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a **lead agency** shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice.

A **lead agency** shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project,<sup>9</sup> and **prior to the release of a negative declaration, mitigated negative declaration or environmental impact report.** For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code § 65352.4 (SB 18)."<sup>10</sup>

The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

- a. Alternatives to the project.
- b. Recommended mitigation measures.
- c. Significant effects.<sup>11</sup>

1. The following topics are discretionary topics of consultation:

- a. Type of environmental review necessary.
- b. Significance of the tribal cultural resources.
- c. Significance of the project's impacts on tribal cultural resources.

If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency.<sup>12</sup>

With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process **shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code sections 6254 (r) and 6254.10.** Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public.<sup>13</sup>

If a project may have a significant impact on a tribal cultural resource, **the lead agency's environmental document shall discuss** both of the following:

- a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
- b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code section 21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource.<sup>14</sup>

Consultation with a tribe shall be considered concluded when either of the following occurs:

- a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
- b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached.<sup>15</sup>

Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code section 21080.3.2 **shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program,** if determined to avoid or lessen the impact pursuant to Public Resources Code section 21082.3, subdivision (b), paragraph 2, and shall be fully enforceable.<sup>16</sup>

If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, **the lead agency shall consider feasible mitigation** pursuant to Public Resources Code section 21084.3 (b).<sup>17</sup>

An environmental impact report **may not be certified,** nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:

- a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code sections 21080.3.1 and 21080.3.2 and concluded pursuant to Public Resources Code section 21080.3.2.
- b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.

<sup>9</sup> Pub. Resources Code § 21080.3.1, subds. (c) and (e)

<sup>10</sup> Pub. Resources Code § 21080.3.1 (b)

<sup>11</sup> Pub. Resources Code § 21080.3.2 (a)

<sup>12</sup> Pub. Resources Code § 21080.3.2 (a)

<sup>13</sup> Pub. Resources Code § 21082.3 (c)(1)

<sup>14</sup> Pub. Resources Code § 21082.3 (b)

<sup>15</sup> Pub. Resources Code § 21080.3.2 (b)

<sup>16</sup> Pub. Resources Code § 21082.3 (a)

<sup>17</sup> Pub. Resources Code § 21082.3 (a)

## Responses to Comments – State Agencies

- c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code section 21080.3.1 (d) and the tribe failed to request consultation within 30 days.<sup>18</sup>  
***This process should be documented in the Tribal Cultural Resources section of your environmental document.***

### Under SB 18:

Government Code § 65352.3 (a) (1) requires consultation with Native Americans on general plan proposals for the purposes of "preserving or mitigating impacts to places, features, and objects described § 5097.9 and § 5091.993 of the Public Resources Code that are located within the city or county's jurisdiction. Government Code § 65560 (a), (b), and (c) provides for consultation with Native American tribes on the open-space element of a county or city general plan for the purposes of protecting places, features, and objects described in Sections 5097.9 and 5097.993 of the Public Resources Code.

- SB 18 applies to **local governments** and requires them to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: [https://www.opr.ca.gov/docs/09\\_14\\_05\\_Updated\\_Guidelines\\_S22.pdf](https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_S22.pdf)
- **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.**<sup>19</sup>
- There is no Statutory Time Limit on Tribal Consultation under the law.
- **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research,<sup>20</sup> the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code sections 5097.9 and 5097.993 that are within the city's or county's jurisdiction.<sup>21</sup>
- **Conclusion Tribal Consultation:** Consultation should be concluded at the point in which:
  - The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
  - Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation.<sup>22</sup>

### NAHC Recommendations for Cultural Resources Assessments:

- Contact the NAHC for:
  - A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
  - A Native American Tribal Contact List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
    - The request form can be found at <http://nahc.ca.gov/resources/forms/>.
- Contact the appropriate regional California Historical Research Information System (CHRIS) Center ([http://ohp.parks.ca.gov/?page\\_id=1068](http://ohp.parks.ca.gov/?page_id=1068)) for an archaeological records search. The records search will determine:
  - If part or the entire APE has been previously surveyed for cultural resources.
  - If any known cultural resources have been already been recorded on or adjacent to the APE.
  - If the probability is low, moderate, or high that cultural resources are located in the APE.
  - If a survey is required to determine whether previously unrecorded cultural resources are present.
- If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
  - The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
  - The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

<sup>18</sup> Pub. Resources Code § 21082.3 (d)

<sup>19</sup> Gov. Code § 65352.3 (a)(2).

<sup>20</sup> pursuant to Gov. Code section 65040.2.

<sup>21</sup> (Gov. Code § 65352.3 (b)).

<sup>22</sup> (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

S2-7  
Cont.

## **Examples of Mitigation Measures That May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:**

- Avoidance and preservation of the resources in place, including, but not limited to:
  - Planning and construction to avoid the resources and protect the cultural and natural context.
  - Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
- Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
  - Protecting the cultural character and integrity of the resource.
  - Protecting the traditional use of the resource.
  - Protecting the confidentiality of the resource.
- Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
- Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed.<sup>23</sup>
- Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated.<sup>24</sup>

The lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.

- Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources.<sup>25</sup> In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
- Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
- Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code section 7050.5, Public Resources Code section 5097.98, and Cal. Code Regs., tit. 14, section 15064.5, subdivisions (d) and (e) (CEQA Guidelines section 15064.5, subs. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

S2-7  
Cont.

<sup>23</sup> (Civ. Code § 815.3 (c)).

<sup>24</sup> (Pub. Resources Code § 5097.991).

<sup>25</sup> per Cal. Code Regs., tit. 14, section 15064.5(f) (CEQA Guidelines section 15064.5(f)).

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**Response to Comment Letter S2**

**State of California Native American Heritage Commission**

**Gayle Totton**

**April 28, 2017**

- S2-1** The comment is an introduction to comments that follow. No further response is required. However, it is noted that since release of the Draft EIR the proposed project has been modified to reduce impacts. Specifically, the proposed project will now provide facilities to house 850 student beds, down from 2,566. For additional information regarding the project modifications, please see Final EIR, Preface.
- S2-2** This comment states that there is no Tribal Cultural Resources section or a clearly delineated subsection for Traditional Cultural Resources within the Cultural Resources section of the Environmental Analysis. It should be noted that Tribal Cultural Resources are addressed alongside archaeological and historical resources via a clearly delineated discussion on page 4.4-19 of the Draft EIR. Section 4.4.2 of the Draft EIR states that SDSU requested a search of the Native American Heritage Commission Sacred Land File to determine the presence of Tribal Cultural Resources. SDSU sent out formal letters to all tribes included on the Native American Heritage Commission’s response letter in an effort to seek information from tribes about Tribal Cultural Resources. One tribe, the Jamul Indian Village, responded and requested to meet with SDSU to discuss their ancestor’s affiliation with the proposed project site. Section 4.4.6 of the Draft EIR describes the meeting between SDSU and the Jamul Indian Village representatives; these tribal representatives did not identify any Tribal Cultural Resources within the project area. Appendix E of the Draft EIR, which consists of the cultural resources technical report, also addressed Tribal Cultural Resources in its discussion of the records searches, consultation with the Jamul Indian Village, and the Project’s level of significance after mitigation.
- S2-3** This comment states that there are no mitigation measures specifically addressing Tribal Cultural Resources separately within the Draft EIR or Appendix E. As explained in Section 4.4.6 of the Draft EIR, no Tribal Cultural Resources were identified in the Project Area, therefore SDSU, serving as Lead Agency under CEQA, has determined that tribal monitoring throughout excavation is not necessary. However, as indicated in Mitigation Measure MM-CUL-1, SDSU, serving as the responsible reviewing agency, may choose to include a Native American monitor during initial ground disturbance.
- S2-4** Please see responses to Comments S2-2 and S2-3. SDSU agrees that the project is subject to the outreach requirements indicated in AB 52. As summarized in Response C2-2, SDSU reached out to all Native American groups that were included on the list provided by the Native American Heritage Commission in an effort to determine if



## Responses to Comments – State Agencies

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the site may be constituted as a sacred site or contain tribal cultural resources. SDSU met with the Jamul Indian Village to determine whether they viewed the site as possessing any tribal cultural resource value.

The proposed project does not involve amendments to a General Plan or Specific Plan nor does it include the dedication of open space, therefore SB 18 is not applicable.

**S2-5** San Diego State University (SDSU) understands the Native American Heritage Commission (NAHC) recommends that SDSU consult legal counsel regarding its compliance with Assembly Bill (AB) 52 and Senate Bill (SB) 18. As described in Section 4.4, Cultural Resources, of the Draft EIR, SDSU complied with its legal requirements and satisfied the notification and consultation requirements of AB 52 and SB 18.

Pursuant to Public Resources Code (PRC) section 21080.3.1, SDSU requested a search of the NAHC Sacred Land File on December 15, 2016 to determine if any Tribal Cultural Resources are present within one mile of the proposed Project site. Gayle Totton, NAHC Associate Government Program Analyst, facilitated this search and returned the results on December 19, 2016. In addition, and as part of the consultation process, the NAHC provided a list of tribal governments and individuals that SDSU should consult for compliance with AB 52. SDSU and its representatives sent letters to the Native American representatives included on the NAHC consultation list. At the time the Draft EIR was circulated for public review, the Jamul Indian Village, a Kumeyaay Nation and federally recognized Tribal Government, responded to the AB 52 consultation request. Representatives from the Jamul Indian Village and SDSU met on campus on February 7, 2017 to discuss Project details and cultural resources inventory findings. The Jamul Indian Village representatives offered their services as tribal monitors should SDSU determine that tribal monitoring is necessary for the Project. The Jamul Indian Village representatives did not identify any tribal cultural resources within the project area nor did they make any specific request for tribal monitoring of the current project. The consultation letter and response received are on file with SDSU and will be made available for review upon request.

**S2-6** Please see responses to Comments S2-2 through S2-6. No further response is required.

**S2-7** Please see responses to Comments S2-2 through S2-4. No further response is required.





Matthew Rodriguez  
Secretary for  
Environmental Protection



Department of Toxic Substances Control

Barbara A. Lee, Director  
5798 Corporate Avenue  
Cypress, California 90630



Edmund G. Brown Jr.  
Governor

May 22, 2017

Ms. Laura Shinn, Director  
Facilities Planning, Design, and  
Construction Business and Financial Affairs  
California State University, San Diego  
5500 Camponile Drive  
San Diego, California 92182  
[lshinn@mail.sdsu.edu](mailto:lshinn@mail.sdsu.edu)

ENVIRONMENTAL IMPACT REPORT (EIR) FOR SAN DIEGO STATE UNIVERSITY  
NEW STUDENT HOUSING PROJECT (SCH# 2016121025)

Dear Ms. Shinn:

The Department of Toxic Substances Control (DTSC) has reviewed the subject document. The following project description is stated in the EIR: "The proposed project is the expansion of on-campus student housing facilities to be located adjacent to the existing Chapultepec Hall. Specifically, the proposed project would consist of the development of facilities to accommodate up to 2,566 student housing beds in a series of residential towers to be located on the existing Parking Lot 9 (formerly "U" Parking Lot) and the areas west and northwest of Parking Lot 9, centering around the existing Chapultepec Hall."

Based on the review of the EIR, DTSC has the following comments:

1. If the project plans include discharging wastewater to a storm drain, you may be required to obtain an NPDES permit from the overseeing Regional Water Quality Control Board (RWQCB).
2. The EIR states, the 1949 and 1953 Aerial Photographs shows, "Orchards or other agricultural development is present on a small portion of the southwestern project site along Remington Road." If the site was used for agricultural or related activities, residual pesticides may be present in onsite soil. DTSC recommends investigation and mitigation, as necessary, to address potential impact to human health and environment from residual pesticides.

S3-1

S3-2

S3-3

# Responses to Comments – State Agencies

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Ms. Laura Shinn, Director  
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Page 2

3. Appendix H, Hazards Technical Report states, "Observations made during the site reconnaissance in 2007 included the presence of stains associated with transformers in the U Parking Lot. The staining was noted to be de minimus." DTSC recommends evaluation, proper investigation and mitigation, if necessary, on onsite areas with current or historic PCB-containing transformers.
4. If soil contamination is suspected or observed in the project area, then excavated soil should be sampled prior to export/disposal. If the soil is contaminated, it should be disposed of properly in accordance with all applicable and relevant laws and regulations. In addition, if the project proposes to import soil to backfill the excavated areas, proper evaluation and/or sampling should be conducted to make sure that the imported soil is free of contamination.
5. If during construction/demolition of the project, soil and/or groundwater contamination is suspected, construction/demolition in the area should cease and appropriate health and safety procedures should be implemented. If it is determined that contaminated soil and/or groundwater exist, the EIR should identify how any required investigation and/or remediation will be conducted, and the appropriate government agency to provide regulatory oversight.

S3-4

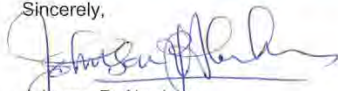
S3-5

S3-6

S3-7

If you have any questions regarding this letter, please contact me at (714) 484-5380 or email at [Johnson.Abraham@dtsc.ca.gov](mailto:Johnson.Abraham@dtsc.ca.gov).

Sincerely,



Johnson P. Abraham  
Project Manager  
Brownfields Restoration and School Evaluation Branch  
Brownfields and Environmental Restoration Program - Cypress

kl/sh/ja

cc: See next page.

## Responses to Comments – State Agencies

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Ms. Laura Shinn, Director  
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Page 3

cc: Governor's Office of Planning and Research (via e-mail)  
State Clearinghouse  
P.O. Box 3044  
Sacramento, California 95812-3044  
[State.clearinghouse@opr.ca.gov](mailto:State.clearinghouse@opr.ca.gov)

Mr. Dave Kereazis (via e-mail)  
Office of Planning & Environmental Analysis  
Department of Toxic Substances Control  
[Dave.Kereazis@dtsc.ca.gov](mailto:Dave.Kereazis@dtsc.ca.gov)

Mr. Shahir Haddad, Chief (via e-mail)  
Schools Evaluation and Brownfields Cleanup  
Brownfields and Environmental Restoration Program - Cypress  
[Shahir.Haddad@dtsc.ca.gov](mailto:Shahir.Haddad@dtsc.ca.gov)

CEQA# 20162016121025

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**Response to Comment Letter S3**

**Department of Toxic Substances Control**

**Johnson Abraham**

**May 22, 2017**

- S3-1** Thank you for your comment. The comment is an introduction to comments that follow and no further response is required. However, it is noted that since release of the Draft EIR the proposed project has been modified to reduce impacts. Specifically, the proposed project will now provide facilities to house 850 student beds, down from 2,566. For additional information regarding the project modifications, please see Final EIR, Preface.
- S3-2** The comment addresses general subject areas, which received extensive analysis in the EIR. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the Project.
- S3-3** As discussed in Section 5 of the Draft EIR, the portions of the subject property that appeared to be used for agricultural purposes in the 1949 and 1953 aerial photographs have been redeveloped. The southwestern corner of the subject property was developed as a parking lot sometime between 1964 and 1966, as shown in aerial photographs. The area previously present along Remington Road is under the footprint of the current roadway. Since these areas have already been capped by either parking lots or roadway, and are not areas that will be disturbed as part of the proposed development, there are no anticipated impacts due to the former property use.
- S3-4** As noted in Section 3.3.3 of the Draft EIR, the SDSU Environmental Health Services division manages transformers located on the SDSU campus. Per the 2007 Phase I Environmental Site Assessment, SDSU EHS stated that any transformers that have PCB-containing oil are labeled. The transformers observed in the former U Lot were not labeled as containing PCBs. Additionally, the transformers were installed at the same time or after Chapultepec Hall was built (between 1989 and 1994, as based on aerial photograph research). The manufacturing of PCB-containing oil used for transformers ceased in the United States in 1977, therefore providing further evidence that the transformer onsite does not utilize oil that contain PCBs.

The above notwithstanding, as indicated on page 4.8-19, Section 4.8.6, the project would result in the potential for release of PCB-containing materials if demolition is not handled appropriately. Mitigation Measure MM-HAZ-1 on page 4.8-27, provides that all PCB-containing materials shall be removed under the direction of a qualified

## Responses to Comments – State Agencies

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environmental specialist who will direct the appropriate removal of these materials so that they are managed in accordance with all applicable federal and state guidelines and regulations. This measure further states that demolition plans and contract specifications shall incorporate any necessary abatement measures in compliance with all applicable federal and state regulations.

**S3-5** As discussed in Chapter 4.8, Hazards and Hazardous Materials, the proposed project site is not located on a site that is included on a list of hazardous materials sites. Thus, soil contamination is not suspected. Mitigation measures have therefore not been included in the Draft EIR.

If soil import is utilized to backfill excavated areas, proper evaluation and sampling would be conducted per applicable regulations.

**S3-6** As discussed in Chapter 4.8 of the Draft EIR, the proposed project site is not located on a site that is included on a list of hazardous materials sites (see Draft EIR page 4.8-22). Thus, soil and/or groundwater contamination is not suspected. The above notwithstanding, soil contamination that might be observed in the project area would likely be due to construction impacts incurred during the proposed project's construction activity. As discussed in Chapter 4.8 of the Draft EIR, any impacts from hazardous materials during construction would be less than significant as construction materials "would be transported, handled, and disposed of in accordance with all applicable federal, state, and local laws and regulations regulating the management and use of hazardous materials."

Comment Letter S4



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

EDMUND G. BROWN JR., Governor  
CHARLTON H. BONHAM, Director



June 2, 2017

Ms. Laura Shinn, Director  
Facilities Planning, Design, and Construction  
San Diego State University  
5500 Campanile Drive  
San Diego, CA 92182  
[ishinn@mail.sdsu.edu](mailto:ishinn@mail.sdsu.edu)

**Subject: Comments on the Draft Environmental Impact Report for the San Diego State University New Student Housing Project SCH# 2016121025**

Dear Ms. Shinn:

The California Department of Fish and Wildlife (Department) has reviewed the above-referenced Draft Environmental Impact Report (DEIR) for the San Diego State University (SDSU) New Student Housing Project (proposed project). The following statements and comments have been prepared pursuant to the Department's authority as Trustee Agency with jurisdiction over natural resources affected by the project (California Environmental Quality Act, [CEQA] Guidelines § 15386) and pursuant to our authority as a Responsible Agency under CEQA Guidelines section 15381 over those aspects of the proposed project that come under the purview of the California Endangered Species Act (CESA; Fish and Game Code [FGC] § 2050 et seq.) and FGC section 1600 et seq. The Department also administers the Natural Community Conservation Planning (NCCP) program.

S4-1

The 7.84-acre proposed project is located on the main San Diego State University (SDSU) campus, west of the academic buildings and north of the campus athletic fields. The proposed project is immediately north of Remington Road, west of 55<sup>th</sup> Street, and south of Interstate 8, within the City of San Diego Assessor's Parcel Number (APN) number 462-130-07.

The proposed project would construct a new student housing project that would provide additional student housing, dining, and retail uses on the western portion of the SDSU campus. The proposed project includes the expansion of on-campus student housing located adjacent to the existing Chapultepec Residence Hall. The additional housing would accommodate 2,566 student-housing beds in a series of residential towers to be located on the existing Parking Lot nine. The Proposed Project would be developed in three phases. The first phase would include the construction of up to 850 beds on the existing Parking Lot nine, the second phase would include the construction of up to 850 beds to the west of the existing Chapultepec Residence Hall, and the third phase would include the construction of up to 866 beds in buildings that cantilever over the canyon. The proposed project would consist of up to eight new buildings. One building would serve as a dining hall and the remainder of the buildings would consist of four 14-story towers of student housing units.

S4-2

*Conserving California's Wildlife Since 1870*

# Responses to Comments – State Agencies

Ms. Laura Shinn, Director  
Facilities Planning, Design, and Construction  
June 2, 2017  
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The Department offers the following comments and recommendations to assist SDSU in adequately identifying and/or mitigating the proposed project's significant, or potentially significant, direct and indirect impacts on fish and wildlife resources.

S4-3

The number of avian surveys associated with the proposed project and MM-BIO-1 should be commensurate with the number of clearing activities. Avian surveys should be separated by more than 48 hours and/or proposed project phases occurring during the avian nesting season and should not be limited to "a one-time biological survey for nesting bird species" as suggested by the DEIR. To ensure compliance with the Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R. § 10.13), and Fish and Game Code sections 3503, 3503.5, and 3513, any clearing, grubbing, or grading (collectively, grading) of native habitat (both disturbed and undisturbed habitat) should be surveyed by a qualified avian biologist within 72 hours prior to the disturbance. For any remaining habitat, surveys should be reinitiated prior to grading should a lapse of 48 hours or greater occur between the end of the initial avian survey(s) and reinitiating of grading activities.

S4-4

In addition, MM-BIO-1 identifies a minimum buffer of 25 feet between construction activities and potential avian nesting activity without providing criteria ensuring the proposed buffer is appropriate to protect avian resources. MM-BIO-1 states that "[i]f any active nests are detected, the area shall be flagged and mapped on the construction plans along with a minimum of a 25-foot buffer and up to a maximum of 300 feet for raptors as determined by the project biologist, and will be avoided until the nesting cycle is complete." (DEIR section 4.3, page 40) When arbitrary nesting buffers, as identified by MM-BIO-1, are adopted as a CEQA mitigation measure they should err on the side of caution ensuring adequate protection of avian nesting. A conservative approach, for non-listed species of passerines and other non-raptors, should be afforded a minimum 300-foot buffer whereas non-listed raptor species should be afforded a minimum 500-foot buffer. Absent adopting conservative buffers, the DEIR should circulate an avian monitoring plan that defines the specific methodology for which a qualified avian biologist determines an appropriately protective avian nesting buffer based on the qualified biologist's direct observations of (but not limited to) the following: species or guild, individual nesting pair's tolerance for human activities, topography, vegetation, screening, adjoining habitat, type of work proposed, and duration of the work proposed. The avian monitoring plan should be circulated with the DEIR, and the monitoring logs and buffer justifications should be made available upon request. No nest buffer reductions should be allowed without prior (e.g., additional) observation and subsequent determination made by the qualified avian biologist. Specific to the project, (1) a qualified avian biologist should have formal educational background in ornithology; (2) sufficient local field experience in species identification with knowledge of their local and range-wide population status and trends; (3) experience in quantifying environmental impacts; and (4) provide three references excluding their present employer. Regardless of the method selected to establish them, nest buffers should be implemented in a way that ensures compliance with the MBTA, and Fish and Game Code sections 3503, 3503.5, and 3513.

S4-5

The mitigation ratios proposed in the DEIR reflect ratios that are only appropriate to entities that are signatory to an adopted NCCP and/or Habitat Conservation Plan; SDSU is not signatory to such a plan. As identified in the Biological Technical Report (Appendix D, page 22) "SDSU is not signatory to the San Diego MSCP and is therefore not a 'permittee' under the HCP. SDSU also would not benefit from the take coverage provided by the Implementing Agreement." Collectively, mitigation measures MM-BIO-8, MM-BIO-9, and MM-BIO-10 identify mitigation ratios for impacts to Diegan coastal sage scrub (CSS) based on the presence of California

S4-6



# Responses to Comments – State Agencies

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Ms. Laura Shinn, Director  
Facilities Planning, Design, and Construction  
June 2, 2017  
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gnatcatcher (*Polioptila californica californica*, gnatcatcher). Impacts to CSS not occupied by gnatcatcher are proposed to be mitigated at a 1:1 mitigation ratio and CSS occupied by gnatcatcher is proposed at a 2:1 ratio. The Department recommends these mitigation ratios be revised given that SDSU is not signatory to a NCCP/HCP. The intent of an NCCP is to provide a comprehensive broad-based conservation planning design to minimize habitat fragmentation and impacts to natural resources and to provide the level of surety necessary to maintain the continued viability of the biological communities impacted by human changes to the landscape. We recommend that impacts to CSS unoccupied by gnatcatcher (disturbed or undisturbed) be mitigated at a 2:1 ratio and impacts to gnatcatcher occupied habitat be mitigated at a 3:1 ratio. In addition, any compensatory mitigation (e.g. habitat conservation, preservation, enhancement, etc.) whether pursued through a mitigation bank or otherwise should be (1) protected in perpetuity through a biological conservation easement; (2) managed by a land manager having expertise in wildlands management for the benefit of native habitats; and (3) sufficiently endowed to fund the management of the land to the benefit of the native habitat and species dependent on the land. Given suitable gnatcatcher habitat on site, the Department also recommends SDSU consult the U.S. Fish and Wildlife Service on any mitigation proposal, proposed land manager, and endowment proposal prior to taking action.

The Department appreciates the opportunity to comment on the DEIR and assist SDSU in identifying and mitigating project impacts on biological resources. Questions regarding this letter or further coordination should be directed to Eric Weiss, Senior Environmental Scientist at (858) 467-4289 or [Eric.Weiss@wildlife.ca.gov](mailto:Eric.Weiss@wildlife.ca.gov).

Sincerely,  
  
for  
Gail K. Sevens  
Environmental Program Manager

ec: State Clearinghouse, Sacramento  
David Zoutendyk, U.S. Fish and Wildlife Service, Carlsbad

S4-6  
Cont.  
S4-7

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**Response to Comment Letter S4**

**California Department of Fish and Wildlife**

**Gail Sevens**

**June 2, 2017**

- S4-1** Thank you for your comment. The comment is an introduction to comments that follow and no further response is required. However, it is noted that since release of the Draft EIR the proposed project has been modified to reduce impacts. Specifically, the proposed project will now provide facilities to house 850 student beds, down from 2,566. For additional information regarding the project modifications, please see Final EIR, Preface.
- S4-2** The comment provides factual background information regarding the proposed project and does not raise an environmental issue within the meaning of CEQA. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the Project. No further response is required because the comment does not raise an environmental issue.
- S4-3** The comment provides factual background information and does not raise an environmental issue within the meaning of CEQA. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the Project. No further response is required because the comment does not raise an environmental issue.
- S4-4** Comment noted. Mitigation Measure MM-BIO-1 has been revised pursuant to the recommendations outlined in this comment to require additional nesting bird surveys if grading activities are delayed for more than 48 hours. Also added to MM-BIO-1 is the statement that the project biologist will review the schedule for the project construction and in accordance with the recommendations outlined in this comment will conduct surveys to match the number of vegetation clearing events and will make sure that when multiple surveys are required, they are separated by at least 48 hours. Generally, a single survey prior to construction is adequate for identifying nesting birds, however the biologist will make sure that the area is covered thoroughly for nesting activity. The revised mitigation measure will now ensure any areas that have not been cleared or have been inactive for more than 48 hours since the last pre-construction bird survey will be re-surveyed for nesting birds.
- S4-5** Comment noted. After conducting bird surveys at the project site, the project biologists are confident that the 25-foot buffers provide adequate protection for nesting birds. Nevertheless, per the comment’s recommendation, mitigation measure

## Responses to Comments – State Agencies

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- MM-BIO-1 has been revised to require preparation of an Avian Monitoring Plan and outlines specific criteria for establishing nest buffers.
- S4-6** The comment regards mitigation measures MM-BIO-8, MM-BIO-9, and MM-BIO-10. As identified in the Draft EIR, these measures would be triggered by the development of Phases II and III. As explained in the Final EIR, the proposed project has been modified to eliminate Phases II and III. Please see Final EIR, Preface, for additional information regarding the project modifications, and Biological Resources Thematic Response. With the elimination of Phases II and III, the mitigation measures are no longer required to mitigate a significant impact. Therefore, the comment is no longer applicable. Note also that protocol gnatcatcher surveys of the Project site were recently completed and were negative for gnatcatcher presence.
- S4-7** The comment is acknowledged and appreciated. This comment does not pertain to the adequacy of the EIR and will therefore not be responded to further.

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION

DISTRICT 11  
4050 TAYLOR STREET, M.S. 240  
SAN DIEGO, CA 92110  
PHONE (619) 688-6960  
FAX (619) 688-4299  
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Making Conservation  
a California Way of Life

June 16, 2017

11-SD-8  
PM 8.3  
San Diego State University New Student Housing Project  
DEIR/SCH# 2016121025

Ms. Laura Shinn  
Director  
Board of Trustees of the California State University  
5500 Campanile Drive  
San Diego, CA 92128

Dear Ms. Shinn:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the project referenced above. The mission of Caltrans is to provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability. The Local Development-Intergovernmental Review (LD-IGR) Program reviews land use projects and plans to ensure consistency with our mission and state planning priorities of infill, conservation, and efficient development. To ensure a safe, efficient, and reliable transportation system, we encourage early consultation and coordination with local jurisdictions and project proponents on all development projects that utilize the multi-modal transportation network.

S5-1

Caltrans has the following comments:

Traffic Impact Analysis

1. Update synchro files and Transportation Impact Analysis report, then resubmit both for further review of any direct impacts.
2. In Section 3.0 of the Traffic Impact Analysis (TIA) the eastbound I-8 exit ramp at Fairmount Avenue South signalized intersection was not included, therefore any impact to the ramp, such as queue and delay, was not addressed.
3. Since the freeway mainlanes are not modelled in Synchro, the arrival speed at exit ramp entrance needs to be set at 55 miles per hour (MPH) to reflect the actual field condition and actual queue length. This will be used to determine the potential impact on the mainline.
4. The intersection of Lindo Pasco and College Avenue should be included in the Synchro simulation since this is a signalized intersection with heavy pedestrian calls.

S5-2  
S5-3  
S5-4  
S5-5

*"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability"*

# Responses to Comments – State Agencies

Ms. Laura Sinn  
 June 16, 2017  
 Page 2

5. Southbound College Avenue 140 foot right turn lane to westbound Montezuma Road does not exist. A few vehicles will possibly use the hatched shoulder but it depends if the #2 lane vehicles gives them room. In the analysis remove right turn pocket and place through with optional right turn movement.
6. Southbound College Avenue 250 foot left turn lane to westbound Montezuma Road is incorrect. In the analysis it is shown as a double left turn with #1 lane/pocket being 100 feet. The left turn pocket extending into Paseo Lindo intersection needs to be added to the analysis, see comment #4.
7. The College Avenue alignment does not represent the actual existing conditions and might affect results of study since lengths may vary to existing conditions.
8. The Synchro files show eastbound I-8 exit ramp to College Avenue right turn is allowed to block the intersections and therefore causes erroneous results for the traffic analysis.
9. The SimTraffic Intervals peak hour is set to 10 minutes. The interval should be 60 minutes to show the full effects of the Peak Hour Volumes (PHV) on the streets and freeways.
10. The existing eastbound I-8 exit ramp to College Avenue PHV's used for the TIA are 1560/1276 for am/pm. Caltrans most recent PHV counts for 2015 show 1567/1681. The pm PHV are 24% lower than Caltrans PHV which surpass 10% to 15% percent allowable margin. Counts need to be updated since impact of this development might be greater to Caltrans' facility.
11. The existing northbound College Avenue to eastbound I-8 entrance ramp PHV's used for the TIA are 208/350 for am/pm. Caltrans most recent PHV counts for 2015 show 336/513. The am/pm PHV are 38%/32% lower than Caltrans PHV which surpass 10% to 15% percent allowable margin. Counts need to be updated since impact of this development might be greater.
12. Run Queue analysis comparing existing queues of Caltrans exit ramps to existing plus project queues. This will show if there is any impact to the I-8 mainlanes.

S5-6

S5-7

S5-8

S5-9

S5-10

S5-11

S5-12

S5-13

**Multi-Modal**

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 system. 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 system.

S5-14

**I-8 Corridor Study**

Please reference the final draft of the I-8 Corridor study completed by SANDAG. The study contains a robust and detailed active transportation analysis of this area and vetted traffic

S5-15

*"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability."*

Ms. Laura Sinn  
June 16, 2017  
Page 3

information for many of the segments and intersections.

<http://www.sandag.org/index.asp?classid=13&subclassid=10&projectid=484&fuseaction=projects.detail>

### Mitigation

Caltrans endeavors that any direct and cumulative impacts to the State Highway System be eliminated or reduced to a level of insignificance pursuant to the California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) standards.

- Mitigation measures to State facilities should be included in TIA. Mitigation identified in the traffic study, subsequent environmental documents, and mitigation monitoring reports, should be coordinated with Caltrans to identify and implement the appropriate mitigation. This includes the actual implementation and collection of any “fair share” monies, as well as the appropriate timing of the mitigation. Mitigation improvements should be compatible with Caltrans concepts.
- Possible projects for mitigation for impacts to state facilities to consider are:
  - College Avenue Over I-8 Bridge and Approaches (see attachment for City of San Diego Facilities Financing Section Transportation Projects)
  - Restriping Fairmount Avenue Between I-8 Ramps (see attachment for City of San Diego FY2015 Navajo Public Facilities Financing Plan)
  - Fairmount Avenue/I-8 Interchange Improvements (see attachment for City of San Diego FY2015 Navajo Public Facilities Financing Plan)
- Caltrans seeks to reduce new Vehicle Miles Traveled (VMT) associated with development and recommends appropriate measures to avoid, minimize, or mitigate transportation impacts through smart mobility community design and innovative multimodal demand reduction strategies. Transportation Demand Management is a set of tools that increases the efficiency of the transportation system by providing options for users other than driving alone, or by shifting travel away from peak periods.

↑ S5-15  
Cont.

S5-16

S5-17

S5-18

*“Provide a safe, sustainable, integrated and efficient transportation system to enhance California’s economy and livability”*

## Responses to Comments – State Agencies

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Page 4

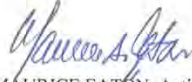
Any work performed within Caltrans right-of-way (R/W) will require discretionary review and approval by Caltrans and an encroachment permit will be required for any work within the Caltrans R/W prior to construction. As part of the encroachment permit process, the applicant must provide an approved final environmental document including the California Environmental Quality Act (CEQA) determination addressing any environmental impacts within the Caltrans' R/W, and any corresponding technical studies.

S5-19

If you have any questions, please contact Kimberly Dodson, of the Caltrans Development Review Branch, at (619) 688-2510 or by e-mail sent to kimberly.dodson@dot.ca.gov.

S5-20

Sincerely,



MAURICE EATON, Acting Chief  
Development Review Branch

Attachments:

City of San Diego Facilities Financing Section Transportation Projects (Page 9)  
City of San Diego FY2015 Navajo Public Facilities Financing Plan (Pages 22 and 24)

*"Provide a safe, sustainable, integrated and efficient transportation system  
to enhance California's economy and livability."*



# Responses to Comments – State Agencies

## CITY OF SAN DIEGO FACILITIES FINANCING SECTION

**TITLE:** COLLEGE AVENUE OVER I-8 BRIDGE AND APPROACHES

**DEPARTMENT:** TRANSPORTATION & STORM WATER

**PROJECT:** T-1  
**COUNCIL DISTRICT:** 9  
**COMMUNITY PLAN:** COLLEGE AREA

**DESCRIPTION:** THIS PROJECT PROVIDES FOR THE WIDENING OF COLLEGE AVENUE AT THE I-8 BRIDGE AND APPROACHES TO A MODIFIED SIX-LANE MAJOR STREET. THIS PROJECT ALSO PROVIDES CLASS II BIKE LANES.

**JUSTIFICATION:** THIS PROJECT IS CONSISTENT WITH THE COLLEGE AREA COMMUNITY PLAN AND GENERAL PLAN GUIDELINES AND IS NEEDED TO SERVE THE COMMUNITY AT FULL COMMUNITY DEVELOPMENT.

**SCHEDULE:** DESIGN AND CONSTRUCTION WILL BE SCHEDULED ONCE FUNDING HAS BEEN IDENTIFIED.

| ESTIMATED COST | SOURCE       |
|----------------|--------------|
| \$ 6,847,600   | UNIDENTIFIED |
| \$ 152,400     | DEVELOPER*   |
| \$ 7,000,000   | TOTAL        |



\*PLYMOUTH BEALTH INVESTMENT, LLC PER MITIGATED NEGATIVE DECLARATION FOR ALVARADO APARTMENTS PROJECT NO. 157028; TRANSPORTATION/CIRCULATION CONDITION NO. 5.

S5-17  
Cont.

# Responses to Comments – State Agencies

FY 2015 Navajo Public Facilities Financing Plan

## CITY OF SAN DIEGO FACILITIES FINANCING PROGRAM

**TITLE:** RESTRIPIING FAIRMOUNT AVENUE BETWEEN I-8 RAMPS

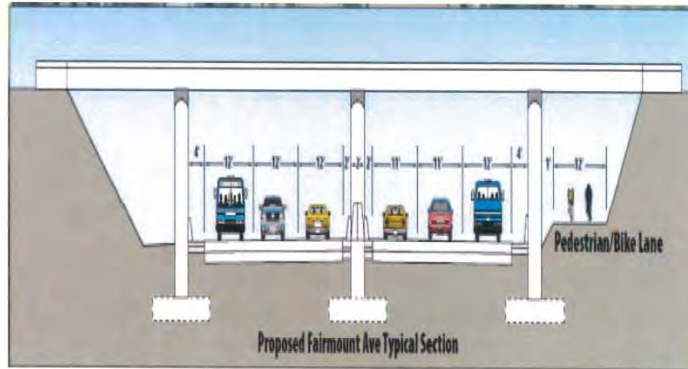
**DEPARTMENT:** TRANSPORTATION & STORM WATER

**PROJECT:** T-12A  
**COUNCIL DISTRICT:** 7  
**COMMUNITY PLAN:** NAVAJO

**DESCRIPTION:** THIS PROJECT WILL RESTRIPE THE EXISTING 4-LANE FAIRMOUNT AVENUE BETWEEN THE I-8 RAMPS TO ACCOMMODATE A 6-LANE ROADWAY. THE PROPOSED RESTRIPIING WILL REQUIRE THE USE OF SOME 11-FOOT AND 12-FOOT LANES. THIS WORK WILL ALSO INCLUDE THE CONSTRUCTION OF A CONCRETE BARRIER BETWEEN THE EXISTING BRIDGE COLUMNS AND THE INSTALLATION OF CRASH CUSHIONS.

**JUSTIFICATION:** THIS PROJECT WILL IMPROVE THE TRAFFIC FLOW AT THE INTERSTATE 8, FAIRMOUNT AVENUE AND MISSION GORGE ROAD INTERCHANGE. THIS PROJECT IS CONSISTENT WITH THE CITY'S GENERAL PLAN AND ROADWAY CLASSIFICATION REQUIREMENTS OF THE NAVAJO COMMUNITY PLAN AND IS NEEDED TO SERVE THE COMMUNITY AT FULL BUILDOUT.

**SCHEDULE:** THIS PROJECT WILL BE SCHEDULED WHEN FUNDING IS IDENTIFIED.



| FUNDING:    | SOURCE | EXPEN/ENCLUM | CONT APPR | FY 2015 | FY 2016 | FY 2017 | FY 2018 | FY 2019 | FY 2020 |
|-------------|--------|--------------|-----------|---------|---------|---------|---------|---------|---------|
| \$6,200,000 | UNIDEN |              |           |         |         |         |         |         |         |
| \$6,200,000 | TOTAL  | \$0          | \$0       | \$0     | \$0     | \$0     | \$0     | \$0     | \$0     |

S5-17  
Cont.

# Responses to Comments – State Agencies

FY 2015 Navajo Public Facilities Financing Plan

## CITY OF SAN DIEGO FACILITIES FINANCING PROGRAM

**TITLE:** FAIRMOUNT AVENUE/I-8 INTERCHANGE IMPROVEMENTS

**DEPARTMENT:** TRANSPORTATION & STORM WATER

**PROJECT:** T-12C

**CIP/WBS#:**

**COUNCIL DISTRICT:** 7

**COMMUNITY PLAN:** NAVAJO

**DESCRIPTION:** THIS PROJECT WOULD WIDEN FAIRMOUNT AVENUE TO 6 LANE MAJOR ARTERIAL STANDARDS FROM MISSION GORGE ROAD TO INTERSTATE 8 EASTBOUND RAMP. REALIGN FAIRMOUNT AVENUE TO EAST BOUND I-8 ON RAMP. REALIGN THE NORTH BOUND FAIRMOUNT AVENUE TO WEST BOUND I-8 RAMP. REALIGN THE EAST BOUND I-8 TO FAIRMOUNT AVENUE EXIT RAMP. AND WIDEN THE FAIRMOUNT AVENUE UNDERCROSSING. CONSTRUCT FREEWAY TO FREEWAY CONNECTOR STRUCTURE FROM SOUTH BOUND I-15 TO EAST BOUND I-8. CONSTRUCT A PEDESTRIAN/BIKE PATH THE EAST SIDE OF FAIRMOUNT AVENUE. INCLUDING A BIKE/PEDESTRIAN BRIDGE. ONE BUILDING AND ONSITE PARKING FOR ADJACENT BUSINESSES WILL BE IMPACTED WITH THIS WIDENING. NAVAJO'S FAIRSHARE OF THIS PROJECT IS 50% OR \$76,000,000.

**JUSTIFICATION:** THIS PROJECT WILL IMPROVE THE TRAFFIC FLOW AT THE INTERSTATE 8, FAIRMOUNT AVENUE AND MISSION GORGE ROAD INTERCHANGE. THIS PROJECT IS CONSISTENT WITH THE CITY'S GENERAL PLAN AND THE NAVAJO COMMUNITY PLAN AND IS NEEDED TO SERVE THE COMMUNITY AT FULL BUILDOUT.

**SCHEDULE:** DESIGN AND CONSTRUCTION WILL BEGIN ONCE FUNDING IS IDENTIFIED.



| FUNDING:             | SOURCE:      | EXPEN/ENCUM | CONT APPR | FY 2015 | FY 2016 | FY 2017 | FY 2018 | FY 2019 | FY 2020 |
|----------------------|--------------|-------------|-----------|---------|---------|---------|---------|---------|---------|
| \$152,000,000        | UNIDEN       |             |           |         |         |         |         |         |         |
| <b>\$152,000,000</b> | <b>TOTAL</b> | \$0         | \$0       | \$0     | \$0     | \$0     | \$0     | \$0     | \$0     |

S5-17  
Cont.

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**Response to Comment Letter S5**

**California Department of Transportation (Caltrans)**

**Maurice Eaton**

**June 16, 2017**

- S5-1** The comment is an introduction to comments that follow. No response is required.
- S5-2** The comment requests that revisions to the traffic technical report, Draft EIR Appendix K (“TIA”) and/or synchro files be submitted to Caltrans following revision. Any necessary revisions to the TIA or the synchro files will be included in the Final EIR and made available to Caltrans in advance of the California State University Board of Trustees hearing to consider approval of the proposed Project.
- S5-3** The comment states that Section 3.0 of the TIA does not include the eastbound I-8 exit ramp at Fairmount Avenue South signalized intersection and, therefore, impacts at this location were not addressed. However, as modified, the proposed Project (formerly Phase I) would add a maximum of 20 peak hour trips to the Fairmont / I-8 ramp intersection, which is less than the 50 peak hour trip threshold established by the San Diego Transportation Engineers Council (SANTEC) for conducting an analysis. (See TIA Figure 8-2, 20 PM peak hour eastbound trips at the Montezuma Road / Collwood Boulevard intersection.) Therefore, the amount of Project traffic that would be generated at this location does not warrant inclusion of this intersection in the analysis. (Note: The proposed Project has been modified to eliminate Phases II and III from the proposed development. See Final EIR, Preface. Therefore, comments regarding Phases II and III are no longer applicable.)
- S5-4** The comment states that the arrival speed at exit ramp entrances needs to be set at 55 miles per hour to assess impacts to the Interstate-8 (“I-8”) mainline. However, as modified, the proposed Project (formerly Phase I) would add a maximum of 15 peak hour trips to I-8 in either direction. (See TIA Figure 8-2, maximum of 75% of 20 trips at Montezuma Road / Collwood Boulevard intersection come from I-8 = 15 trips). The City of San Diego Traffic Impact Study Manual states that an analysis of freeways is required at “locations where the project adds 150 or more peak hour trips in either direction.” Under Caltrans Traffic Impact Study guidelines (page 2), a traffic study is required generally when a project would generate 50 or more peak hour trips. Since the proposed Project would add less than these amounts to I-8, a freeway mainline analysis is not warranted. (Note: The proposed Project has been modified to eliminate Phases II and III from the proposed development. See Final EIR, Preface. Therefore, comments regarding Phases II and III are no longer applicable.)

## Responses to Comments – State Agencies

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- S5-5** The comment states that the intersection of Lindo Paseo and College Avenue should be included in the Synchro simulation. However, the proposed Project would add less than 50 peak hour trips (the SANTEC and City of San Diego threshold for including an intersection in a study area) to the College Avenue / Lindo Paseo intersection. (See TIA Figure 8-1, which shows 0% traffic using the intersection.) Therefore, analysis of the intersection is not required.
- S5-6** The comment regards the geometry of southbound College Avenue to westbound Montezuma Road. The geometry of the Montezuma / College intersection was modified following completion of the EIR TIA. In response to the comment, both the TIA and the EIR traffic section have been revised to show the current southbound lane configuration of two left-turn lanes, one through lane and one shared through / right turn lane. No changes to the significant impact conclusion occurred as a result of the modifications.
- S5-7** The comment regards the geometry of southbound College Avenue to westbound Montezuma Road, specifically the double left-turn lane. The double left-turn lane, which was assumed in the analysis, is the correct existing geometry. Please also response to comment S5-6.
- S5-8** The comment states the “College Avenue alignment” does not represent actual existing conditions. However, the “alignment” of College Avenue is not utilized in the analysis.
- S5-9** The comment states the synchro files show the I-8 exit ramp to College Avenue as blocking the intersection, potentially leading to erroneous results. However, the analysis does not “allow traffic to block the intersection” as the comment assumes. Rather, the traffic volumes, geometry, and other roadway factors are coded into the Synchro software analysis as they exist in the field. The analysis will often show that, due to high volumes and/or insufficient capacity, queues back into adjacent intersections, although the analysis inputs do not “allow” any intersection blocking.
- S5-10** The comment states the SimTraffic Intervals peak hour is set to 10 minutes and should be 60 minutes. However, SimTraffic is a simulation software that is not used to conduct level of service analysis; rather, Synchro software was utilized to conduct the analysis. Accordingly, the traffic engineer, Linscott Law & Greenspan, did not utilize SimTraffic for the EIR nor “set” the peak hour intervals.
- S5-11** The comment raises questions regarding the existing traffic counts. The traffic counts used in the TIA and EIR were conducted in 2016 by Accurate Video Counts (“AVC”), a local traffic count firm that has conducted counts at thousands of intersections throughout Southern California. The counts were conducted when area

## Responses to Comments – State Agencies

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schools and SDSU were in session. In response to the comment, the existing traffic counts utilized in the TIA were checked and found to match the AVC counts, which are included in the TIA appendices.

- S5-12** The comment is similar to comment S5-11. Please see the response to comment S5-11 for information responsive to this comment.
- S5-13** The comment requests that a queue analysis be conducted. However, neither Caltrans, SANTEC, nor the City of San Diego traffic study guidelines require preparation of a queue analysis. Additionally, none of these entities have established thresholds of significance for queuing. Therefore, any analysis would be for information purposes only and is not warranted.
- S5-14** The comment states that Caltrans views all transportation improvements as opportunities to improve safety, access and mobility for all travelers and recognizes bicycle, pedestrian, and transit modes as integral elements of the transportation system. Because the comment does not raise an issue regarding the adequacy of the Draft EIR, no response is required or can be provided. However, the comment, as all of Caltrans comments, will be included as part of the record and made available to the decision makers prior to a final decision on the Project.
- S5-15** The comment asks that the TIA reference the final draft of the I-8 Corridor study completed by SANDAG. In preparing the TIA, LLG did review the August 2016 version of the I-8 corridor report as is discussed in Section 4.1 of the TIA.
- S5-16** The comment states that Caltrans endeavors that significant impacts to the State Highway System be eliminated or reduced to less than significant. In this case, the TIA determined that the proposed Project would not result in significant impacts to Caltrans facilities. Therefore, mitigation measures are not required.
- S5-17** The comment lists possible projects for impacts to state facilities. Please see the response to comment S5-16 for information responsive to this comment.
- S5-18** The comment states that Caltrans seeks to reduce new vehicle miles travelled (“VMT”) associated with new development and recommends measures to reduce VMT. SDSU also seeks to reduce VMT and utilize Transportation Demand Management (“TDM”) measures to decrease trip generation and VMT. The SDSU New Student Housing project will serve to reduce overall VMT by eliminating the commute trip to campus for a portion of SDSU students. In addition, features of the proposed Project, as well as existing operations at SDSU, include and implement several TDM strategies to reduce VMT. For a description of those measures, please see the responses to the comment letter submitted by the San Diego Association of Governments, Letter L-3, included in this Final EIR.

## **Responses to Comments – State Agencies**

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**S5-19** The comment states that any work performed within the Caltrans right-of-way will require an encroachment permit. The comment is noted.

**S5-20** The comment is a concluding comment and no response is required.