

RESOLUTION NO. 2018-021

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA MESA  
CERTIFYING THE FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT  
REPORT (SEIR), RELATED TO THE CITY OF LA MESA CLIMATE ACTION  
PLAN (CAP)

---

WHEREAS, the City of La Mesa (City) has prepared a Climate Action Plan (CAP) to implement California Code of Regulations Title 14 (CEQA Guidelines), Section 15183.5, Tiering and Streamlining the Analysis of Greenhouse Gas Emissions, which provides that a lead agency may analyze and mitigate the significant effects of greenhouse gas emissions at a programmatic level;

WHEREAS, the Climate Action Plan implements City of La Mesa General Plan Environmental Impact Report (EIR) Mitigation Measure GHG-1, to develop and adopt a Climate Action Plan (CAP). The referenced mitigation measure states that the City shall prepare and adopt a plan to reduce GHG emissions (i.e. a CAP) that complies with the requirements of CEQA Guidelines Section 15183.5;

WHEREAS, a Supplemental Environmental Impact Report (SEIR) was prepared in accordance with the requirements of the California Environmental Quality Act (CEQA) to fully evaluate the impacts of the CAP;

WHEREAS, the SEIR determined that, with the exception of certain air quality impacts and cumulative impacts, the CAP will have less than significant impacts on the environment with the application of identified mitigation measures;

WHEREAS, the air quality impacts and cumulative impacts cannot be mitigated to a level of insignificance, therefore, a Statement of Overriding Considerations and specific findings were prepared to identify specific overriding economic, social, environmental, and other benefits of the Project that outweigh the significant and unavoidable adverse effects on the environment;

WHEREAS, the City made the Draft SEIR available for public review and comment as required by law in November 2017;

WHEREAS, the City received comment letters concerning the Draft SEIR from several agencies, organizations, and individuals and the comment letters and, pursuant to CEQA Guidelines Section 15088, the City prepared written responses to all comments received on the Draft SEIR during the public comment period which raised environmental issues;

WHEREAS, the City has determined that the comments received on the Draft SEIR did not contain any significant new information within the meaning of CEQA Guidelines Section 15088.5 and therefore recirculation of the Draft SEIR is not required;

WHEREAS, the City has prepared a Final SEIR which contains the information required by CEQA Guidelines Section 15132, including the Draft SEIR and the revisions and additions thereto, technical appendices, public comments and the City's responses to public comments on the Draft SEIR, and which has been filed with the City Clerk;

WHEREAS, pursuant to CEQA Guidelines Sections 15091, 15093 and 15097, the City has prepared Findings of Fact and a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program, which have been filed with the City Clerk;

WHEREAS, the Environmental Sustainability Commission of the City held a duly noticed public hearing on January 16, 2018, and invited public testimony in considering the Draft CAP and the related environmental review documentation, and recommended that the Planning Commission recommend City Council adoption of the Draft CAP;

WHEREAS, the Planning Commission of the City held duly noticed public hearings on February 7, 2018, and February 21, 2018, received a staff report, considered public testimony and the written record for the Draft CAP, the SEIR, and related documents, and recommended that the City Council certify the SEIR, adopt a Statement of Overriding Considerations, adopt the Mitigation Monitoring and Reporting Program, and adopt the Draft CAP;

WHEREAS, the City Council of the City of La Mesa held a duly noticed public hearing on March 13, 2018, and invited public testimony in considering the Draft CAP and the related environmental review documentation; and

WHEREAS, having reviewed and considered all testimony and materials made available to the City Council, including but not limited to the Final SEIR, the staff reports and all the testimony and evidence in the record of the proceedings with respect to the Draft CAP, the City Council took the actions hereinafter set forth.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED, BY THE CITY COUNCIL OF THE CITY OF LA MESA AS FOLLOWS:

1. The foregoing findings of fact and determinations are true and hereby made a part thereof.
2. Pursuant to CEQA Section 15090, the City Council hereby certifies that:
  - a) The Final SEIR has been completed in compliance with CEQA;
  - b) The Final SEIR was presented to the City Council and the City Council reviewed and considered the information contained in the Final SEIR prior to approving the project; and
  - c) The Final SEIR reflects the City Council's independent judgment and analysis.
3. The City Council further finds and determines that the proposed Climate Action Plan is approved despite the existence of certain significant environmental effects identified in the Final SEIR and, pursuant to Public Resources Code Section 21081 and CEQA Guidelines Section 15091, the City Council hereby makes and adopts the findings with respect to each significant environmental effect as set forth in the Findings of Fact, appended hereto as Exhibit "A" and made a part hereof by this reference, and declares that it considered the evidence described in connection with each such finding.

4. The City Council further finds and determines that the Climate Action Plan is approved despite the existence of certain unavoidable significant environmental effects identified in the Final SEIR, and, pursuant to Public Resources Code Section 21081(b) and CEQA Guidelines Section 15093, the City Council hereby makes and adopts the Statement of Overriding Considerations appended hereto as Section 5 of Exhibit "A" and made part hereof by this reference, and finds that such effects are considered acceptable because the benefits of the Climate Action Plan outweigh the unavoidable environmental effects.
5. Pursuant to Public Resources Code Section 21081.6 and CEQA Guidelines Section 15091(d), the City Council hereby adopts and approves the Mitigation Monitoring and Reporting Program, which is appended hereto as Exhibit "B" and is made a part hereof by this reference, with respect to the significant environmental effects identified in the Final SEIR, and hereby makes and adopts the provisions of the Mitigation Monitoring and Reporting Program as conditions of approval for the Climate Action Plan.
6. Pursuant to Public Resources Code Section 21152 and CEQA Guidelines Section 15094, the City Clerk shall cause a Notice of Determination to be filed with the Clerk of the County of San Diego with respect to the Final SEIR and the Climate Action Plan.
7. The records of the CEQA proceedings upon which this decision is based shall be kept at the City of La Mesa's offices located at 8130 Allison Avenue, La Mesa, CA 91942 and the custodian of such records shall be the City Clerk.

PASSED AND ADOPTED at a Regular meeting of the City Council of the City of La Mesa, California held the 13th day of March, 2018, by the following vote, to wit:

AYES: Councilmembers Alessio, Baber, McWhirter, Parent and Mayor Arapostathis

NOES: None

ABSENT: None

#### CERTIFICATE OF CITY CLERK

I, MEGAN WIEGELMAN, City Clerk of the City of La Mesa, California, do hereby certify the foregoing to be a true and exact copy of Resolution No. 2018-021, duly passed and adopted by the City Council of said City on the date and by the vote therein recited.



MEGAN WIEGELMAN, CMC, City Clerk

(SEAL OF CITY)

**EXHIBIT A**

**CEQA Findings of Fact and**

**Statement of Overriding Considerations  
of the Climate Action Plan**

**Supplemental Environmental Impact Report**

# TABLE OF CONTENTS

<b>1</b>	<b>INTRODUCTION.....</b>	<b>1-1</b>
1.1	Environmental Review Process.....	1-2
1.2	Location and Custodian of Record of Proceedings.....	1-3
<b>2</b>	<b>PROJECT DESCRIPTION .....</b>	<b>2-1</b>
2.1	Project Background.....	2-1
2.2	Project Goals and Objectives.....	2-1
2.3	Project Characteristics.....	2-2
	2.3.1 CAP Approach.....	2-2
	2.3.2 CAP Reduction Strategies and Measures.....	2-2
<b>3</b>	<b>FINDINGS REQUIRED UNDER CEQA .....</b>	<b>3-1</b>
3.1	Summary of Findings.....	3-2
	3.1.1 Findings Regarding the Errata to Final SEIR.....	3-2
	3.1.2 Findings Regarding Less-than-Significant Impacts (No Mitigation Required) .....	3-3
	3.1.3 Findings Regarding Significant Environmental Impacts Mitigated to a Less-than-Significant Level .....	3-6
	3.1.4 Findings Regarding Significant and Unavoidable Environmental Impacts .....	3-15
	3.1.5 Findings Regarding Cumulative Impacts.....	3-16
<b>4</b>	<b>PROJECT ALTERNATIVES .....</b>	<b>4-1</b>
4.1	Alternative 1: No Project – NO CAP .....	4-1
4.2	Alternative 2: CAP without Measure E-9 .....	4-1
4.3	Alternative 3: No Project – 2020 CAP.....	4-2
4.4	Findings.....	4-3
<b>5</b>	<b>STATEMENT OF OVERRIDING CONSIDERATIONS.....</b>	<b>5-1</b>
<b>6</b>	<b>REFERENCES .....</b>	<b>6-1</b>

## LIST OF TABLES

Table 3-1. Environmental Impacts Found Less than Significant (No Mitigation Required).....	3-3
Table 3-2. Environmental Impacts Mitigated to a Less-than-Significant Level.....	3-6
Table 4-1. Comparison of the Impacts of the Proposed Project with Those of the Alternatives.....	4-4

# ACRONYMS AND ABBREVIATIONS

AB	Assembly Bill
ARB	California Air Resources Board
CAP	Climate Action Plan
CCA	community choice aggregation
CEQA	California Environmental Quality Act
City	City of La Mesa
CNEL	community noise equivalent level
CO	carbon monoxide
CO	carbon monoxide
CRHR	California Register of Historical Resources
dBA	A-weighted sound levels
ZNE	Zero Net Energy Construction
CCA Program	Community Choice Aggregation Program
EIR	Environmental Impact Report
Final SEIR	Final Supplemental Environmental Impact Report
General Plan	La Mesa Centennial General Plan
General Plan EIR	General Plan Final Environmental Impact Report
GHG	greenhouse gas
Local CEQA Guidelines	City of La Mesa Local Guidelines for the Implementation of the California Environmental Quality Act
MMRP	mitigation monitoring and reporting program
MT CO <sub>2</sub> e	metric tons of carbon dioxide equivalent
NAHC	Native American Heritage Commission
NOP	notice of preparation
NO <sub>x</sub>	nitrogen oxides
NRHP	National Register of Historic Places
PM	particulate matter
PM <sub>10</sub>	respirable particulate matter with an aerodynamic diameter of 10 microns or less
PM <sub>2.5</sub>	respirable particulate matter with an aerodynamic diameter of 2.5 microns or less
RAQS	Regional Air Quality Strategy
ROG	reactive organic gases
RPS	Renewable Portfolio Standard
RTP	Regional Transportation Plan
SANDAG	San Diego Association of Government
SB	Senate Bill
SDAPCD	San Diego Air Pollution Control District
SDG&E	San Diego Gas and Electric Company
SEIR	Supplemental Environmental Impact Report

# 1 INTRODUCTION

The purpose of these findings is to satisfy the requirements of Sections 15091, 15092, and 15093 of the California Environmental Quality Act (CEQA) Guidelines, associated with approval of the *City of La Mesa Climate Action Plan (CAP)*, referred hereafter as the proposed project.

The CEQA Statutes (California Public Resources Code Sections 21000, et seq.) and Guidelines (California Code of Regulations, Title 14, Sections 15000, et seq.) state that if it has been determined that a project may or will have significant impacts on the environment, then an Environmental Impact Report (“EIR”) must be prepared. Prior to approval of the project, the EIR must be certified pursuant to CEQA Guidelines Section 15090. When an EIR has been certified which identifies one or more significant environmental impacts, the approving agency must make one or more of the following findings, accompanied by a brief explanation of the rationale, pursuant to CEQA Guidelines Section 15091, for each identified significant impact:

1. Changes or alterations have been required in, or incorporated into, such project which avoid or substantially lessen the significant environmental effect as identified in the final environmental impact report.
2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency, or can and should be adopted by such other agency.
3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the environmental impact report.

CEQA Guidelines Section 15092 states that after consideration of an EIR, and in conjunction with making the Section 15091 findings identified above, the lead agency may decide whether or how to approve or carry out the project. A project that would result in a significant environmental impact cannot be approved if feasible mitigation measures or feasible alternatives can avoid or substantially lessen the impact.

However, in the absence of feasible mitigation, an agency may approve a project with significant and unavoidable impacts, if there are specific economic, legal, social, technological, or other considerations that outweigh the unavoidable adverse environmental effects. Section 15093 requires the lead agency to document and substantiate any such determination in a “statement of overriding considerations” as a part of the record.

The Final Supplemental Environmental Impact Report (State Clearinghouse No. 2012061053) (Final SEIR) for the City of La Mesa CAP, which is incorporated by reference as if fully set forth herein, identifies significant environmental impacts which, prior to mitigation, may occur as a result of implementing the CAP and subsequent actions consistent with the CAP. Thus, in accordance with the provisions of CEQA, the CEQA Guidelines, and the City of La Mesa Local Guidelines for the Implementation of the California Environmental Quality Act (“Local CEQA Guidelines”), the City hereby adopts these Findings of Fact.

## 1.1 ENVIRONMENTAL REVIEW PROCESS

On July 9, 2013, the City of La Mesa (City) adopted the *La Mesa Centennial General Plan* (General Plan) and certified the *City of La Mesa 2012 General Plan Final Environmental Impact Report* (State Clearinghouse Number 2012061053) (General Plan EIR), which assessed the potential environmental impacts of implementing the City General Plan. The SEIR supplements the previously certified General Plan EIR per CEQA Guidelines Sections 15162 and 15163. This includes changes in the environmental and regulatory setting, potential environmental effects associated with the City's CAP as implementation of the General Plan, and the application of the General Plan Mitigation Measure GHG-1 to a longer-term reduction target consistent with the City's General Plan and relevant State guidance.

A notice of preparation (NOP) on the SEIR was prepared that requested comments from affected agencies and the public regarding the scope and content of the SEIR. The City of La Mesa circulated an NOP for this SEIR starting on May 11, 2017 and ending on June 12, 2017.

In addition, the City invited additional comments on the scope of the SEIR at public meeting held on May 31, 2017 at 6:00 p.m. in the City Council Chambers at the La Mesa City Hall, 8130 Allison Avenue in La Mesa. Appendix A of the Draft SEIR includes each comment received on the NOP, along with comments received at the scoping meeting. Comments are summarized in Chapter 1, "Introduction," of the Draft SEIR along with a description of how relevant comments have been incorporated into the CAP and SEIR.

The City contacted the Native American Heritage Commission (NAHC), and requested a tribal consultation list. In their response dated July 25, 2017, the NAHC provided a list of Native American tribes that might have knowledge of any traditional lands or cultural resources in the city, including Tribal Cultural Resources. After describing the nature of the CAP, Native American representatives indicated that they do not have further comment.

The Draft SEIR (original State Clearinghouse Number 2012061053) was received by the State Clearinghouse and circulated for a 45-day public review period from November 30, 2017 until January 17, 2018. The City received five written letters on the circulated SEIR. Chapter 2, "Responses to Comments on the Draft SEIR" of the Final SEIR includes responses to all comments (as required by the CEQA Guidelines Section 15132).

A mitigation monitoring and reporting program (MMRP) was prepared for the proposed project, and approved by Resolution No. 2018-021 (see Public Resources Code Section 21081.6, subd. [a][1]; CEQA Guidelines Section 15097). The City of La Mesa will use the MMRP to track compliance with mitigation measures. The MMRP will remain available for public review during the compliance period.

The Final SEIR was released on February 21, 2018. The Final SEIR consists of the Draft EIR dated November 30, 2017; Comments and Responses to Comments on the Draft SEIR, dated February 2018; an Errata to the Draft SEIR; and a Mitigation Monitoring and Reporting Program.

As required by CEQA Guidelines Section 15088(b), public agencies that commented on the Draft EIR and Recirculated Draft EIR were provided at least 10 days to review the proposed responses prior to the date for consideration of the Final SEIR for certification. A hearing to certify the Final SEIR was held on March 13, 2018.

## **1.2 LOCATION AND CUSTODIAN OF RECORD OF PROCEEDINGS**

The custodian of the documents and other materials that constitute the record of proceedings is the City of La Mesa City Clerk, located at 8130 Allison Avenue, La Mesa, CA 91942. Copies of all these documents, which constitute the record of proceedings upon which the City's decision is based, are, and at all relevant times have been, available upon request at the offices of the City, the custodian for such documents.

This page intentionally left blank.

## 2 PROJECT DESCRIPTION

### 2.1 PROJECT BACKGROUND

In June 2015, a draft 2020 CAP was presented to the City's Planning Commission. The Planning Commission directed staff to conduct additional community outreach on potential measures to mitigate climate change. The City conducted additional public outreach through an online survey and the City's Connect La Mesa Block Party in November 2015.

The City decided to additionally pursue a 2035 GHG reduction strategy to coincide with the General Plan planning horizon, as well as demonstrate consistency with the State's own longer-term reduction targets. In March 2016, the City Council approved additional funds to revise the CAP to consider the following additions:

- ▶ Estimate community-wide emissions through a 2035 horizon year to align with buildout of the City's General Plan and demographic growth estimates included in San Diego Association of Governments' (SANDAG's) Regional Transportation Plan.
- ▶ Provide revised emissions inventory that includes 2035 business-as-usual forecast calculations and supporting assumptions.
- ▶ Estimate state-wide reductions through the 2035 horizon year to demonstrate progress towards the City's 2035 emissions target. The projection of emissions to this future year will allow the City to compare local emissions and reduction targets to longer-term statewide target years.
- ▶ Develop assumptions to estimate the reduction benefits of statewide measures beyond 2020 through the 2035 horizon year based on new information made available by the California Air Resources Board.
- ▶ Develop new reduction measures, as well as identify any appropriate revisions to existing draft measures to increase their long-term reduction potential.

A series of public presentations were held in August and September of 2016 to solicit input from its residents, employees, and businesses.

### 2.2 PROJECT GOALS AND OBJECTIVES

The City's CAP represents a roadmap by which La Mesa can reduce its contributions of GHG emissions through the development of strategies that are informed by the community's goals, values, and priorities. Throughout California, communities are developing CAPs to support the State's broad climate protection efforts, while simultaneously advancing local initiatives to improve community health and safety, reduce transportation and utility costs, facilitate locally beneficial development projects, and enhance collaboration on regional planning strategies.

The purpose of the CAP is to comprehensively describe the City's strategy to reduce GHG emissions. The CAP presents reduction targets, specific reduction strategies and measures the City will undertake, and quantification of CAP emissions reductions. The CAP allows the City to demonstrate that the local reduction targets are consistent with the State's own GHG emission goals. These goals for the State to implement are embodied in

Assembly Bill (AB) 32 (2006); the California Global Warming Solutions Act of 2006, which requires reduction of statewide GHG emissions to 1990 levels by 2020; as well as Senate Bill 32 (SB 32), which establishes a goal of 40 percent below 1990 statewide emissions levels by 2030; and Executive Order S-3-05, which establishes a goal of 80 percent below 1990 statewide emissions levels by 2050.

The CAP implements the City's General Plan EIR Mitigation Measure GHG-1. The objectives of the proposed project are as follows:

- ▶ estimate GHG emissions under baseline (2010) and future conditions (2020 and 2035);
- ▶ present reduction targets consistent with State law and court direction;
- ▶ evaluate the City's progress toward meeting the targets through emission reduction strategies, and include a mechanism to monitor progress toward the City's targets and make adjustments to the reduction strategies, if necessary, to achieve the CAP's targets; and
- ▶ provide a process for projects consistent with the CAP to undergo a streamlined analysis and mitigation of GHG emissions under CEQA consistent with the tiering and streamlining provisions of Section 15183.5 of the CEQA Guidelines.

## **2.3 PROJECT CHARACTERISTICS**

The CAP reduction strategies and measures provide tools to meet the City's goal of reducing GHG emissions by 15 percent below 2010 levels by 2020 and to 3.46 metric tons of carbon dioxide equivalent (MT CO<sub>2</sub>e) per capita by 2035. The City has further set a goal of reducing GHG emissions to 2.0 MT CO<sub>2</sub>e per capita by 2050 to demonstrate the City's commitment to California's long-term GHG goal. The following section presents the City's approach to the CAP and summarizes CAP emissions reduction strategies and measures.

### **2.3.1 CAP APPROACH**

The City has developed a comprehensive approach to reducing long-term GHG emissions, consistent with the City's General Plan, the General Plan EIR Mitigation Measure GHG-1, and consistent with the State's own emission reduction goals and targets. The CAP includes new reduction measures that would apply to new development, to existing development, to the City's actions and operations, and to regional cooperatives. The CAP details existing programs that have been effective in reducing GHG emissions, and identifies the likely future benefit of these programs, and expansions to these programs. The CAP includes new measures, developed in an inclusive public process, and informed by a Draft 2020 Climate Action Plan, which was circulated for public review in 2015, as well as comments on the Draft 2020 Climate Action Plan.

### **2.3.2 CAP REDUCTION STRATEGIES AND MEASURES**

The CAP is organized into reduction strategies that consist of a collection of reduction measures related to a certain emissions source area or topic. The emission reduction strategies are as follows:

- ▶ The **Energy Strategy** recommends ways to increase energy efficiency in existing buildings and outdoor lighting, as well as increase use of renewable, low-GHG energy sources.

- ▶ The **Transportation and Land Use Strategy** encourages greater use of multi-modal transportation options, including walking, biking, and transit through land use, design, infrastructure development, and demand management. This strategy also lays the foundation for future transitions toward alternative-fueled vehicles.
- ▶ The **Water Strategy** promotes the efficient use of water in buildings and landscapes.
- ▶ The **Solid Waste Strategy** increases diversion of waste materials that can be composted, recycled, or otherwise beneficially reused.
- ▶ The **Green Infrastructure Strategy** presents a strategy to enhance long-term management and health of the City’s existing urban forest.
- ▶ The **CAP Implementation Strategy** provides a broad framework to support regional coordination on CAP implementation to ensure estimated reductions occur, while leveraging ongoing partnerships and actions among neighboring jurisdictions. This strategy also provides an overview for the implementation and monitoring of the entire CAP, with a focus on strategies and reduction measures the City will implement.

Chapter 3, “Emissions Reduction Measures,” of the CAP provides a detailed description of each reduction measure’s programs, policies, projects, and other actions the City will carry out to accomplish its emissions reduction goals, including reductions attributed to past actions that occurred since the 2010 baseline year. Please see Table 3-1 in Chapter 3 of the CAP for a quantified total of emission reductions anticipated from implementation of each reduction measure. The following reduction strategies and measures have been developed for the CAP.

<b>Energy Strategy</b>	<b>Water Strategy</b>
E-1 Building Retrofit Program	W-1 Urban Water Management Plan Programs
E-2 Shade Tree Program	W-2 Water Sensitive Landscape Design and Irrigation
E-3 Municipal Energy Efficiency Goal	W-3 Pure Water Program
E-4 Public Lighting	<b>Solid Waste Strategy</b>
E-5 Solar Photovoltaic Program	SW-1 Food Scrap and Yard Waste Diversion
E-6 Solar Hot Water Heater Program	SW-2 Construction and Demolition Waste Diversion Program
E-7 Solar Ready Construction	SW-3 75% Waste Diversion Goal
E-8 Zero Net Energy Construction	<b>Green Infrastructure Strategy</b>
E-9 Community Choice Aggregation Program	GI-1 Urban Forest Master Plan
	GI-2 Expanded Urban Forestry Program
<b>Transportation and Land Use Strategy</b>	<b>CAP Implementation Strategy</b>
T-1 Bicycle and Pedestrian Infrastructure Development	I-1 Regional Implementation Partnerships
T-2 Bicycle Safety Program	I-2 CAP Implementation and Monitoring
T-3 Transportation Demand Management Program	
T-4 Mixed-Use and Transit-Oriented Development	
T-5 Alternative Refueling Infrastructure Development	
T-6 Municipal Fleet Transition	

## **CAP IMPLEMENTATION AND MONITORING**

As with any long-term plan, the CAP is based on assumptions and the best data available at the time of its preparation. However, land use change assumptions, emission reductions, technology, and other important elements of the CAP will change over time and, as such, the CAP will need to be monitored and may need to be revised periodically to ensure the City is on target to achieve the reduction target.

Chapter 4 of the CAP, “Benchmarks and Implementation,” includes sections entitled “Implementation and Monitoring” and “Plan Evaluation and Evolution,” which establish how the City will track parties responsible for implementation of each measure, performance indicators, and guidance for inventory updates. The performance indicators are to be evaluated to ensure each measure is on track to achieve its stated emissions reductions. If, during the implementation review process a measure is found to be falling short of its performance goals, then additional attention can be given to modifying the implementation actions. Further, if implementation review indicates that a measure will be unable to achieve its stated reduction level, then new CAP measures would need to be developed to make up the difference, or other existing measures could be enhanced to increase their emissions reduction potential. CAP implementation will be an iterative process to reflect future changes in technology, available budget, and staff resources. Emissions inventory updates will be the best predictor of future target achievement, and will help the City to identify emissions sectors that need additional attention. Emissions forecasts are based partly on estimates of future year population and employment levels. If the City grows faster than anticipated in the emissions inventories or more slowly than anticipated, an update may be appropriate.

The CAP will need to be updated as the State further implements its own emissions reduction actions, when new data becomes available for analysis, and as additional emissions reduction technologies and strategies are developed. The City will continue to monitor the State’s efforts designed to achieve its long-term 2050 reduction target. When additional statewide actions be developed, or existing actions enhanced, that would have local application to La Mesa, the City will analyze the local reduction potential and incorporate those reductions into future CAP updates.

New technologies that further reduce energy or transportation-related emissions (e.g., more efficient appliance standards, fuel- efficient vehicles) may be developed in the future. Existing technologies may also become more effective or financially viable, which could accelerate their purchase and use within the community.

### 3 FINDINGS REQUIRED UNDER CEQA

Public Resources Code section 21002 provides that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]” The same statute states that the procedures required by CEQA “are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects.” Section 21002 of the Public Resources Code goes on to state that “in the event [that] specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof.”

The mandate and principles in Public Resources Code Section 21002 are implemented, in part, through the requirement that agencies must adopt findings before approving projects for which EIRs are required. For each significant environmental effect identified in an EIR for a proposed project, the approving agency must issue a written finding reaching one or more of three permissible conclusions. (Public Resources Code Section 21081(a).)

The first such finding is that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental effect as identified in the final EIR (CEQA Guidelines, Section 15091[a][1]).

The second permissible finding is that such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding, and that such changes have been adopted by such other agency or can and should be adopted by such other agency (CEQA Guidelines, Section 15091(a)(2)).

The third potential conclusion is that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR (CEQA Guidelines, Section 15091[a][3]). “Feasible” means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, legal, and technological factors (CEQA Guidelines, Section 15364). The concept of “feasibility” also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project. Moreover, ‘feasibility’ under CEQA encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, legal, and technological factors” (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417).

With respect to a project for which significant impacts are not avoided or substantially lessened, a lead agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons in support of the finding that the project benefits outweigh its unavoidable adverse environmental effects.

In the process of considering the EIR for certification, the City of La Mesa has recognized that impact avoidance is not possible in all instances. To the extent that significant adverse environmental impacts will not be reduced to a less-than-significant level with the adopted mitigation, the City of La Mesa has found that specific economic, social, and other considerations support approval of the proposed project. Those findings are reflected herein in Section 3, “Findings Required under CEQA,” and in Section 5 “Statement of Overriding Considerations,” below.

### **3.1 SUMMARY OF FINDINGS**

The CAP is designed to mitigate GHG emissions impacts and does not entitle or directly facilitate development, expansion of facilities of facilities or infrastructure, or other physical changes. The CAP uses land use change assumptions that are consistent with those used as a part of the General Plan EIR and consistent with SANDAG development forecasts. The CAP does not increase development capacity within La Mesa, and does not affect the absorption rate of future development. The CAP does not propose add any new residences, commercial facilities, or industrial uses. As detailed in the SEIR, the CAP does not result in any new impact or an impact that would be substantially increased in severity as compared with that addressed in the City’s General Plan EIR.

The SEIR addresses the potential environmental effects associated with the City’s CAP as implementation of the General Plan and the application of the General Plan Mitigation Measure GHG-1. The CAP establishes strategies and reduction measures to reduce GHG emissions and describes development of the City’s 2020 reduction target pursuant to General Plan EIR Mitigation Measure GHG-1, as well as a 2035 reduction target, detailing consistency with State legislation and executive orders, and establishing that meeting the reduction targets would avoid cumulatively considerable effects. The 2035 reduction target is consistent with the 2035 planning horizon of the General Plan. The CAP reduces significant and unavoidable GHG emissions impacts identified in the General Plan EIR to a less than cumulatively considerable level and reduces significant impacts related to conflicts with applicable plans, policies, and regulations to a less-than-significant level.

The Summary of Findings provides a summary description of each significant impact, describes the applicable mitigation measures identified in the Final SEIR and adopted by the City of La Mesa, and states the findings of the City of La Mesa regarding the significance of each impact after imposition of the adopted mitigation measures. The Summary of Findings does not attempt to regurgitate the full analysis of each environmental impact contained in the Final SEIR. A full explanation of these environmental findings and conclusions can be found in the Final SEIR and associated record (described herein) both of which are summarized in this document and incorporated by reference. The City of La Mesa hereby ratifies, adopts, and incorporates the analysis and explanation in the record into these findings, and ratifies, adopts, and incorporates in these findings the determinations and conclusions of the Final SEIR relating to environmental impacts and mitigation measures, except to the extent any such determinations and conclusions are specifically and expressly modified by these findings.

#### **3.1.1 FINDINGS REGARDING THE ERRATA TO FINAL SEIR**

Section 15088.5 of the CEQA Guidelines requires a lead agency to recirculate an EIR for further review and comment when significant new information is added to the EIR after public notice is given of the availability of the draft EIR, but before certification. New information added to an EIR is not “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect that the project proponent declines to implement. Recirculation is not required if new information added to the EIR just clarifies or makes minor modifications to an otherwise adequate EIR.

In response to comments from the public and other public agencies on the Draft SEIR, the project has incorporated changes into the Final SEIR, which are described in Chapter 3, “Errata,” of the Final SEIR. The changes to the Draft SEIR make factual and typographical corrections and clarify the CAP’s comprehensive

Implementation Strategy. These changes do not change the analysis, mitigation, or alternatives presented in the Draft SEIR. No significant new information has been added to the SEIR since public notice was given of the availability of the Draft SEIR. Therefore, recirculation of the SEIR pursuant to CEQA Guidelines Section 15088.5 is not required.

### 3.1.2 FINDINGS REGARDING LESS-THAN-SIGNIFICANT IMPACTS (NO MITIGATION REQUIRED)

The City Council, having reviewed and considered the information contained in the SEIR and the public record (incorporated by reference) finds, pursuant to CEQA, the CEQA Guidelines, and the City of La Mesa Local Guidelines for the Implementation of the California Environmental Quality Act that the issue areas shown in Table 3-1 are less than significant or have no impact, and require no mitigation.

<b>Table 3-1. Environmental Impacts Found Less than Significant (No Mitigation Required)</b>			
<b>Resource Topic</b>	<b>General Plan EIR Significance</b>	<b>Draft CAP SEIR Significance</b>	<b>Cumulatively Considerable?</b>
<b>AESTHETICS AND VISUAL RESOURCES</b>			
Scenic Resources within a State Scenic Highway	LTS	LTS	No
Light and Glare	LTS	LTS	No
<b>AIR QUALITY</b>			
Conflict With or Obstruct Implementation of the Applicable Air Quality Plan	LTS	LTS	No
Result in carbon monoxide (CO) Hotspots	LTS	LTS	No
Objectionable Odors	LTS	LTS	No
<b>BIOLOGICAL RESOURCES</b>			
Critical Habitat, Sensitive Vegetation Communities, and Jurisdictional Waters, Including Wetlands and Riparian Habitat	LTS	CAP measures will have no significant direct or indirect effects on special-status species, habitats, wildlife migratory corridors, or any	No
Special-Status Species	LTS		No

<b>Table 3-1. Environmental Impacts Found Less than Significant (No Mitigation Required)</b>			
Wildlife Corridors	LTS	sensitive natural communities. Reduction Measure GI-1 (Urban Forest Master Plan) and Reduction Measure GI-2 (Expanded Urban Forestry Program) propose continuation and implementation of policies and design standards, hosting workshops and providing technical assistance, possible development of an urban forest master plan, and developing and implementing an urban forest strategy. These measures target the planting of 500 new trees in the community and growth and maintenance of 1,400 acres of additional tree canopy in the greater San Diego Area including La Mesa. While the planting of trees would cause some minor direct disturbance to the physical environment, the resulting direct and indirect effects of additional trees and increased tree canopy could potentially provide habitat for many species of migratory birds, tree roosting bats, and other wildlife species and would be considered a beneficial effect on biological resources. As described Action 2 for Reduction Measure GI-2, the City will “[s]eek and incorporate feasible input from the California Department of Fish and Wildlife on tree maintenance and urban forestry management strategies to avoid adverse impacts to sensitive species.”	No
<b>CULTURAL RESOURCES</b>			
Human Remains	LTS	LTS	No
<b>GREENHOUSE GAS EMISSIONS</b>			
Emissions Level 15 Percent Below 2005 Levels by 2020 <sup>1</sup>	SU	LTS	No
Conflict with any Applicable Plan, Policy, or Regulation	SU	LTS	No
Risk of Physical Harm Related to Impacts from Climate Change <sup>1</sup>	LT	LTS	No
<b>HAZARDS AND HAZARDOUS MATERIALS</b>			
Routine Use, Transportation, Disposal, and Release of Hazardous Materials	LTS	LTS	No
Hazardous Materials within 0.25 Mile of Schools	LTS	LTS	No
Development on a Known Hazardous Materials Site	LTS	LTS	No

<b>Table 3-1. Environmental Impacts Found Less than Significant (No Mitigation Required)</b>			
Airport and Aircraft Hazards	LTS	LTS	No
<b>HYDROLOGY AND WATER QUALITY</b>			
Violation of Water Quality Standards	LTS	LTS	No
Surface Hydrology and Drainage	LTS	LTS	No
Flooding and Inundation Hazards	LTS	LTS	No
<b>LAND USE AND PLANNING</b>			
Conflict with Existing Land Use Plans, Policies, and Regulations	LTS	LTS	No
Physically Divide an Established Community <sup>2</sup>	N/A	LTS	No
<b>NOISE</b>			
Groundborne Vibration and Noise	LTS	LTS	No
Aircraft Noise	LTS	LTS	No
Railroad Noise	NI	NI	No
Stationary Sources	LTS	LTS	No
<b>POPULATION AND HOUSING</b>			
Population Growth	LTS	LTS	No
Population and Housing Displacement	LTS	LTS	No
<b>PUBLIC SERVICES, UTILITIES, AND ENERGY</b>			
Fire Protection and Emergency Services	LTS	LTS	No
Police Protection	LTS	LTS	No
Schools	LTS	LTS	No
Libraries	LTS	LTS	No
Water and Wastewater Infrastructure	LTS	LTS	No
Water Supply	LTS	LTS	No
Wastewater Capacity	LTS	LTS	No
Solid Waste	LTS	LTS	No
Storm Water Drainage Facilities	LTS	LTS	No
Energy Infrastructure	LTS	LTS	No
<b>TRANSPORTATION AND TRAFFIC</b>			
Roadway Operations (Level of Service)	LTS	LTS	No
Notes: N/A = not applicable; LTS = less than significant; NI = no impact; SU = significant and unavoidable			
<sup>1</sup> The CAP establishes strategies and reduction measures to reduce GHG emissions and describes development of the City's 2020 reduction target pursuant to Mitigation Measure GHG-1, as well as a 2035 reduction target, detailing consistency with relevant State legislation and executive orders. The CAP provides evidence that meeting the reduction targets would avoid cumulatively considerable effects and this evidence is further detailed in the SEIR. The 2035 reduction target is consistent with the 2035 planning horizon of the General Plan. The CAP reduces significant and unavoidable GHG emissions impacts identified in the General Plan EIR to a less than cumulatively considerable level and reduces significant impacts related to conflicts with applicable plans, policies, and regulations to a less-than-significant level.			
<sup>2</sup> The General Plan's potential to physically divide an established community was not addressed in the General Plan EIR.			

### 3.1.3 FINDINGS REGARDING SIGNIFICANT ENVIRONMENTAL IMPACTS MITIGATED TO A LESS-THAN-SIGNIFICANT LEVEL

The City of La Mesa hereby finds that feasible mitigation measures have been identified in the SEIR and these Findings of Fact that will avoid or substantially lessen the following potentially significant environmental impacts to a less-than-significant level. The significant impacts and the mitigation measures that will reduce them to a less-than-significant level are shown in Table 3-2 and summarized in detail below. Please refer to the Draft SEIR and the Final SEIR for more detail.

<b>Table 3-2. Environmental Impacts Mitigated to a Less-than-Significant Level</b>			
<b>Resource Topic</b>	<b>General Plan EIR Significance</b>	<b>Draft CAP SEIR Significance</b>	<b>Cumulatively Considerable?</b>
<b>AESTHETICS AND VISUAL RESOURCES</b>			
Scenic Vistas & Scenic Resources	LTS with mitigation	LTS with mitigation	No
Visual Character	LTS with mitigation	LTS with mitigation	No
<b>AIR QUALITY</b>			
Result in the Exposure of Sensitive Receptors to Substantial Pollutant Concentrations	LTS with mitigation	LTS with mitigation	Yes <sup>1</sup>
<b>CULTURAL RESOURCES</b>			
Historic Resources	LTS with mitigation	LTS with mitigation	No
Archaeological Resources	LTS with mitigation	LTS with mitigation	No
<b>NOISE</b>			
Compliance with Local and Applicable Noise Standards	LTS with mitigation	LTS with mitigation	No
Ambient Noise Levels	LTS with mitigation	LTS with mitigation	No
<b>PALEONTOLOGICAL RESOURCES</b>			
Paleontological Resource, Site, or Unique Geological Feature	LTS with mitigation	LTS with mitigation	No
Notes: LTS = less than significant			
<sup>1</sup> Cumulative air quality impacts on sensitive receptors are addressed under "Findings Regarding Cumulative Impacts."			

#### **AESTHETICS AND VISUAL RESOURCES**

##### **Changes in Scenic Vistas and Scenic Resources**

CAP reduction measures support and encourage installation of solar photovoltaic facilities, building retrofit improvements, and mixed-use and transit-oriented development that incorporates renewable energy systems. Future development would be required to meet the City’s General Plan policies and zoning requirements, landscaping standards, and the regulations of any applicable specific plan. However, new renewable energy systems and new development could be visible to visitors, employees, and residents, depending on the location and design of improvements and the location of affected publicly accessible viewpoints. Therefore, impacts associated with degradation of the scenic vistas and scenic resources would be **significant**. (Draft SEIR, pp. 3.1-2 and 3.1-3)

## ***Mitigation Measure***

### **Mitigation Measure AES-1**

As new development and revitalization projects come forward, the City shall work with developers to preserve scenic views and vistas of natural and built landmarks that are visible from public locations and streets. For proposed buildings taller than four stories, visual simulations and shadow studies shall be required to be provided by the applicant during the development review process so that the City can effectively evaluate visual impacts. In response to City review of the simulations and studies, if significant visual impacts are identified by the City, building designs shall be modified by the applicant to reduce such impacts. (Draft SEIR, p. 3.1-5)

## ***Facts Supporting Findings***

Changes or alterations have been required in, or incorporated into, the project that would avoid or substantially lessen the significant environmental effect associated with changes in scenic vistas and scenic resources as identified in the Final SEIR.

Implementation of Mitigation Measure AES-1 would ensure the ongoing preservation of scenic vistas and visual character by requiring that developers prepare visual simulations and shadow studies. Where visual impacts are identified, designs will be modified as necessary to minimize negative effects. As such, impacts associated with scenic vistas and scenic resources would be reduced to a less-than-significant level. (Draft SEIR, p. 3.1-5)

## **Visual Character**

CAP reduction measures support and encourage installation of solar photovoltaic facilities, building retrofit improvements, and mixed-use and transit-oriented development that incorporates renewable energy systems. Future development would be required to meet the City's General Plan policies and zoning requirements, landscaping standards, and the regulations of any applicable specific plan. However, new renewable energy systems and future development could result in degradation of the visual character and quality of an individual site and its surroundings, depending on the location and scale of future development, the placement of publicly accessible viewing locations relative to future development, and other factors that are currently unknown. Therefore, impacts associated with visual character would be **significant**. (Draft SEIR, pp. 3.1-3 and 3.1-4)

## ***Mitigation Measure***

### **Mitigation Measure AES-1**

As new development and revitalization projects come forward, the City shall work with developers to preserve scenic views and vistas of natural and built landmarks that are visible from public locations and streets. For proposed buildings taller than four stories, visual simulations and shadow studies shall be required to be provided by the applicant during the development review process so that the City can effectively evaluate visual impacts. In response to City review of the simulations and studies, if significant visual impacts are identified by the City, building designs shall be modified by the applicant to reduce such impacts. (Draft SEIR, p. 3.1-5)

## ***Facts Supporting Findings***

Changes or alterations have been required in, or incorporated into, the project that would avoid or substantially lessen the significant environmental effect associated with changes in visual character as identified in the Final SEIR.

Implementation of Mitigation Measure AES-1 would ensure the ongoing preservation of scenic vistas and visual character by requiring that developers prepare visual simulations and shadow studies. Where visual impacts are identified, designs will be modified as necessary to minimize negative effects. As such, impacts associated with scenic vistas and scenic resources would be reduced to a less-than-significant level. (Draft SEIR, p. 3.1-5)

## **AIR QUALITY**

### **Result in the Exposure of Sensitive Receptors to Substantial Pollutant Concentrations**

Ground disturbance would occur from construction of bicycle and pedestrian infrastructure improvements, planting shade trees on public and private property, and future development projects that incorporate CAP reduction measures, such as new construction that incorporates solar-ready design. Construction activities would occur intermittently and at various locations during implementation of the CAP, it is not anticipated that construction would expose sensitive receptors to substantial TAC concentrations. However, the impact from operation of future development would be **significant** due to the possibility that individual projects could expose sensitive receptors to adverse health impacts. (Draft SEIR, pp. 3.2-8 and 3.2-9)

### ***Mitigation Measure***

#### **Mitigation Measure AQ-3: Reduce Exposure of Sensitive Receptors to TAC Emissions**

The City shall require new development with sensitive uses located near mobile and stationary TACs to be designed with consideration of site and building orientation, location of trees, and incorporation of appropriate technology for improved air quality (i.e., ventilation and filtration) to lessen any potential health risks.

The City shall require every new land use that has the potential to be a source of air pollution from being located closer than the specified minimum distance from any sensitive land use, as provided in Table 1-1, "Recommendations for Siting New Sensitive Land Uses," of the ARB Air Quality and Land Use Handbook (ARB 2005), or subsequent revisions to that document. The City shall require that land uses located closer than the recommended buffer distances must (1) implement all commercially feasible design, equipment, and control technology to reduce exposure and emissions to the maximum extent feasible, and (2) perform a health risk assessment to ensure that implementation of mitigation would reduce health risks to less-than-significant levels pursuant to the most current SDAPCD guidelines at the time of analysis before development of the proposed project. (Draft SEIR, p. 3.2-11)

## ***Facts Supporting Findings***

Changes or alterations have been required in, or incorporated into, the project that would avoid or substantially lessen the significant environmental effect associated with exposure of sensitive receptors to substantial pollutant concentrations as identified in the Final SEIR.

Implementation of Mitigation Measure AQ-3 would lessen health-related risks associated with operational sources of toxic air contaminant (TAC) emissions by considering site and building orientation, location of trees, and incorporation of appropriate technology for improved air quality; siting new development at specified distances from sensitive land uses; and performing health risk assessments. In addition, the City will require new land uses to implement specified mitigation. Therefore, impacts associated with exposure of sensitive receptors to substantial pollutant concentrations would be reduced to a less-than-significant level. (Draft SEIR, pp. 3.2-12 and 3.2-13)

## **CULTURAL RESOURCES**

### **Historic Resources**

Ground-disturbing activities associated with construction of bicycle and pedestrian infrastructure improvements, planting shade trees on public and private property, and future development projects that incorporate CAP reduction measures, such as new construction that incorporates solar-ready design, could affect historical resources if they are present. Energy-efficiency retrofit activities encouraged have the potential to result in significant impacts on buildings or structures of historic age (50 years old or older), or buildings or structures that may eventually be of historic age, and which may qualify as historical resources pursuant to CEQA, upon evaluation. Therefore, this impact would be **significant**. (Draft SEIR, pp. 3.3-3 and 3.3-4)

### ***Mitigation Measure***

#### **Mitigation Measure CR-1**

Prior to construction of specific development projects that would disturb a historic structure listed or eligible to be listed in the NRHP, the CRHR, or the Inventory of Historic Resources, the City shall require the development of feasible project-level mitigation measures, identified in consultation with the State Historic Preservation Office when appropriate, to avoid or substantially reduce impacts to significant cultural resources. Feasible project-level mitigation measures include maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation, relocation, or reconstruction of any impacted historic resource, which shall be conducted in a manner consistent with the Secretary of the Interior's Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings. (Draft SEIR, p. 3.3-6)

### ***Facts Supporting Findings***

Changes or alterations have been required in, or incorporated into, the project that would avoid or substantially lessen the significant environmental effect on historical resources as identified in the Final SEIR.

Implementation of Mitigation Measure CR-1 would require feasible project-level mitigation measures prior to construction of specific development projects that would disturb a historic structure listed or eligible to be listed in the NRHP, CRHR, or the Inventory of Historic Resources. Therefore, Mitigation Measure CR-1 would reduce significant impacts on historic resources to a less-than-significant level.

## **ARCHAEOLOGICAL RESOURCES**

Ground-disturbing activities associated with construction of bicycle and pedestrian infrastructure improvements, planting shade trees on public and private property, and future development projects that incorporate CAP reduction measures, such as new construction that incorporates solar-ready design, could uncover archaeological resources. Impacts associated with damage to archaeological resources during ground-disturbing activities would be **significant**.

### ***Mitigation Measures***

#### **Mitigation Measure CR-2**

During construction of specific development projects, the City shall require monitoring by a qualified archeologist of grading, ground-disturbing, and other major earth-moving activities in previously undisturbed areas with known archaeological resources. The archeologist shall observe grading, ground-disturbing, and other major earth-moving activities. (Draft SEIR, p. 3.3-6)

#### **Mitigation Measure CR-3**

The City shall require a qualified archaeologist to evaluate and determine the significance of any cultural resources discovered during site construction activities. Should an archaeological deposit and/or feature be encountered during construction, an archaeological data recovery program shall be prepared and implemented, including consultation with interested Native American tribes. The archeologist and Native American monitor shall strive for agreement on the determined significance of an artifact or cultural resource. Once in agreement, either the archeologist or Native American monitor may divert or halt ground-disturbing activities for the purposes of implementing a data recovery program. A data recovery program for archaeological sites consists of excavation of a percentage of the site, determined in consultation with the project implementer, to provide information necessary to answer significant research questions.

All Native American human remains and associated grave goods discovered shall be returned to their Most Likely Descendent and repatriated. The final disposition of artifacts not directly associated with Native American graves shall be negotiated during consultation with interested Native American tribes. Artifacts shall consist of material recovered from all phases of work, including initial survey, testing, indexing, data recovery, and monitoring.

The qualified archaeologist shall apply mitigation measures prior to the resuming of construction work. Local Native American tribes shall be consulted in the identification of mitigation measures to address impacts, consistent with California requirements, including provisions to address inadvertent discoveries. (Draft SEIR, p. 3.3-6)

### ***Facts Supporting Findings***

Changes or alterations have been required in, or incorporated into, the project that would avoid or substantially lessen the significant environmental effect associated with damage to archaeological resources as identified in the Final SEIR.

Mitigation Measure CR-2 requires that a qualified archaeologist monitor any grading and ground-disturbing operations on sites located within proximity of a known archaeological resource. General Plan EIR Mitigation Measure CR-3 requires that a qualified archaeologist evaluate and determine the significance of any cultural resources discovered during any construction activities. General Plan EIR Mitigation Measure CR-3 further requires that an archaeological data recovery program be prepared in consultation with interested Native American tribes. Therefore, Mitigation Measures CR-2 and CR-3 would reduce significant impacts associated with damage to archaeological resources to a less-than-significant level. (Draft SEIR, p. 3.3-7)

## **NOISE**

### **Compliance with Local and Applicable Noise Standards**

Construction associated with the CAP retrofits, installation of trees, construction of renewable energy facilities, bicycle and pedestrian facilities, development, or redevelopment would generate noise that exceeds local and applicable noise standards.

Operation of renewable energy systems and mixed-use and transit-oriented development could lead to stationary- and area-source noise levels that exceed applicable standards of the General Plan or the City's Noise Ordinance. Therefore, this impact would be **significant**. (Draft SEIR, p. 3.8-3)

### ***Mitigation Measures***

#### **Exterior Noise-Level Standards**

N-1 The City shall require all new projects to meet acceptable exterior noise standards:

- Review all development proposals, public and private, for consistency with the policies of the Noise Element of the General Plan.
- Discourage development of noise-sensitive land uses in areas exposed to existing or future noise levels exceeding 65 dBA CNEL.
- Incorporate noise reduction features during site planning to ensure that areas intended for frequent outdoor use are subjected to 60 dBA CNEL or less for single-family land uses and 65 dBA CNEL or less for multi-family residential land uses and multi-family residential land uses within mixed-use developments.
- Control and abate undesirable sounds through the use of the land use compatibility criteria shown in the requirements of Municipal Code Chapter 10.80.
- Provide developers and builders with noise policy guidelines. The guidelines shall provide specific design criteria, minimum standards for submittal of acoustical studies, and descriptions of acceptable noise mitigation measures. (Draft SEIR, p. 3.8-7)

#### **Interior Noise-Level Standards**

N-2 The City shall ensure that interior noise levels do not exceed 45 dBA CNEL for single-family and multi-family residential land uses:

- Enforce the California Noise Insulation Standards (California Code of Regulations Title 24). Title 24 requires that an acoustical analysis be performed for all new multi-family residences in areas where the exterior sound level exceeds 60 dBA CNEL. The analysis shall ensure that the building design limits the interior noise environment to 45 dBA CNEL or below.
- Ensure that an acoustical analysis be performed for all new single-family residences in areas where the exterior sound level exceeds 60 dBA CNEL. The analysis shall ensure that the building design limits the interior noise environment to 45 dBA CNEL or below. (Draft SEIR, p. 3.8-7)

### **Land Use Compatibility Standards**

N-3 The City shall achieve noise compatibility between industrial/commercial and surrounding land uses:

- Control excessive noise through the planning and regulatory process with emphasis on noise/land-use compatibility planning.
- Ensure that the design and construction of commercial, industrial, office, and mixed-use structures includes noise attenuation methods to comply with Municipal Code Chapter 10.80.
- Encourage commercial, industrial, office, and mixed-use developments to locate loading areas, parking lots, driveways, trash enclosures, mechanical equipment, and other noisier components away from noise-sensitive land uses.
- Limit delivery hours for businesses with loading areas or docks fronting, siding, bordering, or gaining access on driveways adjacent to noise-sensitive land uses. (Draft SEIR, pp. 3.8-7 and 3.8-8)

### ***Facts Supporting Findings***

Changes or alterations have been required in, or incorporated into, the project that would avoid or substantially lessen the significant environmental effect related to compliance with local and applicable noise standards as identified in the Final SEIR.

Implementation of Mitigation Measures N-1, N-2, and N-3 would ensure new projects will meet acceptable exterior noise standards, interior noise levels do not exceed 45 dBA CNEL for single-family and multi-family residential land uses, and provide noise compatibility between industrial/commercial and surrounding land uses. Therefore, Mitigation Measure Mitigation Measures N-1, N-2, and N-3 would reduce significant impacts elated to compliance with local and applicable noise standards to a less-than-significant level. (Draft SEIR, pp. 3.9-3 and 3.9-4)

### **Ambient Noise Levels**

Construction associated with the CAP retrofits, installation of trees, construction of renewable energy facilities, bicycle and pedestrian facilities, development, or redevelopment could temporarily increase ambient noise.

Operation of renewable energy systems and mixed-use and transit-oriented development could lead to stationary- and area-source noise levels that create permanent increases in ambient noise. Therefore, this impact would be **significant**. (Draft SEIR, pp. 3.8-4 and 3.8-5)

## **Mitigation Measures**

### **Construction Noise**

N-4 The City shall require construction contractors to implement the following measures during construction activities through contract provisions and/or conditions of approval:

- Construction equipment shall be properly maintained per manufacturers' specifications and fitted with the best available noise-suppression devices (e.g., mufflers, silencers, wraps).
- Construction operations and related activities shall comply with the operational hours outlined in the City Noise Ordinance.
- Construction equipment shall not be idled for extended periods of time in the vicinity of noise-sensitive receptors.
- Fixed and/or stationary construction equipment (e.g., generators, compressors, rock crushers, cement mixers) shall be located as far as possible from noise-sensitive receptors.
- All impact tools shall be shrouded or shielded, and all intake and exhaust ports on powered construction equipment shall be muffled or shielded.
- Where feasible, temporary barriers shall be placed as close to the noise source or as close to the receptor as possible to break the line of sight between the source and receptor where modeled levels exceed applicable standards. Acoustical barriers shall be constructed of material having a minimum surface weight of 2 pounds per square foot or greater, and a demonstrated Sound Transmission Class rating of 25 or greater as defined by American Society for Testing and Materials Test Method E90. Placement, orientation, size, and density of acoustical barriers shall be determined by analysis. (Draft SEIR, p. 3.8-8)

### **Operational Noise**

N-5 The City shall control undesirable or objectionable noise:

- Review traffic flow systems and synchronize signals to avoid traffic stops that produce excessive noise, wherever possible.
- Limit truck traffic in noise-sensitive areas.
- Where feasible, finish roadway surfaces with rubberized pavement to minimize noise levels at adjacent land uses.
- Encourage the enforcement of state motor vehicle noise standards for cars, trucks, and motorcycles through cooperation with the California Highway Patrol and the La Mesa Police Department.
- Encourage agencies outside of the City's jurisdiction to incorporate noise-reduction methods in new and existing roads, rail projects, and other mobile or stationary noise sources.
- Coordinate with state and local agencies to maintain and enforce noise control policies and standards.
- Review the Noise Element of the General Plan, and update as necessary, when major changes in the noise environment occur.

- Periodically review and update the standards found in the Noise Ordinance (Municipal Code Chapter 10.80). (Draft SEIR, pp. 3.8-8 and 3.8-9)

### ***Facts Supporting Findings***

Changes or alterations have been required in, or incorporated into, the project that would avoid or substantially lessen the significant environmental effect associated with temporary or periodic and permanent ambient noise levels as identified in the Final SEIR.

Mitigation Measures N-4 and N-5 would require construction contractors to implement noise reduction measures during construction activities and control undesirable or objectionable noise. Therefore, Mitigation Measures N-4 and N-5 would reduce significant impacts associated with temporary or periodic and permanent ambient noise levels to a less-than-significant level. (Draft SEIR, p. 3.8-9)

## **PALEONTOLOGICAL RESOURCES**

### **Paleontological Resource, Site, or Unique Geological Feature**

Ground-disturbing activities associated with construction of bicycle and pedestrian infrastructure improvements, planting shade trees on public and private property, and future development projects that incorporate CAP reduction measures, such as new construction that incorporates solar-ready design, could uncover fossil remains. Impacts associated with damage to unique paleontological resources during ground-disturbing activities would be **significant**. (Draft SEIR, pp. 3.9-2 and 3.9-3)

### ***Mitigation Measure***

#### **Mitigation Measure PALEO-1**

If it is determined during the environmental review process that projects implementing CAP reduction measures would result in ground disturbance within an area of high or moderate paleontological resource sensitivity, the City of La Mesa shall require a qualified researcher to be stationed on-site to observe during grading operations and recover scientifically valuable specimens or enforce avoidance of the paleontological feature. A certified paleontologist or qualified researcher shall be retained (or required to be retained) by the project-implementing agency prior to construction to establish procedures for surveillance and the preconstruction salvage of exposed resources if fossil-bearing rocks have the potential to be impacted. The monitor shall provide preconstruction coordination with contractors, oversee original cutting in previously undisturbed areas of sensitive geologic formations, halt or redirect construction activities as appropriate to allow recovery of newly discovered fossil remains, and oversee fossil salvage operations and reporting. This measure shall be placed as a condition on all grading plans where grading is proposed in geologic units defined as having a moderate or high potential for containing fossils. (Draft SEIR, p. 3.9-3)

### ***Facts Supporting Findings***

Changes or alterations have been required in, or incorporated into, the project that would avoid or substantially lessen the significant environmental effect associated with damage to unique paleontological resources as identified in the Final SEIR.

Implementation of Mitigation Measure PALEO-1 would require comprehensive, proven procedures to assess the magnitude of impact anticipated on a project level to avoid or substantially reduce the potential for paleontological resources to be directly or indirectly destroyed. The City would be responsible for ensuring adherence to the mitigation measure prior to construction. Therefore, Mitigation Measure PALEO-1 would reduce significant impacts on paleontological resources to a less-than-significant level. (Draft SEIR, pp. 3.9-3 and 3.9-4)

### **3.1.4 FINDINGS REGARDING SIGNIFICANT AND UNAVOIDABLE ENVIRONMENTAL IMPACTS**

The following significant environmental impact of the proposed project on air quality cannot be mitigated in a manner that would substantially lessen the environmental impact. The City of La Mesa finds that the project's environmental, economic, social, and other benefits outweigh and override the significant adverse impact related to change in the environment. The City of La Mesa hereby elects to approve the project due to overriding considerations as set forth below in the Section 5, "Statement of Overriding Considerations," below.

#### **AIR QUALITY**

##### **Violate Any Air Quality Standard or Contribute Substantially to an Existing or Projected Air Quality Violation**

Implementation of the CAP would encourage building retrofits and other construction. Similar to the General Plan, it is not possible to accurately estimate the construction schedule and future emissions from construction activities. Thus, construction activities could lead to the violation of an applicable air quality standard for reactive organic gases (ROG), nitrogen oxides (NO<sub>x</sub>), carbon monoxide (CO), respirable particulate matter with an aerodynamic diameter of 10 microns or less (PM<sub>10</sub>), or respirable particulate matter with an aerodynamic diameter of 2.5 microns or less (PM<sub>2.5</sub>). Impacts would be **significant**. (Draft SEIR, pp. 3.2-6 to 3.2-7)

#### ***Finding***

Based on the analysis contained within the Final SEIR, other considerations in the record, and the impact evaluation criteria, the City finds that the impact associated with violations of air quality standards and violations is significant. Although all feasible changes or alterations have been required in, or incorporated into, the project to mitigate or avoid significant environmental effects, the project will nonetheless result in a significant and unavoidable impact related to air quality standards and violations.

#### ***Mitigation Measure***

##### **Mitigation Measure AQ-1: Reduce Construction-Related Emissions. (Draft SEIR, pp. 3.2-9 to 3.2-10)**

The City and project contractors shall implement the following measures during all construction activities:

- Comply with and implement all applicable SDAPCD rules and regulations that pertain to construction activities (e.g., asphalt paving ROG requirements, administrative requirements, and fugitive dust management practices). Implement all construction-related requirements recommended by the SDAPCD or local government.
- Water all exposed surfaces three times a day or sufficiently to prevent visible dust emissions.

- Apply water, nontoxic chemical stabilizers, or dust suppressants, or use tarps or other suitable material in all disturbed areas that will not be used for 10 days or more.
- Prevent carryout and track-out of fugitive dust on construction vehicles. Methods to limit carryout and track-out include using wheel washers; sweeping any track-out on adjacent public streets at the end of each work day; and lining access points with gravel, mulch, or wood chips.
- Cover or wet the filled cargo compartment of all transport trucks to limit visible dust emissions during transport, and maintain at least 2 feet of freeboard space from the top of a container.
- Install sandbags or other erosion-control measures on sites with a slope greater than 1 percent to prevent silt runoff to public roadways.
- Maintain all construction equipment according to the manufacturers' specifications. The equipment must be checked by a certified mechanic and determined to be running in proper condition before it is operated.
- Minimize idling time either by shutting off equipment when it is not in use or reducing the time of idling to no more than 5 minutes. Provide clear signage regarding idling at site access points.
- Use alternative fueled (e.g., compressed natural gas, liquefied natural gas, propane), or electric-powered construction equipment where feasible.
- Use equipment with diesel oxidation catalysts, catalyzed diesel PM filters, or other applicable SDAPCD-approved emissions reduction retrofit devices where feasible.

### ***Facts Supporting Findings***

Future activities associated with the CAP would adhere to SDAPCD rules and regulations and General Plan policies and implement Mitigation Measure AQ-1. It is not possible to estimate the emissions reductions associated with implementation of Mitigation Measure AQ-1. Therefore, implementation of the CAP could result in violations of air quality standards or contributions to an existing or projected air quality violation. Impacts associated with the CAP on air quality standards and violations would be significant and unavoidable.

Therefore, the proposed project would cause a significant impact to air quality standards and violations that cannot be mitigated to a level of less than significant. As a result, impacts would remain significant and unavoidable. No additional feasible mitigation is available to reduce the effects associated with air quality standards and violations a less-than-significant level.

### **3.1.5 FINDINGS REGARDING CUMULATIVE IMPACTS**

The following cumulatively significant environmental impacts of the proposed project associated with air quality and, potentially, the implementation of CAP Measure E-9, are unavoidable and cannot be mitigated in a manner that would substantially lessen the environmental impacts. The City of La Mesa finds that the project's environmental, economic, social, and other benefits outweigh and override the significant adverse cumulative impacts related to change in the environment. The City of La Mesa hereby elects to approve the project due to overriding considerations as set forth below in the Section 5, "Statement of Overriding Considerations," below.

## **AIR QUALITY**

The nonattainment status of regional pollutants is a result of past and present development within the air basin, and this regional impact is a cumulative impact; projects within the air basin would contribute to this impact only on a cumulative basis. Future activities encouraged by the CAP would result in a cumulatively considerable incremental contribution to a cumulatively significant and unavoidable impact to air quality since construction-related emissions related to the CAP could exceed the recommend levels of significance for ROG, NO<sub>x</sub>, CO, PM<sub>10</sub>, or PM<sub>2.5</sub>. In addition, while future development is not expected to include significant sources of TAC emissions, it is possible that operation of individual projects could expose sensitive receptors to adverse health impacts. Therefore, the proposed project would result in a cumulatively considerable incremental contribution to a cumulatively significant and unavoidable impact related to net increases of criteria pollutants and exposure of sensitive receptors to TACs. (Draft SEIR, p. 5-5)

### **Finding**

Based on the analysis contained within the Final SEIR, other considerations in the record, and the impact evaluation criteria, the City of La Mesa finds that the impact associated with cumulatively considerable net increase of criteria pollutants is significant. Although all feasible changes or alterations have been required in, or incorporated into, the project to mitigate or avoid significant cumulative environmental effects, the project will nonetheless result in a cumulatively significant and unavoidable impact related to net increases of criteria pollutants and exposure of sensitive receptors to TACs.

### **Mitigation Measures**

#### **Mitigation Measure AQ-1: Reduce Construction-Related Emissions.**

The City and project contractors shall implement the following measures during all construction activities:

- Comply with and implement all applicable SDAPCD rules and regulations that pertain to construction activities (e.g., asphalt paving ROG requirements, administrative requirements, and fugitive dust management practices). Implement all construction-related requirements recommended by the SDAPCD or local government.
- Water all exposed surfaces three times a day or sufficiently to prevent visible dust emissions.
- Apply water, nontoxic chemical stabilizers, or dust suppressants, or use tarps or other suitable material in all disturbed areas that will not be used for 10 days or more.
- Prevent carryout and track-out of fugitive dust on construction vehicles. Methods to limit carryout and track-out include using wheel washers; sweeping any track-out on adjacent public streets at the end of each work day; and lining access points with gravel, mulch, or wood chips.
- Cover or wet the filled cargo compartment of all transport trucks to limit visible dust emissions during transport, and maintain at least 2 feet of freeboard space from the top of a container.
- Install sandbags or other erosion-control measures on sites with a slope greater than 1 percent to prevent silt runoff to public roadways.

- Maintain all construction equipment according to the manufacturers' specifications. The equipment must be checked by a certified mechanic and determined to be running in proper condition before it is operated.
- Minimize idling time either by shutting off equipment when it is not in use or reducing the time of idling to no more than 5 minutes. Provide clear signage regarding idling at site access points.
- Use alternative fueled (e.g., compressed natural gas, liquefied natural gas, propane), or electric-powered construction equipment where feasible.
- Use equipment with diesel oxidation catalysts, catalyzed diesel PM filters, or other applicable SDAPCD-approved emissions reduction retrofit devices where feasible. (Draft SEIR, pp. 3.2-9 to 3.2-10)

**Mitigation Measure AQ-2: Reduce Operational Emissions.**

The City shall work with the SDAPCD and SANDAG to implement measures in the RAQS and meet all federal and state air quality standards for pollutants. The City shall also implement, review, and interpret the General Plan and future discretionary projects in a manner consistent with the RAQS to meet standards and reduce overall emissions from mobile and stationary sources. The City shall require each project applicant, as a condition of discretionary approval, to implement measures to reduce operational emissions of criteria air pollutants. Example measures follow:

- Install solar, wind, or geothermal power systems and solar hot water heaters.
- Install solar panels on unused roof and ground space and over carports and parking areas.
- Incorporate bicycle lanes, routes, and facilities into street systems, new subdivisions, and large developments.
- Require amenities for non-motorized transportation, such as secure and convenient bicycle parking.
- Institute teleconferencing, telecommute, and/or flexible work hour programs to reduce unnecessary employee transportation.
- Provide information on alternative transportation options for consumers, residents, tenants, and employers/employees to reduce transportation-related emissions.
- Purchase, or create incentives for purchasing, low or zero-emissions vehicles.
- Create a ride sharing program. Promote existing ride sharing programs by designating a certain percentage of parking spaces for ride sharing vehicles, designating adequate passenger loading and unloading for ride sharing vehicles, and providing a website or message board for coordinating rides.
- Enforce and follow limits for idling time for commercial vehicles, including delivery and construction vehicles. (Draft SEIR, pp. 3.2-10 to 3.2-11)

**Mitigation Measure AQ-3: Reduce Exposure of Sensitive Receptors to TAC Emissions**

The City shall require new development with sensitive uses located near mobile and stationary TACs to be designed with consideration of site and building orientation, location of trees, and incorporation of

appropriate technology for improved air quality (i.e., ventilation and filtration) to lessen any potential health risks.

The City shall require every new land use that has the potential to be a source of air pollution from being located closer than the specified minimum distance from any sensitive land use, as provided in Table 1-1, “Recommendations for Siting New Sensitive Land Uses,” of the ARB Air Quality and Land Use Handbook (ARB 2005), or subsequent revisions to that document. The City shall require that land uses located closer than the recommended buffer distances must (1) implement all commercially feasible design, equipment, and control technology to reduce exposure and emissions to the maximum extent feasible, and (2) perform a health risk assessment to ensure that implementation of mitigation would reduce health risks to less-than-significant levels pursuant to the most current SDAPCD guidelines at the time of analysis before development of the proposed project. (Draft SEIR, p. 3.2-11)

### ***Facts Supporting Findings***

The General Plan EIR determined that implementation of Mitigation Measure AQ-1 would ensure that all construction activities associated with the General Plan EIR would minimize fugitive dust and exhaust emissions. Adherence to SDAPCD rules and regulations, General Plan policies, and implementation of Mitigation Measure AQ-2 would reduce the impact associated with operational emissions that could result in a cumulatively considerable net increase of criteria pollutants. However, since the timing and intensity of construction activities cannot accurately be determined. Furthermore, Mitigation Measure AQ-3 would lessen health-related risks associated with operational sources of TAC emissions by considering site and building orientation, location of trees, and incorporation of appropriate technology for improved air quality; siting new development at specified distances from sensitive land uses; and performing health risk assessments. Cumulative air quality impacts would be reduced, but not to a level of less than significant. (Draft SEIR, p. 5-5)

Therefore, the proposed project would cause a cumulatively considerable significant impact associated with net increases of criteria pollutants that cannot be mitigated to a level of less than significant. As a result, impacts would remain cumulatively significant and unavoidable. No additional feasible mitigation is available to reduce the cumulative effects associated with cumulatively considerable net increase of criteria pollutants a less-than-significant level.

### **CUMULATIVE IMPACTS FROM IMPLEMENTATION OF MEASURE E-9 OF THE CAP**

Assembly Bill 117, which was signed into law in 2002, enables California cities and counties, either individually or collectively, to supply electricity to customers within their borders through the establishment of a community choice aggregation district (CCA). CCAs provide flexibility in pursuing low-carbon electricity options in a community because procurement objectives are defined locally. For example, a San Diego County CCA could decide to provide 75 percent of its electricity from renewable sources, which would exceed State requirements directing California’s utilities to provide 50 percent of their electricity from renewable sources by 2030. CCAs can also range in size from a city to an entire region.

CAP Measure E-9 directs the City to partner with other San Diego County jurisdictions to evaluate the development of a regional CCA option, including identification of the geographic scope and potential costs to participating jurisdictions and residents. Future projects that could occur under the CCA program may include development of new transmission lines, substations, and energy storage systems in the city. In addition,

implementation of the City's CCA program could indirectly result in future development of large-scale solar PV, thermal, or biomass facilities to meet demands of renewable energy supplies in the city. These projects would occur outside of the City limits and may include the City as a regional partner in development of these projects. Without Measure E-9, it is less likely that the City of La Mesa will not develop or contribute to the development of future large-scale solar PV, thermal, or other facilities.

The agency with land use authority over possible future projects implemented under a future regional CCA would conduct a separate CEQA or NEPA analysis, if necessary, to analyze impacts and identify any required mitigation measures for construction and operation of new facilities. These projects would be subject to applicable federal, State, regional, and local regulation, plans, and policies. However, there is no information presently available about the location, scale, character, type, construction techniques, phasing, or operational techniques associated with such possible future projects associated with a future regional CCA or other clean energy program.

Because the CCA would involve the City's participation in a regional program, Measure E-9 from the CAP is considered in this SEIR as part of the cumulative analysis.

Cumulative impacts associated with the implementation of Measure E-9 would be related to the construction and operation of new transmission lines, substations, energy storage systems, or renewable energy generation facilities. Future projects related to CCA could have aesthetic impacts. For example, a transmission lines, substations, or a large solar, thermal, or bio mass facilities could block views or impact the visual character of a location. Although the location of any potential future facility, transmission line, or other development associated with the CCA is unknown, development could impact biological resources by removing habitat or foraging areas, including trees or blocking wildlife corridors. If construction activities associated with the CCA were to occur during more noise-sensitive hours, construction source noise levels could also result in annoyance and/or sleep disruption to occupants of existing and proposed noise-sensitive land uses, and could create a substantial temporary increase in ambient noise levels. If ground disturbance occurs in paleontological or culturally sensitive areas, there is a potential for paleontological or cultural resources to occur. Construction-related activities associated with the CCA or operation of future facilities could require the use of off-road equipment (which would need to be delivered to the project sites), material delivery trucks, and worker vehicles.

## **Finding**

Considering the uncertainty associated with future development under Measure E-9, the City of La Mesa has determined that there could be a potential significant cumulative impact associated with implementing a regional CCA or similar clean energy program. In addition, La Mesa's participation in such a CCA could have a cumulatively considerable contribution to a potential significant cumulatively impact. The City has General Plan policies and Mitigation Measures that address the effects of new construction that could be applied in the case that there are physical changes associated with a future CCA or other clean energy program over which the City would have the ability to impose mitigation measures or other conditions. However, the City cannot control the design and implementation of a future CCA, and so cannot ensure that impacts would be less than cumulatively considerable. Thus, impacts associated with the CCA would be cumulatively significant and unavoidable.

Based on the analysis contained within the Final SEIR, other considerations in the record, and the impact evaluation criteria, the City of La Mesa finds that the impact associated with implementation of Measure E-9 is potentially significant. Although all feasible changes or alterations have been required in, or incorporated into, the project to mitigate or avoid significant cumulative environmental effects, the project will nonetheless result in a

cumulatively significant and unavoidable impact related to net increases of criteria pollutants and exposure of sensitive receptors to TACs.

### ***Facts Supporting Findings***

The agency with land use authority over possible future projects implemented under a future regional CCA would conduct a separate CEQA or NEPA analysis, if necessary, to analyze impacts and identify any required mitigation measures for construction and operation of new facilities. These projects would be subject to applicable federal, State, regional, and local regulation, plans, and policies. However, there is no information presently available about the location, scale, character, type, construction techniques, phasing, or operational techniques associated with such possible future projects associated with a future regional CCA or other clean energy program.

Cumulative impacts associated with the implementation of Measure E-9 would be related to the construction and operation of new transmission lines, substations, energy storage systems, or renewable energy generation facilities. Future projects related to CCA could have aesthetic impacts. For example, a transmission lines, substations, or a large solar, thermal, or bio mass facilities could block views or impact the visual character of a location. Although the location of any potential future facility, transmission line, or other development associated with the CCA is unknown, development could impact biological resources by removing habitat or foraging areas, including trees or blocking wildlife corridors. If construction activities associated with the CCA were to occur during more noise-sensitive hours, construction source noise levels could also result in annoyance and/or sleep disruption to occupants of existing and proposed noise-sensitive land uses, and could create a substantial temporary increase in ambient noise levels. If ground disturbance occurs in paleontological or culturally sensitive areas, there is a potential for paleontological or cultural resources to occur. Construction-related activities associated with the CCA or operation of future facilities could require the use of off-road equipment (which would need to be delivered to the project sites), material delivery trucks, and worker vehicles. Although relevant federal, State, regional, and local regulations and policies would reduce potential impacts, there is no feasible mitigation that the City can impose that would reduce potential impacts to a less than cumulatively considerable level. (Draft SEIR, p. 5-4)

Therefore, the proposed project would have a cumulatively considerable significant impact associated with implementation of CAP Measure E-9 that cannot be mitigated to a level of less than significant. As a result, impacts would remain cumulatively significant and unavoidable. No additional feasible mitigation is available to reduce the cumulative effects associated with cumulatively considerable net increase of criteria pollutants a less-than-significant level.

This page intentionally left blank.

## 4 PROJECT ALTERNATIVES

Where a lead agency has determined that, even after the adoption of all feasible mitigation measures, a project as proposed will still cause one or more significant environmental effects that cannot be substantially lessened or avoided, the agency, prior to approving the project as mitigated, the lead agency must first determine whether, with respect to such impacts, whether there remain any project alternatives that are both environmentally superior and feasible within the meaning of CEQA.

As noted under the heading “Findings Required under CEQA,” an alternative may be “infeasible” if it fails to achieve the lead agency’s underlying goals and objectives with respect to the project. Thus, “‘feasibility’ under CEQA encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors” of a project (*City of Del Mar v. City of San Diego* [1982] 133 Cal.App.3d 401, 417).

### 4.1 ALTERNATIVE 1: NO PROJECT – NO CAP

Under Alternative 1, no CAP would be adopted or implemented. Without the CAP, La Mesa would continue to permit future development consistent with the General Plan. La Mesa has a history of implementing sustainability within the community in various ways, such as urban walking trails, the Safe Routes to School Program, a City fleet of hybrid vehicles, the Farmer’s Market, transit-oriented developments, and the rehabilitation of existing building. On April 10, 2007, the City Council adopted Resolution No. 2007-039 endorsing the U.S. Mayors Climate Protection Agreement. In 2013, the City, in collaboration with SANDAG and San Diego Gas and Electric Company (SDG&E), developed an Energy Management Plan, or “Energy Roadmap”. The Energy Roadmap provides a framework for La Mesa to identify ways to save energy in government operations and in the community, resulting in municipal cost savings and environmental benefits.

Without a CAP, La Mesa would not as clearly be able to demonstrate consistency with the State’s own GHG emissions reduction goals. These goals are embodied in AB 32; the California Global Warming Solutions Act of 2006, which requires reduction of statewide GHG emissions to 1990 levels by 2020; as well as SB 32, which establishes a goal for the State government of 40 percent below 1990 statewide emissions levels by 2030; and Executive Order S-3-05, which establishes a goal for State government of 80 percent below 1990 statewide emissions levels by 2050. ARB recommends efficiency targets for post-2020 target years. The October 27, 2017 Draft 2017 Scoping Plan “recommends statewide targets of no more than six metric tons CO<sub>2</sub>e per capita by 2030 and no more than two metric tons CO<sub>2</sub>e per capita by 2050...CARB recommends that local governments evaluate and adopt robust and quantitative locally-appropriate goals that align with the statewide per capita targets and the State’s sustainable development objectives and develop plans to achieve the local goals”.

### 4.2 ALTERNATIVE 2: CAP WITHOUT MEASURE E-9

Alternative 2 would consist of the CAP, without Measure E-9 (Community Choice Aggregation Program: Partner with other San Diego County jurisdictions to develop a regional Community Choice Aggregation option [or similar program]).

Assembly Bill 117, which was signed into law in 2002, enables California cities and counties, either individually or collectively, to supply electricity to customers within their borders through the establishment of a community

choice aggregation district (CCA). CCAs provide flexibility in pursuing low-carbon electricity options in a community because procurement objectives are defined locally. For example, a San Diego County CCA could decide to provide 75 percent of its electricity from renewable sources, which would exceed State requirements directing California's utilities to provide 50 percent of their electricity from renewable sources by 2030. CCAs can also range in size from a city to an entire region. Future projects that could occur under the CCA program may include development of new transmission lines, substations, and energy storage systems in the city. In addition, implementation of the City's CCA program could indirectly result in future development of large-scale solar PV, thermal, or biomass facilities to meet demands of renewable energy supplies in the city. These projects would occur outside of the City limits and may include the City as a regional partner in development of these projects. Under this scenario, the agency with land use authority over the project, once future projects are proposed, would conduct a separate CEQA or NEPA analysis, if necessary, to analyze specific impacts and identify any required mitigation measures for construction and operation of new facilities. These projects would be subject to applicable federal, State, regional, and local regulations, plans, and policies that are intended to reduce impacts on water quality. The City's participation in a potential future CCA or other similar clean energy program could help to facilitate such a regional program, and depending on how this is implemented, it could have environmental effects. It is not possible at this time to know the location, scale, character, type, construction techniques, phasing, or operational techniques associated with such possible future projects. Without Measure E-9, it is likely that the City of La Mesa will not develop or contribute to the development of future large-scale solar PV, thermal, or biomass facilities.

Since electricity accounts for 38 percent of La Mesa's emissions inventory, participation in a regional CCA district could provide a significant source of future emissions reductions. The GHG reduction benefits are based on an assumption that La Mesa would implement a program by 2035, that 20 percent of residents and businesses would opt out and remain with SDG&E, and that the emissions profile of the CCA would be similar to the current emissions profile of the Sonoma Clean Power program's Clean Start Option. This option currently provides 36 percent of its electricity from Renewable Portfolio Standard (RPS)-compliant renewable sources, and an additional 41 percent from large hydroelectric facilities, which are also emissions free, for a total of approximately 80 percent emissions-free electricity.

### **4.3 ALTERNATIVE 3: NO PROJECT – 2020 CAP**

In June 2015, a draft 2020 CAP was presented to the City's Planning Commission. The Planning Commission directed staff to conduct additional community outreach on potential measures to mitigate climate change. More specifically, certain environmental groups requested that the City address concerns regarding CEQA, climate action planning incentives (enforceable and mandatory measures), Community Choice Aggregation, and expanding the CAP horizon year. The City conducted additional public outreach through an online survey and the City's Connect La Mesa Block Party in November 2015. Alternative 3 would be the implementation of this 2020 CAP.

In March 2016, the City Council approved additional funds to revise the CAP to consider the following additions:

- ▶ Estimate community-wide emissions through a 2035 horizon year to align with buildout of the City's General Plan and demographic growth estimates included in San Diego Association of Governments' (SANDAG's) Regional Transportation Plan (RTP).

- ▶ Provide revised emissions inventory that includes 2035 business-as-usual forecast calculations and supporting assumptions.
- ▶ Estimate statewide reductions through the 2035 horizon year to demonstrate progress towards the City’s 2035 emissions target. The projection of emissions to this future year will allow the City to compare local emissions and reduction targets to longer-term statewide target years.
- ▶ Develop assumptions to estimate the reduction benefits of statewide measures beyond 2020 through the 2035 horizon year based on new information made available by the California Air Resources Board.
- ▶ Develop new reduction measures, as well as identify any appropriate revisions to existing draft measures to increase their long-term reduction potential.

The revisions added the following measures to the proposed project: E-8 (Zero Net Energy Construction), E-9 (Community Choice Aggregation Program), W-3 (Pure Water Program), SW-3 (75% Waste Diversion Strategy), and GI-2 (Expanded Urban Forestry Program). Alternative 3 would be the implementation of the 2020 CAP without these additional measures.

## 4.4 FINDINGS

Alternative 1 would not be consistent with the General Plan and EIR, and would not implement EIR Mitigation Measure GHG-1, which provides that the City develop and adopt a Climate Action Plan that complies with the requirements of CEQA Guidelines Section 15183.5. Without a CAP, the City would not have an estimate of GHG emissions under baseline and future conditions and would not as easily be able to demonstrate emissions reductions that are consistent with the State’s goals. The City would not be evaluated towards meeting any reduction targets and future projects would not be provided with a streamlining process. In summary, Alternative 1 (No Project Alternative) would not meet any of the objectives of the proposed project.

Alternative 2 could meet most of the project objectives. The CAP still provides an estimate of GHG emissions under baseline and future conditions and still provides reduction targets. Without Measure E-9, the City would not be able to achieve its long-term targets without supplementing with other reduction measures targeting energy efficiency and transportation-related emissions. The CAP could still include a mechanism to evaluate the City’s progress and provide a streamlining process for future projects. In summary, Alternative 2 would not achieve the project objectives to the same degree or extent as the proposed project, would not undertake a potentially feasible measure that could help achieve long-term emission reduction targets, and would require the City to identify other energy efficiency and transportation-related emission reduction measures to meet long-term GHG reduction targets.

Although it would meet or partially meet several project objectives, Alternative 3 would not meet the first two project objectives to estimate GHG emissions under future conditions (post-2020) and to present reduction targets consistent with State law and court direction for 2030 and 2050. The 2020 CAP included an estimate of baseline (2010) and future (2020) conditions, although it did not analyze 2035 conditions. The 2020 CAP included reduction targets consistent with State goals, although longer-term (post 2020) goals are not explicitly evaluated. The 2020 CAP included a mechanism to evaluate the City’s progress towards the targets. In addition, the 2020 CAP indicated that future projects may be able to rely on an environmental document prepared for the 2020 CAP. However, an environmental document was never prepared for the 2020 CAP. If this alternative were selected, an

additional environmental document would be required. In summary, Alternative 3 would not achieve fundamental objectives of the proposed project and would not address post-2020 emission reduction targets as required by state law.

Table 4-1 identifies whether each of the three alternatives would have increased, reduced, or similar impacts compared with the proposed project for each of the environmental issue areas evaluated in this SEIR.

<b>Table 4-1. Comparison of the Impacts of the Proposed Project with Those of the Alternatives</b>			
<b>Environmental Issue Area</b>	<b>Alternatives</b>		
	<b>Alternative 1: No Project – No CAP</b>	<b>Alternative 2: CAP Without Measure E-9</b>	<b>Alternative 3: No Project – 2020 CAP</b>
Aesthetics	Reduced	Reduced	Reduced
Air Quality	Reduced	Reduced	Reduced
Biological Resources	Similar	Reduced	Reduced
Cultural Resources	Similar	Similar	Similar
Greenhouse Gas Emissions	Increased	Increased	Increased
Hazards and Hazardous Materials	Similar	Similar	Similar
Hydrology and Water Quality	Reduced	Reduced	Reduced
Land Use	Increased	Similar	Similar
Noise	Reduced	Reduced	Reduced
Paleontological Resources	Similar	Similar	Similar
Population and Housing	Similar	Similar	Similar
Public Services, Utilities, and Energy	Similar/Increased	Reduced/Increased	Reduced/Increased
Transportation and Traffic	Increased	Reduced	Similar
<b>Totals</b>			
<b>Increased Impacts</b>	4	2	2
<b>Reduced Impacts</b>	4	7	6
<b>Similar Impacts</b>	6	5	6
Note: For each environmental issue, the alternative is compared with the proposed project based on the level of severity of impacts (increased, similar, reduced).			
Source: Compiled by AECOM 2017			

Alternative 1 increases as many impacts as it decreases compared to the proposed project. Alternative 2 reduces impacts in 7 areas and increases impacts in 2 areas. Alternative 3 reduces impacts in 6 areas and increases impacts in 2 areas. Thus, Alternative 2 is the environmentally-superior alternative. However, as described above, Alternative 2 would not meet the 2035 emission reduction targets, and the City may need to consider additional programs targeting energy efficiency and transportation-related emissions, which could themselves have environmental effects.

Based on impacts identified in the EIR and throughout this findings document, the City of La Mesa finds that the proposed project is the most desirable, feasible, and appropriate, and rejects other alternatives and other combinations and/or variations of alternatives as infeasible.

## 5 STATEMENT OF OVERRIDING CONSIDERATIONS

Pursuant to Section 21081 of the Public Resources Code and Section 15093 of the CEQA Guidelines, the City of La Mesa adopts and makes the following statement of overriding considerations regarding the remaining significant unavoidable impacts of the project, as discussed above, and the anticipated economic, social, and other benefits of the project.

The City of La Mesa finds and determines that (1) the majority of the significant impacts of the project will be reduced to acceptable levels by implementation of the mitigation measures recommended in these findings; (2) The City of La Mesa's approval of the project as proposed will result in certain significant adverse environmental effects that cannot be avoided or reduced to a less-than-significant level even with the incorporation of all feasible mitigation measures into the project; and (3) there are no other feasible mitigation measures or feasible project alternatives that will further mitigate, avoid, or reduce to a less-than-significant level the remaining significant environmental effects.

In light of the environmental, social, economic, and other considerations identified in the findings for the project, and the considerations set forth below related to this project, City of La Mesa chooses to approve the project because, in its view, the economic, social, technological, and other benefits resulting from the project substantially outweigh the project's significant and unavoidable adverse environmental effects.

The following statements identify the reasons why, in City of La Mesa's judgment, the benefits of the project outweigh the significant and unavoidable effects. The substantial evidence supporting the enumerated benefits of the project can be found in the preceding findings, which are herein incorporated by reference; in the project itself; and in the record of proceedings as defined above. Each of the overriding considerations set forth below constitutes a separate and independent ground for finding that the benefits of the project outweigh its significant adverse environmental effects and is an overriding consideration warranting approval.

The City of La Mesa finds that the project, as conditionally approved, will have the following economic, social, technological, and environmental benefits:

- ▶ The City's 2020 CAP reduction target supports the State's AB 32 reduction target and is consistent with the Scoping Plan recommendation that local governments reduce communitywide and municipal operation emissions to a level approximately 15 percent below baseline levels by 2020.
- ▶ The CAP provides a 2035 efficiency target consistent with the City's General Plan horizon year, consistent with the State's longer-term goals expressed in SB 32 for 2030.
- ▶ The CAP's 2050 target demonstrates the City's commitment to California's long-term GHG goal expressed under Executive Order S-3-05 (i.e., 80 percent below 1990 levels).
- ▶ The CAP sets forth municipal operations and communitywide GHG reduction measures, including actions and progress indicators that will collectively achieve the specified emissions reduction targets.
- ▶ The CAP sets forth procedures to implement, monitor, and verify the effectiveness of the CAP measures and adjust efforts moving forward, if necessary, to achieve the City's targets.

- ▶ The CAP provides a process for projects consistent with the CAP to undergo a streamlined analysis and mitigation of GHG emissions under CEQA consistent with the tiering and streamlining provisions of Section 15183.5 of the CEQA Guidelines.
- ▶ The CAP will help achieve multiple community goals, such as lowering energy costs, reducing air pollution, supporting local economic development, and improving public health and quality of life.

## 6 REFERENCES

ARB. *See* California Air Resources Board.

California Air Resources Board. 2005. *Air Quality and Land Use Handbook: A Community Health Perspective*. Sacramento, California. Available at <http://www.arb.ca.gov/ch/landuse.htm>. Accessed February 2010.

This page intentionally left blank.

## **EXHIBIT B**

---

Mitigation Monitoring and Reporting Program



# **MITIGATION MONITORING AND REPORTING PROGRAM**

## **CALIFORNIA ENVIRONMENTAL QUALITY ACT REQUIREMENT**

Where a California Environmental Quality Act (CEQA) document has identified significant environmental effects, Public Resources Code Section 21081.6 requires adoption of a “reporting or monitoring program for the changes to the project which it has adopted or made a condition of a project approval to mitigate or avoid significant effects on the environment.”

This Environmental Mitigation Monitoring and Reporting Program (MMRP) has been prepared to provide for the monitoring of mitigation measures required of the Climate Action Plan (CAP), as set forth in the Final Environmental Impact Report (FEIR).

The City of La Mesa (the City) is the Lead Agency that must adopt the MMRP for development and operation of the CAP. This report will be kept on file with the City of La Mesa Community Development Department at 8130 Allison Avenue, La Mesa, CA 91942.

The CEQA Statutes and Guidelines provide direction for clarifying and managing the complex relationships between a Lead Agency and other agencies with implementing and monitoring mitigation measures. In accordance with CEQA Guidelines Section 15097(d), “each agency has the discretion to choose its own approach to monitoring or reporting; and each agency has its own special expertise.” This discretion will be exercised by implementing agencies at the time they undertake any of portion of the project, as identified in the EIR.

## **PURPOSE OF MITIGATION MONITORING AND REPORTING PROGRAM**

The intent of the MMRP is to ensure the effective implementation and enforcement of adopted mitigation measures. The MMRP is intended to be used by City staff and others responsible for project implementation.

This document identifies the individual mitigation measures, the party responsible for monitoring implementation of the measure, the timing of implementation, and space to confirm implementation of the mitigation measures.

## **ROLES AND RESPONSIBILITIES**

The City will oversee monitoring and documenting the implementation of mitigation measures and is responsible for fully understanding and effectively implementing all of the mitigation measures contained within this MMRP. Certain mitigation measures also will require that the applicant coordinate or consult with one or more other public agencies in implementing mitigation measures specified herein.

## **CHANGES TO MITIGATION MEASURES**

Any substantive change in the MMRP is required to be reported in writing. Modifications to the mitigation measures may be made by the City, subject to one of the following findings, and documented by evidence included in the public record:

- ▶ The mitigation measure included in the FEIR and the MMRP is no longer required because the significant environmental impact identified in the FEIR has been found not to exist, or to occur at a level which makes the impact less than significant as a result of changes in the project, changes in environment conditions, or other factors.

OR,

- ▶ The modified or substitute mitigation measure provides a level of environmental protection equal to, or greater than that afforded by the mitigation measure included in the FEIR and the MMRP; and,
- ▶ The modified or substitute mitigation measure or measures do not have significant adverse effects on the environment in addition to, or greater than those which were considered by the responsible hearing bodies in their decisions on the FEIR and the proposed project; and,
- ▶ The modified or substitute mitigation measures are feasible, and the City, through measures included in the MMRP or other City procedures, can ensure implementation.

## **SUPPORT DOCUMENTATION**

Findings and related documentation supporting the findings involving modifications to mitigation measures shall be maintained in the project file with this MMRP and shall be made available to the public upon request.

This MMRP will be kept on file at:

City of La Mesa Community Development Department  
8130 Allison Avenue  
La Mesa, CA 91942

Impact	CAP SEIR Mitigation Measure	Timing	Implementation Responsibility	Date Completed
<b>3.1 Aesthetics</b>				
Scenic Vistas and Scenic Resources	<b>AES-1:</b> As new development and revitalization projects come forward, the City shall work with developers to preserve scenic views and vistas of natural and built landmarks that are visible from public locations and streets. For proposed buildings taller than four stories, visual simulations and shadow studies shall be required to be provided by the applicant during the development review process so that the City can effectively evaluate visual impacts. In response to City review of the simulations and studies, if significant visual impacts are identified by the City, building designs shall be modified by the applicant to reduce such impacts.	As new development and revitalization projects come forward	City of La Mesa	
Visual Character	<b>AES-1:</b> As new development and revitalization projects come forward, the City shall work with developers to preserve scenic views and vistas of natural and built landmarks that are visible from public locations and streets. For proposed buildings taller than four stories, visual simulations and shadow studies shall be required to be provided by the applicant during the development review process so that the City can effectively evaluate visual impacts. In response to City review of the simulations and studies, if significant visual impacts are identified by the City, building designs shall be modified by the applicant to reduce such impacts.	As new development and revitalization projects come forward	City of La Mesa	
<b>3.2 Air Quality</b>				
Violate any Air Quality Standard or Contribute Substantially to an Existing or Projected Air Quality Violation	<b>AQ-1: Reduce Construction-Related Emissions.</b> The City and project contractors shall implement the following measures during all construction activities: <ul style="list-style-type: none"> <li>▶ Comply with and implement all applicable SDAPCD rules and regulations that pertain to construction activities (e.g., asphalt paving ROG requirements, administrative requirements, and fugitive dust management practices). Implement all construction-related requirements recommended by the SDAPCD or local government.</li> <li>▶ Water all exposed surfaces three times a day or sufficiently to prevent visible dust emissions.</li> <li>▶ Apply water, nontoxic chemical stabilizers, or dust suppressants, or use tarps or other suitable material in all disturbed areas that will not be used for 10 days or more.</li> <li>▶ Prevent carryout and track-out of fugitive dust on construction vehicles. Methods to limit carryout and track-out include using wheel washers; sweeping any track-out on adjacent public streets at the end of each work day; and lining access points with gravel, mulch, or wood chips.</li> <li>▶ Cover or wet the filled cargo compartment of all transport trucks to limit visible dust emissions during transport, and maintain at least 2 feet of freeboard space</li> </ul>	During all construction activities	City of La Mesa	

Impact	CAP SEIR Mitigation Measure	Timing	Implementation Responsibility	Date Completed
	<p>from the top of a container.</p> <ul style="list-style-type: none"> <li>▶ Install sandbags or other erosion-control measures on sites with a slope greater than 1 percent to prevent silt runoff to public roadways.</li> <li>▶ Maintain all construction equipment according to the manufacturers' specifications. The equipment must be checked by a certified mechanic and determined to be running in proper condition before it is operated.</li> <li>▶ Minimize idling time either by shutting off equipment when it is not in use or reducing the time of idling to no more than 5 minutes. Provide clear signage regarding idling at site access points.</li> <li>▶ Use alternative fueled (e.g., compressed natural gas, liquefied natural gas, propane), or electric-powered construction equipment where feasible.</li> <li>▶ Use equipment with diesel oxidation catalysts, catalyzed diesel PM filters, or other applicable SDAPCD-approved emissions reduction retrofit devices where feasible.</li> </ul>			
<p>Result in cumulatively considerable net increase of criteria pollutants</p>	<p><b>AQ-1: Reduce Construction-Related Emissions.</b> The City and project contractors shall implement the following measures during all construction activities:</p> <ul style="list-style-type: none"> <li>▶ Comply with and implement all applicable SDAPCD rules and regulations that pertain to construction activities (e.g., asphalt paving ROG requirements, administrative requirements, and fugitive dust management practices). Implement all construction-related requirements recommended by the SDAPCD or local government.</li> <li>▶ Water all exposed surfaces three times a day or sufficiently to prevent visible dust emissions.</li> <li>▶ Apply water, nontoxic chemical stabilizers, or dust suppressants, or use tarps or other suitable material in all disturbed areas that will not be used for 10 days or more.</li> <li>▶ Prevent carryout and track-out of fugitive dust on construction vehicles. Methods to limit carryout and track-out include using wheel washers; sweeping any track-out on adjacent public streets at the end of each work day; and lining access points with gravel, mulch, or wood chips.</li> <li>▶ Cover or wet the filled cargo compartment of all transport trucks to limit visible dust emissions during transport, and maintain at least 2 feet of freeboard space from the top of a container.</li> <li>▶ Install sandbags or other erosion-control measures on sites with a slope greater than 1 percent to prevent silt runoff to public roadways.</li> <li>▶ Maintain all construction equipment according to the manufacturers' specifications. The equipment must be checked by a certified mechanic and determined to be running in proper condition before it is operated.</li> </ul>	<p>During all construction activities</p>	<p>City of La Mesa</p>	

Impact	CAP SEIR Mitigation Measure	Timing	Implementation Responsibility	Date Completed
	<ul style="list-style-type: none"> <li>▶ Minimize idling time either by shutting off equipment when it is not in use or reducing the time of idling to no more than 5 minutes. Provide clear signage regarding idling at site access points.</li> <li>▶ Use alternative fueled (e.g., compressed natural gas, liquefied natural gas, propane), or electric-powered construction equipment where feasible.</li> <li>▶ Use equipment with diesel oxidation catalysts, catalyzed diesel PM filters, or other applicable SDAPCD-approved emissions reduction retrofit devices where feasible.</li> </ul> <p><b>AQ-2: Reduce Operational Emissions.</b> The City shall work with the SDAPCD and SANDAG to implement measures in the RAQS and meet all federal and state air quality standards for pollutants. The City shall also implement, review, and interpret the General Plan and future discretionary projects in a manner consistent with the RAQS to meet standards and reduce overall emissions from mobile and stationary sources. The City shall require each project applicant, as a condition of discretionary approval, to implement measures to reduce operational emissions of criteria air pollutants. Example measures follow:</p> <ul style="list-style-type: none"> <li>▶ Install solar, wind, or geothermal power systems and solar hot water heaters.</li> <li>▶ Install solar panels on unused roof and ground space and over carports and parking areas.</li> <li>▶ Incorporate bicycle lanes, routes, and facilities into street systems, new subdivisions, and large developments.</li> <li>▶ Require amenities for non-motorized transportation, such as secure and convenient bicycle parking.</li> <li>▶ Institute teleconferencing, telecommute, and/or flexible work hour programs to reduce unnecessary employee transportation.</li> <li>▶ Provide information on alternative transportation options for consumers, residents, tenants, and employers/employees to reduce transportation-related emissions.</li> <li>▶ Purchase, or create incentives for purchasing, low or zero-emissions vehicles.</li> <li>▶ Create a ride sharing program. Promote existing ride sharing programs by designating a certain percentage of parking spaces for ride sharing vehicles, designating adequate passenger loading and unloading for ride sharing vehicles, and providing a website or message board for coordinating rides.</li> <li>▶ Enforce and follow limits for idling time for commercial vehicles, including delivery and construction vehicles.</li> </ul>			
Result in the Exposure of Sensitive Receptors to Substantial Pollutant Concentrations	<p><b>AQ-3: Reduce Exposure of Sensitive Receptors to TAC Emissions.</b> The City shall require new development with sensitive uses located near mobile and stationary TACs to be designed with consideration of site and building orientation, location of trees, and incorporation of appropriate technology for improved air</p>	Prior to project approvals	City of La Mesa	

Impact	CAP SEIR Mitigation Measure	Timing	Implementation Responsibility	Date Completed
	<p>quality (i.e., ventilation and filtration) to lessen any potential health risks. The City shall require every new land use that has the potential to be a source of air pollution from being located closer than the specified minimum distance from any sensitive land use, as provided in Table 1-1, “Recommendations for Siting New Sensitive Land Uses,” of the ARB Air Quality and Land Use Handbook (ARB 2005), or subsequent revisions to that document. The City shall require that land uses located closer than the recommended buffer distances must (1) implement all commercially feasible design, equipment, and control technology to reduce exposure and emissions to the maximum extent feasible, and (2) perform a health risk assessment to ensure that implementation of mitigation would reduce health risks to less-than-significant levels pursuant to the most current SDAPCD guidelines at the time of analysis before development of the proposed project.</p>			
<p><b>3.3 Cultural Resources</b></p>				
<p>Historic Resources</p>	<p><b>CR-1:</b> Prior to construction of specific development projects that would disturb a historic structure listed or eligible to be listed in the NRHP, the CRHR, or the Inventory of Historic Resources, the City shall require the development of feasible project-level mitigation measures, identified in consultation with the State Historic Preservation Office when appropriate, to avoid or substantially reduce impacts to significant cultural resources. Feasible project-level mitigation measures include maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation, relocation, or reconstruction of any impacted historic resource, which shall be conducted in a manner consistent with the Secretary of the Interior’s Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings.</p>	<p>Prior to construction</p>	<p>City of La Mesa</p>	
<p>Archaeological Resources</p>	<p><b>CR-2:</b> During construction of specific development projects, the City shall require monitoring by a qualified archeologist of grading, ground-disturbing, and other major earth-moving activities in previously undisturbed areas with known archaeological resources. The archeologist shall observe grading, ground-disturbing, and other major earth-moving activities.</p> <p><b>CR-3:</b> The City shall require a qualified archaeologist to evaluate and determine the significance of any cultural resources discovered during site construction activities. Should an archaeological deposit and/or feature be encountered during construction, an archaeological data recovery program shall be prepared and implemented, including consultation with interested Native American tribes. The archeologist and Native American monitor shall strive for agreement on the determined significance of an artifact or cultural resource. Once in agreement, either the archeologist or Native American monitor may divert or halt ground-disturbing activities for the purposes of implementing a data recovery program. A</p>	<p>During construction</p>	<p>City of La Mesa</p>	

Impact	CAP SEIR Mitigation Measure	Timing	Implementation Responsibility	Date Completed
	<p>data recovery program for archaeological sites consists of excavation of a percentage of the site, determined in consultation with the project implementer, to provide information necessary to answer significant research questions.</p> <p>All Native American human remains and associated grave goods discovered shall be returned to their Most Likely Descendent and repatriated. The final disposition of artifacts not directly associated with Native American graves shall be negotiated during consultation with interested Native American tribes. Artifacts shall consist of material recovered from all phases of work, including initial survey, testing, indexing, data recovery, and monitoring.</p> <p>The qualified archaeologist shall apply mitigation measures prior to the resuming of construction work. Local Native American tribes shall be consulted in the identification of mitigation measures to address impacts, consistent with California requirements, including provisions to address inadvertent discoveries.</p>			
<b>3.8 Noise</b>				
Local/ Applicable Noise-Level Standards	<p><b>N-1:</b> The City shall require all new projects to meet acceptable exterior noise standards:</p> <ul style="list-style-type: none"> <li>▶ Review all development proposals, public and private, for consistency with the policies of the Noise Element of the General Plan.</li> <li>▶ Discourage development of noise-sensitive land uses in areas exposed to existing or future noise levels exceeding 65 dBA CNEL.</li> <li>▶ Incorporate noise reduction features during site planning to ensure that areas intended for frequent outdoor use are subjected to 60 dBA CNEL or less for single-family land uses and 65 dBA CNEL or less for multi-family residential land uses and multi-family residential land uses within mixed-use developments.</li> <li>▶ Control and abate undesirable sounds through the use of the land use compatibility criteria shown in the requirements of Municipal Code Chapter 10.80.</li> <li>▶ Provide developers and builders with noise policy guidelines. The guidelines shall provide specific design criteria, minimum standards for submittal of acoustical studies, and descriptions of acceptable noise mitigation measures.</li> <li>▶ <b>N-2:</b> The City shall ensure that interior noise levels do not exceed 45 dBA CNEL for single-family and multi-family residential land uses:</li> <li>▶ Enforce the California Noise Insulation Standards (California Code of Regulations Title 24). Title 24 requires that an acoustical analysis be performed for all new multi-family residences in areas where the exterior sound level exceeds 60 dBA CNEL. The analysis shall ensure that the building design limits</li> </ul>	Prior to project approvals	City of La Mesa	

Impact	CAP SEIR Mitigation Measure	Timing	Implementation Responsibility	Date Completed
	<p>the interior noise environment to 45 dBA CNEL or below.</p> <ul style="list-style-type: none"> <li>▶ Ensure that an acoustical analysis be performed for all new single-family residences in areas where the exterior sound level exceeds 60 dBA CNEL. The analysis shall ensure that the building design limits the interior noise environment to 45 dBA CNEL or below.</li> </ul> <p><b>N-3:</b> The City shall achieve noise compatibility between industrial/commercial and surrounding land uses:</p> <ul style="list-style-type: none"> <li>▶ Control excessive noise through the planning and regulatory process with emphasis on noise/land-use compatibility planning.</li> <li>▶ Ensure that the design and construction of commercial, industrial, office, and mixed-use structures includes noise attenuation methods to comply with Municipal Code Chapter 10.80.</li> <li>▶ Encourage commercial, industrial, office, and mixed-use developments to locate loading areas, parking lots, driveways, trash enclosures, mechanical equipment, and other noisier components away from noise-sensitive land uses.</li> <li>▶ Limit delivery hours for businesses with loading areas or docks fronting, siding, bordering, or gaining access on driveways adjacent to noise-sensitive land uses.</li> </ul>			
Ambient Noise Level	<p><b>N-1:</b> The City shall require all new projects to meet acceptable exterior noise standards:</p> <ul style="list-style-type: none"> <li>▶ Review all development proposals, public and private, for consistency with the policies of the Noise Element of the General Plan.</li> <li>▶ Discourage development of noise-sensitive land uses in areas exposed to existing or future noise levels exceeding 65 dBA CNEL.</li> <li>▶ Incorporate noise reduction features during site planning to ensure that areas intended for frequent outdoor use are subjected to 60 dBA CNEL or less for single-family land uses and 65 dBA CNEL or less for multi-family residential land uses and multi-family residential land uses within mixed-use developments.</li> <li>▶ Control and abate undesirable sounds through the use of the land use compatibility criteria shown in the requirements of Municipal Code Chapter 10.80.</li> <li>▶ Provide developers and builders with noise policy guidelines. The guidelines shall provide specific design criteria, minimum standards for submittal of acoustical studies, and descriptions of acceptable noise mitigation measures.</li> </ul> <p><b>N-2:</b> The City shall ensure that interior noise levels do not exceed 45 dBA CNEL for single-family and multi-family residential land uses:</p> <ul style="list-style-type: none"> <li>▶ Enforce the California Noise Insulation Standards (California Code of Regulations Title 24). Title 24 requires that an acoustical analysis be performed</li> </ul>	Prior to project approvals	City of La Mesa	

Impact	CAP SEIR Mitigation Measure	Timing	Implementation Responsibility	Date Completed
	<p>for all new multi-family residences in areas where the exterior sound level exceeds 60 dBA CNEL. The analysis shall ensure that the building design limits the interior noise environment to 45 dBA CNEL or below.</p> <ul style="list-style-type: none"> <li>▶ Ensure that an acoustical analysis be performed for all new single-family residences in areas where the exterior sound level exceeds 60 dBA CNEL. The analysis shall ensure that the building design limits the interior noise environment to 45 dBA CNEL or below.</li> </ul> <p><b>N-3:</b> The City shall achieve noise compatibility between industrial/commercial and surrounding land uses:</p> <ul style="list-style-type: none"> <li>▶ Control excessive noise through the planning and regulatory process with emphasis on noise/land-use compatibility planning.</li> <li>▶ Ensure that the design and construction of commercial, industrial, office, and mixed-use structures includes noise attenuation methods to comply with Municipal Code Chapter 10.80.</li> <li>▶ Encourage commercial, industrial, office, and mixed-use developments to locate loading areas, parking lots, driveways, trash enclosures, mechanical equipment, and other noisier components away from noise-sensitive land uses.</li> <li>▶ Limit delivery hours for businesses with loading areas or docks fronting, siding, bordering, or gaining access on driveways adjacent to noise-sensitive land uses.</li> </ul> <p><b>N-4:</b> The City shall require construction contractors to implement the following measures during construction activities through contract provisions and/or conditions of approval:</p> <ul style="list-style-type: none"> <li>▶ Construction equipment shall be properly maintained per manufacturers' specifications and fitted with the best available noise-suppression devices (e.g., mufflers, silencers, wraps).</li> <li>▶ Construction operations and related activities shall comply with the operational hours outlined in the City Noise Ordinance.</li> <li>▶ Construction equipment shall not be idled for extended periods of time in the vicinity of noise-sensitive receptors.</li> <li>▶ Fixed and/or stationary construction equipment (e.g., generators, compressors, rock crushers, cement mixers) shall be located as far as possible from noise-sensitive receptors.</li> <li>▶ All impact tools shall be shrouded or shielded, and all intake and exhaust ports on powered construction equipment shall be muffled or shielded.</li> <li>▶ Where feasible, temporary barriers shall be placed as close to the noise source or as close to the receptor as possible to break the line of sight between the source and receptor where modeled levels exceed applicable standards. Acoustical barriers shall be constructed of material having a minimum surface weight of 2</li> </ul>			

Impact	CAP SEIR Mitigation Measure	Timing	Implementation Responsibility	Date Completed
	<p>pounds per square foot or greater, and a demonstrated Sound Transmission Class rating of 25 or greater as defined by American Society for Testing and Materials Test Method E90. Placement, orientation, size, and density of acoustical barriers shall be determined by analysis.</p> <p><b>N-5:</b> The City shall control undesirable or objectionable noise:</p> <ul style="list-style-type: none"> <li>▶ Review traffic flow systems and synchronize signals to avoid traffic stops that produce excessive noise, wherever possible.</li> <li>▶ Limit truck traffic in noise-sensitive areas.</li> <li>▶ Where feasible, finish roadway surfaces with rubberized pavement to minimize noise levels at adjacent land uses.</li> <li>▶ Encourage the enforcement of state motor vehicle noise standards for cars, trucks, and motorcycles through cooperation with the California Highway Patrol and the La Mesa Police Department.</li> <li>▶ Encourage agencies outside of the City’s jurisdiction to incorporate noise-reduction methods in new and existing roads, rail projects, and other mobile or stationary noise sources.</li> <li>▶ Coordinate with state and local agencies to maintain and enforce noise control policies and standards.</li> <li>▶ Review the Noise Element of the General Plan, and update as necessary, when major changes in the noise environment occur.</li> <li>▶ Periodically review and update the standards found in the Noise Ordinance (Municipal Code Chapter 10.80).</li> </ul>			
<b>3.9 Paleontological Resources</b>				
Paleontological resource, site, or unique geological feature	<p><b>PALEO-1:</b> If it is determined during the environmental review process that projects implementing CAP reduction measures would result in ground disturbance within an area of high or moderate paleontological resource sensitivity, the City of La Mesa shall require a qualified researcher to be stationed on-site to observe during grading operations and recover scientifically valuable specimens or enforce avoidance of the paleontological feature. A certified paleontologist or qualified researcher shall be retained (or required to be retained) by the project-implementing agency prior to construction to establish procedures for surveillance and the preconstruction salvage of exposed resources if fossil-bearing rocks have the potential to be impacted. The monitor shall provide preconstruction coordination with contractors, oversee original cutting in previously undisturbed areas of sensitive geologic formations, halt or redirect construction activities as appropriate to allow recovery of newly discovered fossil remains, and oversee fossil salvage operations and reporting. This measure shall be placed as a condition on all grading plans where grading is proposed in</p>	Prior to resuming ground disturbing activities	City of La Mesa	

Impact	CAP SEIR Mitigation Measure	Timing	Implementation Responsibility	Date Completed
	geologic units defined as having a moderate or high potential for containing fossils.			

This page intentionally left blank.