

Proposed DEIR comments:

Towne Centre View Draft Environmental Impact Report

UCPG TCV Subcommittee: Collected Comments.

1) Project Landscaping Plan.

The DEIR addresses landscaping in section 3 pages 8-9.

The UCPG strongly supports the project's use of native plants in project landscaping throughout the site. This is an important step toward preservation and enhancement of biodiversity and environmental resilience in the city and in its MHPA in particular.

The UCPG recommends that the project plant palette remove Chinese Elm.

2) Conveyance of Open Space to City of San Diego.

UCPG supports the establishment of conservation easements and conveyance of 3.9 acres of on-site MHPA to the city's MHPA through transfer in fee simple and/or dedication.

UCPG recommends that the city Parks and Recreation Department Open Space Division Deputy Director approve the transfer and dedication of on-site MHPA to the city preserve.

UCPG supports addition of open space easements and conveyance of 3.9 ac to City MHPA.

The dedication should take place as part of the approval of the project.

3). Range of feasible alternatives:

The UCPG agrees with the California Department of Fish and Wildlife (CDFW) in its scoping comment letter of 5/5/21 that the TCV EIR should include a range of feasible alternatives to ensure that alternatives to the Project are fully considered and evaluated.

The UCPG recommends that these alternatives include **a reduced parking option that *eliminates or substantially rescales the parking structure in the SE corner of the project.*** This option would address impacts to visual resources, transportation, and assure that the project successfully contributes to the city's critical climate action goals.

4) Visual Impacts

The FEIR should study a feasible alternative designed to reduce impacts to public views of Coastal Zone, Ocean, and Sorrento Valley from Towne Center Drive.

UCPG recommends that the FEIR should study project alternatives that do not include the proposed parking garage at the SE corner of the project site.

The proposed parking will have significant visual, aesthetic, and scenic impacts by obstructing a scenic vista across nearly four miles of the State Coastal Zone, including the Sorrento Valley, Peñasquitos Lagoon and Pacific Ocean. This is one of the few – if not the only – publicly accessible views of the Ocean in the University Community east of Interstate 5 or outside of the Coastal Zone.

This vista and surrounding canyon vistas offered from public rights of way are listed as a “scenic resource” on page 221 of the *University Community Plan*, 1987.

The FEIR should study project alternatives that avoid un-mitigatable impacts to scenic views of Sorrento Valley, the Ocean, and Coastal Zone from the public right of way on Towne Center Drive.

5) Transportation/Mobility: Parking

The Project should reduce the proposed number of parking spaces. The DEIR indicates that the project will include 2,500 spaces for an estimated employment of 3,000 people, a ratio of 5:6 or 1 car per every 1.2 employees.

Reduction of parking is the single most concrete step that project can take in reducing actual automobile reliance and vehicle miles traveled as a result of this project.

Given its actual distance from accessible transit, the proposed Project is likely (absent reduced parking) to remain reliant on automobile transportation at ratios far exceeding Climate Action Plan targets (2020 or 2035), which reflect critical state and global needs.

Therefore, the FEIR should reduce the number of proposed parking spaces and evaluate project designs with alternative parking ratios designed to encourage alternative (non-automobile) modes of transportation including minimum parking ratios.

The DEIR addresses paid parking on page 5.2-30 as one of the required TDM measures. The project should ensure that paid parking is not circumvented by tenants reimbursing employees for parking. *This restriction should be written into lease agreements with tenants.*

6) Transportation Mode Share: Meet CAP targets for 2020 and 2035

Project should plan to meet the Mode share targets for 2020 AND 2035 as set forth by the City of San Diego Climate Action Plan.

The CAP illustrates the need to shift transportation mode share city-wide through conformance with Climate Action Plan targets. This is especially critical for “Urban Village” employment hubs such as UTC. If projects in this transit rich area do not meet mode share goals, the city will not meet its CAP goals and it will fail beyond that to address the climate crisis that the CAP reflects. Reduced auto, and increased bicycle and transit mode share is essential to shifting mode

share overall. The project should at minimum meet mode share goals for 2020. Given the expectation that the project will not be completed for a number of years, the FEIR should explain why it may not be appropriate to plan to meet mode share targets for 2035.

The San Diego Climate Action Plan highlights the importance of meeting mode share targets. For Mode Share Targets see: <https://www.climateactioncampaign.org/mode-share-report>, tables 1 and 2.

7) Add Rooftop Solar Panels

The Project should include the installation of photo-voltaic panels on rooftops, as well as parking areas and other structures.

8) All Electric Buildings.

Design buildings to be fully electric with the exception of gas utilities necessary for laboratory tenants.

9) Sustainable Building: LEED Gold

UCPG recommends that the project meet at minimum LEED Gold status.

10) Biological Resources

a). Edge effects - Unauthorized Entry

Appropriate fencing and signage should be used to **prevent unauthorized access** to the MHPA from the whole perimeter of the project site. This comment reinforces that scoping comment of the CDFW (5/5/21).

aa) Light impacts:

The DEIR addresses lighting in section 3.2.4 on page 3-11.

The FEIR should confirm that the project will use *fully* shielded outdoor lighting to prevent light overspill into MHPA/adjoining lands.

The project should eliminate or mitigate indoor lighting shining at night from the interior of buildings. Consider automatic indoor shades to prevent night lighting from attracting nighttime bird strikes, especially during migration.

b). Habitat Fragmentation:

The UCPG agrees with the CDFW (5/5/21): To avoid habitat fragmentation of the MHPA, fencing around the site's perimeter should be designed to **keep people out, but to allow wildlife to move through** it.

c). Direct and indirect impacts to sensitive, rare or threatened species *immediately adjacent to the Project site.*

The FEIR should include a full survey of **adjacent areas** and **adjoining habitat lands** that could be affected by direct or indirect impacts of the project.

This survey should include specific assessment of species mentioned in the CDFW scoping comments, as well as **Orange Throated Whiptail** lizard, which exists on the slopes immediately to the east and west of the site.

The project sits atop a mesa surrounded by MHPA lands on steep slopes that include a variety of rare and or sensitive species. Biological assessment and prior survey by CDFW reveal that a number of these species and habitat areas are immediately adjacent to and downhill of the project site. E.g., location of California Gnatcatchers, San Diego Barrel Cactus, and Wart Stemmed Ceanothus – reported within 40 feet of the project site. Given the circumstances and proximity of rare and sensitive species, the F-EIR should discuss potential and foreseeable impacts to these species **in adjacent and adjoining areas** and specific mitigation for these impacts.

This reinforces the comment of CDFW (5/5/21) that the DEIR should include discussion of impacts to biological resources and rare and sensitive species in “**adjacent areas that could also be affected by the Project.**” And in “**adjoining habitat areas...** where site activities could lead to direct or indirect impacts off site.”

The Alden Biology Letter Report notes that the DEIR includes a “**survey of existing resources on 20 acres to be developed**”.

d). Impacts to sensitive, rare or threatened species: California Gnatcatcher

The project should follow CDFW and City guidelines to avoid impacts of construction to nesting birds, including raptors and passerines such as the California Gnatcatcher.

Given the identified presence of at least four California Gnatcatchers on the surrounding perimeter of the project site, the UCPG recommends that the project avoid construction during nesting season.

e). Direct and indirect impacts to sensitive, rare or threatened species: Impacts to San Diego Barrel Cactus

The DEIR reveals at least 20 sensitive San Diego Barrel Cactus immediately to the west of the Project boundary and the proposed Brush Management Zone 2 in the SE corner area of the project adjoining Building E (Biology Letter Report, Figure 3).

The FEIR should ensure that there are **no individual San Diego Barrel Cactus in this cluster of twenty that are on the project site**, and it should disclose potential impacts and mitigation strategies to protect them.

The FEIR should outline potential impacts and mitigation for impacts to Barrel Cactus off-site that are within feet of the project and BMZ 2 boundaries. Good sense indicates that brush management on a steep and unmarked chaparral slope immediately adjacent to these identified species may very likely impact them. The DEIR claims that because these plants are outside the project boundary, **“impacts to this species will not occur.”** This claim is not fully creditable.

The FEIR should outline the potential impacts of immediately adjacent Brush Management activities and strategies intended to mitigate them.

This reinforces the recommendation of the CDFW that “the DEIR should include a discussion regarding indirect Project impacts on biological resources, including resources in nearby public lands, open space, adjacent natural habitats, riparian ecosystems, and any designated and/or proposed or existing reserve lands” (5)

In the SE area adjoining the identified population of Barrel Cactus, the project **should carefully identify the project boundaries and the edges of Brush Management Zone 2** to ensure that BMZ activities do not extend beyond the project site and have unintended impacts on sensitive species located immediately adjacent to or on the project boundary.

The UCPG recommends that the Project revise and withdraw ‘Brush management’ to within the retaining walls of the project.

f). Impacts to sensitive, rare or threatened species: Nuttall’s Scrub Oak.

Avoid impacts to Nuttall’s Scrub Oak in Brush Management activities. The proposed Brush Management Zone 2 in the SE corner of the project site includes Nuttall’s Scrub Oak which is not shown in figure 3 of the Biology Letter Report. FEIR should discuss potential impacts and mitigation for this sensitive species inside the proposed BMZ2.

g.) Impacts to sensitive, rare or threatened species: Wart Stemmed Ceanothus.

CDFW reports an observation of Wart Stemmed Ceanonthus within 40 feet of the project site, however this species is not shown in the Biology Letter Report.

UCPG supports the recommendation of the CDFW (5/5/21) that the FEIR should survey lands adjoining the project site for this species and disclose potential impacts of the project and strategies to mitigate them.

i). Adjacent Resources – Vernal pool impacts

Evaluate and avoid impacts to disturbed vernal pool in the MHPA lands immediately adjoining the site, east of the proposed parking garage. See pool visible in photo 29, (Figure 3, Biological

Letter Report). This site should be surveyed for vernal pool species listed in attachment D of the Biological Letter Report.

j. Impacts of Fuel Modification – Brush Management

The DEIR discusses Brush Management on pages 3-9 and 3-10.

The FEIR should confirm that **no Brush Management activities will take place in the MHPA** on or off the project site.

Given the proximity of sensitive species on site and in un-surveyed areas immediately adjacent to the project site, UCPG recommends that **brush management activities be confined to the retaining walls surrounding the project site**, and/or that **modifications be made to retaining walls to allow removal of BMZ outside the walls**.

k). Invasive Species – removal of existing invasive plants and prevention of future use

The Project should avoid using any and all invasive materials, including plants listed on CNPS list of invasive species.

In addition, the Project should commit to **removing the existing invasive plant species** that exist on the project site and those which have escaped from the project site into adjoining public lands, which are part of the City MHPA.

These invasive plant impacts were caused by the management of this property, and they are the responsibility of the current property owner to redress. They should be resolved with the completion of this project.

This includes especially invasive plants in those areas marked as “ornamental” in Biology Letter Report, Figure 3, in particular highly invasive Pampas Grass which is widespread through this area as well as in the area described as BMZ2 along the west facing slope at the SE corner of the property.

Remove Pampas Grass: All Pampas Grass on site and in adjoining lands down slope where it has escaped from this property should be removed as a condition of this project.

l). Bird Strikes:

The project should eliminate potential bird strikes.

The Project includes five buildings up to 95 feet in height on a narrow headland surrounded by City of San Diego MHPA. Adjoining lands are well frequented by MHPA covered species, including Cooper's Hawk, Harrier, and federally threatened California Gnatcatcher.

Project design should carefully follow the recommendations of the CDFW to avoid direct impacts to birds:

“Bird Safe Architecture: further avoidance of direct impacts to birds, particularly migratory species, can be achieved through incorporation of “bird safe” elements in architectural design. Elements such as glazed windows, well-articulated building facades, and minimal nighttime lighting are encouraged to reduce collisions of migratory birds with buildings. Large flat windows, reflective glass, and transparent corners are strongly discouraged. CDFW recommends that the City follow as many of these guidelines as appropriate when considering structure design, as described in San Francisco’s Standards for Bird Safe Buildings (the document can be found online at: https://sfplanning.org/sites/default/files/documents/reports/bird_safe_bldgs/Standards%20for%20Bird%20Safe%20Buildings%20-%2011-30-11.pdf).

m). Noise impacts

Because of the location of the project in the midst of MHPA habitat preserve, the project should avoid amplified events throughout the project area to avoid noise impacts on adjoining habitat lands. This restriction should be written into lease agreements with tenants.

n). Non-lethal removal of snakes

The project should prohibit lethal removal of snakes that enter the project site. Development of the project in the midst of MHPA lands ensure that wildlife, including reptiles, will enter the project site. The project should commit to non-lethal removal of these creatures. This restriction should be written into lease agreements with tenants.

o). Avoid use of rodenticide

To prevent lethal impacts to raptors and other predatory wildlife, the project should commit to avoid the use of rodenticides for pest control. This restriction should be written into lease agreements with tenants.