

**CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS REGARDING  
ADOPTION OF MITIGATED NEGATIVE DECLARATION AND APPROVAL OF  
RANCHO BERNARDO HEALTHCARE CENTER MEDICAL OFFICE BUILDING  
PROJECT, UNIVERSITY OF CALIFORNIA, SAN DIEGO  
State Clearinghouse No. 2024041069**

**I. CONSIDERATION OF ADOPTION OF MITIGATED NEGATIVE DECLARATION  
FOR RANCHO BERNARDO HEALTHCARE CENTER MEDICAL OFFICE BUILDING  
PROJECT**

Pursuant to the California Environmental Quality Act (“CEQA”), California Public Resources Code, Sections 21000 et seq., and the CEQA Guidelines, California Code of Regulations, Title 14, Sections 15000 et seq., the Board of Regents of the University of California or its delegate (collectively referred to herein as the “**University**”) has considered the Initial Study (“**IS**”)/Mitigated Negative Declaration (“**MND**”) prepared for the Rancho Bernardo Healthcare Center Medical Office Building Project (“**Project**”) for the University of California, San Diego (“**UC San Diego**”), State Clearinghouse No. 2024041069. As defined by Section 15063 of the CEQA Guidelines, an IS is prepared primarily to provide the lead agency with information to use as the basis for determining if an environmental impact report, negative declaration, or MND would provide the necessary environmental documentation and clearance for the Project. The IS has been prepared to support the adoption of an MND. The University determines that the information contained in the IS/MND, which includes both the Draft IS/MND and the Final IS/MND, reflects the independent judgment and analysis of the University.

The IS/MND contains the environmental analysis and information necessary to support approval of the Project as set forth in Section III, Approvals.

The University hereby adopts the MND prepared for the Rancho Bernardo Healthcare Center Medical Office Building Project. In accordance with CEQA Guidelines Section 15074, the University, as lead agency for the Project, finds that:

- (1) The IS/MMD, together with all comments received during the public review process, and responses to these comments, have been considered by the University;
- (2) Based on the whole record before the University, there is no substantial evidence that the Project will have a significant effect on the environment; and
- (3) The IS/MND reflects the University’s independent judgment and analysis.

**II. FINDINGS**

The IS/MND was prepared for the Project.

**A. PROJECT DESCRIPTION**

The Project involves the development and operation of a 5-story, approximately 152,000 gross-square-foot medical office building (MOB), as well as a 622 space, one-level at grade plus 5-

deck above-grade parking structure. The MOB facility would provide the following services: cardiology, colorectal surgery, dermatology, ENT/head and neck surgery, gastroenterology, gynecology, headache and migraine, midwife, neurology/multiple sclerosis, occupational medicine, optometry, primary care (including family care and internal medicine) and urology. Other services include express care, imaging and radiology, lab services, pharmacy, and rehabilitation services. The project would also include a traffic signal at the driveway entrance on Bernardo Center Drive and associated intersection improvements (i.e., turn lanes, pedestrian crosswalk, and a sidewalk extension). The project has been designed to achieve Leadership in Energy and Environmental Design (LEED) Gold certification, while the parking structure is targeted for Parksmart Silver Certification. The project site has been previously graded, and project construction is anticipated to start in late 2024 and be completed by early 2027.

### **1. Site Design Development**

Since the 30-day public review period for the Draft IS/MND, which started on April 25, 2024, and ended on May 24, 2024, the project's design has undergone minor changes to provide additional amenities for patients and staff. These changes do not substantially affect the environmental analysis contained in the Draft IS/MND. The revisions include relocating the lab program space from the ground floor to available shell space on level 3. This change reduces the building footprint and overall gross square footage, creating additional outdoor amenity space for visitors. Additionally, the project integrates a ceramic frit on the east side of the medical office building, which would help control glare building occupants and allow birds to better recognize a barrier to flight and reduce the potential for bird strikes. Other minor revisions include a reduction of metal panels on the west facades and cornice, a reduction of horizontal louvers on the east and south facades, replacement of CMU base with reinforced exterior insulation and finish systems (EIFS) at lower levels, replacement of storefront metal panels on the upper levels with EIFS of contrasting color, and the replacement of Corten louvers with enhanced landscaping.

### **B. ENVIRONMENTAL REVIEW PROCESS**

The IS for the Project was prepared in accordance with CEQA Guidelines Section 15063 and analyzed the environmental impacts of the project. Pursuant to CEQA Guidelines Section 15070, UC San Diego prepared an MND because the IS showed that with implementation of mitigation measures as identified in the IS, the Project would not have a significant effect on the environment. There is no substantial evidence, in light of the whole record before the University, that the Project may have a significant effect on the environment.

The IS/MND analyzes the potential environmental effects of the Project in accordance with Section 15063 of the CEQA Guidelines to determine if the Project may have a significant effect on the environment. The following environmental topic areas were discussed: Aesthetics, Air Quality, Biological Resources, Cultural and Tribal Cultural Resources, Energy, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Noise, Population and Housing, Public Services, Recreation, Transportation, Utilities and Service Systems, and Wildfire. Impacts related to Aesthetics, Air Quality, Energy, GHG Emissions, Land Use and Planning, Noise, Population and Housing, Public Services, Recreation,

and Utilities and Service Systems were determined to have no impact or less than significant impact without mitigation. Impacts related to Biological Resources, Cultural and Tribal Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Transportation, and Wildfire were determined to have no impact, less than significant impact, or less than significant impact with mitigation measures.

It also incorporated mitigation measures that must be implemented as part of the Project. All mitigation measures, as well as all components of the Project described in the IS/MND, are included in the approval and are made conditions of the Project.

The following outlines the review process for the Project:

- Notice of Intent to Adopt (NOI) – The NOI was distributed either via email or certified mail to local, regional, and federal responsible and interested agencies, and distributed to state agencies through the State Clearinghouse.
  - Local Agencies:
    - City of San Diego Planning Department (via email)
    - City of San Diego Planning Department (via email)
    - City of San Diego Engineering & Capital Projects Dept. (via email)
    - San Diego Unified School District (via email)
    - San Diego City Council (via email)
  - Regional Agencies:
    - San Diego Association of Governments (SANDAG) (via email)
    - San Diego Metropolitan Transit System (via email)
    - San Diego County Air Pollution Control District (via email)
    - San Diego County Planning & Land Use Department (via email)
    - Poway Planning Services Department (via email)
  - Federal Agencies:
    - U.S. Fish and Wildlife Service (via email)
    - U.S. Army Corps of Engineers (via email)
    - Occupational Safety and Health Administration (certified mail)
  - Interested Organization
    - San Diego Archaeological Society (via email)
    - San Pasqual Environmental Department (via email)
    - California Native Plant Society-San Diego Chapter (via email)
  - State Agency not Part of the State Clearinghouse Distribution List
    - California Department of Industrial Relations (certified mail)
    - California Department of Health Care Access and Information (via email)

- Repositories – Hard copies of the NOI and IS/MND were delivered to the following repositories:
  - UC San Diego Campus Planning Office – 10280 North Torrey Pines Road, Suite 460, La Jolla, California 92037
  - UC San Diego La Jolla Campus – Geisel Library
  - San Diego Public Library (Rancho Bernardo Branch) – 17110 Bernardo Center Drive, San Diego, California 92128
  - San Diego County Public Library (4S Ranch Branch) – 10433 Reserve Drive, San Diego, California 92127
- The Draft IS/MND was available for public review at the UC San Diego website: <https://plandesignbuild.ucsd.edu/planning/environmental.html#Projects-Currently-Under-Enviro>.
- Review period for the Draft IS/MND – The 30-day public review period started on April 25, 2024, and ended on May 24, 2024.
- The public comment period ended on May 24, 2024, and no extensions of comment period were requested.
- Notifications – the NOI was published and posted at the following locations:
  - San Diego/Tribune – Saturday, April 27, 2024
  - Project Site (northwest corner of Bernardo Center Drive and Interstate 15)
  - Vons (11986 Bernardo Plaza Drive, San Diego, California 92128)
- Comments were received from the following agencies, organizations, and individuals:
  1. California Department of Toxic Substances Control
  2. California Department of Transportation
  3. Rancho Bernardo Community Council
  4. Rancho Bernardo Community Planning Board
  5. Teresa Backer
  6. Joseph Ryan

The Final IS/MND includes the comments received on the Draft IS/MND and the responses to those comments. The focus of the responses to comments is on the disposition of significant environmental issues raised in the comments. UC San Diego finds that responses and revisions to the Draft IS/MND merely clarify and amplify the analysis presented in the document and do not trigger the need to recirculate per CEQA Guidelines, Section 15073.5.

A brief summary of important issues and responses are described below. Detailed comments and responses to each comment are provided in Section 2, Comments and Responses to Comments, in the Final IS/MND:

**1. California Department of Toxic Substances Control:** Concerns were raised about the presence of volatile organic compounds (VOCs) exceeding approved screening levels, with recommendations to use an approved oversight agency from the list of Certified Local Agencies or to enter the Department of Toxic Substances Control's Standard Voluntary Agreement program. Testing of all imported soils and fill materials was also recommended.

UC San Diego will coordinate with the San Diego Department of Environmental Health, an approved oversight agency, to ensure proper evaluation of VOCs for the Project. All imported soils and fill materials will be tested to ensure contaminants are within the Department of Toxic Substances Control's and U.S. Environmental Protection Agency's regional screening levels for the intended MOB use.

**2. California Department of Transportation (Caltrans):** Comments were provided on various aspects of the IS/MND. Caltrans commented on the Caltrans right-of-way on the project site, the need for various permits for work within the right-of-way, and Federal Highway Administration approval for any changes to Interstate 15. Caltrans also commented on the Synchro models conducted for the project and the need for the Existing Plus Project condition.

UC San Diego is coordinate with Caltrans to obtain the necessary permits, including the Federal Highway Administration approval. The Local Mobility Assessment (LMA) (Appendix H1 to the IS/MND) was prepared per the City of San Diego's Transportation Study Manual guidelines, requiring analysis of Existing Conditions, Opening Year No Project Conditions, and Opening Year Plus Project Conditions. Therefore, the LMA shows changes in operations due to Project traffic by comparing these latter two scenarios. The LMA also used Caltrans Signal Operations phasing in the Synchro modeling.

Caltrans also commented on topics related to the drainage and grading plan, drainage report, foundation plan, transportation improvements related to complete streets and the mobility network, the link between transportation and land use, the traffic control plan, traffic noise impacts associated with the existing or future configuration of Interstate 15 and Bernardo Center Drive, elevated levels of aerially deposited lead, and the Caltrans right-of-way.

UC San Diego will provide the requested items as part of the Caltrans Encroachment package, and the commented topics did not raise any issues with the analysis or conclusions of the IS/MND.

**3. Rancho Bernardo Community Council:** Concerns were raised about construction-related traffic impacting peak hour traffic, construction noise, providing a sidewalk along the north side of Bernardo Center Drive to improve pedestrian travel to the closest bus stop on Bernardo Center Drive south of West Bernardo Drive, and the impact of evening lighting from the building, parking lot, parking structure, and logo signs on nearby homes.

UC San Diego stated that Project construction would generally adhere to the established construction hours by the City of San Diego Municipal Code while being mindful of community concerns. Although construction contractors will generally try to avoid traffic during peak hours for efficiency, no established restrictions will be implemented to prevent construction traffic during peak hours. The Project construction manager or general contractor will provide advance notification to an email distribution list. The list will be compiled in coordination with the Rancho Bernardo Community Council and the Rancho Bernardo Community Planning Board. A project webpage will also be created to provide project updates and contact information for questions and concerns during the construction phase. Individual request to join the email distribution list will also be accepted through the webpage. Although no sidewalk extension will be provided on the north side of Bernardo Center Drive, the Project would improve pedestrian connectivity to existing bus stops by providing a signalized crosswalk across Bernardo Center Drive, providing access to the sidewalk on the south side of Bernardo Center Drive. This would provide safe access to the closest bus stop south of West Bernardo Drive, which is closer than the transit stop at West Bernardo Drive and Technology Drive from the Project site. The Project will comply with the UC San Diego Outdoor Lighting Policy, the LEED Light Pollution Reduction credit, and CALGreen's performance standards to reduce lighting pollution to ensure that nighttime lighting impacts are minimized and result in less than significant impacts to residential receptors near the Project site.

**4. Rancho Bernardo Community Planning Board:** Similar concerns were raised as those by the Rancho Bernardo Community Council. They commented on reducing vehicle miles traveled (VMT) by extending the existing sidewalk along the north side of Bernardo Center Drive, recommending a controlled right-turn lane onto Bernardo Center Drive westbound, and expressed concerns over exacerbating existing traffic congestion during peak hours, construction-related traffic and noise, potential emergency access to and from West Bernardo Drive, and nighttime lighting.

UC San Diego's responses were similar to those provided to the Rancho Bernardo Community Council's comments.

**5. Teresa Backer:** Ms. Backer's comments were related to providing pedestrian access from the project site to the Rancho Bernardo Transit Station on West Bernardo Drive or a pedestrian connection to Iberia Place from the Rancho Bernardo Transit Station.

UC San Diego responded that the new signalized crosswalk across Bernardo Center Drive would improve pedestrian access from the project site to the closest bus stop on Bernardo Center Drive south of West Bernardo Drive. Providing direct pedestrian connections from the project site to West Bernardo Drive or the Rancho Bernardo Transit Station to Iberia Place would require access to off-site properties with significant grade differences and are not under the jurisdiction of UC San Diego.

**6. Joseph Ryan:** Mr. Ryan expressed concerns about unstable soil conditions on site and potential traffic congestion.

The geotechnical report prepared for the Project (included as Appendix D to the IS/MND) determined that compliance with existing regulations and the recommendations contained in the report would ensure safe development of the proposed buildings. The LMA (included in Appendix H1 to the IS/MND) concluded that impacts from the Project would be acceptable with the provision of recommended roadway improvements.

Revisions to the Draft IS/MND – Minor editorial edits have been made to the Draft IS/MND that do not affect the conclusions of the impact findings. The edits are contained in Section 3, Minor Revisions to the Draft IS/MND, in the Final IS/MND. The Final IS/MND was issued in October 2024.

## C. ADDITIONAL FINDINGS

### 1. Incorporation by Reference

These Findings incorporate by reference in their entirety the text of the Draft IS/MND, as modified by the Final IS/MND, prepared for the Project.

### 2. Mitigation Monitoring

The University adopted a Mitigation Monitoring and Reporting Program (“MMRP”) for the Rancho Bernardo Healthcare Center Medical Office Building Project IS/MND. The MMRP includes mitigation measures for the Project and designates responsibility and anticipated timing to ensure the implementation of the adopted mitigation measures under the control and jurisdiction of UC San Diego. The MMRP is included as Attachment 1 to this CEQA Findings and Appendix A to the Final IS/MND.

The following mitigation measures are identified in the MMRP for the Project.

Environmental Issue Area	Impact and Mitigation Measure
Biological Resources	<p>The project could result in adverse physical impacts through direct or indirect removal of Diegan coastal sage scrub, San Diego barrel cactus, monarch butterfly, coastal California gnatcatcher, and other nesting birds (refer to Draft IS/MND Section 3.2.3, Biological Resources).</p> <ul style="list-style-type: none"> <li> <b>BIO-1: Diegan Coastal Sage Scrub.</b> Permanent impacts to approximately 3.11 acres of Diegan coastal sage scrub (including disturbed) on the project site shall be mitigated at 1:1 ratio through preservation, habitat creation, and/or enhancement, or combination thereof, through habitat acquisition and preservation within the University of California San Diego Ecological Reserve, or purchase of credits from an approved off-site conservation bank at a 1:1 ratio as described in the Draft IS/MND Section 4. </li> </ul>

Environmental Issue Area	Impact and Mitigation Measure
	<ul style="list-style-type: none"> <li>• <b>BIO-2: Pre-Construction San Diego Barrel Cactus Survey.</b> Prior to any vegetation removal, a focused survey for San Diego barrel cactus shall be conducted by a qualified biologist/botanist, and any significant impacts shall be mitigated at a 1:1 ratio through translocation within the University of California Ecological Reserve system in suitable habitat as described in the Draft IS/MND Section 4.</li> <li>• <b>BIO-3: Pre-Construction Overwintering Monarch Butterfly Survey.</b> If vegetation disturbance occurs during winter (November 1 through February 28), a qualified biologist shall perform a pre- construction overwintering monarch butterfly survey. If overwintering monarch butterflies are found, a 50-foot buffer around the occupied vegetation shall be established, and no disturbance shall be allowed within the buffer until a qualified biologist determines that monarch butterflies are no longer occupying the vegetation. If no overwintering monarch butterflies are on the project site, grubbing, trimming, or clearing shall proceed as described in the Draft IS/MND Section 4.</li> <li>• <b>BIO-4: Nesting Birds.</b> No grubbing, trimming, or clearing of vegetation from the project site shall occur during the raptor and bird breeding season (January 15 through August 31). If grubbing, trimming, or clearing of vegetation cannot feasibly occur outside the general bird breeding season, a qualified biologist shall perform a pre-construction nesting bird survey. Should an active bird nest be located, the qualified biologist shall establish a buffer and avoid vegetation clearing away from the nest until it has been determined that the young have fledged or the nest has failed as described in the Draft IS/MND Section 4.</li> </ul>
Cultural Resources and Tribal Cultural Resources (TCR)	<p>The project site is composed of existing artificial fill soils and landslide deposits. However, the project may encounter previously undiscovered archaeological and TCRs during construction (refer to IS/MND Section 3.2.4, Cultural and Tribal Cultural Resources).</p> <ul style="list-style-type: none"> <li>• <b>CUL-1: Archaeological Resources.</b> An on-call archaeologist shall be retained and if unanticipated cultural resources are identified during construction, ground disturbance shall be halted in the immediate area of the find until the resource can be evaluated by a qualified archaeologist as described in the Draft IS/MND Section 4.</li> <li>• <b>CUL-2: Tribal Monitoring Services Coordination.</b> Activities with the potential to cause a substantial adverse change to the</li> </ul>



Environmental Issue Area	Impact and Mitigation Measure
	<p>significance of an unknown Tribal Cultural Resource (TCR) shall be monitored by a Native American Tribal representative (San Pasqual Band of Mission Indians Tribal Historic Preservation Office). If TCRs are encountered, ground-disturbing activities shall be temporarily halted in the 50-foot radius area of discovery to allow for preliminary evaluation of the TCRs as described in the Draft IS/MND Section 4.</p>
Geology and Soils	<p>The project site is in an area of mapped landslides and has been subjected to past landslides, and the project site is underlain by the Friars Formation (Tf), which may contain paleontological resources (refer to Draft IS/MND Section 3.2.6, Geology and Soils).</p> <ul style="list-style-type: none"> <li>• <b>GEO-1: Landslides.</b> The project shall incorporate recommendations included in the approved Geotechnical Investigation, including stabilizing slopes to appropriate factors of safety, which will be verified and recorded in the field by the University of California, San Diego, Environmental Health &amp; Safety and Capital Program Management. Compliance with the final Geotechnical Investigation shall be verified and recorded in the field by the University of California, San Diego, Environmental Health &amp; Safety and Capital Program Management as described in the Draft IS/MND Section 4.</li> <li>• <b>GEO-2: Paleontological Resources.</b> Grading and excavation in the Friars Formation (Tf) shall require monitoring by a qualified paleontologist if the project required grading of 1,000 cubic yards or more at Friars Formation and is 10 feet or greater in depth as described in the Draft IS/MND Section 4.</li> </ul>
Hazards and Hazardous Materials	<p>The project site is impacted by volatile organic compounds (VOCs), but soil vapor VOC analytical data determined that only a small area of the project site is impacted by relatively low concentrations. Project construction could interfere with emergency access due to temporary partial closure of Bernardo Center Drive (refer to Draft IS/MND Section 3.2.8, Hazards and Hazardous Materials).</p> <ul style="list-style-type: none"> <li>• <b>HAZ-1: Hazardous Materials.</b> An impermeable sub-slab membrane shall be installed for all enclosed structures to minimize potential health risks from VOC. This requirement shall be incorporated into project plans and confirmed by University of California San Diego Environmental Health &amp; Safety. All soils removed from the site and any import soils will</li> </ul>

Environmental Issue Area	Impact and Mitigation Measure
	<p>be coordinated with Environmental Health &amp; Safety as described in the Draft IS/MND Section 4.</p> <ul style="list-style-type: none"> <li>• <b>HAZ-2: Traffic Control During Lane Closure.</b> Prior to construction, University of California San Diego shall consult with the City of San Diego to disclose temporary lane and/or roadway closure to minimize congestion and provide adequate emergency access for emergency vehicles. Traffic congestion may be minimized by maintaining at least one unobstructed lane during construction and other appropriate traffic controls as described in the Draft IS/MND Section 4.</li> </ul>
Transportation	<p>The project's commute vehicle miles per travel (VMT) per employee would be 23.8 miles, approximately 127 percent of the regional baseline average of 18.9 miles. The project would result in potentially significant VMT impact. The project could impact emergency access during construction due to temporary partial closure of Bernardo Center Drive (refer to Draft IS/MND Section 3.2.15, Transportation).</p> <ul style="list-style-type: none"> <li>• <b>TRAN-1: Vehicle Miles Traveled.</b> The University of California San Diego shall participate in the City of San Diego's Complete Communities: Mobility Choices Program by providing a minimum of 8 points of VMT reduction measures from the City of San Diego's Land Development Manual, Appendix T. The project provided a total of 8.5 points of VMT reduction measures through a combination of measures such as electric bicycle charging stations, bicycle repair station, long- and short-term bicycle parking and carpool parking spaces 10 percent beyond the minimum number required as described in the Draft IS/MND Section 4.</li> <li>• <b>HAZ-2: Traffic Control During Lane Closure.</b> Prior to construction, University of California San Diego shall consult with the City of San Diego to disclose temporary lane and/or roadway closure to minimize congestion and provide adequate emergency access for emergency vehicles. Traffic congestion may be minimized by maintaining at least one unobstructed lane during construction and other appropriate traffic controls as described in the Draft IS/MND Section 4.</li> </ul>

### 3. Record of Proceedings

Various documents and other materials constitute the record of proceedings upon which the University bases its Findings and decision contained herein. The custodian for these documents and

materials is the La Jolla Campus, Campus Planning Office, at 9500 Gilman Drive, MC 0074, La Jolla, California 92093-0074.

### **III. APPROVALS**

The University hereby takes the following actions:

- A.** Adopt the Mitigated Negative Declaration and CEQA Findings for Rancho Bernardo Healthcare Center Medical Office Building Project having considered the IS/MND.
- B.** Adopt the Mitigation Monitoring and Reporting Program and make a condition of approval the implementation of applicable project mitigation measures within the responsibility and jurisdiction of UC San Diego as identified in the MMRP.
- C.** Approve the design of the Rancho Bernardo Healthcare Center Medical Office Building Project based on the information contained herein and the project description contained in the IS/MND.