



City of San Diego

SUBSEQUENT ENVIRONMENTAL IMPACT REPORT

Project No. 0614791
SCH No. 2004051076

SUBJECT: **Southwest Village Specific Plan:** GENERAL PLAN and COMMUNITY PLAN AMENDMENTS to the Otay Mesa Community Plan (OMCP) to modify the Neighborhood Village designation to reflect the proposed density range, amend the Beyer Boulevard and Caliente Avenue street classifications, and specify the locations of parks and schools and circulation system roadways. A REZONE from Agricultural-Residential (AR)-1-1 to AR-1-1, Residential-Multiple Unit (RM)-1-3, RM-2-5, RM-3-7, Residential Mixed-Use (RMX)-1, Open Space-Conservation (OC)-1-1, Open Space-Residential (OR)-1-2, and Open Space-Park (OP)-1-1. A SPECIFIC PLAN adopted via ordinance, as well as a ROAD IMPROVEMENT ORDINANCE (Charter 55) and ROAD IMPROVEMENT RESOLUTION (Council Policy 700-17) to allow the construction of Beyer Boulevard West through City-owned parkland. The project also may require AGREEMENTS to acquire real property interests or approval of resolutions of necessity to initiate eminent domain proceedings and acquire real property interests of conservation easements held by California Department of Fish and Wildlife, National Enterprises, Inc. and the County of San Diego in order to construct Beyer Boulevard. The Specific Plan includes 30 Planning Areas with up to 5,130 dwelling units, 175,000 square feet of commercial and retail uses, two schools, 35 acres of parks, trails, open space, and other supporting infrastructure.

For the project-level components, the project is requesting a VESTING TENTATIVE MAP to grade Phase 1, Phase 2, and a portion of Phase 4; construct up to 920 dwelling units in Phase 1; and construct Beyer Boulevard with associated utilities. The vesting tentative map includes several EASEMENT VACATIONS. Phase 1 development also requires a SITE DEVELOPMENT PERMIT for deviations from the Environmentally Sensitive Lands Regulations and Historical Resources Regulations, a Multi-Habitat Planning Area (MHPA) BOUNDARY LINE ADJUSTMENT and a Vernal Pool Habitat Conservation Plan (VPHCP) MAJOR AMENDMENT, and a NON-WASTING ENDOWMENT FUND for the maintenance of conserved land.

The 490-acre Specific Plan area is located south of State Route (SR) 905 and west of Spring Canyon and is within the OMCP area; MHPA; VPHCP land; Airport Influence Area (AIA; Brown Field and Naval Outlying Landing Field [NOLF] Imperial Beach Review Area 2); and Airport Land Use Compatibility Overlay Zone (Brown Field and NOLF Imperial Beach). (LEGAL DESCRIPTION: the eastern half of Section 36; the northeastern corner of Section 01; Section 31; Section 06; and the western half of Section 05, San Bernardino

Meridian, in the City of San Diego, County of San Diego, State of California). A GENERAL PLAN AMENDMENT and COMMUNITY PLAN AMENDMENT to modify the Otay Mesa Community Plan; MAJOR AMENDMENT to the Vernal Pool Conservation Plan; SOUTHWEST VILLAGE SPECIFIC PLAN; REZONE; a CITY OF SAN DIEGO CHARTER SECTION 55 to allow for infrastructure improvements through dedicated City parkland; a VESTING TENTATIVE MAP; a MULTIPLE SPECIES CONSERVATION SUBAREA PLAN BOUNDARY LINE ADJUSTMENT; a PLANNED DEVELOPMENT PERMIT; a SITE DEVELOPMENT PERMIT; and a DEVELOPMENT AGREEMENT. The project area encompasses the approximately 490-acre Specific Plan area as well as off-site improvement areas. The Specific Plan buildout would include up to 5,130 dwelling units, 175,000 square feet of commercial, 31.5 acres of parks, open space, and supporting infrastructure. The project area is designated Community Village, Parks, Institutional and Open Space, and zoned AR-1-1 within the Otay Mesa Community Plan area. In addition, the project is located within the Airport Influence Area (Brown Field and Naval Outlying Landing Field for Imperial Beach Review Area 2) and Airport Land Use Compatibility Overlay Zone (Brown Field and Imperial Beach). (LEGAL DESCRIPTION: the eastern half of Section 36; the northeastern corner of Section 01; Section 31; Section 06; and the western half of Section 05, San Bernardino Meridian, in the City of San Diego, County of San Diego, State of California). Applicant: Tri Pointe Homes IE-SD, Inc.

I. ENVIRONMENTAL DETERMINATION:

This document has been prepared by the City of San Diego's Environmental Analysis Section under the direction of the Development Services Department and is based on the City's independent analysis and conclusions made pursuant to 21082.1 of the California Environmental Quality Act (CEQA) Statutes and Sections 128.0103(a), 128.0103(b) of the San Diego Land Development Code. Based on the analysis conducted for the project described above, the City of San Diego, as the Lead Agency, has prepared the following Subsequent Environmental Impact Report (SEIR). The SEIR tiers from the certified Final Program Environmental Impact Report (FEIR) prepared for the Otay Mesa Community Plan (OMCP), Project No. 30330/304032, State Clearinghouse (SCH) No. 2004051076 certified March 2014 via Resolution No. R-308810.

The purpose of the environmental document is to inform decision-makers, agencies, and the public of the significant environmental effects that could result if the project is approved and implemented, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project.

The SEIR analysis addressed the following issue area(s) in detail: **Land Use, Visual Effects and Neighborhood Character, Air Quality/Odor, Biological Resources, Historical Resources, Human Health/Public Safety/Hazardous Materials, Hydrology/Water Quality, Geology/Soils, Energy Conservation, Noise, Paleontological Resources, Traffic/Circulation, Public Services, Utilities, Water Supply, Population and Housing, Agricultural and Mineral Resources, Greenhouse Gas Emissions, and Tribal Cultural Resources.**

The EIR identified mitigation for the following issues: **Land Use, Air Quality/Odor, Biological Resources, Historical Resources, Human Health/Public Safety/Hazardous Materials, Hydrology/Water Quality, Geology/Soils, Noise, Paleontological Resources, Traffic/Circulation, Utilities, and Tribal Cultural Resources.**

The EIR concluded that the project would result in significant unmitigated environmental impacts to **Land Use, Air Quality/Odor, Historical Resources, Human Health/Public Safety/Hazardous Materials, Noise, Traffic/Circulation (vehicle miles traveled), Utilities (solid waste), and Tribal Cultural Resources.** All other impacts analyzed in the draft EIR were determined to be less than significant.

II. PUBLIC REVIEW DISTRIBUTION:

The following agencies, organizations, and individuals were distributed either the Public Notice or a copy of the draft Environmental Impact Report:

Federal Government

U.S. Environmental Protection Agency (19)
U.S. Border Patrol (22)
U.S. Fish and Wildlife Service (23)
U.S. Army Corps of Engineers (16&26)

State of California

Caltrans District 11 (31)
California Department of Fish and Wildlife (32)
Dept of Toxic Substance Control, Region 1 (39)
Office of Historic Preservation (41)
California Regional Water Quality Control Board, Region 9 (44)
State Clearinghouse (46A)
California Air Resources Board (49)
California Department of Transportation (51)
California Transportation Commission (51A)
California Transportation Commission (51B)
Native American Heritage Commission (56)
California Highway Patrol (58)

County of San Diego

Air Pollution Control District (65)
County of San Diego Department of Planning and Dev. Services (68)
San Diego County Parks Department (69)
County of San Diego Department of Environmental Health (75)
San Diego County Regional Airport Authority (110)

City of San Diego

Mayor's Office (91)

Councilmember Joe LaCava, District 1 (MS 10A)

Councilmember Jennifer Campbell, District 2 (MS 10A)

Councilmember Stephen Whitburn, District 3 (MS 10A)

City of San Diego - continued

Councilmember Henry L. Foster III, District 4 (MS 10A)

Councilmember Marni von Wilpert, District 5 (MS 10A)

Councilmember Kent Lee, District 6 (MS 10A)

Councilmember Raul Campillo, District 7 (MS 10A)

Councilmember Vivian Moreno, District 8 (MS 10A)

Councilmember Sean Elo-Rivera, District 9 (MS 10A)

Development Services Department

Environmental Analysis Section

Transportation

LDR Planning

Engineering

Geology

Landscape

Water & Sewer

Project Manager

Planning Department

Plan Long-Range

Plan MSCP

Parks and Recreation Department

Open Space

Economic Development

Real Estate Assets

Public Utilities Department (MS 906)

San Diego Police Department (MS776)

San Diego Fire-Rescue (MS603)

Transportation Development - DSD (78)

Development Coordination (78A)

Fire and Life Safety Services (79)

San Diego Fire - Rescue Dept Logistics (80)

Central Library (81A)

San Ysidro (81EE)

Historical Resources Board (87)

San Diego Housing Commission (88)

Park and Recreation (89)

City Attorney (93C)

Other Interested Groups, Organizations, and Individuals

City of Chula Vista, Environmental Review Coordinator (94)

San Diego Transit Corporation (112)

Other Interested Groups, Organizations, and Individuals – continued

San Diego Gas & Electric Co., Land Use Planning Section (114)
Poway Unified School District (124)
San Ysidro School District (127)
Sweetwater Union High School District (131)
University of California San Diego Library (134)
Rancho Santa Ana Botanic Garden at Claremont (161)
Sierra Club (165)
San Diego Canyonlands (165A)
San Diego Natural History Museum (166)
San Diego ~~Bird Alliance~~Audubon Society (167)
San Diego ~~Bird Alliance~~Audubon Society (167A)
Environmental Health Coalition (169)
California Native Plant Society (170)
Citizens Coordinate for Century 3 (179)
Endangered Habitats League (182)
Endangered Habitats League (182a)
Vernal Pool Society (185)
San Diego Tracking Team (187)
Citizens Coordinate For Century 3 (189)
Carmen Lucas (206)
South Coastal Information Center (210)
San Diego History Center (211)
San Diego Archaeological Center (212)
National History Museum (213)
Save Our Heritage Organisation (214)
Ron Christman (215)
Clint Linton (215B)
Frank Brown – Inter-Tribal Cultural Resources Council (216)
Campo Band of Mission Indians (217)
San Diego County Archaeological Society, Inc. (218)
Native American Heritage Commission (222)
Kumeyaay Cultural Heritage Preservation (223)
Kumeyaay Cultural Repatriation Committee (225)
Iipay Nation of Santa Ysabel
Native American Distribution (225A-S)
Theresa Acerro (230)
Otay Mesa Chamber of Commerce (213A)
Otay Mesa Community Planning Group (235)
Janet Vadakkumcherry (236)
San Ysidro Community Planning Group (433)
United Border Comm. Town Council (434)
Peter J. Broderick
Isabella Coye
Kathryn Pettit
Michael Shoemaker

Other Interested Groups, Organizations, and Individuals – continued

Marisa Lundstedt
Jim Algert
John Pizzato
Michael R. Freedman
Juan Gonzalez
Juan Garcia
Carlos Garcia
Antonio Blas
Roberto Sanchez
Aispuro Trust 05-01-14
Alvarez Trust 01-01-18
Andelkovich John
Arce Arturo Jr
Arellano Burgueno Corp
Arreola Akbarh
Arreola Evelyn
Bobadilla Andres
Avalos Charles & Mary Family Trust 01-03-05
Sandoval Family Trust 06-21-07 Et Al
Ayala Lucia Trust 05-03-19
B D M Twenty LLC
Benton Family Living Trust 03-16-23
Benton Family Trust 03-07-14
Brambila Guillermo & Rosie
Blas Family Trust
Candlelight Properties LLC
Candlelight Villages LLC
Castro Ramon & Rosa 2017 Trust 08-23-17
Miranda Octaviano & Isabel M Et Al
Conde Aldo L
Conde Jorgeluis
Dodd Charles
Faith In Action Trust
Montejano Daniel
Felco Construction Inc
Fitzgerald John D & Elaine M Family Trust
Flores Joseph V & Guadalupe
Fuzet Monique Trust 07-21-16
Gamboa Manuel & Sonia
Ganem Albert F Living Trust 01-07-92
Garcia Carlos R & Elizabeth
Garcia Jose A & Rosa & Atjian Pilar
Garcia Jose A & Rosa & Garcia Guadalupe D P
Garcia Juan R
Garcia Carlos R

Other Interested Groups, Organizations, and Individuals – continued

Garcia Robert R
Garcia Lilia E
Blas Antonio & Beatriz
Troncoso Salvador Est Of
Gardenia Company Inc
Gonzalez Juan P & Rodriguez Emilia I
Guzman-Nevarez Marco A
Lomeli Ramon C
Rivera Jose
Hattie Davisson Properties L P
Huerta Carmen Trust 06-14-07
Sandoval Manuel Et Al
Huerta Carmen Trust 06-14-07
Huerta Jesus
Gustavo Rodriguez
Juarez Marisol
Langarica Heriberto P
Lomeli Family Trust 02-22-07
Lozano Living Trust 06-19-18
Peralta Gloria
Luna Roberto A
Gomez Marcia A
Manzano Francisco J A & Deaguilar Elena C
Mercado Family Trust 02-07-18
Moreno Trust
Muncill Maria C
Mutschler Joan
Holtel Michael
Nieto Kandi H
National Enterprises Inc
Navarro Carlota L
Delizarraga Matilde G
Garcia Manuel A Et Al
Ndiba Samuel & Ngethe Terisia N
Faith In Action Trust 08-30-15 Et Al
Nelson Rick V
Nguyen Nhatnam
Nguyen Thuan D
Ochoa Daniel R
Orozco Jose M Sr Rev Living Trust 04-28-23
Ortiz Marcelino & Teresa Trust 12-30-93
Otay Mesa LLC
Perez Alberto F
Perimbeti Prakash
Pham Hung Van&Thuoc Thi Revocable 2006 Trust 11-08

Other Interested Groups, Organizations, and Individuals – continued

Preacher Ronda R
Ramoon Holdings LLC
Raygoza Octavio & Silvia
Reinholtz Kathryn E A
Parpara David
Akhavan Tania
Rgc General Engineering Inc
Rocha Marco A & Belen
Rodriguez Aldo R R
Fuentes Rosa A R
Rodriguez Family Trust 10-09-02
Romero Juan A & Pilar C
Salazar Salvador E
Salerno Ralph N Trust 04-26-06
San Ysidro 96 LLC
Sanchez Jose M
Sandoval Guillermo F
Sandoval Luis F
Sandoval Augustine F Et Al
Santa Barbara Housing Assistance Corp
Sawaged Savannah H
Shibuya Yoshindo & Betty T Trust 06-16-82
The V LLC
Torrero Victor M & Tirado Martha A
Valdez Jose F A & Alba Ivonne E
Valdivia Leticia
Valdovinos Christopher R & Edna B Varet Aurelle
Velez Barbara A 2016 Trust 04-07-16
Venzon Family Trust 11-20-99
Villaescusa Living Trust 02-19-21
Velarde Oscar M
Wheeler John F & Vivian Revocable Intervivos Trust 0
Winans Donald & Rachele Family Trust 10-06-99
Yoquigua Trucking & Equipment Services Corp
Zamorano Ana L A
Zeng Xiaoqiang
Zermeno Alfonso & Juana 2008 Trust
Allen Kashani, TriPointe Homes, Applicant
Maykia Vang, Leppert Engineering, Applicant Agent

III. RESULTS OF PUBLIC REVIEW:

- () No comments were received during the public input period.
- () Comments were received, but did not address the accuracy or completeness of the draft environmental document. No response is necessary, and the letters are incorporated herein.

(X) Comments addressing the accuracy or completeness of the draft environmental document were received during the public input period. The letters and responses are incorporated herein.

Copies of the Environmental Impact Report and associated project-specific technical appendices, if any, may be accessed on the City's CEQA Webpage at <https://www.sandiego.gov/ceqa/final>.



Elizabeth Shearer-Nguyen
Program Manager
Development Services Department

May 1, 2025
Date of Draft Report

April 9, 2026
Date of Final Report

Analyst: Marshall

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PUBLIC REVIEW COMMENT LETTERS

The Southwest Village Specific Plan Draft Subsequent Environmental Impact Report (SEIR) was circulated for public review from May 1, 2025 to June 16, 2025 in accordance with California Environmental Quality Act (CEQA) Guidelines Sections 15200 to 15209. A request for an extension was granted to the United States Fish and Wildlife Service, which extended the public review period to June 23, 2025. A total of 18 comment letters were received from agencies, organizations, and individuals during public review, which are listed in Table 1 below. A copy of each comment letter along with corresponding responses are included herein. In addition, A Topical Response has been provided when multiple comments were received on the same topic. In response to comments, minor changes were also made to the Draft SEIR. These changes to the text are indicated by underline (inserted) and ~~strikeout~~ (deleted) format within the SEIR.

Table 1. Comment Letters Received

| Letter | Date Received | Commenter | Page Number of Letter |
|----------------------|----------------------|--|------------------------------|
| Agencies | | | |
| A | 2025.05.09 | California Transportation Commission | RTC-7 |
| B | 2025.06.16 | California Department of Transportation | RTC-8 |
| C | 2025.06.16 | California Department of Fish and Wildlife | RTC-20 |
| D | 2025.06.16 | County of San Diego Park and Recreation Department | RTC-33 |
| E | 2025.06.24 | United States Fish and Wildlife Service | RTC-37 |
| Organizations | | | |
| F | 2025.05.03 | Endangered Habitats League (EHL) | RTC-43 |
| G | 2025.05.18 | Archaeological Society | RTC-44 |
| H | 2025.06.06 | EHL | RTC-45 |
| I | 2025.06.16 | Center for Biological Diversity | RTC-49 |
| J | 2025.06.16 | EHL | RTC-61 |
| K | 2025.06.22 | San Diego Bird Alliance | RTC-63 |
| L | 2025.06.23 | Chatten Brown on behalf of Sierra Club | RTC-68 |

| Letter | Date Received | Commenter | Page Number of Letter |
|--------------------|-------------------------------|----------------------------|-----------------------|
| Individuals | | | |
| M | 2025.05.10 | Dow, Daniel | RTC-111 |
| N | 2025.06.11 | Blas, Tony | RTC-114 |
| O | 2025.06.16 (dated 2025.06.13) | J. Whalen Associates, Inc. | RTC-116 |
| P | 2025.06.16 | Sagura, Leticia | RTC-120 |
| Q | 2025.06.23 | Park & Velayos LLP | RTC-122 |
| R | 2025.06.18 | Wallenstein Gilles, Jean | RTC-179 |

TOPICAL RESPONSE 1 (TR-1) - PROGRAM EIR VS PROJECT EIR

Multiple comments were received regarding the level of detail provided within the Subsequent Environmental Impact Report, including the description of the project activities and components, the level of analysis and technical studies performed, and the mitigation required for the program- and project-level components of the project. This topical response may be referred to for multiple responses regarding comments raising these issues.

Type of EIR

As described in Chapter 1.0, *Introduction* of the SEIR, the SEIR tiers from the certified Final Program Environmental Impact Report (FEIR) prepared for the Otay Mesa Community Plan (OMCP), Project No. 30330/304032, State Clearinghouse (SCH) No. 2004051076 certified March 2014. This document is a Subsequent Environmental Impact Report (SEIR), as defined in Section 15162 of the CEQA Guidelines. This SEIR tiers to the OMCP FEIR consistent with Section 15168 of the CEQA Guidelines. This SEIR considers the issues discussed in the first-tier document and evaluates whether a significant effect has been adequately addressed or if there is an effect that was not addressed in the previous report. This approach is consistent with Guidelines section 15168(d)(3) which indicates that a Program EIR can “[f]ocus an EIR on a later activity to permit discussion solely of new effects which had not been considered before.” Consistent with this provision, Guidelines section 15152 Tiering provides where an EIR has been prepared and certified for a plan, such as the OMCP, the lead agency for a later project pursuant to or consistent with the plan should limit the EIR on the later project to effects which: (1) Were not examined as significant effects on the environment in the prior EIR; or (2) Are susceptible to substantial reduction or avoidance by the choice of specific revisions in the project, by the imposition of conditions, or other means.

Program-Level Analysis

A program EIR is defined by CEQA Guidelines Section 15168 as an EIR prepared for a series of actions that can be characterized as one large project. A program EIR examines the potential environmental effects of a broad plan or program that may involve several future actions, such as a general plan or a phased development project. The analysis is more conceptual, discussing impacts, alternatives, and mitigation measures in the broader program's context. The program EIR also provides an opportunity for considering environmental impacts associated with the whole of a large project, even where specific details for all future phases are not available. This avoids improper separation of environmental analysis for smaller portions of a program that may individually have less than significant impacts, where the program as a whole would have potentially significant impacts. This approach also allows for more efficient environmental review of future development projects or phases consistent with the program and its associated environmental analysis.

Specifically, a program EIR provides the foundation for tiering of subsequent environmental documents by addressing broad impacts and mitigation measures, allowing later analyses to focus on specific issues and detailed mitigation for individual projects implementing the program within the context of an established and approved mitigation framework. In accordance with CEQA Guidelines Section 15168, a program EIR may serve as the environmental document for subsequent activities or actions provided it contemplates and adequately analyzes the potential environmental impacts of those subsequent projects.

One component of the project is a specific plan, and a specific plan is, by its nature, broad, long-range, and conceptual. The proposed Specific Plan is meant to guide development within the Southwest Village area but does not define specific characteristics such as exact building locations or designs for the planned land uses. Therefore, environmental analysis of reasonably foreseeable development under the Specific Plan is better provided at the program level. This broader level of analysis would allow future development projects to be considered within the analysis and mitigation framework of the certified SEIR. If, in evaluating future development projects within the Specific Plan area, the City finds that no new effects could occur or no new mitigation measures would be required other than those required by the SEIR, the City can approve the activity as being within the scope covered by the SEIR and no new environmental documentation would be required.

Project-Level Analysis

In contrast to a program-level EIR, a project-level EIR focuses on the environmental impacts of a specific, discrete project. It typically provides a more detailed assessment of the project's site-specific impacts and identifies feasible mitigation measures and alternatives to minimize those impacts. This level of analysis is possible where more complete plans are available. Because site-specific plans are currently proposed and available for the Phase 1 project-level components described in Section 3.5, *Project Level Components* of the SEIR, the appropriate level of analysis in the SEIR for those project components is at the project level. Absent future changes to the project-level

components triggering additional environmental review, there would be no need to prepare further environmental documentation for the project-level components pursuant to CEQA.

Standard of Adequacy

It is important to note that the same standard for adequacy of an EIR applies to both program and project EIRs. According to CEQA Guidelines Section 15151, "An EIR should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible." The SEIR provides analysis of the potential environmental impacts of the program-level and project-level components in accordance with the CEQA Guidelines and the City's CEQA Significance Determination Thresholds such that an informed decision on project approval in light of potential environmental effects can be made by City decision-makers. An EIR is legally adequate if it makes a good faith effort at full disclosure and provides a reasonable analysis of the project's significant environmental impacts.

SEIR Project Description

The project description in the SEIR for both program-level and project-level components provides the information required by CEQA Guidelines Section 15124. Nonetheless, there are differences in the level of project detail provided given the nature of a long-range, conceptual specific plan in comparison with a tentative map for a proposed subdivision. CEQA Guidelines Section 15124 specifies that a project description "should not supply extensive detail beyond that needed for evaluation and review of the environmental impact."

For the purposes of evaluating long-range program-level impacts, the description of the program-level components in Section 3.4, *Program-Level Components* of the SEIR provides a development footprint and discusses the land uses and densities planned for each Planning Area (PA), associated infrastructure required to serve this development, as well as certain Specific-Plan wide development standards. The location and types of units, including design and architectural features, density by lot, landscaping, open space requirements and expected parking are described thoroughly in the project description. Figures 3-1 through 3-46 provide locational details such as program- and project-level grading areas, roadway cross-sections, the VTM, water and sewer facilities, and more. The specific designs for the individual residential phases are not known yet so the approvals for the same are not requested. Nonetheless, the project description provided in the SEIR is accurate, stable, finite, and developed at the appropriate level of detail to support analysis of the requested discretionary actions.

The SEIR analyzes specific land use types and improvements and the associated SEIR project description provides sufficient detail for meaningful environmental analysis of the program-level components and is consistent with CEQA Guidelines by providing a general description of a project's technical, economic and environmental characteristics. Given the framework of the Specific Plan, the lack of more specific information about future development does not preclude meaningful

environmental analysis. At the time specific development projects implementing the Specific Plan are proposed, their features will be considered for consistency with the SEIR, including its project description. The question in evaluating future development for SEIR consistency is not whether each detail was provided in the SEIR's program-level description of the Specific Plan but whether the development as proposed is consistent with the SEIR project description to the extent it informs the analysis of potential environmental impacts and associated mitigation requirements. In reviewing projects for consistency with prior environmental documents, the City evaluates not just whether the project descriptions are consistent but whether the future development would result in new impacts or require new mitigation measures.

Some commenters also note the uncertain timing of Specific Plan implementation. The SEIR provides anticipated phasing information to the extent it is available. In general, the SEIR analysis does not rely on or require specific timing or phasing for the determination of environmental impacts. Where a specific calendar year is needed for analysis, the SEIR makes reasonably conservative assumptions related to the topic at issue. These assumptions are noted in the appropriate supporting technical reports appended to the SEIR and in the applicable methodology sections throughout Chapter 5 of the SEIR.

Mitigation

Several comments discuss the unknown timing of program-level mitigation or contend that the difference in mitigation required for the program-level and project-level components is improper. Similar to the discussion of project descriptions above, the level of specificity of mitigation measures for program-level components is purposefully different than for project-level components.

In general, mitigation under CEQA is required to be feasible, fully enforceable, and roughly proportional to the impact of the project (CEQA Guidelines Section 15126.4). Regarding the timing of mitigation measures, CEQA Guidelines Section 15126.4(a)(1)(B) states, "Formulation of mitigation measures shall not be deferred until some future time. The specific details of a mitigation measure, however, may be developed after project approval when it is impractical or infeasible to include those details during the project's environmental review provided that the agency (1) commits itself to the mitigation, (2) adopts specific performance standards the mitigation will achieve, and (3) identifies the type(s) of potential action(s) that can feasibly achieve that performance standard and that will be considered, analyzed, and potentially incorporated in the mitigation measure."

The SEIR is complete in this respect. While many of the program-level mitigation measures require further studies and/or specific details of mitigation measures to be developed at a later date, each program-level mitigation measure clearly guides this future work and establishes clear performance standards. Performance standards generally include achievement of established City Municipal Code or other standards, regulatory standards of other agencies, or another performance standard established in the SEIR as a threshold of significance. The establishment of these performance standards will allow the program-level mitigation to apply across the variety of project types anticipated under the Specific Plan. As specific site plans for future development under the Specific

Plan become available, the program-level mitigation would be implemented as applicable to the project type and location. All SEIR mitigation measures are enforceable, include timing triggers, and include clear direction for performance standards to be followed in considering their applicability to future projects. Further, where the ability of the identified program-level mitigation measure(s) to reduce an identified impact is unclear, the SEIR conservatively makes a significant and unmitigable impact determination for that issue area.

While site-specific studies are often required by program-level mitigation, these site-specific studies have generally already been undertaken for the project-level analysis given a greater level of detail is available for the project-level components. As such, a project-level study and analysis may have determined that no further mitigation is required or may have provided more site-specific recommendations required for the project to achieve the applicable performance standard. The project-level mitigation measures, or lack of need for such mitigation, are determined based on the thresholds of significance to the extent the thresholds are appropriate for the project-level of analysis.

Future discretionary projects proposed under the Specific Plan would be required to implement the program-level mitigation to the maximum extent feasible given the site-specific considerations available at the time those projects are proposed. This would result in the refinement of measures that apply to each future development project, similar to what has occurred through the project-level analysis in the SEIR.

Comment Letter A

From: Zamora_Cherry@CATC
 To: DSD_EAS
 Cc: Pennebaker_Laura@DOT
 Subject: [EXTERNAL] Draft Subsequent EIR for the Southwest Village Specific Plan PRJ-0614791
 Date: Friday, May 9, 2025 11:30:30 AM

****This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.****

Dear Dawna Marshall:

A-1

The California Transportation Commission (Commission) has received the City of San Diego's *Notice of Availability, Draft Environmental Impact Report* (regarding a Draft Subsequent Environmental Impact Report) for the Southwest Village Specific Plan/PRJ-0614791 project. Commission staff do not have comments at this time.

A-2

For all projects that are anticipated to require Commission approval for discretionary actions, including route adoptions, new public road connections, or funding allocation requests, full compliance with the California Environmental Quality Act (CEQA) is required. The Commission will not allocate funds to projects for design, right-of-way, or construction, or approve route adoptions or new public road connections, until the environmental document is complete, and the Commission has approved the environmentally cleared project. The CEQA lead agency must contact and work with the Commission directly to ensure the final environmental document is brought forward to the Commission for action.

Regards,

Cherry Zamora
 Associate Deputy Director – Environmental Policy
 California Transportation Commission
 916.716.4656

Comment Letter A: California Transportation Commission

A-1: The City of San Diego (City) acknowledges these introductory comments, including the note that the California Transportation Commission does not have specific comments at this time related to the environmental analysis or adequacy of the Subsequent Environmental Impact Report (SEIR). This comment does not raise an issue concerning the environmental analysis or adequacy of the SEIR, and no further response is warranted.

A-2: This comment notes that all future projects requiring California Transportation Commission approval for discretionary actions would be required to comply with the California Environmental Quality Act (CEQA). The City acknowledges that compliance with CEQA would be required for all future projects requiring discretionary approval by the California Transportation Commission. This comment does not raise an issue concerning the environmental analysis or adequacy of the SEIR, and no further response is warranted.

Comment Letter B

CALIFORNIA STATE TRANSPORTATION AGENCY

GAVIN NEWSOM, GOVERNOR

California Department of Transportation

DISTRICT I I
4050 TAYLOR STREET, MS-240
SAN DIEGO, CA 92110
PHONE (619) 709-5152 | FAX (619) 688-4299 TTY 711
www.dot.ca.gov



June 16, 2025

11-SD-905
PM 6:00
Southwest Village Specific Plan
DEIR/SCH#2004051076

Ms. Dawna Marshall
Planning Division
City of San Diego
1222 First Avenue, MS 501
San Diego, CA 92101

Dear Ms. Marshall:

Thank you for including the California Department of Transportation (Caltrans) in the development review process for the Southwest Village Specific Plan draft Environmental Impact Report (DEIR) located near State Route 905 (SR-905). Caltrans's mission is to improve lives and communities through transportation. Caltrans reviews land use projects and plans to ensure consistency with our mission and State transportation planning priorities.

Safety

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

Land Use and Smart Growth

Caltrans recognizes a strong link between transportation and land use. Development can significantly impact traffic and congestion on State transportation facilities. In particular, the pattern of land use can affect both local vehicle miles traveled and the number of trips.

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Comment Letter B: California Department of Transportation

B-1: The City acknowledges these introductory comments; however, they do not raise an issue concerning the environmental analysis or adequacy of the SEIR and no further response is warranted. Please see the responses below to specific comments.

B-1

Comment Letter B

Ms. Dawna Marshall
June 16, 2025
Page 2

B-1
cont.

↑ Caltrans supports collaboration with local agencies to work towards a safe, functional, interconnected, multi-modal transportation network integrated through applicable "smart growth" type land use planning and policies.

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

Broadband

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

B-2

Noise

The applicant must be informed that in accordance with 23 Code of Federal Regulations (CFR) 772, Caltrans is not responsible for existing or future traffic noise impacts associated with the existing configuration of State Route (SR-905), and Interstate (I-805).

B-3

Traffic Analysis

↓ In the August 2024 Local Analysis Report, page 7, Executive Summary, *Under Opening Year 2024 plus Project Phase 1a Conditions, findings include,* Item number 2: The proposed additional general-purpose lane for the SR 905 (WB) westbound entrance ramp must comply with Highway Design Manual (HDM) Topic 504.3(d)(e) to meet merge taper into the main lanes. Please add this information to the mitigation sections on sheet 8, sheet 10, sheet 55 and other sheets that mentioned mention project mitigation. Please see screen shots below.

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B-2: This comment notes that the California Department of Transportation (Caltrans) is not responsible for existing or future traffic noise impacts associated with the existing configuration of State Route 905 (SR-905) and Interstate 805 (I-805). This comment does not raise an issue concerning the environmental analysis or adequacy of the SEIR and, as such, the City is not addressing the validity of this statement herein. No further response is warranted.

B-3: This comment requests that compliance with the Highway Design Manual Topic 504.3(d)(e) be added to the relevant sections in Appendix J-4, *Southwest Village VTM-1 (PA 8-14: Residential) Local Mobility Analysis (LMA) Report*. The requested information has been added to the Conditions of Approval in the LMA and in Sections 3.4.4.1 and 3.6.2.4 of the SEIR to ensure compliance with the Highway Design Manual.

Comment Letter B

Ms. Dawna Marshall
June 16, 2025
Page 3

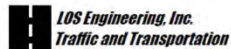
Add to the paragraph: The additional general-purpose lane for the SR-905 WB entrance must also comply with HDM Topic 504.3(d)(e) to meet merge taper into the main lanes.

at the start of Phase 1b. This is proposed in Phase 1b because it will take a couple of years to obtain permits from Caltrans to improve this intersection. Additionally, providing an interim fix by extending the existing NBL (through a restripe) in Phase 1a may be viewed by Caltrans as a throw away improvement and potentially rejected because the larger improvement will follow in Phase 1b. If both improvements are kept separate, then Phase 1a restripe may take 1-2 years. After the restripe, the Phase 1b NB dual left can take another 1-2 years, which means the dual lefts may require 3-4 years vs. skipping the interim restripe and instead proceeding with the dual lefts within 1-2 years, thus no improvements are proposed in Phase 1a.

Phase 1b improvements with a total of 699 dwelling units within Planning Areas 8-14 of VTM-1.

7) Prior to issuance of the first building permit in Phase 1b (201st dwelling unit), the Owner/Permittee shall assure by permit and bond the intersection reconfiguration of Caliente Ave/SR-905 WB Ramps to install a second northbound left turn lane (through re-striping on the bridge over SR-905 of the northbound number one through travel lane with 300 feet of storage to a trap left turn lane that in conjunction with the existing left turn lane will become the dual left turn lanes), widen and construct a second receiving lane to the westbound (WB) on-ramp, and upgrading the traffic controller to provide City current 2070 signal controller including software update and communications equipment, to the satisfaction of the City Engineer and Caltrans. These improvements shall be completed and operational prior to first occupancy of Phase 1b (201st dwelling unit). A concept drawing is included in Appendix N.

and ensure the merge taper to the freeway main lanes from the additional lane comply with HDM Topic 504.3(d)(e).



Otay Mesa Southwest Village VTM-1 PRJ-0614791 LMA
x August 13, 2024

B-3
cont.

B-4

In the August 2024 Local Mobility Analysis Report, page 7, Executive Summary, *Under Opening Year 2024 plus Project Phase 1a Conditions, findings include,* Item number 2:

The proposed construction of the northbound (NB) left turn lane and the receiving lane from SR-905 westbound (WB) entrance ramp, can be constructed simultaneously. However, if the construction needs to be phased, the WB entrance ramp general-

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B-4: This comment notes that construction of the additional receiving lane at the westbound SR-905 entrance ramp would need to be constructed prior to the addition of a second northbound left turn lane at the Caliente Avenue/SR-905 intersection if construction of the two components needs to be phased. The City and Applicant acknowledge this requirement, as a condition of the Site Development Permit. This comment does not raise an issue concerning the environmental analysis or adequacy of the SEIR.

Comment Letter B

Ms. Dawna Marshall
June 16, 2025
Page 4

- B-4 cont. ↑ purpose lane will need to be constructed prior to the addition of the northbound (NB) left turn lane for traffic operational purposes.

- B-5 ↓ In the August 2024 Local Mobility Analysis Report, page 7, Executive Summary, *Under Opening Year 2024 plus Project Phase 1a Conditions, findings include:* Item number 3: *Intersection of Caliente Ave/SR-905 Eastbound (EB) Ramps. The project traffic causes the intersection to degrade to LOS E in the AM peak hour; therefore, the Owner/Permittee proposes to upgrade the traffic control to provide City current 2070 signal controller.* Per Figure 27 (Opening Year 2024 plus Project Phases 1a, 1b & 1c Volumes) a total of 634 right-turn trips will be at the SR-905 EB exit ramp. This represents a high volume of right-turn traffic, resulting in the intersection level of service (LOS) degrading from LOS C to an unacceptable to LOS E, as indicated in the Local Mobility Analysis. Currently, the exit ramp only has a shared lane left/thru/right, which is insufficient to accommodate the over-capacity and increase right-turn demand generated by the project. This over-capacity condition will lead to traffic operational and safety issues and will require right turn-traffic improvements such as a dedicated right turn lane to the SR-905 EB exit ramp.

This will also be consistent with Section 7.2.5 "Project Traffic Effects", Table 7 of the submitted traffic study for signalized intersection facility with no existing right turn-lane, which calls for the addition of a right-turn lane when project-generated traffic causes the total number of peak-hour right turn for a movement to exceed 500.

- B-6 ↓ The synchro files - Intersection 3 at Caliente Ave & SR-905 EB Ramp: Queue results from the "PM + project phase 1a, 1b, 1c +Mitigation" scenario indicate a 1479-foot queue from the ramp limit line to the main lanes for 95th percentile queue. This exceeds the existing ramp storage of 1,200 feet and would potentially create safety issues at the ramp. Therefore, the addition of a right-turn lane is required.

Please update section 9, Mitigation Improvements, with Caltrans' recent comments.

- B-7 ↓ Construction of all project mitigations within the Caltrans Right-of-Way (R/W) will need to be completed prior to the start of Phase 1C.

- B-8 ↓ Due to the complexity of the proposed mitigation on SR-905 Caliente Ave ramps, Caltrans strongly recommends early coordination.

- B-9 ↓ It is recommended that the project provide a safety review that follows the Caltrans "Local Development Review (LDR) Safety Review Practitioner's Guidance" <https://dot.ca.gov/-/media/dot-media/programs/safety-programs/documents/202402-ldr-safety-review-practitioners-guidance-a11y.pdf>.

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B-5: This comment asserts that increases in traffic volumes result in traffic operation and safety issues, and result in the need for a dedicated right-turn lane on the SR-905 eastbound off-ramp at the intersection of Caliente Ave/SB-905 eastbound (EB) ramps. Per the City's Transportation Study Manual (TSM), an additional eastbound off-ramp right turn lane should be considered if the project adds trips causing the peak hour right turns to exceed 500 peak hour right turns. This threshold is not met by the project in the AM peak hour with 492 right-turning vehicles with the intersection operating at LOS E but is met in the PM peak hour with 634 right-turning vehicles with the intersection operating at an acceptable LOS D. Additionally, the queueing analysis showed that the existing storage length at the EB off ramp to Caliente Avenue would accommodate the expected 95th percentile queue; therefore, there would be adequate capacity for vehicle queuing and there would be no potentially significant traffic safety effect. Improvements in the form of a dedicated right-turn lane to the SR-905 EB exit ramp is not required.

Caltrans's statement that the additional right-turn lane is consistent with Section 7.2.5 of the LMA (SEIR Appendix J-4) is not accurate. Table 7 of the LMA lists triggers for considering an improvement as follows: "No Existing Right Turn-Lane: If the addition of a right turn lane will not negatively affect other roadway users, will maintain a comfortable roadway environment, AND the project adds traffic to an individual right turn movement causing the total number of peak hour right turns to exceed 500, consider adding a right turn lane."

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The opening year plus project conditions do not result in more than 500 right turning vehicles under AM LOS E conditions, as described above; therefore, no safety issue would occur and a separate right-turn lane is not required. Although the PM peak hour right turns would exceed 500, the intersection would operate with an acceptable LOS D, and no safety issue would occur. As such, additional queuing storage is not warranted. As stated above, a project's effect on automobile delay shall not constitute a significant environmental impact. As environmental impacts would be less than significant, no mitigation is warranted.

B-6: This comment asserts that an additional right-turn lane on the SR-905 eastbound off-ramp is required because the project would cause the existing ramp storage of 1,200 feet to be exceeded. Caltrans cites Synchro runs prepared for the project to support this assertion but does not provide the output files or specify how many runs were completed. Synchro files were provided to Caltrans per Caltrans' request on June 2025, which showed the expected 95th percentile queue of 1,012 feet in the AM peak hour and 1,015 in the PM peak hour, which would not exceed the existing ramp vehicle queuing storage of 1,200 feet. No safety issue would occur, and no improvement would be required.

B-7: This comment asserts that construction of all project mitigation within the Caltrans right-of-way would need to be completed prior to the start of Phase 1c. No mitigation is warranted or required within the Caltrans right-of-way. Any project features within the Caltrans right-of-way would be completed in accordance with applicable requirements. As detailed in SEIR Section 3.5.3, project phasing includes the construction of SR-905 ramp improvements to the satisfaction of the City Engineer as well as Caltrans prior to the 201st dwelling unit in Phase 1b. This would be ensured via project Site Development Permit conditions.

Comment Letter B

Ms. Dawna Marshall
June 16, 2025
Page 5

B-9
cont.

Intersection Safety and Operational Assessment Process (ISOAP) applies to new intersections or the major modification of existing intersections and local street interchanges (including to State conventional highways and expressways) on the State Highway System, including but not limited to the following:

- Connecting a new public road, private road, or high-volume (average daily traffic volumes of 1,000 or greater) driveway to a State highway or a new interchange to a freeway.
- Making major physical changes to intersection approaches, including at ramp terminals, such as adding a leg to an intersection or widening to provide an additional through or turn lane.
- For additional information, please reference the ISOAP Guide: <https://dot.ca.gov/-/media/dot-media/programs/traffic-operations/documents/isoap/20240910-isoap-process-info-guide-a11y.pdf>

B-10

Multimodal System Planning

Chapter 5.12 Traffic/Circulation, page 752 of Southwest Village Specific Plan Subsequent EIR document, *Table 5.12-4 Project-level VMT Impact Findings (Series 14 ABM2+)*, states that the Southwest project will have a VMT significant impact to the region at the program and project level.

Caltrans recommends the following to reduce regional VMT impacts:

Please coordinate with Caltrans, SANDAG, and MTS to help connect the Southwest Village Specific Plan area to the regional transportation network, particularly transit.

B-11

The proposed Rapid 688 connects the San Ysidro Transit Center to Kearny Mesa and is a precursor to the planned [Purple Line](#) transit corridor. Please consider whether a bus stop for the route may be incorporated within the specific plan area.

Please review the Purple Line project that has potential alignments through the project area and may support transportation connectivity for the future increase in population, housing, and land development. The [Purple Line Conceptual Planning Study Executive Summary](#) is now available for review.

B-12

The [South Bay to Sorrento Comprehensive Multimodal Corridor Plan \(CMCP\)](#) outlines potential strategies to enhance travel choices, safety, and connectivity throughout the planned corridor. The CMCP's study area incorporates the Southwest Village

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B-8: The City and Applicant acknowledge the recommendation made in this comment for early coordination with Caltrans related to improvements at the SR-905/Caliente Avenue ramps. The Applicant coordinated with Caltrans regarding these improvements in October 2023. It is noted that these improvements are proposed and to be completed by the Applicant.

B-9: This comment recommends a safety review pursuant to the Caltrans Local Development Review Safety Review Practitioner's Guidance and the Intersection Safety and Operational Assessment Process (ISOAP). The project would comply with Caltrans' applicable safety review requirements and ISOAP during the encroachment permit process.

B-10: The comment correctly states that the SEIR identified the project would have a significant VMT direct and cumulative impact. To reduce VMT impact, the commenter recommends that the project Applicant coordinate with Caltrans, the San Diego Association of Governments (SANDAG), and the Metropolitan Transit Service (MTS) to help connect the Specific Plan area to the regional transportation network, particularly transit.

As detailed in SEIR Section 5.12.4.4, the project would reduce VMT impacts via mitigation measure SP-TRA-1 for program-level areas and mitigation measure PR-TRA-1 for project-level areas. The proposed mitigation is based on the current City TSM and Mobility Choices Regulations, consistent with the City's Significance Determination Thresholds (City 2022) and Complete Communities: Housing Solutions and Mobility

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(ATILF), which funds future City transportation improvements in VMT-efficient areas in accordance with the Mobility Choices Program. As detailed in SEIR Section 5.12.4.5, impacts related to VMT at both the program and project-level would be significant after mitigation as identified in the Findings and Statement of Overriding Considerations (SOCs) from the Complete Communities: Housing Solutions and Mobility Choices Final PEIR (City 2020; Resolution R-313279; State Clearinghouse Number 2019060003). Per the Complete Communities Findings and SOCs, compliance with the City's Mobility Choices Program regulations is considered mitigation to the extent feasible and no further mitigation is required. Refer to the Findings and SOCs from the Complete Communities: Mobility Choices Final PEIR for additional details. These documents are available at: <https://www.sandiego.gov/complete-communities> (City 2020).

While the Specific Plan provides for a Village Core and land use patterns that encourage the incorporation of public transit service as buildout of the Specific Plan occurs, the provision of public transit is ultimately the responsibility of local transit agencies and is beyond the control of the project Applicant and the City.

B-11: This comment requests that the project consider whether a bus stop for the proposed Rapid Bus Route 688 could be incorporated into the project. The Specific Plan provides the land use and zoning to support future planned transit connections that would connect the area to San Ysidro through the extension of Beyer Boulevard. While specific transit connections such as the connection proposed in this comment are not part of the project, the project includes a Village Core with a planned Mobility Hub that could provide future transit connections southwest of the intersection of Beyer Boulevard East and Caliente Ave. The Specific Plan also utilizes land use patterns that encourage the incorporation of public transit

Comment Letter B

Ms. Dawna Marshall
June 16, 2025
Page 6

B-12 ↑ Specific Plan project area. Please review this resource for information that may benefit future development.

B-13 Please also see the CMCP's [Attachment A: Recommended Transportation Solution Set](#) for proposed projects that may align with the Southwest Village Specific Plan, and opportunities for mitigation for this project:

- 1310: San Ysidro Mobility Hub
- 817: Otay Mesa East Port of Entry Improvements
- 3: Purple Line
- 43/54: Rapid Route 638 (Iris Trolley to Otay Mesa via Otay, Airway Dr, SR 905 Corridor)/Rapid Route 950 (Otay Mesa POE to Imperial Beach via 905)

B-14 The SANDAG Regional Plan, formally known as the [San Diego Forward: The 2021 Regional Plan](#), is listed within the Draft SEIR for the Southwest Village Specific Plan. Please review for reference and consistency the SANDAG Regional Plan's following sections:

- [Appendix A: Transportation Projects, Programs, and Phasing](#)
- [Appendix D: Sustainable Communities Strategy Documentation and Related Information](#)
- [Appendix F: Regional Growth Forecast and Sustainable Communities Strategy Land Use Pattern](#)
- [Appendix K: Regional Housing Needs Assessment Plan](#)
- [Appendix L: Active Transportation](#)

B-15 Caltrans encourages the City of San Diego as the California Environmental Quality Act (CEQA) lead agency to utilize strategies that will help the City achieve conformance with State Greenhouse Gas (GHG) emission and VMT reduction goals.

- Potential measures to reduce VMT include, but are not limited to:
- Improve or increase access to transit.
 - Increase access to common goods and services, such as groceries, schools, and daycare.
 - Incorporate affordable housing into the project.
 - Incorporate neighborhood electric vehicle network.
 - Orient the project toward transit, bicycle, and pedestrian facilities.
 - Improve pedestrian or bicycle networks, or transit service.
 - Provide traffic calming measures and strategies.
 - Provide bicycle parking.
 - Limit or eliminate parking supply.
 - Implement or provide access to a commute reduction program.
 - Provide car-sharing, bike sharing, and ride-sharing programs.
 - Provide transit passes.

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connections southwest of the intersection of Beyer Boulevard East and Caliente Ave. The Specific Plan also utilizes land use patterns that encourage the incorporation of public transit service as buildout of the Specific Plan occurs. As noted in B-10 above, the provision of public transit is ultimately the responsibility of local transit agencies and is beyond the control of the project Applicant and the City.

B-12: This comment requests that the project Applicant review the South Bay to Sorrento Comprehensive Multimodal Corridor Plan for information that may benefit future development. This comment does not raise an issue concerning the environmental analysis or adequacy of the SEIR. As noted in B-10 above, the provision of public transit is ultimately the responsibility of local transit agencies and is beyond the control of the project Applicant and the City.

B-13: This comment requests that the project Applicant review Attachment A of the Comprehensive Multimodal Corridor Plan mentioned in Response B-12 above for additional mitigation opportunities. Strategies 1310, 817, 3, and 43/54 were reviewed by the project Applicant for applicability to the Specific Plan and SEIR. As described in Response B-10 above, the project would provide mitigation to the extent feasible. Please also see Response B-12. The provision of public transit is ultimately the responsibility of local transit agencies and is beyond the control of the project Applicant and the City.

B-14: This comment requests a review of the SANDAG 2021 Regional Plan appendices for project consistency. A discussion of the project's consistency with the SANDAG 2021 Regional Plan is already provided in Section 5.1, Land Use of the SEIR. The program- and project-level components were reviewed for consistency with the SANDAG 2021 Regional Plan's key concepts and overall goals. The SEIR concluded that the project is consistent with the SANDAG 2021 Regional Plan because it

Comment Letter B

Ms. Dawna Marshall
June 16, 2025
Page 7

- B-15 cont.
- Shifting single occupancy vehicle trips to carpooling or vanpooling, for example providing ride-matching services.
 - Providing telework options.
 - Providing incentives or subsidies that increase the use of modes other than single-occupancy vehicle.
 - Providing on-site amenities at places of work, such as priority parking for carpools and vanpools, secure bike parking, and showers and locker rooms.
 - Providing employee transportation coordinators at employment sites.
 - Providing a guaranteed ride home service to users of non-auto modes.

B-16 **Hydraulics**
Caltrans generally does not allow development projects to impact hydraulics within the State's R/W. Any modification to the existing Caltrans drainage and/or increased runoff to State facilities will not be allowed.

B-17 For project related mitigation on SR-905 and Caliente Ave, please provide a pre- and post-development hydraulics and hydrology study.

Please show drainage configurations and patterns.

B-17 Please provide drainage plans and details. Please include detention basin details of inlets/outlets.

Please provide a contour grading plan with legible callouts and minimal building data.

For all plans, please show Caltrans' R/W.

B-18 **Complete Streets**
Caltrans recommends a leading pedestrian interval signalization with pedestrian countdown, and a no right turns/blank signal activated or other enhancements for safer bicycle and pedestrian crossings.

B-19 Additional recommendations include, converting Caliente Road to Class IV Bikeways with bike signal phasing and bend-in/bulb-outs and green conflict zone striping at right-turn on ramps.

B-20 Bicycle, pedestrian, and public transit access during construction is important. Mitigation to maintain bicycle, pedestrian, and public transit access during construction is in accordance with Caltrans' goals and policies.

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provides a multimodal community with residential, institutional, and commercial land uses that would align with the SANDAG 2021 Regional Plan mobility hub and complementary land use concepts. The appendices listed in this comment provide supporting documentation for the SANDAG 2021 Regional Plan and do not introduce any new concepts or policies that must be reviewed for project consistency. The existing discussion within Section 5.1, Land Use is sufficient, and no revisions to the SEIR are required.

B-15: The commenter suggests additional measures to reduce VMT and associated greenhouse gas (GHG) emissions. As stated in Responses B-10 through B-12 above, the project's compliance with the City's Mobility Choices Program regulations through payment of the ATILF is considered VMT mitigation to the extent feasible and no further mitigation is required. As detailed in SEIR Section 5.18.4.2, program and project-level GHG impacts would be less than significant, and no mitigation is required. As previously noted, the provision of transit is also not under the control of the City or Applicant, and is not feasible. While a response to each provided measure is not warranted, several of the suggested measures are addressed by the Mobility Choices Program or would not be a feasible measure to reduce project VMT impacts for various reasons.

B-16: The commenter notes that any modification to existing Caltrans drainage and/or increased runoff to State facilities would not be allowed. All future improvements within the Caltrans right-of-way would proceed in accordance with Caltrans encroachment permit requirements, including any drainage changes. The City acknowledges this comment, which does not raise an issue concerning the environmental analysis or adequacy of the SEIR.

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considering no significant impact occurs at this location, but the project would include improvements at this intersection, as shown in SEIR Figure 3-25, State Route 905 & Caliente Avenue Westbound On-Ramp. The SEIR includes Appendix F-2, Conceptual Drainage and Water Quality Summary for the Southwest Village Specific Plan and Appendix F-3, Drainage Study for Southwest Village Tentative Map (Preliminary Engineering), which analyze the drainage conditions for the program- and project-level components at an appropriate level of detail to inform the significance conclusions of the SEIR. The project would submit any required documentation related to hydraulics, hydrology, and drainage during the encroachment permits process as outlined in the Caltrans Encroachment Permits Manual (Caltrans 2023, <https://dot.ca.gov/programs/traffic-operations/ep/ep-manual>). No revisions to the SEIR or the hydrology/drainage studies are required.

B-18: Under the Complete Streets heading, the commenter recommends a leading pedestrian interval signalization with pedestrian countdown or other enhancements for safer bicycle and pedestrian crossings. As discussed in Section 5.12.5.2 of the SEIR, the LMA (SEIR Appendix J-4) conducted a systemic safety review per the City of San Diego Systemic Safety: The Data-Driven Path to Vision Zero to identify potential safety improvements for vehicles, pedestrian and bicycles. A bicycle loop detector at the Beyer Boulevard/East Beyer Boulevard Intersection was identified as the only necessary safety improvement, which will be ensured via project Site Development Permit conditions; none of the remaining study intersections satisfied the pedestrian, bicycle, and vehicle system safety criteria for potential improvements. The project has already incorporated all necessary safety features per lead agency requirements, as described in Section 3.6.2.4(d) of the SEIR, and no revisions to the SEIR are required.

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B-19: The commenter recommends Class IV Bikeways with bike signal phasing along Caliente Ave. Currently, there are existing Class II bike lanes along Caliente Avenue between Otay Mesa Road and Airway Road, per the Otay Mesa Community Plan (OMCP). No safety impacts would occur as a result of the project, and no modifications to the existing bike lanes or the SEIR are required.

B-20: The commenter notes that bicycle, pedestrian, and public transit access during construction is important. As discussed in SEIR Section 5.12.6.2, temporary closures with detours may be required during street improvements and would be addressed through traffic control permits (TCPs) in accordance with City policy as construction plans for future developments are processed through the City. TCPs would identify detours and/or other traffic control necessary to provide both public access and emergency access during construction within roadways. City policy is in alignment with Caltrans' goals on this issue. No revisions to the SEIR are required.

Comment Letter B

Ms. Dawna Marshall
June 16, 2025
Page 8

B-21 **Right-of-Way**
Per Business and Profession Code 8771, perpetuation of survey monuments by a licensed land surveyor is required, if they are being destroyed by any construction.

Any work performed within Caltrans' R/W will require discretionary review and approval by Caltrans, and an encroachment permit will be required for any work within the Caltrans' R/W before construction. As part of the encroachment permit process, the applicant must provide approved final environmental documents for this project, corresponding technical studies, and necessary regulatory and resource agency permits—specifically, CEQA determination or exemption. The supporting documents must address all environmental impacts within the Caltrans' R/W and address any impacts from avoidance and/or mitigation measures.

B-22 Additional information regarding encroachment permits may be obtained by visiting the website at <https://dot.ca.gov/programs/traffic-operations/ep>. Projects with the following:

- require a Caltrans Encroachment Permit
- have completed the Caltrans Local Development Review (LDR) process
- have an approved environmental document

need to have documents submitted for Quality Management Assessment Process (QMAP) process via email to D11.QMAP.Permits@dot.ca.gov. Early coordination with Caltrans is strongly advised for all encroachment permits.

If you have any questions or concerns, please contact Roger Sanchez, LDR Coordinator, by phone (619) 987-1043 or by e-mail at roger.sanchez-rangel@dot.ca.gov.

Sincerely,
Kimberly D. Dodson
KIMBERLY D. DODSON, GISP
Branch Chief
Local Development Review

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B-21: The commenter asserts that perpetuation of survey monuments by a licensed land surveyor is required, if they are being destroyed by any construction. The Specific Plan serves as a planning level regulatory document. Future development permit applications, such as grading or building permits, would include the level of detail necessary to determine if any survey monuments would be potentially impacted or destroyed and would comply with Business and Profession Code 8771 regarding survey monument preservation. No revisions to the SEIR are required.

B-22: The commenter notes that Caltrans encroachment permits would be required for any discretionary actions performed within the Caltrans right-of-way. This requirement is acknowledged. All proposed project component impacts are addressed in accordance with CEQA, including those components within the Caltrans right-of-way. As part of the encroachment permit process, final environmental documents and technical studies, including any final mitigation requirements would be provided to Caltrans for their use in coordinating the necessary permitting associated with project improvements within the Caltrans right-of-way.

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Comment Letter C



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

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



June 16, 2025

Dawna Marshall
City of San Diego
1222 First Avenue, MS 501
San Diego, CA 92101
DLMarshall@sandiego.gov

Subject: DRAFT SUBSEQUENT ENVIRONMENTAL IMPACT REPORT for the Southwest Village Specific Plan Project, SCH No. 2004051076, SAN DIEGO COUNTY, CA

Dear Dawna Marshall:

The California Department of Fish and Wildlife (CDFW) reviewed the Draft Subsequent Environmental Impact Report (DSEIR) from the City of San Diego (City) for the Southwest Village Specific Plan (Project) pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines¹.

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

CDFW ROLE

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

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

Conserving California's Wildlife Since 1870

Comment Letter C: California Department of Fish and Wildlife

- C-1:** The City acknowledges these introductory comments. These introductory comments do not raise an issue concerning the environmental analysis or adequacy of the SEIR.
- C-2:** This comment summarizes the California Department of Fish and Wildlife's (CDFW's) roles and responsibilities and does not raise an issue concerning the environmental analysis or adequacy of the SEIR. As described in SEIR Section 1.3.3, the CDFW would be a Trustee Agency for the project as a state agency having jurisdiction over natural resources affected by the project. The City acknowledges the project may seek take authorization from the CDFW as provided by the Fish and Game Code. SEIR Section 1.3.3 has been revised accordingly to state that the CDFW would also be a Responsible Agency for the project as it would have discretionary approval power over the project.

C-1

C-2

Comment Letter C

DocuSign Envelope ID: 3096E64E-595E-47FB-BDA1-D378ECBE2B13

Dawna Marshall
City of San Diego
June 16, 2025
Page 2 of 16

C-2
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CDFW may also act as a Responsible Agency under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 et seq.). Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law² of any species protected under the California Endangered Species Act (CESA; Fish & G. Code, § 2050 et seq.) or the Native Plant Protection Act (NPPA; Fish & G. Code, §1900 et seq.), the Permittee may seek related take authorization as provided by the Fish and Game Code.

C-3

CDFW also administers the Natural Community Conservation Planning (NCCP) program, a California regional habitat conservation planning program (Fish & G. Code, § 2800 et seq.). The City of San Diego participates in the NCCP program by implementing its approved Multiple Species Conservation Program (MSCP) Subarea Plan (SAP) and Implementing Agreement (IA). CDFW issued the City's NCCP permit in 1997 (SCH No. 93121073). The City of San Diego's Multi-Habitat Planning Area (MHPA) identified in the SAP delineates core biological resource areas and corridors targeted for conservation. The DSEIR for the proposed Project must ensure that all requirements and conditions of the SAP and IA are met. The DSEIR should also address any biological issues that are not addressed in the SAP and IA, such as specific impacts to, and mitigation requirements for, sensitive species that are not covered by the SAP and IA.

PROJECT DESCRIPTION SUMMARY

Proponent: Tri Pointe Homes IE-SD, Inc.

Objective: The Project will provide a comprehensive policy framework to guide future development buildout in the Southwest Village District. Anticipated Project activities include grading and construction for 5,130 residential dwelling units, mixed use buildings, public facilities (e.g., school, open space, parks, trails), and the extension of Beyer Boulevard as a secondary access road to the west. Offsite improvements are also anticipated, including roadway improvements to the north, modifying an existing dirt road for secondary emergency vehicle access (EVA) to the south, water and sewer facilities, and stormwater infrastructure (e.g. Spring Canyon drainage outfall).

C-4

Adoption of the Project will require an amendment to the City's General Plan and the Otay Mesa Community Plan. In addition, the Project includes a Boundary Line Adjustment (BLA) pursuant to the City's SAP, a Major Amendment to the City's Vernal Pool Habitat Conservation Plan (VPHCP), and a Biologically Superior Option (BSO) wetland deviation that are processed in coordination with the Wildlife Agencies. Construction of the Beyer Boulevard roadway will also require amendments to the

² "Take" is defined in Section 86 of the Fish and Game Code as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill."

C-3: This comment asserts that the SEIR should address project compliance with the City's Multiple Species Conservation Program (MSCP) Subarea Plan (SAP) and Implementing Agreement (IA), as well as any biological issues that are not addressed in the SAP and IA, such as impacts and mitigation for sensitive species that are not covered by the SAP or IA. The SEIR includes the information requested in this comment. The project's fulfillment of the SAP and IA is described throughout the SEIR, particularly in Section 5.1, Land Use and Section 5.4, *Biological Resources*. Likewise, Section 5.4, *Biological Resources*, addresses biological issues not addressed in the SAP and IA and includes mitigation measures for impacts to sensitive species that are not covered by the SAP and IA.

The Quino checkerspot butterfly, western spadefoot and Crotch's bumble bee are not covered under the SAP, IA or the Vernal Pool Habitat Conservation Plan (VPHCP). Potential impacts to these species are addressed in the SEIR. Ultimately, the project would be required to obtain take permits pursuant to either Section 7 or Section 10 of the Federal Endangered Species Act (FESA) or as a part of the VPHCP Major Amendment, or an Incidental Take Permit (ITP) from CDFW as identified in the SEIR. Mitigation has been identified in the SEIR to reduce significant impacts to these species to below a level of significance. Refer to SEIR Sections 5.4.3.4 and 5.4.3.5 and Chapter 10, Mitigation Monitoring and Reporting Program (mitigation measures PR-BIO-1, PR-BIO-3, PR-BIO-4, PR-BIO-5, PR-BIO-6, PR-BIO-9a, PR-BIO-9b, PR-BIO-12, PR-BIO-13, PR-BIO-16a, and PR-BIO-16b) for additional details.

C-4: This comment accurately summarizes the proposed project, biological setting, and summary of impact analysis. This comment does not raise an issue concerning the environmental analysis or adequacy of the SEIR

Comment Letter C

DocuSign Envelope ID: 3096E64E-595E-47FB-BDA1-D378ECBE2B13

Dawna Marshall
City of San Diego
June 16, 2025
Page 3 of 16

existing conservation easements on West Otay Mesa A and B with approval of the Wildlife Agencies.

Development of the Project will be phased, so the DSEIR analysis includes both project-level and program-level components. The project-level components are more comprehensively analyzed, and address impacts associated with earlier development phases (Phases 1, 2, portion of 4) that will support future phases. These activities include grading and construction of Beyer Boulevard and up to 795 residential units, improvements to the southern EVA road, primitive trails, and infrastructure for stormwater and sewer facilities. The remaining program-level components will subsequently follow and will require a more comprehensive impact analysis to be conducted by the City prior to approval (Phases 3, 5-7, portion of 4).

Location: The 490-acre Project area is located within the City's Otay Mesa Community Plan area, north of the United States/Mexico international border, south of State Route 905, and east of Interstate 805. The Project area predominantly consists of undeveloped open space and canyons, with some smaller areas that are developed, agricultural, or disturbed. Surrounding land uses include residential and commercial development to the north, and undeveloped land to the east, west, and south. Several conserved properties occur within the northwestern portion of the Project area. These include the County of San Diego's Furby North Preserve, and two properties protected by conservation easements held by CDFW, referred to as West Otay Mesa A and West Otay Mesa B.

Biological Setting: Per the Biological Resources Report (BRR), the Project site is largely undeveloped land and encompasses a variety of land cover types including maritime succulent scrub (including disturbed), Diegan coastal sage scrub (including disturbed), native and non-native grasslands, eucalyptus woodland, disturbed land, agricultural land, and urban/developed land. The Project area also supports a variety of wetland habitats including vernal pools, mule fat scrub, southern willow scrub, tamarisk scrub, natural flood channel, disturbed riparian, and disturbed wetlands. A summary of total acreage by land cover type is included in Table 2a and 2b of the DSEIR. The Project area is within the "Otay Mesa" area described in the City's SAP and 15.25 acres of MHPA is designated on site. The MHPA also extends beyond the Project boundary to the north, east, south, and west. Additionally, the Project site is within the boundary of the City's VPHCP and contains 19.36 acres of 100 percent conserved lands (RECON 2025).

Several narrow endemic plant species were observed or have the potential to occur within the Project's impact area. These include Otay tarplant (*Deinandra conjugens*; Endangered Species Act (ESA)-listed Threatened, California Endangered Species Act (CESA)-listed Endangered, MSCP Covered), San Diego button-celery (*Eryngium aristulatum* var. *parishii*; ESA-listed Threatened, CESA-listed Endangered), thread-leaved brodiaea (*Brodiaea filifolia*; ESA-listed Threatened, CESA-listed Endangered, MSCP Covered), snake cholla (*Cylindropuntia californica* var. *californica*; California

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C-4
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Comment Letter C

Docusign Envelope ID: 3096E64E-595E-47FB-BDA1-D378ECBE2B13

Dawna Marshall
City of San Diego
June 16, 2025
Page 4 of 16

Rare Plant Rank (CRPR) 1B.1, MSCP Covered), and variegated dudleya (*Dudleya variegata*; CRPR 1B.2, MSCP Covered).

Sensitive wildlife species that were observed or have the potential to occur within the Project's impact area include coastal California gnatcatcher (*Poliopitila californica californica*; ESA-listed Threatened, California Species of Special Concern (SSC), MSCP Covered), least Bell's vireo (*Vireo bellii pulchellus*; ESA-listed Endangered, CESA-listed Endangered, MSCP Covered), coastal cactus wren (*Campylorhynchus brunneicapillus sandiegensis*; SSC, MSCP Covered), western burrowing owl (*Athene cunicularia*; CESA Candidate Species, MSCP Covered), white-tailed kite (*Elanus leucurus*; California Fully Protected Species), yellow-breasted chat (*Icteria virens*; SSC), yellow warbler (*Setophaga petechia*; SSC), Crotch's bumble bee (*Bombus crotchii*; CESA Candidate Species), San Diego fairy shrimp (*Branchinecta sandiegonensis*; Endangered Species Act (ESA)-listed Endangered, MSCP Covered, VPHCP Covered), Riverside fairy shrimp (*Streptocephalus wootoni*; ESA-listed Endangered, MSCP Covered, VPHCP Covered), Quino checkerspot butterfly (*Euphydryas editha quino*; ESA-listed Endangered; Quino), western spadefoot toad (*Spea hammondi*; Proposed ESA-listed Threatened, California Species of Special Concern (SSC)).

Per Table 8a the BRR, the Project will directly impact 218.60 acres of land including 187.6 acres of sensitive upland vegetation and 2.46 acres of wetland vegetation (RECON 2025; Attachment A). Mitigation for impacts to sensitive habitat types is provided following the mitigation ratios established in the City's SAP and Biology Guidelines and summarized in Tables 15a and 18a of the BRR (RECON 2025; Attachments B and C). Overall, the Project will preserve approximately 208.3 acres of habitat within and adjacent to the Project area as shown in Figure 5.4-9 of the DSEIR (Attachment D). The Project's mitigation package also incorporates several habitat restoration efforts to increase native grassland habitat for the benefit of burrowing owl and Otay tarplant; restore and establish vernal pools with an added focus on Quino and western spadefoot; and restoration of upland habitat for the benefit of coastal cactus wren and Crotch's bumble bee (RECON 2025; Attachments D and E). Additionally, the Project will salvage and translocate San Diego barrel cactus (*Ferocactus viridescens*; CRPR 4.2, MSCP Covered) and snake cholla from the impact area into the mitigation lands.

The Project's BLA will result in a net gain of 3.19 acres overall and a gain of 4.06 acres of sensitive vegetation communities within the MHPA post-restoration. The Project's BSO wetland deviation will also create and enhance 1.45 acres of wetland habitat within Spring Canyon for the benefit of least Bell's vireo, yellow-breasted chat, and yellow warbler and to ensure no net loss of wetland habitat. Post-restoration, the mitigation lands will be conveyed to the City for management in perpetuity as part of the MSCP preserve system, except for the off-site cactus wren restoration area to the north that will be managed by the County of San Diego.

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Comment Letter C

DocuSign Envelope ID: 3096E64E-595E-47FB-BDA1-D378ECBE2B13

Dawna Marshall
City of San Diego
June 16, 2025
Page 5 of 16

C-4
cont.

The Beyer Boulevard roadway will bisect a portion of the MHPA that is intended to serve as a north-south wildlife corridor. To offset impacts to wildlife connectivity, the roadway design was narrowed down from four lanes to two lanes during discussions with CDFW and the United States Fish and Wildlife Service (USFWS; collectively, the Wildlife Agencies) and was designed to incorporate three wildlife under crossings and one overcrossing to facilitate wildlife movement. The constructed slopes along the roadway will be revegetated with native habitat and wildlife fencing will be installed to direct wildlife usage toward the crossings to reduce road mortalities. The wildlife fencing and habitat areas along the roadway will be managed in perpetuity by the City of San Diego.

C-5

Project History: CDFW previously submitted a comment letter in response to the Notice of Preparation of a DEIR for the Project on March 26, 2020 (CDFW 2020). Since 2020, the Wildlife Agencies have been in negotiations with the City on reconfiguring the Project to avoid, minimize, and mitigate impacts to natural resources and conserved lands (including CDFW-held conservation easements) to ensure consistency with the SAP and regional conservation goals. CDFW has provided extensive feedback on project design, impacts, and proposed mitigation through coordination meetings and site visits throughout the Project area. In January 2025, CDFW provided written concurrence on the Project's proposed Boundary Line Adjustment and Biologically Superior Option (CDFW, 2025). Early consultation on the Project's Lake and Streambed Alteration Agreement notification was initiated in July 2024 and early consultation on the Project's CESA Incidental Take Permit Application for Crotch's bumble bee is ongoing.

COMMENTS AND RECOMMENDATIONS

C-6

CDFW offers the comments and recommendations below to assist the City in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources, and to ensure regional conservation objectives in the City's SAP and VPHCP would not be undermined by implementation of the Project. Our comments are limited to the project-level components of the DSEIR. Additional comments or other suggestions are also included to improve the document.

COMMENT # 1: Mitigation Schedule

C-7

Issue: The DSEIR does not clearly discuss the timing of mitigation relative to the timing of Project impacts. This disclosure is necessary so CDFW can provide comments on the adequacy and feasibility of the proposed mitigation.

Specific impact: Habitat mitigation for impacts to fish and wildlife resources should always precede development to maintain rough proportionality. Development of the Project and completion of associated mitigation will be phased over an unknown timeframe which, without clear agreement on both the timing and process of mitigation phases, may result in deferred or inadequate mitigation for sensitive resources above a level of significance. The Project incorporates several interrelated species-specific

C-5: This comment accurately describes the City's collaboration with the Wildlife Agencies (CDFW and the U.S. Fish and Wildlife Service [USFWS]) during the CEQA process. This comment does not raise an issue concerning the environmental analysis or adequacy of the SEIR.

C-6: The City acknowledges these introductory comments; however, they do not raise an issue concerning the environmental analysis or adequacy of the SEIR. Please see the responses below to specific comments.

C-7: This comment expresses concern that the project's phased impacts may not be roughly proportional to the mitigation that is required to offset those impacts. Revisions have been made to Section 5.4, *Biological Resources* and Chapter 10.0, *Mitigation Monitoring and Reporting Program* to further clarify the mitigation timing and identify phase triggers for the implementation of mitigation. In addition, clarifications have been made to Chapter 3.0, Project Description, to identify phase triggers for project features. The following matrix has also been prepared to clarify mitigation timing and triggers. While the Phase 1 construction may be phased further (i.e., Phase 1a, 1b, and 1c), the grading of Phase 1 would be completed at one time, and per the relevant mitigation measures, the direct impacts to biological habitat and associated mitigation would occur prior to the issuance of grading permits for Phase 1. For example, before the issuance of the first grading permit for Phase 1 of the project, the owner/permittee shall dedicate the upland mitigation in fee title to the City.

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Project-level Mitigation and Project Phasing Matrix

| Mitigation Measures / Project Component | Initial Phasing Trigger | Phase 1/ EVA Rd. | Phase 2 | Phase 4 | Beyer Blvd. West |
|---|--|---------------------|---------|---------|---------------------|
| <i>Mitigation Measures</i> | | | | | |
| PR-BIO-1 San Diego Button Celery | Prior to first grading permit for Phase 1 | X | | | |
| PR-BIO-2 Otay Tarplant | Prior to first grading permit for Phase 4 or Beyer Boulevard, whichever comes first | | | X | X |
| PR-BIO-3 San Diego Barrel Cactus and Snake Chollas | Prior to first grading permit for Phase 1, 2, 4, or Beyer Boulevard West, whichever comes first | X | X | X | X |
| PR-BIO-4 Thread-leaved Brodiaea | Spring before construction in any phase where thread-leaved brodiaea is present (Phase 1, 2, 4, and Beyer Boulevard West per SEIR Section 5.4.3.3[a]) | X | X | X | X |
| PR-BIO-5 Quino Checkerspot Butterfly | Before the initial ground disturbance in areas with Quino Checkerspot Butterfly host or nectar plants (Phase 1, per SEIR Figure 5.4-7) | X | | | |
| PR-BIO-6 San Diego and Riverside Fairy Shrimp | Prior to any ground disturbance in areas containing vernal pools (Phase 1, 2, 4, and Beyer Boulevard per SEIR Table 5.4-4) | X | X | X | X |
| PR-BIO-7a Least Bell's Vireo Breeding Season Avoidance - Construction | Prior to any grading permit | X | X | X | X |
| PR-BIO-7b Least Bell's Vireo Breeding Season Avoidance – Restoration Implementation | During wetland restoration implementation (refer to PR-BIO-16a below) | X | X | X | X |
| PR-BIO-8a Coastal California Gnatcatcher Breeding Season Avoidance within the MHPA | Prior to any grading permit | X | X | X | X |
| PR-BIO-8b Coastal California Gnatcatcher Breeding Season Avoidance – Restoration Implementation | During wetland restoration implementation (refer to PR-BIO-16a below) | X | | | |
| PR-BIO-9a Crotch's Bumble Bee Impact Minimization | Prior to Notice to Proceed for any construction permit | X | X | X | X |
| PR-BIO-9b Crotch's Bumble Bee Impact Minimization | Prior to Notice to Proceed for any construction permit | X | X | X | X |
| PR-BIO-10 Burrowing Owl Preconstruction Surveys | Prior to any permit or Notice to Proceed | X | X | X | X |
| PR-BIO-11 Cactus Wren Habitat Restoration | Prior to first grading permit for Beyer Boulevard West | | | | X |
| PR-BIO-13 Breeding Season Avoidance/Pre-Construction Surveys for Western Spadefoot | Prior to any grading permit | X | X | X | X |
| PR-BIO-14 Breeding Season Avoidance/Pre-Construction Bird Surveys | Within 3 calendar days prior to start of construction activities requiring habitat removal in the proposed area of disturbance occurring from February 1 to September 15 | X | X | X | X |
| PR-BIO-15 Dedication of Mitigation Lands | Prior to first grading permit for Phase 1 | X | | | |
| PR-BIO-16a Wetland | Prior to any construction permits that impact jurisdictional waters (Phase 4 and Beyer Boulevard West per SEIR Table 5.4-8) | | | X | X |
| PR-BIO-16b Vernal Pools | Prior to any construction permits | X | X | X | X |
| PR-BIO-12 Western Spadefoot Habitat Restoration | Prior to any ground disturbance in areas containing suitable habitat for western spadefoot (Phase 1, 2, 4, and Beyer Boulevard West per SEIR Figures 5.4-a through e) | X | X | X | X |

Comment Letter C

Docusign Envelope ID: 3096E64E-595E-47FB-8DA1-D378ECBE2B13

Dawna Marshall
 City of San Diego
 June 16, 2025
 Page 6 of 16

mitigation plans which may be more biologically appropriate if completed together, rather than parsed by phases. Additionally, it is unclear how the mitigation lands will be protected and managed in between phases to ensure that conservation is proceeding in rough step with development.

Why impact would occur: Absent clear agreement on the approach to satisfying mitigation requirements to stay ahead of the Project's impacts, the Project's phased impacts may not be roughly proportional to the mitigation that is required to offset those impacts. PR-BIO-15 of the DSEIR describes the overall dedication of mitigation lands that the Project Proponent will provide but only generally ties those dedications to "...prior to issuance of the first grading permit within each phase" without clarifying how the habitat type, species function, and acreage of mitigation in each phase corresponds to the specific impacts occurring at that time. Additionally, several sensitive species will be impacted by habitat loss within multiple development phases, which may occur sequentially or at the same time. Because many species-specific impacts span multiple development phases, the phased mitigation approach may not be feasible or biologically appropriate. These species include western burrowing owl, Crotch's bumble bee, Quino checkerspot butterfly, western spadefoot toad, coastal California gnatcatcher, San Diego fairy shrimp, San Diego barrel cactus, and snake cholla. The DSEIR generally describes the total acreages of habitat mitigation and which will have a net benefit to sensitive species. However, it is unclear how the City will ensure conservation is proceeding in rough step with development and that mitigation lands will be protected and managed in-between phases.

As a specific example, the Project proposes to salvage and translocate San Diego barrel cactus and snake cholla from the impact areas to the restoration sites for cactus wren and vernal pools. Both plant species occur within all the development phases (Phases 1, 2, 4, and Beyer Blvd) and will rely on the two mitigation sites to be ready to receive translocated individuals. However, given that impacts to coastal cactus wren are not anticipated until the construction of Beyer Boulevard, it is unknown whether the species-specific mitigation site would be delayed to later development phases and, if plants would be translocated on a phased schedule. Additionally, it is not clear if there would be interim site protection and management of the translocation sites which, absent such, could render the phased mitigation approach ineffective for the translocation of these species.

Additionally, the Crotch's bumble bee is presumed present within all the development phases and approximately 190 acres of suitable habitat will be impacted by the Project. From our preliminary Incidental Take Permit (ITP) discussions with the Project Proponent and City, it has been CDFW's understanding that mitigation lands for Crotch's bumble bee would be conserved as a whole and prior to any Project impacts rather than parsed out relative to development phases. To streamline the CESA ITP permitting process, CDFW strongly recommends that the Project Proponent in coordination with the City, consider jumpstarting mitigation for Crotch's bumble bee ahead of any impacts to avoid processing delays.

| Mitigation Measures / Project Component | Initial Phasing Trigger | Phase 1/ EVA Rd. | Phase 2 | Phase 4 | Beyer Blvd. West |
|--|--|---------------------|---------|---------|---------------------|
| Project Design Features/Components | | | | | |
| Trail Restoration | Prior to issuance of grading permit for Phase 2 | | X | | |
| Artificial Burrows | Prior to dedication of land (refer to PR-BIO-15 above) to the City or other entity for long-term management | X | | | |
| Bird Safe Glass | Where alternative compliance requires walls with glass panes for fire safety adjacent to open space within Phase 1 or 2 | X | X | | |
| Wildlife Crossings | During design, construction, and maintenance of Beyer Boulevard West | | | | X |
| Replacement Conservation Lands for CDFW conservation easements, Furby-North Preserve, and Vernal Pool Restoration Area | As a condition of the VPHCP MA (refer to VPHCP MA Conservation Strategy below, SEIR Section 3.7.6 and 3.7.9, and SEIR Figure 3-44) | | | | X |
| VPHCP MA ¹ | Prior to issuance of any grading permits associated with Beyer Boulevard West | | | | X |
| Covenant of Easements- Protection of ESL within VTM | Phase 1 (refer to SEIR Section 3.7.7) | X | | | |

EVA = Emergency Vehicle Access; VPHCP = Vernal Pool Habitat Conservation Plan; MA = Major Amendment; FESA = Federal Endangered Species Act; HCP = Habitat Conservation Plan; ESL = Environmentally Sensitive Lands; VTM = Vesting Tentative Map; MHPA = Multi-Habitat Planning Area; BLA = boundary line adjustment

1 If the VPHCP MA and Quino checkerspot butterfly/spadefoot HCP are processed together, they would need to be completed prior to the issuance of Phase 1 development permits.

C-8: Refer to Response C-7 above for a matrix outlining the mitigation phasing and timing, which address the phased impacts of the project. San Diego barrel cactus has been mapped in Phases 1, 2 and 4, and Beyer Boulevard West, while both San Diego barrel cactus and snake cholla are present in the Beyer Boulevard area. A qualified restoration specialist would conduct pre-construction surveys prior to any ground disturbance within areas containing San Diego barrel cactus and snake cholla (Phase 1, 2, 4, and Beyer Boulevard West extension). All individuals encountered would be salvaged prior to ground-disturbing activities. Any individuals within Phases 1, 2, and 4 would be transplanted into the Vernal Pool and Quino Checkerspot Butterfly Restoration Area, which would be phased proportionally with the issuance of permits for Phases 1, 2, and 4. Individuals within the Beyer Boulevard West extension area would be salvaged prior to grading permit issuance and transplanted into the Cactus Wren Restoration and/or the

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Vernal Pool and Quino Checkerspot Butterfly Restoration Area. Interim site protection and management measures, such as weed control, trash/debris removal, signage, fencing, and appropriate BMPs, would be implemented to ensure that restoration areas are maintained and suitable for receiving translocated individuals, regardless of the development phase (see Appendix C, Attachment 13, Section 4.2.4 and Appendix C, Attachment 14, Section 4.4). These measures would help ensure the effectiveness of the phased mitigation approach and support the long-term viability of the translocated species. Refer to Section 4.2 of Attachment 13 and Section 4.3 of Attachment 14 of SEIR Appendix C for additional details.

C-9: The commentor recommends beginning mitigation for Crotch's bumble bee ahead of any impacts to avoid processing delays. Upland mitigation lands would be dedicated with the first grading permit for Phase 1 per mitigation measure PR-BIO-15 and the final SEIR has been revised at Section 5.4, Biological Resources and Chapter 10, Mitigation Monitoring and Reporting Program to reflect mitigation phasing and specific timing triggers. Any additional mitigation and conservation of lands specifically related to Crotch's bumble bee would be coordinated with the conditions identified during the California Endangered Species Act (CESA) Incidental Take Permit (ITP) consultation.

Comment Letter C

Docusign Envelope ID: 3096E64E-595E-47FB-BDA1-D378ECBE2B13

Dawna Marshall
City of San Diego
June 16, 2025
Page 7 of 16

- C-10 } **Evidence impact may be significant:** Public agencies have a duty under CEQA to prevent significant, avoidable damage to the environment by requiring changes in projects using feasible alternatives or mitigation measures (CEQA Guidelines, §§ 15002(a)(3), 15021). Additionally, formulation of mitigation measures shall not be deferred until some future time. Pursuant to CEQA Guidelines section 15126.4, an environmental document, "...shall describe feasible measures which could mitigate for impacts below a significant level under CEQA."
- C-10 } Mitigation measures must be feasible, effective, implementable, and fully enforceable/imposed by the lead agency through permit conditions, agreements, or other legally binding instruments (Pub. Resources Code, § 21081.6(b); CEQA Guidelines, § 15126.4). Additionally, the mitigation measure must be "roughly proportional" to the impacts of the project. Dolan v. City of Tigard, 512 U.S. 374 (1994). Where the mitigation measure is an ad hoc exaction, it must be "roughly proportional" to the impacts of the project. Ehrlich v. City of Culver City (1996) 12 Cal.4th 854 (CEQA Guidelines, § 15126.4 (B)). If the DSEIR is unclear on mitigation timing, the Project may result in unmitigated impacts.
- C-11 } The City's IA also calls for habitat preservation to be in rough step with development to assure that adequate progress is made toward building out the MSCP preserve (Section 14; City of San Diego, 1997).
- C-12 } **Recommended Potentially Feasible Mitigation Measure(s)**
CDFW requests the following recommendations and mitigation measures are incorporated into the final CEQA document:
Recommendation #1: Enforceable Timing Triggers for Mitigation Implementation. The DSEIR should revise PR-BIO-15 and PR-BIO-16 (and associated mitigation plans) to include enforceable triggers outlining when species-specific mitigation should be completed and that no grading permit shall be issued for a subsequent phase until prior mitigation has been completed and are under interim management. The current language, which calls for phased dedication prior to issuance of the first grading permit within each Phase, does not ensure that the scale and function of mitigation is matched to the timing of impact or that species-specific needs are addressed.
- C-13 } **Recommendation #2:** Project Mitigation Phasing Schedule. The DSEIR should be updated to clarify the timing of mitigation relative to the project impacts. If the City anticipates mitigation will be implemented in phases, the DSEIR should include a table to summarize the anticipated mitigation components and timeline for each phase. The Mitigation Phasing Schedule should include how the mitigation would be jumpstarted at the beginning of construction along with showing milestones for when and where additional mitigation will occur to continually stay ahead of all impacts. The penultimate goal of this schedule will show how mitigation will be complete at the end of all project construction absent any post-construction compliance requirements.

- C-10:** This comment accurately summarizes the requirements of CEQA, including the formulation of mitigation measures. Specific to the project, this comment states that if the mitigation timing is unclear in the DSEIR, the project could result in unmitigated impacts. The specific timing concerns are addressed in the Responses C-7 to C-9 above; refer to those responses. These responses provide a matrix and narrative detailing the phasing of mitigation in relation to project impacts. The City Mitigation Monitoring Coordination Section would oversee implementation to ensure compliance with all mitigation requirements and enforce mitigation timing requirements to ensure impacts would be mitigated. No significant unmitigated biological resource impact would occur.
- C-11:** This comment accurately notes that the City's IA calls for habitat preservation to be in rough step with development to ensure that adequate progress is made toward building out the MSCP preserve. It is noted that the project habitat mitigation ratios are provided in accordance with the Biology Guidelines (City of San Diego, 2018), which assist in developing the MSCP preserve in accordance with the Implementing Agreement. This comment does not address the adequacy of the SEIR.
- C-12:** This comment recommends that mitigation measures PR-BIO-15 and PR-BIO-16 be revised to include enforceable timing triggers. In response, mitigation measures PR-BIO-15 and PR-BIO-16 have been revised in the final SEIR to add timing triggers; additionally, mitigation measure PR-BIO-16 has been split into PR-BIO-16a, Wetland, and PR-BIO-16b, Vernal Pools, to more effectively address the different mitigation requirements for riparian forest wetlands/mule fat scrub and vernal pools/disturbed wetlands. Mitigation measure PR-BIO-15 has been revised to specify that implementation would occur prior to the issuance of the Phase 1 grading permit. Mitigation

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measure PR-BIO-16a, which includes the Wetland Mitigation Plan, has been revised to specify that implementation would occur prior to the issuance of Phase 1 grading permit. As described in mitigation measure PR-BIO-16b, implementation of the Vernal Pool/Quino Checkerspot Butterfly Mitigation Plan would be phased in proportion to impacts associated with each development phase: Phase 1/EVA Road (82%), Phase 2/4 (15%), and Beyer Boulevard (3%). Impacts associated with each phase would be implemented prior to the issuance of grading permits for each phase. This phasing ensures that mitigation is scaled appropriately to the timing and extent of impacts, and that species-specific needs are addressed in advance of each phase. Interim management measures would be in place to maintain mitigation areas until full implementation is complete. Also refer to Response C-7 for a detailed matrix outlining mitigation phasing and timing; Attachment 14 of SEIR Appendix C for the Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan; and Attachment 18 of SEIR Appendix C for the Wetland Plan.

C-13: Refer to Response C-7 and C-12 above regarding mitigation phasing to address the phased impacts of the project, as requested in this comment. Each individual mitigation measure for biological resources in Chapter 10, Mitigation Monitoring and Reporting Program specifies the timing of the mitigation, which is also reflected in the Project-level Mitigation and Project Phasing Matrix in Response C-7 above.

Comment Letter C

DocuSign Envelope ID: 3096E64E-595E-47FB-BDA1-D378ECEB2B13

Dawna Marshall
City of San Diego
June 16, 2025
Page 8 of 16

ADDITIONAL COMMENTS

C-14

Mitigation and Monitoring Reporting Plan. CDFW recommends the Project's environmental document include mitigation measures recommended in this letter. CDFW has provided comments via a Mitigation Monitoring and Reporting Plan to assist in the development of feasible, specific, detailed (i.e., responsible party, timing, specific actions, location), and fully enforceable mitigation measures (CEQA Guidelines, § 15097; Pub. Resources Code, § 21081.6). The Lead Agency is welcome to coordinate with CDFW to further review and refine the Project's mitigation measures. Per Public Resources Code section 21081.6(a)(1), CDFW has provided a summary of our suggested mitigation measures and recommendations in the form of an attached Draft Mitigation Monitoring and Reporting Plan (Attachment F).

C-15

Impacts to CDFW Conservation Easements. Construction of the Beyer Boulevard roadway extension will directly impact two mitigation properties that are protected under conservation easements (CEs) held by CDFW. These two properties contain sensitive uplands, vernal pools, and wetlands habitat. Both properties served as prior mitigation for several projects within the City's jurisdiction and the CEs were granted to CDFW because of The Environmental Trust's bankruptcy settlement in 2009. The proposed roadway is not compatible with the existing provisions of the CEs. The CE language strictly prohibits any activity or use of the property that is inconsistent with retaining the property in a natural condition and protecting its natural resources in perpetuity. The proposed impacts to both properties will require amendments to the CEs. CDFW acknowledges that the DSEIR appropriately outlines the regulatory pathway to amend the existing conservation easements and that a replacement conservation easement of greater or equivalent value is needed to offset the impacts associated with the construction of Beyer Boulevard on prior mitigation lands.

C-16

On page 3-60 of the DSEIR, we noted an error regarding the overall anticipated replacement CE acreage, in that the City anticipates a "...208-acre area of sensitive vegetation communities would be provided in a replacement conservation easement to offset the proposed 15.64-acre of impacted conservation easement area". This statement is misrepresentative of the anticipated CE replacement acreage. In our discussions with the City, CDFW has conveyed that the replacement conservation easement area will need to be of greater or equivalent value in terms of acreage (15.64 acres) and function, at minimum, to offset the impact to mitigation lands. Additionally, the CE would encompass the acreage to appropriately mitigate the impacts from the Project itself. However, we have not yet identified the final replacement conservation area and acreage. We recommend that this section in the DSEIR be updated to reflect that we are still in the process of identifying the appropriate offset area and acreage in consultation with the Wildlife Conservation Board.

Impacts to Quino checkerspot butterfly. The Project will directly impact Quino checkerspot butterfly by removing 0.93 acre of suitable host and nectar plants. Quino is not a Covered Species under the City's SAP or VPHCP; therefore, impacts to Quino

C-14: This comment recommends that the project incorporate the mitigation measures provided by CDFW in Attachment F of the comment letter. In response, mitigation measures PR-BIO-15 and PR-BIO-16 (now PR-BIO-16a and PR-BIO-16b) have been revised in the Final SEIR to specify timing triggers. Mitigation measure PR-BIO-15 would be implemented prior to the issuance of Phase 1 grading permit. Mitigation measure PR-BIO-16a, which includes the Wetland Mitigation Plan, would also be implemented prior to the issuance of Phase 1 grading permit. As described in mitigation measure PR-BIO-16b, the Vernal Pool/Quino Checkerspot Butterfly Mitigation Plan would be phased in accordance with the proportion of impacts to vernal pools in Phase 1/EVA Road (82%), Phase 2/4 (15%), and Beyer Boulevard (3%). This phased approach ensures that mitigation is implemented in alignment with the timing and scale of project impacts. Also refer to Response C-7.

C-15: The commenter notes that the proposed Beyer Boulevard roadway extension would directly impact two mitigation properties protected under conservation easements held by CDFW. The commenter also notes that the final conservation easement replacement area and acreage are still under review in coordination with the Wildlife Conservation Board. In response, SEIR Section 3.7.9 has been revised to clarify that the replacement conservation easement area has not yet been finalized. The revised language acknowledges that CDFW is actively working to confirm an appropriate offset area and acreage in consultation with the Wildlife Conservation Board.

C-16: This comment recommends that the SEIR be updated to note that Quino checkerspot butterfly is petitioned to be listed as an endangered species under the CESA. A petition has been provided and recommended by the CDFW for further consideration pursuant to CESA, but Quino checkerspot butterfly is not presently a candidate species or a listed species per the State of California. If the species becomes a candidate

Comment Letter C

DocuSign Envelope ID: 3096E64E-595E-47FB-BDA1-D378ECBE2B13

Dawna Marshall
City of San Diego
June 16, 2025
Page 9 of 16

and their habitat were not anticipated, analyzed, or authorized in the City's NCCP permit. Mitigation Measure (MM)-PR-BIO-5 states that formal consultation with USFWS through ESA Section 10 will be required to confirm adequate mitigation for impacts to Quino. Please note that the California Fish and Game Commission (Commission) received a [petition](#)³ to list Quino as an endangered species under CESA on December 18, 2024. CDFW recently submitted a [Petition Evaluation for Quino Checkerspot Butterfly](#)⁴ to the Commission stating that listing of Quino may be warranted under CESA (CDFW, 2025). If the Commission accepts the petition and Quino advances to CESA candidacy, the Project Proponent, in coordination with the City, should work with CDFW to obtain State Incidental Take Authorization to address Project-related impacts to Quino.

Appropriate take authorization from CDFW under CESA may include an Incidental Take Permit (ITP) or a Consistency Determination as the species is listed under the ESA, among other options [Fish & Game Code, §§ 2080.1, 2081, subds. (b) and (c)]. Early consultation is encouraged, as significant modification to the project and mitigation measures may be required to obtain an ITP. Revisions to the Fish and Game Code, effective January 1998, may require that CDFW issue a separate CEQA document for the issuance of an ITP for the Project unless the Project's CEQA document addresses all the Project's impact on CESA endangered, threatened, and/or candidate species. The Project's CEQA document should also specify a mitigation, monitoring, and reporting program that will meet the requirements of an ITP. It is important that the take proposed to be authorized by CDFW's ITP be described in detail in the Project's CEQA document. Also, biological mitigation monitoring and reporting proposals should be of sufficient detail and resolution to satisfy the requirements for an ITP. However, it is worth noting that mitigation for the Project's impact on a CESA endangered, threatened, and/or candidate species proposed in the Project's CEQA document may not necessarily satisfy mitigation required to obtain an ITP.

While it is still early in the CESA petition process, CDFW highly recommends updating the Draft Subsequent EIR to include the Quino checkerspot butterfly's new petition status and revising MM-PR-BIO-5 to state that CESA take authorization may be needed if the petition is accepted by the Commission.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity

³ Quino Checkerspot Butterfly Petition: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=228103>

⁴ CDFW Petition Evaluation: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=232637>

species, the Owner/Permittee may need to work with CDFW to obtain an ITP in accordance with CESA regulations. The comment indicates the City would be responsible for obtaining the ITP. To clarify, the City would not be the Applicant pursuing the ITP and the Applicant would be the project Owner/Permittee.

A review pursuant to CEQA is required for CDFW to issue an ITP, and CDFW would be responsible for completing a separate CEQA document if the ITP issues are not adequately addressed in the project's CEQA document.

The SEIR fully addresses the project's impacts to Quino checkerspot butterfly, and appropriate mitigation is identified to reduce project impacts to below a level of significance.

It would be speculative to revise the project mitigation measure PR-BIO-5 to address a potential need for an ITP for Quino considering it is not listed nor a candidate for listing under the CESA. As such, no changes are warranted to mitigation measure PR-BIO-5 in response to this comment.

C-17: The commenter requests that any data collected for special status species and natural communities during field surveys be submitted to the California Natural Diversity Database and CDFW's Vegetation Classification and Mapping Program. The project team has provided all survey data to the California Natural Diversity Database and CDFW's vegetation Classification and Mapping Program.

C-16
cont.

C-17

Comment Letter C

DocuSign Envelope ID: 3096E64E-595E-47FB-BDA1-D378ECBE2B13

Dawna Marshall
 City of San Diego
 June 16, 2025
 Page 10 of 16

C-17
 cont.

Database (CNDDDB). The [CNDDDB website](#)⁵ provides direction regarding the types of information that should be reported and allows on-line submittal of field survey forms.

In addition, information on special status native plant populations and sensitive natural communities, should be submitted to CDFW's Vegetation Classification and Mapping Program using the [Combined Rapid Assessment and Relevé Form](#)⁶.

The City should ensure data collected for the preparation of the DSEIR is properly submitted.

FILING FEES

C-18

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

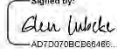
CONCLUSION

C-19

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

Questions regarding this letter or further coordination should be directed to Alison Kalinowski⁷, Environmental Scientist.

Sincerely,

Signed by:


Glen M. Lubcke
 Environmental Program Manager
 South Coast Region

ATTACHMENTS

⁵ <https://wildlife.ca.gov/Data/CNDDDB>

⁶ <https://wildlife.ca.gov/Data/VegCAMP/Natural-Communities/Submit>

⁷ Phone: 858-775-6320; Email: alison.kalinowski@wildlife.ca.gov

C-18: This comment notes the filing fee required for the SEIR. This comment does not raise an issue concerning the environmental analysis or adequacy of the SEIR. Any applicable CDFW fees would be paid upon filing of the project's Notice of Determination in accordance with CEQA.

C-19: The City acknowledges this conclusion. This comment does not raise an issue concerning the environmental analysis or adequacy of the SEIR. The City will provide the final SEIR to CDFW for review prior to the hearing, and CDFW will be notified of the future hearing date.

Comment Letter D



DEPARTMENT OF PARKS AND RECREATION
5510 OVERLAND AVENUE, SUITE 270, SAN DIEGO, CALIFORNIA 92123
(858) 565-3600
www.sdparks.org

JASON HEMMENS
DIRECTOR

June 16, 2025

Dawna Marshall
Development Services Department
City of San Diego

Via email to: DSDEAS@saniego.gov

SUBJECT: COUNTY OF SAN DIEGO COMMENTS ON THE SOUTHWEST VILLAGE SPECIFIC PLAN PROJECT (PRJ-0614791) DRAFT ENVIRONMENTAL IMPACT REPORT

Dear Dawna Marshall:

The County of San Diego (County) appreciates the opportunity to review and provide comments on the Southwest Village Specific Plan (Project) Draft Environmental Impact Report (Draft EIR). The Project includes the extension of Beyer Boulevard through the County's Furby-North Preserve. The Furby-North Preserve was purchased by the County to protect onsite natural resources and includes habitat that supports protected species and facilitates wildlife movement. The Furby-North Preserve is part of the overall Multiple Species Conservation Program (MSCP) Preserve for South County and is also considered park land subject to the Public Park Preservation Act of 1971. The County has reviewed the Draft EIR and requests the following:

D-1

D-2

D-3

D-4

D-5

D-6

- Update *Section 3.7 Discretionary Actions* to include all discretionary actions necessary by the City of San Diego to implement the mitigation strategy discussed in *Appendix C: Biological Resources Report* including maintenance agreements, management agreements, easements, any transfer of real property, etc.
- Update *Section 3.8.1 Federal, State, and Other Agency Actions – County of San Diego* to include all discretionary actions necessary by the County of San Diego to implement the mitigation strategy discussed in *Appendix C: Biological Resources Report* including maintenance agreements, management agreements, easements, any transfer of real property, etc.
- Include specific language in the Draft EIR to clarify the timing of the above actions in relation to Project impacts.
- Include specific language in the Draft EIR and *Appendix C: Biological Resources Report* sections regarding management of the County's Furby-North Preserve to clarify that the City of San Diego will maintain and manage all wildlife corridors developed as part of the Project.
- Include specific language in the Draft EIR and *Appendix C: Biological Resources Report* sections regarding management of the County's Furby-North Preserve to clarify that the City of San Diego



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Comment Letter D: County of San Diego Parks and Recreation Department

D-1: The City acknowledges these introductory comments, which accurately summarize the project and the Furby-North Preserve. This introductory comment does not raise an issue concerning the environmental analysis or adequacy of the SEIR. See the responses below to specific comments.

D-2: This comment requests that Section 3.7, Discretionary Actions of the SEIR be updated to include all discretionary actions necessary by the City to implement the mitigation strategy discussed in SEIR Appendix C, Biological Resources Report for the Southwest Village Specific Plan. Section 3.7 of the SEIR describes the City discretionary actions necessary to implement the project. The City has included the discretionary actions known to the City at this time. No specific discretionary actions have been provided by this comment and, in turn, no additional specific actions are necessary to be added. Additional discretionary actions may be identified as buildout of the Specific Plan occurs, and any subsequent discretionary actions would comply with the requirements of CEQA.

D-3: This comment requests that Section 3.8.1, Federal, State and Other Agency Actions of the SEIR be updated to include all discretionary actions necessary by the County of San Diego (County) to implement the mitigation strategy discussed in SEIR Appendix C. As described in Response D-2 above, Section 3.7 of the SEIR describes the City discretionary actions necessary to implement the project, including those related to the Furby

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North Preserve, including property acquisitions, land exchanges, easements, and a non-wasting endowment agreement. Section 3.8.1 already identifies those presently known actions expected to be taken by the County related to Furby North. The City defers to the County to identify any additional County discretionary actions necessary to implement the mitigation strategy in Appendix C.

D-4: This comment requests that specific language be added to the SEIR to clarify the timing of the discretionary actions discussed in Responses D-2 and D-3 above in relation to project impacts. Minor revisions to the text of mitigation measures have been made to Section 5.4, Biological Resources and Chapter 10, Mitigation Monitoring and Reporting Program to provide clarity. For example, it has been clarified that before the issuance of the first grading permit within each phase of the project, the owner/permittee shall dedicate the upland mitigation for that phase in fee title to the City. Response C-7 above provides additional clarity regarding the timing of mitigation-related discretionary actions that must occur to implement the project, including the VPHCP MA and associated Replacement Conservation Lands, and the Protection of ESL within the VTM through Covenants of Easements.

D-5: This comment requests that specific language be added to SEIR sections regarding management of the County's Furby-North Preserve to clarify that the City would maintain and manage all wildlife corridors developed as part of the project. To clarify, the project is not creating wildlife corridors, but is including project design features to provide for the continuance of wildlife movement. Section 5.4.4.3.b of the SEIR and Section 8.2.8 of the Biological Resources Report (SEIR Appendix C) detail the long-term management of the wildlife movement corridor features that would be installed along Beyer Boulevard as a project design feature. This document states that the City would be responsible for the 10-year active monitoring and

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maintenance of the project features as outlined in the plan followed by on-going monitoring and maintenance in perpetuity. Refer to Response D-6 below for more information regarding the Furby-North Preserve.

D-6: This comment requests that specific language be added to SEIR sections regarding management of the County's Furby-North Preserve to clarify that the City would maintain and manage all mitigation areas developed as part of the project, specifically including the cactus wren habitat mitigation areas. The City would be responsible for the maintenance/management of the replacement lands south of the Specific Plan area as discussed in SEIR section 5.1.6.2 and depicted in Figure 3-44. However, specifically for the cactus wren mitigation northwest of the Specific Plan area, following successful completion of the cactus wren mitigation, including the 5-year restoration and monitoring activities, the County would be responsible for the ongoing maintenance/management as part of the larger County Furby Preserve (see mitigation measure PR-BIO-11 and Coastal Cactus Wren Mitigation Plan (Attachment 13 of SEIR Appendix C).

Comment Letter D

D-6 cont. ↑
 D-7 ↓

will maintain and manage all mitigation areas developed as part of this Project, specifically including the Cactus Wren habitat mitigation areas.

- Continue to coordinate with the County regarding any updates or changes to plant palettes adjacent to County owned or managed properties.

D-8 ↓

The County appreciates the ongoing coordination and diligent efforts to protect biological resources by the City of San Diego and Tri Pointe Homes. We look forward to continuing working with you on moving the Project forward as described in the Draft EIR. If you have any questions regarding these comments, please contact Kiran Seibel, Group Program Manager at Kiran.Seibel@sdcountry.ca.gov or (619) 209-9922.

Sincerely,

Crystal Benham
 Chief, Resource Management Division
 County of San Diego Parks and Recreation Department



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D-7: This comment requests that the City continue to coordinate with the County regarding any updates or changes to plant palettes adjacent to County-owned or managed lands. Any changes to the proposed plant palette would require approval by the City and all phases of the project adjacent to the City's MHPA must adhere to the MHPA Land Use Adjacency Guidelines and ensure consistency with the guidelines. If a change to the plant palette is expected to have any impacts to County-managed lands, the City would coordinate with the County prior to implementing those changes.

D-8: The City acknowledges this conclusion. This comment does not raise an issue concerning the environmental analysis or adequacy of the SEIR.



United States Department of the Interior

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

Comment Letter E



In Reply Refer To:
2024-0139005-DSEIR-SD

June 24, 2025
Sent Electronically

Dawna Marshall
Senior Planner, Environmental Analysis Section
City of San Diego
Development Services Department
1222 First Ave
San Diego, California 92101

Subject: Comment on the Draft Supplemental Environmental Impact Report for the Southwest Village Specific Plan, Project 614791, San Diego, California

Dear Dawna Marshall:

E-1

The U.S. Fish and Wildlife Service (Service) has reviewed the City of San Diego's (City) Draft Supplemental Environmental Impact Report (DSEIR) for the Southwest Village Specific Plan, Project 614791 (Project). The Service has also reviewed Biological Resources Report (BRR) (RECON 2025) and the Aquatic Resource Delineation Report (RECON 2024) for the project. We provided previous correspondence on this project including the *Conceptual Conservation Strategy and Regulatory Approach for the Tri Pointe Homes Southwest Village Specific Plan Project in the City of San Diego, California* (2024-0139005-HCP-TA-SD), and the *Multi-Habitat Planning Area Boundary Line Adjustment and Biologically Superior Option Wetland Deviation for Southwest Village Specific Plan, project 61471, San Diego, California* (2024-00129005-S7-TA-SD). The Project details referenced here are based on information provided in these documents and on information from prior meetings and correspondence between the Service, the California Department of Fish and Wildlife (CDFW), Applicant, and the City.

E-2

The primary concern and mandate of the Service is the protection of fish and wildlife resources and their habitats. The Service has legal responsibility for the welfare of migratory birds, anadromous fish, and threatened and endangered animals and plants occurring in the United States. The Service is also responsible for administering the Federal Endangered Species Act of 1973 (Act), as amended (16 U.S.C. 1531 *et seq.*), including habitat conservation plans (HCPs) developed under section 10(a)(1)(B) of the Act. The City participates in the HCP Program by implementing its approved Multiple Species Conservation Program (MSCP) Subarea Plan (SAP), Implementing Agreement, and Vernal Pool Habitat Conservation Plan (VPHCP).

E-3

The DSEIR includes both project-level analysis of Specific Plan components and program-level analysis of remaining components. The project-level area encompasses 220 acres in the north, west, south, southwest, and southeast portions of the Specific Plan. Project-level components

Comment Letter E: United States Fish and Wildlife Service

- E-1:** The City acknowledges these introductory comments, which describe the USFWS' prior coordination with the City and the project Applicant outlined in SEIR Appendix C, Attachments 10a and 10b. This comment does not raise an issue concerning the environmental analysis or adequacy of the SEIR. See the responses below to specific comments.
- E-2:** This comment summarizes the roles and responsibilities of the USFWS and does not raise an issue concerning the environmental analysis or adequacy of the SEIR. No response is necessary.
- E-3:** This comment accurately summarizes the proposed project and the extension of the public comment period. This comment does not raise an issue concerning the environmental analysis or adequacy of the SEIR.

Comment Letter E

Dawna Marshall (2024-0139005-DSEIR-SD)

2

E-3 cont.

include grading for Phase 1 of residential development, infrastructure including the Spring Canyon drainage outfall and the southeastern sewer pump station; improvements to the southern emergency vehicle access (EVA) road; rough grading of the Phase 2 and 4 areas; and off-site improvement areas including Caliente Avenue, Beyer Boulevard, and trail improvements south and southeast of the development area. The program-level area includes approximately 131 acres located in the central and eastern portions of the Specific Plan. Future projects proposed within the program-level area will require additional review to verify existing on-site biological resources, identify project specific impacts, and propose project-specific mitigation.

This letter provides comment on the DSEIR including our review of program and project-level compliance with the VPHCP. The City has provided an extension of one-week beyond the June 16, 2025, due date for our review. We appreciate the additional time. Our comments are as follows:

VPHCP COMPLIANCE - MAJOR AMENDMENT

E-4

Although the Service documented general agreement with a Conservation Strategy for the Tri Pointe Homes Southwest Village Specific Plan Project, including construction of Beyer Boulevard (2024 0139005-HCP-TA-SD), our subsequent concurrence for the Multi-Habitat Planning Area (MHPA) Boundary Line Adjustment (BLA) and Biologically Superior Option (BSO) Wetland Deviation did not include the Beyer Boulevard extension (2024-00129005-S7-TA-SD). We did not provide BLA concurrence for those portions of the project that would impact 100 percent conserved lands because we anticipate that impacts to federally listed species within these areas will be addressed through a Major Amendment to the VPHCP.

E-5

The City may determine that components of the project with independent utility can proceed prior to the construction of Beyer Boulevard and prior to completion of a Major Amendment to the VPHCP. The Service acknowledges this potential approach, but we recommend that the SEIR include the process for an MA as outlined in the VPHCP and referenced in our previous correspondence:

“The Major Amendment shall require detailed analyses of the anticipated effects of the proposed action on the MHPA and covered species, sensitive habitats and species not addressed in the VPHCP, and the additional conservation to be provided through the Major Amendment process. The MA shall be processed as Permit Amendments in accordance with all applicable federal and state statutory and regulatory requirements, including NEPA and CEQA. USFWS will provide technical assistance to the City during the amendment process. All Major Amendments to the VPHCP shall be memorialized through an addendum to the VPHCP and a Permit Amendment and shall be documented in the Annual Report.”

E-6

We also recommend global edits to the DSEIR to clarify that all deletions from the 100 percent conserved area would result from the Beyer Boulevard extension and to identify the components of the Conservation Strategy agreed upon by the City, applicant and WA as adequate replacement lands. The Conservation Strategy includes conservation of an additional 66 acres owned by Tri Pointe Homes immediately south of the Southwest Village development, restoration and long-term management of 0.403 acre of vernal pool habitat within a 2.13-acres degraded mesa top on the

E-4:

This comment notes that the USFWS did not provide MHPA boundary line adjustment (BLA) concurrence for those portions of the Beyer Boulevard Extension that would impact 100 percent conserved lands because the commenter anticipates that impacts to federally listed species within these areas would be addressed through a Major Amendment (MA) to the VPHCP. The City acknowledges this comment and no further response is necessary.

E-5:

The commenter acknowledges that the City may allow certain independent portions of the project to proceed prior to completion of an MA to the VPHCP but recommends that the SEIR include the process for an MA to the VPHCP if one is required. The SEIR acknowledges that an MA to the VPHCP is proposed and provides a detailed analysis of the anticipated MA process, content and effects in SEIR Sections 3.7.7, 5.1.6.2, and 5.1.6.3. While this detailed analysis has been provided in the SEIR, the City acknowledges that an MA to the VPHCP would adhere to the MA process identified in the VPHCP and referenced in USFWS correspondence provided in Appendix C, Attachment 10b. The City also acknowledges that the MA shall be memorialized in an addendum to the VPHCP and a FESA Section 10 permit amendment and would be documented in the VPHCP Annual Report.

E-6:

This comment recommends that the SEIR be revised to clarify that all deletions from the 100% conserved area would result from the Beyer Boulevard extension and to identify the components of the Conservation Strategy agreed upon as adequate replacement lands. A copy of the Conservation Strategy letter prepared by USFWS is provided as Attachment 10b of the Biological Resources Report (SEIR Appendix C) and thus incorporated by reference in the SEIR analysis. Figure 3-43, *Proposed MHPA Boundary Line Adjustment* and Figure 3-44, *Proposed VPHCP 100% Conserved Lands Replacement Lands* of the

| <p style="text-align: right;">Comment Letter E</p> <p>Dawna Marshall (2024-0139005-DSEIR-SD) 3</p> <p>E-6 cont. West Otay B property, designation of 8.8 acres including Planning Area (PA) 23 as MHPA and conversion of a roadway segment along the north side of PA 23 to a gated, secondary EVA, and addition of other lands contiguous with existing MHPA to be protected through covenants of easement. These replacement lands are depicted on Figures 3-43 and 3-44 of the DSEIR.</p> <p>E-7 The equivalency analysis in Section 6 of the BRR should specify that the project complies with the VPHCP with the exception of Phase 1C and the Beyer Road extension. With the inclusion of Beyer Road, the project would comply with the VPHCP only with the processing of a MA and implementation of this Conservation Strategy.</p> <p>E-8 Generally, where VPHCP 100 percent conserved lands are referenced in the SEIR, it should be clear that these areas are not available for development. For example, Section 8.1.2 of the SEIR addresses VPHCP Consistency and states, “the Specific Plan has incorporated VPHCP 100 percent conserved lands into the Specific Plan land use concept” Please confirm that the Specific Plan has incorporated language consistent with the VPHCP that recognizes that impacts to 100 percent conserved lands require a MA and are otherwise not authorized.</p> <p>E-9 Quino Checkerspot Butterfly (<i>Euphydryas editha quino</i>) and Western Spadefoot Toad (<i>Spea hammondi</i>) Section 3.7.7 of the DSEIR notes that, “Quino checkerspot butterfly and western spadefoot are not covered under the VPHCP. Therefore, impacts to these species and their habitats and incidental take of these species was not anticipated, analyzed, or authorized in the biological opinion for the VPHCP or the City’s VPHCP permit. Potential impacts to these species would be addressed in conjunction with the MA to the VPHCP to address anticipated impacts pursuant to section 10 of the Federal Endangered Species Act.” The SEIR should disclose that the MA to the VPHCP may be delayed until needed for the issuance of construction permits for impacts to 100 percent conserved lands associated with Beyer Boulevard. If project components proceed prior to completion of the MA, the City and project proponent should coordinate with the Service to ensure that these project components are implemented consistent with the Act. For example, a separate HCP could be developed to address anticipated impacts to species such as Quino checkerspot butterfly and western spadefoot for project elements that are implemented prior to completion of the MA.</p> <p>E-10 Vernal Pool Mitigation Table 5.4-8 in the DSEIR and Table 11 of the BRR present impacts to jurisdictional resources by agency and project phase and include several categories of ephemeral ponding such as vernal pool, vernal pool with shrimp, disturbed wetland, and seasonal pools. However, the categories and total acreages differ for each jurisdiction. The correlation between these categories and the ponding basins described in PR-BIO-6 in Section 10 of the DSEIR also is unclear. To verify that impacts to vernal pools and listed fairy shrimp inside and outside the MHPA have been adequately assessed and mitigation provided consistent with Table 2a of the City’s Biology Guidelines (City 2018), please provide a table similar to Table 4 of the Aquatic Resource Delineation for the Southwest Village Specific Plan with confirmation that updated protocol</p> | <p>SEIR have been revised to depict the replacement lands comprising conservation of an additional 66 acres owned by TriPointe Homes immediately south of the Southwest Village development, restoration and long-term management of 0.403 acre of vernal pool habitat within a 2.13-acres degraded mesa top on West Otay B property, designation of 8.8 acres including Planning Area (PA) 23 as MHPA and the West Otay B property, designation of 8.8 acres including PA 23 as MHPA and conversion of a roadway segment along the north side of PA 23 to a gated, secondary emergency vehicle access (EVA) road, and addition of other lands contiguous with existing MHPA to be protected through covenants of easement. Regarding the commenter’s request to identify the replacement lands identified in the Conservation Strategy, Section 3.7.9 of the SEIR has been revised to clarify that the final specific conservation area would be confirmed during the Wildlife Conservation Board approval process and negotiations with CDFW.</p> <p>E-7: This comment requests that the equivalency analysis in Section 6 of the Biological Resources Report (SEIR Appendix C) be revised to specify the requirements for compliance with the VPHCP. To clarify, the MA is a part of the proposed project. With the inclusion and approval of the MA and implementation of the Conservation Strategy, the project, including the Beyer Boulevard West extension, would be consistent with the VPHCP. As such, no additional edits to the Biological Resources Report (SEIR Appendix C) are required. The City acknowledges that, because the MA process is still pending, USFWS has not yet provided formal concurrence for the Beyer Boulevard extension.</p> <p>E-8: This comment requests that the SEIR and Specific Plan specify that impacts to 100% conserved lands require an MA to the VPHCP and are otherwise not authorized. The SEIR accurately describes the requirement to process an MA to the VPHCP for impacts to 100% conserved lands, which are associated with the</p> |
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Beyer Boulevard West extension. The MA is discussed in detail in Sections 3.7.7, 5.1.2.1(l), and 5.4.4.2(c) of the SEIR. The Specific Plan boundary does not encompass any additional 100% conserved lands beyond the area associated with impacts related to the Beyer Boulevard West extension, and no revisions to the SEIR or Specific Plan are required.

E-9: This comment quotes Section 3.7.6 of the SEIR and recommends that the SEIR disclose that the MA to the VPHCP may be delayed until needed for the issuance of construction permits for impacts to 100% conserved lands associated with Beyer Boulevard. It also recommends coordination with USFWS if project components proceed prior to completion of the MA, including consideration of a separate Habitat Conservation Plan (HCP) for species not currently covered under the VPHCP (such as Quino checkerspot butterfly and western spadefoot). The MA is part of the proposed project, and the associated conserved lands replacement would be implemented in coordination with the relevant agencies. If project components that may affect Quino checkerspot butterfly or western spadefoot proceed before completion of the MA, the City and project proponent would coordinate with USFWS to ensure that these project components are implemented through the applicable process and permits consistent with FESA (as described in mitigation measures PR-BIO-5 and PR-BIO-12), prior to initial ground disturbance in areas containing suitable habitat for Quino checkerspot butterfly and/or western spadefoot, including a separate HCP for impacts to these two species, as applicable. See Response C-7 and Project-level Mitigation and Project Phasing Matrix. The VPHCP MA would be completed and memorialized in an addendum to the VPHCP and a FESA Section 10 permit amendment prior to issuance of any grading permits associated with Beyer Boulevard West.

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E-10: This comment requests that the SEIR provide a table similar to Table 4 of the Specific Plan's Aquatic Resource Delineation to confirm that updated protocol surveys have been conducted or that fairy shrimp presence has been assumed for each ponding basin. Table 5.4-8, Summary of Impacts to Potential Jurisdictional Resources within the Project-level Survey Areas of the SEIR and Table 11 of the Biological Resources Report (SEIR Appendix C) provide a comprehensive summary of aquatic resources by impact phase and jurisdiction based on the regulatory definitions for each of the jurisdictions, including the City of San Diego, CDFW, the U.S. Army Corps of Engineers (USACE), and the Regional Water Quality Control Board (RWQCB). Mitigation measure PR-BIO-6 in Section 5.4, Biological Resources of the SEIR presents mitigation consistent with the requirements of the City's Biology Guidelines for mitigating vernal pools with fairy shrimp. Mitigation measure PR-BIO-16a also states that "To ensure no net loss, the mitigation shall include a 1:1 creation or restoration component in accordance with the City's Biology Guidelines." Mitigation measure PR-BIO-16b further states: "Prior to issuance of any construction permits, such as grading permits, that impact jurisdictional waters, the project Applicant shall obtain all necessary permits from USACE, RWQCB, and CDFW, and shall mitigate impacts pursuant to the City of San Diego MSCP SAP and VPHCP and in accordance with the terms and conditions of all required permits." Table 4 of the Aquatic Resources Delineation report is included as Attachment 5 of the Biological Resources Report (SEIR Appendix C) and is a part of the SEIR. This table is simply a presentation of the raw data and would not add to the analysis included in the SEIR. Overall, it is not warranted to add it into the SEIR Section 5.4 directly. As described in SEIR Section 5.4.7.2(c), Indirect Impacts to Wetlands, all of the indirectly impacted vernal pools and disturbed wetlands are assumed to contain San Diego fairy shrimp and the total indirect impact acreage is shown in Table 5.4-9, Indirect

Comment Letter E

4

Dawna Marshall (2024-0139005-DSEIR-SD)

E-10 cont. surveys have been conducted or that fairy shrimp presence has been assumed for each ponding basin.

Mitigation Phasing

E-11 PR-BIO-15 describes the proposed phasing for the dedication of mitigation lands. Without a clear understanding of the rationale behind the acreages proposed, we are concerned that mitigation may not be implemented at a rate proportional to anticipated habitat loss, consistent with the SAP and VPHCP. We request additional coordination between the City, applicant, and Wildlife Agencies to evaluate and specify timing of conservation and restoration actions relative to anticipated impacts to ensure that the mitigation will be implemented effectively and consistent with the SAP and VPHCP.

E-12 Thank you for the opportunity to comment on the DSEIR. The Service appreciates the City's coordination on the Southwest Village project and continued partnership in implementing the SAP and VPHCP. We are available to assist the City in addressing these concerns and other regulatory processes required in support of the project. If you have questions or comments regarding this letter, please contact [Anita Eng](mailto:Anita_Eng)¹ of the Service at 571-547-3203.

Sincerely,

for Jonathan Snyder
Acting Field Supervisor

LITERATURE CITED

City of San Diego, 2018. San Diego Municipal Code, Land Development Code, Biology Guidelines. Amended February 1, 2018 by Resolution no. [R-311507].

[RECON] RECON Environmental, Inc. 2024. Aquatic Resource Delineation Report for the Southwest Village Specific Plan, San Diego, California, Project No. 614791. RECON Number 8868, August 22, 2024.

[RECON] RECON Environmental, Inc. 2025. Biological Resources Report for the Southwest Village Specific Plan, San Diego, California, Project No. 614791. RECON Number 8688, March 21, 2025.

¹ anita_eng@fws.gov

Impacts to Vernal Pool and Disturbed Wetlands Assumed to Contain San Diego Fairy Shrimp. As a result, the updated protocol surveys requested in this comment are not required.

E-11: The commenter requests clarification regarding the rationale and timing behind the mitigation phasing to confirm that mitigation measure PR-BIO-15 would be implemented proportionally to anticipated habitat loss and consistent with the SAP tier value requirements and VPHCP. It is noted that mitigation measure PR-BIO-15 is intended to address upland sensitive vegetation impacts. and has been revised in the Final SEIR to clarify that all upland mitigation lands would be dedicated prior to the issuance of the initial grading permit for Phase 1, ensuring that mitigation is secured prior to impacts and in proportion to the tier value of impacted habitats. Specifically, the measure now states "Prior to issuance of the first grading permit for Phase 1, the Owner/Permittee shall either dedicate all upland mitigation in fee title to the City or otherwise protect the lands through a Conservation Easement, Covenant of Easement or Irrevocable Offer to Dedicate (IOD)."

E-12: The City acknowledges this conclusion. This comment does not raise an issue concerning the environmental analysis or adequacy of the SEIR.

Comment Letter F

Marshall, Dawna

From: Dan Silver <dsilverla@me.com>
Sent: Saturday, May 3, 2025 11:58 AM
To: DSD EAS
Cc: David Zoutendyk
Subject: [EXTERNAL] MAJOR AMENDMENT to the Vernal Pool Conservation Plan; SOUTHWEST VILLAGE SPECIFIC PLAN

****This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.****

Gentlepersons:

I am reviewing the SEIR for this project and am particularly interested in the Vernal Pool HCP Major Amendment.

The document states the following:

To offset the impacts from the proposed Beyer Boulevard extension within the Otay Mesa A and Otay Mesa B properties and the Furby-North Preserve, the conservation strategy required mitigation for the project as well as conservation of an additional 66 acres immediately south of the project-level area and restoration and long-term management of 0.403 acre of vernal pool habitat on a degraded mesa top on the Otay Mesa B property.

However, I am unable to locate in the SEIR a Mitigation Measure or a map that corresponds to the 66 additional acres. Please direct me to the exact sections of the document where the conservation strategy in relation to the 66 acres is implemented.

Alternatively, if the 66 acres is part of a proposed Vernal Pool HCP Major Amendment, please transmit that proposal, as it is not included in the project's list of documents <<https://www.sandiego.gov/ceqa/draft>>.

Thank you

Sincerely,
 Dan Silver

Dan Silver, Executive Director
 Endangered Habitats League
 8424 Santa Monica Blvd., Suite A 592
 Los Angeles, CA 90069-4267

213-804-2750
 dsilverla@me.com
<https://ehleague.org>

Comment Letter F: Endangered Habitats League

F-1: The commenter indicates they are unable to locate a mitigation measure or map that corresponds to the 66 acres of conservation lands for the vernal pool HCP major amendment. The MA is a part of the proposed project, and the provision of 66-acres of conservation lands is a part of the project and is not mitigation. These conserved lands are shown by the westernmost dark green polygon in Figure 51 of the Biological Resources Report (SEIR Appendix C). The conservation strategy replacement lands are also depicted in SEIR Figure 3-43.

F-2: This comment requests clarification on the location and documentation of the 66-acre conservation area referenced in the SEIR, and whether it is part of the proposed VPHCP MA. The 66 acre conservation area is proposed as a part of the VPHCP MA and is included in the Conservation Strategy developed collaboratively between the City, Applicant, and Wildlife Agencies (this strategy is documented in Attachment 10b of the Biological Resources Report, Appendix C of the SEIR). The location of the 66-acre conservation area is within the westernmost dark green polygon in Figure 51 of the Biological Resources Report (SEIR Appendix C). While the MA itself is not included in the CEQA document list linked at <https://www.sandiego.gov/ceqa/draft>, it is part of the proposed project and is pending USFWS concurrence. All impacts associated with the MA have been addressed in the SEIR. Refer to SEIR Appendix C, Attachment 10 for additional details.

Comment Letter G



San Diego County Archaeological Society, Inc.

Environmental Review Committee

May 18, 2025

To: Ms. Dawna Marshall
Development Services Department
City of San Diego
1222 First Avenue, Mail Station 501
San Diego, California 92101

Subject: Draft Environmental Impact Report
Southwest Village Specific Plan
Project No. PRJ-0614791

Dear Ms. Marshall:

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

G-1

Based on the information posted on the City's website, we concur with the impact analysis and recommendations for mitigation as presented.

While it would likely not result in the treatment of the cultural resources, we note that the earliest aerial photos checked were from 1953. The authors neglected to inspect the series of photos from 1928-29 available from the County DPW cartographic services desk and various other locations, including SCIC. Also, photos from 1939 and later are freely available at https://njl.library.ucsb.edu/ap_indexes/framefinder/.

G-2

Thank you for the opportunity to participate in the public review of this DEIR.

G-3

Sincerely,

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

cc: RECON
SDCAS President
File

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

Comment Letter G: San Diego County Archaeological Society

G-1: The City acknowledges the introductory comments. The City acknowledges the commenter concurs with the impact analysis and recommendations for mitigation as presented.

G-2: The commenter indicates that aerials older than 1953 are available. Per the comment suggestion, a review of an available 1939 aerial photograph was conducted that shows the project area as undeveloped, with the exception of several dirt roads in the vicinity. Additional review of historical aerials from 1928-1929 or 1939 is not warranted to further assess cultural resource impacts of the project, as the information provided in the currently reviewed aerials adequately establishes the previous site conditions and would not alter the analysis completed.

G-3: The City acknowledges this conclusion.

Comment Letter H

From: Dan Silver
 To: SVP@southwestvillageplan.com; DSD.EAS; info@southwestvillageplan.com; Blake, Martha
 Cc: Michael Beck
 Subject: [EXTERNAL] Southwest Village Specific Plan Project DEIR
 Date: Friday, June 6, 2025 3:22:12 PM

****This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.****

June 6, 2025

RE: Southwest Village Specific Plan Project DEIR

Gentlepersons:

H-1 | Endangered Habitats League (EHL) appreciates the opportunity to to comment on this project and its environmental documentation under CEQA. For your reference, EHL was a member of the original MSPC Working Group in 1993. Our comments will focus on MSPC conformance.

1) Beyer Blvd mitigation

According to the SEIR:

H-2 | To offset the impacts from the proposed Beyer Boulevard extension within the Otay Mesa A and Otay Mesa B properties and the Furby-North Preserve, the conservation strategy required mitigation for the project as well as conservation of an additional 66 acres immediately south of the project-level area and restoration and long-term management of 0.403 acre of vernal pool habitat on a degraded mesa top on the Otay Mesa B property.

We understand that the 66 acres in question, and an adequate area for vernal pool restoration, are pictured in Figure 51 and labelled "Additional Potential Habitat Preservation (95.29 acres)" and "Potential Vernal Pool Restoration Area (2.13 acres)," respectively. Presumably, actions implementing this conservation and restoration will be in a Vernal Pool HCP Major Amendment. Please confirm, and please maintain Endangered Habitats League on notification lists for this amendment.

2) Biological open space

H-3 | The project proposes to bisect what was to be 100% Open Space with Beyer Blvd. Project mitigation should include all feasible measures to reduce human impacts to resources conserved under the MSPC. Impacts from both authorized and unauthorized public access are serious problems. Yet, the City does *not* have adequate enforcement staff to enforce trail regulations. For example, Mission Trails has sustained severe damage from illegal trails. Off trail use is common, and even authorized use causes a host of indirect impacts to wildlife. For these reasons, and due to the extreme sensitivity of the resources involved, potential impacts

Comment Letter H: Endangered Habitats League

H-1: The City acknowledges these introductory comments. They do not raise an issue concerning the environmental analysis or adequacy of the SEIR. Please see the responses below to specific comments.

H-2: The commenter requests confirmation of actions implementing the conservation strategy provided to offset deletions of 100% conserved land from the Beyer Boulevard extension and asks for confirmation that these actions will be implemented through a VPHCP MA. The SEIR identifies that an MA to the VPHCP is proposed as a part of the project's Beyer Boulevard extension through 100% conserved land (see SEIR Section 3.7.6). The SEIR provides an analysis of the anticipated elements of the proposed MA, including in SEIR Sections 5.1.6.2, and 5.1.6.3, which will include replacement lands for deletions to 100% conserved land, conservation and restoration of these replacement lands. The commenter would be notified by the City when the MA is being processed.

H-3: The commenter notes that Beyer Boulevard West extension would bisect 100% conserved lands and states they are concerned about impacts to wildlife from human access. As discussed in SEIR Section 3.5.3.1, the project design for Beyer Boulevard includes features to minimize human intrusion into the adjacent open space areas. Chain link fencing would be installed along the length of Beyer Boulevard West. A 6-foot-tall masonry wall would be constructed on the north side of Beyer Boulevard West, and four retaining walls have been incorporated into the roadway design to limit habitat impacts. The project would comply with the MHPA Land Use Adjacency

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Guidelines via permit conditions, which require barriers to restrict human intrusion into the MHPA. The project also includes wildlife movement features, including a wildlife overcrossing and three culverts/undercrossings, to facilitate safe wildlife movement across Beyer Boulevard West (see Section 3.5.3.1(b), Wildlife Movement Features). Compliance with the MHPA Land Use Adjacency Guidelines avoids significant impacts related to human intrusion. Impacts related to human intrusion would be less than significant and no mitigation is required.

Additionally, the design and location of the project's trail network involved extensive coordination with the City and the Wildlife Agencies to ensure that adequate management and protection mechanisms such as buffers, fencing, and signage are in place to prevent damage to the adjacent natural areas. As is also discussed in Specific Plan Section 7.9 and SEIR Section 3.5.4.2, closures of existing, unpermitted trails would be implemented through the completion of restoration within 50 feet of the proposed trail alignments, creating a buffer zone with a total width of 100 feet. This approach would help prevent access to the unauthorized trails and allow for natural vegetation regrowth in the remaining portions of the unauthorized segments as use of the trails ceases. No revisions to the trail system or SEIR are required as a result of this comment.

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| <p style="text-align: right;">Comment Letter H</p> <p>H-3 cont. ↑ due to public access should be avoided and minimized in two important ways:</p> <p>H-4 ↓</p> <p>H-5 ↓</p> <ul style="list-style-type: none"> • Removal of the proposed perimeter trail, which provides easy and extensive access to preserved land for unauthorized use • Removal of the proposed trail head <p>H-6 ↓ Thank you for your consideration, and acknowledgement of receipt is requested and appreciated.</p> <p>Yours truly, Dan Silver</p> <p>Dan Silver, Executive Director Endangered Habitats League 8424 Santa Monica Blvd., Suite A 592 Los Angeles, CA 90069-4267</p> <p>213-804-2750 dsilverla@me.com https://ehleague.org</p> | <p>H-4: The commenter suggests removal of the perimeter trail from the project to prevent unauthorized access to preserved land. The perimeter trail is proposed within the development limits of the Specific Plan area as an essential recreational amenity for residents and is separated from the open space. The MHPA area would be managed in accordance with a standard Covenant of Easement for MHPA open space and the trail within the development area would comply with the MHPA Land Use Adjacency Guidelines to prevent unauthorized use. As discussed in SEIR Section 5.4.3.2, peeler pole fencing would be installed adjacent to trails near special-status plant species, and additional barriers would be installed as necessary for future projects to ensure compliance with the MHPA Land Use Adjacency Guidelines requirements related to barriers and access. A key objective of the MSCP is to provide public recreation and educational opportunities within the MSCP Preserve System, while providing adequate protection for biological resources. Trails are allowed within open space lands under the MSCP to provide passive recreational opportunities for the public. These activities are considered compatible with the biological objectives of the MSCP. The trail provides important connections to community parks, pocket parks, and paseos while providing a buffer between development and the adjacent open space areas. The potential direct and indirect effects of this trail have been analyzed throughout the SEIR. Also see Response H-3 above. No revisions to the SEIR are required.</p> <p>H-5: The commenter suggests removing the proposed trailhead from the project. While the commenter does not specify which trailhead they would like to be removed, it is assumed that they are referencing the trailhead to the proposed primitive trails depicted in Figure 3-10, Parks and Trails, as that is the only trailhead shown on the map. The proposed trailhead was placed in coordination with the City to support Citywide targets for trail development. As stated in Responses H-3 and H-4</p> |
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above, extensive coordination was conducted to ensure that management and protection mechanisms are in place to prevent and minimize damage from unauthorized public access. No revisions to the SEIR are required.

H-6: The City acknowledges this conclusion. This comment does not raise an issue concerning the environmental analysis or adequacy of the SEIR.



CENTER for BIOLOGICAL DIVERSITY

Comment Letter I

June 16, 2025

Sent via email

Dawna Marshall
City of San Diego
Senior Planner
1222 First Avenue, MS 501
San Diego, CA 92101
DLMarshall@sandiego.gov

Re: Southwest Village Specific Plan Subsequent Environmental Impact Report SCH No. 2004051076

Dear Ms. Marshall:

This letter is submitted on behalf of the Center for Biological Diversity (the "Center") regarding the Subsequent Environmental Impact Report ("SEIR") for the proposed Southwest Village Specific Plan ("Project"). The Center has reviewed the Subsequent Environmental Impact Report and offers the following comments on impacts to wildlife connectivity and vernal pool habitats and species.

The Center is a non-profit, public interest environmental organization dedicated to the protection of native species and their habitats through science, policy, and environmental law. The Center has over 1.7 million members and online activists throughout California and the United States. The Center has worked for many years to protect imperiled plants and wildlife, open space, air and water quality, and overall quality of life for people in San Diego County.

I. The SEIR's Analysis of Impacts to Wildlife Connectivity

The Center is concerned about the impacts of the proposed Project, especially the Beyer Boulevard extension, on local and regional wildlife connectivity. The Beyer Blvd extension will run through an area of high wildlife movement (App C, Att 2, p.3). The proposed road crossings, including the proposed overcrossing, will likely help facilitate movement of the larger wildlife like coyotes, and may benefit some smaller species as well, as described in the SEIR (Att 2, Addendum, p.4). However, the Project's analysis of wildlife movement focuses only on two mesocarnivores, bobcat and coyote (Att 2, p.4). It should also provide an analysis of the impacts of the road on birds, small mammals, reptiles, amphibians, or invertebrates.

As detailed in a 2021 Center Report (Yap et al., 2021), as barriers to wildlife movement, poorly-planned development and roads can affect an animal's behavior, movement patterns, reproductive success, and physiological state, which can lead to significant impacts on individual wildlife, populations, communities, landscapes, and ecosystem function (Brehme et al., 2013,

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BiologicalDiversity.org

Comment Letter I: Center for Biological Diversity

I-1: The City acknowledges these introductory comments. They do not raise an issue concerning the environmental analysis or adequacy of the SEIR. Please see the responses below to specific comments.

I-2: The commenter asserts that the SEIR analysis of wildlife movement is limited to two mesocarnivores, bobcat and coyote, and recommends expanding the analysis of wildlife movement to include birds, small mammals, reptiles, amphibians, or invertebrates in addition to the existing discussion of mesocarnivore movement. While the SEIR highlights bobcat and coyote as representative mesocarnivores observed using Moody Canyon for movement, the Wildlife Movement/ Crossing Study (Attachment 2 of Appendix C) conducted by the Wildlife Tracking Company for the proposed project evaluated movement patterns for a broad range of wildlife species. The study included observations and habitat suitability assessments for small mammals, birds, reptiles, amphibians, and invertebrates, in addition to larger mammals. Wildlife movement analysis is provided in SEIR Sections 5.4.1.5, and

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| <p style="text-align: right;">Comment Letter I</p> <p>I-3 cont. 2018; Ceia-Hasse et al., 2018; Haddad et al., 2015; Marsh & Jaeger, 2015; Trombulak & Frissell, 2000; van der Ree et al., 2011). Habitat fragmentation has been found to increase local extinction risk in amphibians and reptiles (Brehme et al., 2018; Cushman, 2006; Delaney et al., 2021), cause high levels of avoidance behavior and mortality in birds and insects (Benítez-López et al., 2010; Kantola et al., 2019; Loss et al., 2014), and alter pollinator behavior and degrade habitats (Aguilar et al., 2019; Goverde et al., 2002; Trombulak & Frissell, 2000).</p> <p>I-4 The Beyer Blvd expansion would impact the connectivity of populations of western spadefoot, orange-throated whiptail, coastal whiptail, coast horned lizard, southern California rufous-crowned sparrow, coastal California gnatcatcher, or least Bell’s vireo, despite the fact that these species occur in the areas that would directly be impacted by road construction (Att. 1, Fig 27.1, 27.2). Connectivity impacts to any small animals residing in the western portion of the Project area outside of the road footprint, or animals in the MHPA north and south of the proposed road expansion, would suffer habitat fragmentation. All of these species should therefore be included in any analysis of landscape connectivity, given the significant evidence that many smaller species are harmed by roads, especially new roads in undisturbed areas (Benítez-López et al., 2010; Brehme et al., 2018; Cushman, 2006; Kociolek et al., 2011; Slabbekoom & Ripmeester, 2008).</p> <p>I-5 The lack of analysis of these impacts limits the efficacy of the proposed mitigation. It is encouraging to see the inclusion of wildlife undercrossings and overcrossings included in the proposed Beyer Blvd design. However, it appears that these crossing features were designed based only on mesocarnivore data and fail to consider design elements relevant to other species. For example, Gunson et al. (2016) recommend that crossing structures generally be spaced about 300 meters apart for small animals when transportation infrastructure bisects large expanses of continuous habitat, which the proposed design appears to achieve (SEIR, Fig 3-21). However, they also recognize that some amphibians may need more frequent crossings no more than 50 meters (~0.03 miles) apart. And for many amphibian and reptile species, including western spadefoots, undercrossings should have grated tops so that the light and moisture inside the crossings are similar to that of the ambient environment. The SEIR does not appear to implement such design features.</p> <p>I-6 More in-depth analyses that include on-the-ground movement studies of which species are moving in the area and their home range area, habitat use, and patterns of movement are needed to determine how to best implement such crossings. In addition, associated crossing infrastructure (e.g., exclusionary fencing appropriate for target species, berms to buffer crossings from sound and light) should be constructed to improve chances of wildlife using the crossings, and such infrastructure should consider all sensitive and special-status species, not just a small set of mid-sized mammals.</p> <p>I-7 II. The SEIR’s Mitigation for Vernal Pool Impacts</p> <p>The Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan (“VPQCBMP”) includes re-establishment of 3.86 acres and enhancement of 0.05 acres of vernal pool basins and restoration of 29.80 acres of vernal pool watershed and upland habitat (VPQCBMP, p.26). The</p> <p style="text-align: right;">June 16, 2025 Page 2</p> | <p>5.4.4, and is based on that document. The project includes multiple design features intended to provide for adequate crossings for both small and large wildlife (see Section 3.5.3.1(b), Wildlife Movement Features), including but not limited to mammals, reptiles, and birds; specific features would include wildlife crossing structures designed to funnel crossings and native landscaping and micro-refugia that would support small animals in safely traversing the wildlife crossings related to the Beyer Boulevard extension. The wildlife crossing Long-Term Management and Monitoring Plan would be implemented by the City; see SEIR Section 3.6.2.1(d). Refer to Attachment 2 of Appendix C, Appendix C Section 1.3.2.3.b, and SEIR Sections 5.4.1.5 and 5.4.4 for additional details.</p> <p>I-3: The City acknowledges these general comments regarding wildlife movement; however, they do not raise an issue concerning significant project impacts, the environmental analysis or adequacy of the SEIR. Please refer to Response I-2 above regarding the project’s specific features and analysis.</p> <p>I-4: The commenter asserts that habitat connectivity for a number of smaller animal species would be impacted by the Beyer Boulevard expansion. The SEIR addresses habitat connectivity and wildlife movement for both large and small species. The Wildlife Movement and Crossing Study (Appendix C, Attachment 2) evaluated movement corridors and habitat use for a variety of species across the project area, including the MHPA lands north and south of the proposed road alignment. While mesocarnivores, including bobcat and coyote, were highlighted due to their detectability and frequent use of Moody Canyon, the study also considered habitat conditions and movement potential for smaller species. To minimize fragmentation and maintain connectivity, the project incorporates wildlife movement features (see Section 3.5.3.1(b), Wildlife Movement Features) specifically designed to support small animals and birds. These include: native landscaping and micro-refugia</p> |
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corridors for reptiles, amphibians, birds, and small mammals; bird-safe glass in areas adjacent to open space (Phases 1 and 2) to reduce collision risk and facilitate safe movement for avian species; and crossing structures designed to accommodate a range of species sizes and movement behaviors, consistent with best practices for wildlife-friendly infrastructure. Refer to Response I-2 above regarding the concerns raised in this comment.

I-5: The commenter asserts there is a lack of wildlife movement impact analysis and that the project’s wildlife undercrossings and overcrossings are insufficient for small animals, particularly amphibians such as the western spadefoot, and recommends incorporating design elements like grated tops and closer spacing. Refer to Response I-2 and I-4 above regarding the concerns raised in this comment. Small animal movement was studied as a part of the SEIR, and the project impacts would be less than significant. A Qualified Biologist specializing in wildlife movement studied wildlife movement across the project area, including specifically the Beyer Boulevard West extension, and the Wildlife Movement and Crossing Study (SEIR Appendix C, Attachment 2) informed the design of crossing features to support both large and small species. Western spadefoot occurrences were documented within disturbed wetlands and vernal pools primarily within and to the south of the Beyer Boulevard West extension, in addition to a single pool to the northeast, as shown on SEIR Figure 5.4-3a. There are no areas of suitable breeding habitat for western spadefoot directly north of Beyer Boulevard, and the species’ movement is typically limited and dependent on precipitation, waterways, and surface flows between vernal pools. None-the-less, the project includes one overcrossing with native landscaping and micro-refugia to provide cover for small animals and birds and three small animal culvert/undercrossings and native landscaping and micro-refugia adjacent to crossings to provide cover for small animals and birds as discussed in the SEIR

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Section 3.5.3.1 (b) wildlife movement features description, and those culverts are located at existing high-use drainage swale areas that could accommodate western spadefoot movement. See Figure 3-21 for the locations of the overcrossing and culverts, which provide connectivity between the areas to the south and north of Beyer Boulevard, including nearby the aforementioned pool to the northeast. The construction of Beyer Boulevard with the inclusion of these crossings would not impact this species' movement. Given the limited movement range of western spadefoot and the absence of breeding habitat directly north of Beyer Boulevard, the current design would be sufficient to maintain connectivity for this species. No additional features are warranted to further facilitate small animal crossings.

- I-6: The commenter asserts that more in-depth analyses are needed for wildlife movement to adequately implement the project's wildlife crossings. Refer to Responses I-2 to I-5 above, which address the concerns raised in this comment.
- I-7: The commenter expresses concern that the mitigation ratio for vernal pool impacts would be insufficient to fully mitigate the project's impacts due to concerns about the success rate. The commenter's conclusion is based on a single study that re-visited a mitigation site 20 years after implementation and does not demonstrate that the mitigation of that example project is comparable to the proposed project mitigation. The mitigation program evaluated in the study cited by this comment does not include performance criteria, monitoring, and maintenance that is included in the proposed project mitigation to ensure long-term mitigation success. The habitat created in the 2006 example project would not meet the requirements of the proposed project mitigation. For example, the 2006 pools that did not hold water in that study would not meet the proposed project's mitigation vernal pool hydrological regime performance standards (see Attachment 14 Section 6.3). The

Comment Letter I

I-7
cont.

plan notes that the City requires mitigation of 2:1 for impacted vernal pools, and that the planned 3.86 acres of created vernal pool habitat exceeds this requirement. However, we are concerned that created vernal pool habitat will support the species that are being mitigated.

Vernal pool creation has been shown to be successful in the past, but a 100% success rate is far from guaranteed. For example, Baumberger (2020) investigated the success of artificial breeding pools that were created in 2006 as mitigation for impacts to ten breeding pools at a site in East Orange. The mitigation for this project included the creation of 21 pools to mitigate for the 10 affected pools, providing a total mitigation ratio of 2.1:1. Fifteen of these pools (which became 14 when two pools merged together) were in Irvine Mesa, and six were in Shoestring Canyon. In Shoestring Canyon, all six mitigation pools failed to hold water and breeding western spadefoot were completely absent from the pools and the nearby creek bed during the 2016 survey period (Baumberger et al., 2020). At Irvine Mesa, only 12 of the 14 pools held water for >30 days, and only eight of these supported western spadefoot breeding. Thus only 1/2 of the pools in Irvine Mesa showed successful breeding in 2016, and none of the pools in Shoestring Canyon showed successful breeding, leading to an overall success rate of just 33%. Thus the mitigation ratio of 2.1:1 did not even successfully mitigate for the full impacts to the ten original pools.

The current Project's proposed 2:1 mitigation is similarly unlikely to fully mitigate these impacts. The SEIR notes that the proposed mitigation of 3.86 acres of vernal pool re-establishment exceeds the minimum required 2:1 ratio (VPQCBMP, p.26). The total acreage of vernal pools impacted is 1.06, so the proposed mitigation of 3.86 acres amounts to a 3.6:1 mitigation ratio. However, even this is likely insufficient to ensure no net loss of function, as described below.

I-8

The SEIR should take into account the fact that, habitat loss and species displacement from construction of the proposed Project are immediate, while any gains from their mitigation are uncertain. Moilanen et al. (2009) found that "very high offset ratios may be needed to guarantee a robustly fair exchange" and that "considerations of uncertainty, correlated success/failure, and time discounting should be included in the determination of the offset ratio to avoid a significant risk that the exchange is unfavorable for conservation in the long run." Restoring complex ecosystems like ephemeral wetlands often results in reduced ecological function. In studies conducted in California on wetland mitigation sites permitted between 1979 and 2002, less than 20% of mitigated wetlands were performing optimally (Ambrose et al., 2006; Sudol & Ambrose, 2002). This is exemplified in the study referenced above, in which western spadefoot successfully bred in only 33% (7 out of 21) of constructed vernal pools 10 years after they were constructed (Baumberger et al., 2020).

I-9

Given the importance of vernal pools and associated upland (heterogeneous) habitat to western spadefoots and numerous other native, rare, and special-status animals and plants, connectivity, and overall biodiversity, the SEIR should provide higher mitigation ratios. In addition, mitigation ratios need to take the types of mitigation to be implemented into consideration, as not all mitigation is created equal. Preservation of existing habitat where sensitive and/or special-status species are known to occur through avoidance should be the primary focus, as restoration, enhancement, and creation of habitats can have limited success due

June 16, 2025
Page 3

project's mitigation vernal pool hydrological regime performance standards (see Attachment 14 Section 6.3). The Vernal Pool and Quino Checkerspot Butterfly Mitigation Plan (VPQCBMP) is included as SEIR Appendix C, Attachment 14 of the Biological Resources Report (SEIR Appendix C) and includes success criteria that must be met before the restoration plan can be signed off and approved as successful mitigation. Project mitigation also requires the implementation of the Vernal Pool and Quino Checkerspot Butterfly Habitat Management Plan (VPQCBHMP) for the Southwest Village Specific Plan Project. The VPQCBHMP identifies a long-term funding source, and long-term management requirements within the vernal pool preserve are detailed in the Habitat Management Plan (Attachment 17 of Appendix C). Ultimately, the project's vernal pool mitigation requires ongoing management and maintenance to ensure impacts are mitigated. Considering the mitigation requirements, the vernal pool mitigation would be successful. Refer to Attachments 14 and 17 of Appendix C for additional details.

I-8: Refer to Response I-7 above regarding the commenter's concerns that the provided vernal pool mitigation ratio would be insufficient to fully mitigate the project's impacts. The VPQCBMP and VPQCBHCP identify success criteria, performance standards, a long-term funding source, and long-term management requirements within the vernal pool preserve to ensure impacts would be successfully mitigated (see Attachments 14 and 17 of SEIR Appendix C).

I-9: The commenter asserts that higher mitigation ratios and long-term monitoring should be provided for vernal pool impacts, and that not all mitigation is equal. The City acknowledges that all mitigation is not equal, and the mitigation provided by the other projects in the study cited by the commenter is not the same as the proposed project mitigation. Specifically pertaining to establishing appropriate hydrology, the project mitigation

Comment Letter I

I-9
cont.

to the challenges of establishing the appropriate hydrology (Matthews & Endress, 2008; Stein et al., 2018; Sudol & Ambrose, 2002; Windmiller & Calhoun, 2007). Scientific studies specifically speak to the need for higher mitigation ratios (along with long-term monitoring, identified and measurable success criteria, and adaptive management strategies) to improve chances of adequately mitigating impacts to habitats and species (Matthews & Endress, 2008; Mitsch & Wilson, 1996; Moilanen et al., 2009; Stein et al., 2018; Sudol & Ambrose, 2002; Windmiller & Calhoun, 2007; Zedler & Callaway, 1999). The western spadefoot's continued survival relies on created wetlands having the appropriate hydrological and biological conditions and adequate upland habitat.

If compensatory mitigation includes enhanced, restored, or created habitats, as is the case for the vast majority of the VPQCBMP's proposed vernal pool mitigation, higher mitigation ratios coupled with extended years of effective monitoring and adaptive management strategies are needed to improve chances of establishing equivalent ecological function as the lost habitat for species like western spadefoot (Ambrose et al., 2006; Bronner et al., 2013; Matthews & Endress, 2008; Moilanen et al., 2009; Stein et al., 2018; Sudol & Ambrose, 2002; Windmiller & Calhoun, 2007). Given that western spadefoots have been extirpated from 80% of their range in Southern California (Stebbins & McGinnis, 2012; U.S. Fish and Wildlife Service, 2005) and amphibian populations in the U.S. are declining at an alarming rate of almost 4% per year (Grant et al., 2016), greater mitigation measures based on the best available science are needed. Mitigation for aquatic resources like vernal pools (and associated upland habitats) should be at least 3:1 with in-kind preservation, 5:1 with restoration/enhancement, and 10:1 with created habitat. All mitigation (preservation, restoration/enhancement, creation of vernal pools and associated upland habitat for western spadefoots) should be protected in perpetuity, and the mitigation on these lands should include funded long-term monitoring, specified measurable success criteria, and adaptive management strategies.

I-10

In addition, the VPQCBMP establishes a five-year maintenance and monitoring period for created vernal pools. This monitoring period is insufficient to guarantee that pools are on a trajectory to become as ecologically functional as the lost habitat. Some scientists recommend 15-20 years or more of monitoring to determine the success, or lack thereof, of enhanced, restored, or created habitat (Mitsch & Wilson, 1996; Zedler & Callaway, 1999). Higher mitigation ratios coupled with extended years of effective monitoring and adaptive management strategies are needed to improve chances of achieving no net loss of habitats like wetlands (Ambrose et al., 2006; Moilanen et al., 2009; Sudol & Ambrose, 2002).

I-11

The VPQCBMP must also include a requirement to verify the functionality of the created pools at the vernal pool mitigation sites *before* any construction that would impact existing vernal pools is begun to ensure that all created vernal pools maintain sufficient ponding to support the sensitive species for which they are used as mitigation. For example, San Diego fairy shrimp and Riverside fairy shrimp have significantly different habitat requirements. San Diego fairy shrimp occupy pools as small as 2 in deep with ponding durations from seven days to two months (US Fish and Wildlife Service, 2007), while Riverside fairy shrimp require ponds with depths of at least 10 in but up to ten feet and ponding durations of eight weeks (US Fish and Wildlife Service, 2011). Western spadefoots also require longer ponding durations, as larval

June 16, 2025
Page 4

includes vernal pool hydrological regime performance standards (see SEIR Appendix C, Attachment 14 Section 6.3). The mitigation provided for the other projects referenced would not meet the performance criteria of the proposed project mitigation requirements. The SEIR identifies adequate mitigation to reduce project impacts to habitat and species to below a level of significance consistent with CEQA requirements. Refer to Response I-7 above which addresses the concerns raised in this comment. Mitigation measure PR-BIO-12 provides mitigation for western spadefoot, which would be accomplished as part of the VPQCBMP described in mitigation measure PR-BIO-1, which includes sufficient mitigation ratios, final success standards, and long-term management requirements. The information provided in the comment fails to demonstrate that there is an impact nexus to require a higher mitigation ratio for this project. The requirements and final success standards of the VPQCBMP are detailed in mitigation measure PR-BIO-1. No additional significant impacts are identified and no change to the SEIR is required as a result of this comment.

I-10: The commenter asserts that the project's vernal pool monitoring period of five years is insufficient; refer to Response I-9 above addressing the adequacy of the project's monitoring period. The 5-year maintenance and monitoring period identified in the VPQCBMP is based on standard practice and completion of this period is dependent upon the success criteria being met by the end of the 5th year. Once the restoration meets the establishment success criteria in the VPQCBMP, the lands would be monitored and maintained in perpetuity in accordance with the VPQCBHCP. This long-term maintenance and monitoring would include sufficient funding in the form of an endowment that would allow for any remedial measures if needed at a later date.

Comment Letter I

I-11 cont. development takes an average of 58 days (but ranges from 30 to over 70) (Morey, 1998; Morey & Reznick, 2004). These are just three examples of the variable habitat requirements of vernal pool species; other species requirements also vary, including those of special-status vernal pool plants, and must also be considered.

I-12 Before destroying any existing vernal pools, the created vernal pools should be monitored to ensure that they exhibit the appropriate ponding duration to support the special-status species that will occupy them. Ponds should be monitored for two years before Project construction to ensure that necessary ponding occurs even in variable conditions. If the ponds do not hold water for the necessary durations, the created ponds should modified to ensure they meet all applicable habitat requirements.

I-13 The SEIR should also consider impacts to upland habitat. For species like western spadefoot, upland habitat is essential. Studies of western spadefoot in Southern California populations have observed individuals moving tens to hundreds of meters from breeding pools (Baumberger et al., 2019; Halstead et al., 2021). While movement appears to depend strongly on weather conditions, individuals can move relatively long distances even in drought years; one study observed individuals moving up to 82 m in drier years (Baumberger et al., 2019). During wet years, movements increase; one study observed individuals to dispersing rapidly after breeding and traveling up to 601 m from breeding pools during a relatively wet year (Halstead et al., 2021). According to herpetologist Dr. Steven Morey at the USFWS, western spadefoots are capable of traveling distances of at least 1 km and perhaps much more from breeding sites (Laabs et al., 2001). Therefore, western spadefoots may be capable of traveling quite far from their breeding pools, depending on available upland habitat and connected vernal pool complexes as well as weather conditions.

I-14 The proposed vernal pool restoration area does not allow for this degree of natural movement. In the current existing condition, the vernal pools are spread out across the landscape. While some occur in clusters, some are more isolated, and the pools and clusters are surrounded by intact, undisturbed upland habitat. In the proposed vernal pool mitigation sites, the pools are all clustered close together, with most pools appearing to be less than 100 feet from one another (VPQCBMP, Fig 12). Importantly, high pool density per se is not a problem. We acknowledge that high density of a pool complex can be quite beneficial for connectivity between pools and vernal pool complex hydrology. However, in placing all of the planned vernal pools so close to one another, and only creating two vernal pool clusters (one of which is much smaller than the other), the Project design has minimized the amount of upland habitat available around the vernal pools. The design should instead incorporate sufficient upland habitat to facilitate typical western spadefoot movement while maintaining connectivity between the vernal pools.

I-15 The vernal pool mitigation sites are also extremely close to the Project footprint (less than 200 feet; VPQCBMP, Fig 12), further limiting movement potential for western spadefoot and other wildlife and making the mitigation sites vulnerable to edge effects including but not limited to the introduction of non-native plants, lighting, noise, pollution, increased traffic, introduction of outdoor pets, and increased human activity. The density of the pools and the proximity of the pools to the Project footprint does not take upland habitat needs or movement patterns of western spadefoot (or other vernal pool species) into account.

June 16, 2025
Page 5

I-11: The commenter asserts that Vernal Pool/Quino Checkerspot Butterfly Mitigation Plan should include a requirement to verify the functionality of the created pools at the vernal pool mitigation sites before any construction that would impact existing vernal pools occurs, to ensure sufficient ponding for sensitive species such as San Diego fairy shrimp, Riverside fairy shrimp, western spadefoot, and sensitive vernal pool plants. The project’s mitigation strategy, including success criteria, has been designed to meet CEQA and City requirements and has been reviewed by USFWS and CDFW prior to publication of the SEIR to ensure impacts to both sensitive vernal pool species and vernal pool habitat would be adequately mitigated. These criteria include hydrological performance standards to ensure sufficient ponding durations and depths, as detailed in vernal pool hydrological regime performance standards (see SEIR Appendix C, Attachment 14 Section 6.3). As noted, requirements for San Diego and Riverside fairy shrimp differ. The VPQCBMP includes a hydraulic analysis in Attachment 4 that concluded that the majority of the proposed vernal pool basins would pond long enough following a 1-year storm event to support San Diego fairy shrimp and Riverside fairy shrimp. The success criteria ensures that gravid females of both species would be identified over three wet seasons before success criteria can be met. For Riverside fairy shrimp, only 0.06 acre of basin is required to mitigate for impacts to one occupied pool. If ponding conditions are found to be insufficient during monitoring, adaptive management would be implemented to adjust basin design or hydrology to meet species-specific requirements. Similarly, the VPQCBMP acknowledges that western spadefoot require longer duration of ponding during larval development, and any basins not meeting that requirement would be adaptively managed to ensure functionality for the species. The VPQCBMP is designed to be performance-based, with verification of ponding functionality and biological use prior to considering mitigation complete. Construction activities that would impact existing vernal pools

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and required mitigation would be phased to ensure that mitigation sites are functional and capable of supporting target species prior to the issuance of grading permits for each phase. To accomplish this, the total restoration area required prior to the issuance of grading permits for each grading phase is proportional to that phase's contribution to the total amount of mitigation required, as detailed in mitigation measure PR-BIO-16b. Please also see Responses I-9 and I-10 above.

I-12: The comment requests that created vernal pools be monitored for two years prior to destroying any pools to demonstrate they exhibit sufficient ponding duration to support sensitive species before project impacts occur. As discussed in Response I-11 above, the mitigation includes hydrologic performance criteria with adaptive modifications allowed to ensure ponding occurs to support target species. Specifically, success criteria require documentation of gravid females over three wet seasons before mitigation is considered successful. This multi-year monitoring approach ensures that created pools are functional and biologically viable before they are credited toward mitigation. If monitoring indicates that ponding durations are insufficient to support the life cycles of target species, including San Diego fairy shrimp, Riverside fairy shrimp, western spadefoot, and sensitive vernal pool plants, adaptive management would be implemented. This may include modifying basin depth, shape, or hydrology to meet species-specific habitat requirements.

The proposed mitigation and success criteria have been determined by the City and resource agencies to be sufficient to ensure that vernal pool impacts are fully mitigated. Construction sequencing would be coordinated to ensure that mitigation sites are functional prior to impacting existing vernal pools. To accomplish this, the total restoration area required prior to the issuance of grading permits for each grading phase is proportional to that phase's contribution to the total amount

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of mitigation required, as detailed in mitigation measure PR-BIO-16b.

I-13: The commenter asserts that the SEIR should consider impacts to upland habitat, which provide vital habitat for western spadefoot movement. The SEIR does consider impacts to upland habitat for wildlife and the project would protect 300-acres of upland lands south of the specific plan boundary. In addition, there are additional areas of protected open space in the southwestern portion of the Specific Plan boundary directly adjacent to the proposed vernal pool restoration area and in the protected easement lands south of West Beyer Boulevard, providing suitable upland burrowing and foraging within range of western spadefoot breeding habitat. The project would mitigate impacts to upland habitat for wildlife to below a level of significance.

I-14: The commenter asserts that the project should provide more upland habitat to facilitate typical western spadefoot movement while maintaining connectivity between the created vernal pools. The existing pools that support western spadefoot are of much lower quality than those proposed in the final VPQCBMP and many have been created or are frequently altered by vehicular use of the roads within the project. The proposed vernal pool mitigation design, as outlined in the VPQCBMP, was developed to reflect both historical landscape conditions and species-specific habitat needs. While the commenter notes that the pools are clustered closely together, this configuration is consistent with the historic vernal pool distribution in the area, as documented in the 1966 aerial imagery (see VPQCBMP Figure 7, Attachment 14 of the Biological Resources Report, Appendix C of the SEIR). Historically, vernal pools in this region occurred in dense clusters, and the proposed design mimics that natural configuration. The proposed vernal pool mitigation sites and upland habitat mitigation plans would provide high quality vernal pool habitat surrounded by an additional 300

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acres of protected open space to the south and southwest which provides upland habitat for foraging, dispersal, and burrowing for western spadefoot and other species. Considering the distance and topography as well as the characteristics of this species, western spadefoot has the ability to travel between pools located within the proposed vernal pool preserve area. In addition, spadefoot could travel between the vernal pool preserve to the south and southwest. As noted in Comment I-13, western spadefoot have been recorded travelling under both wet and drought conditions, consistent with the available protected open space adjacent to the vernal pool complexes. The proposed preserve layout accommodates this movement potential by maintaining connectivity between the vernal pool complexes and adjacent upland areas. Thus, spreading out the proposed vernal pool complex would not be warranted and the current design is expected reflect historic conditions, and to support the movement and habitat needs of western spadefoot and other vernal pool-associated species.

I-15: The commenter asserts that the vernal pools' proximity to the project footprint would limit wildlife movement and make the mitigation sites vulnerable to edge effects. The presence of development on one side of the proposed vernal pool mitigation area would not result in any significant wildlife movement issues considering the connectivity on the remaining three sides. As noted above, western spadefoot are recorded as travelling from breeding pools for foraging and burrowing. As described in Response I-13, the project protects over 300-acres of upland habitat adjacent to this vernal pool mitigation site to the south and southwest of the proposed vernal pool mitigation area. This 300-acre preserved area is also connected to other MHPA areas (see Wildlife Movement and Crossing Study [Appendix C, Attachment 2] for additional details). In addition, the vernal pool preserve and adjacent protected open space lands would be protected through MHPA Land Use Adjacency Guidelines and General Planning Policies, which address many

Comment Letter I

I-16 The SEIR should also consider the total existing upland habitat area that would be impacted by the proposed Project. The SEIR states that 29.80 acres of vernal pool watershed and upland habitat are preserved (VPQCBMP, p.26). However, it is unclear whether this amount of upland habitat is sufficient for western spadefoot persistence, and we are concerned that the proposed mitigation sites do not provide sufficient upland habitat to allow for natural movement, further exposing western spadefoot to direct and indirect impacts from the proposed Project.

I-17 The SEIR should establish a buffer between the vernal pool mitigation sites and the Project footprint. Ideally, buffers should accommodate the furthest dispersers, as larger buffers would allow for increased chances for establishment or re-establishment in unoccupied habitats, as often happens in metapopulation dynamics, or to increase resilience to climate change (Cushman, 2006; Semlitsch & Bodie, 2003). For western spadefoots, a 1-kilometer buffer would be appropriate. At a minimum, the SEIR should require 400-meter buffers of upland habitat for known, occupied breeding pools, taking measures preserve connectivity between multiple breeding pools.

III. Conclusion

I-18 Thank you for the opportunity to submit comments on the Subsequent Environmental Impact Report for the proposed Southwest Village Specific Plan. Please add me to your notice list for all future updates to the Project using this email: spradoirwin@biologicaldiversity.org. Do not hesitate to contact the Center with any questions at the number or email listed below.

Sincerely,



Sofia Prado-Irwin, Ph.D.
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June 16, 2025
 Page 6

Guidelines and General Planning Policies, which address many of the edge effects raised by the commentor, including non-native plants, roads and utilities, lighting, and noise (see SEIR Section 5.1.2.1.k and mitigation measure PR-LU-1). Fencing the vernal pool preserve as described in the VPQCBMP would allow for spadefoot movement while also (see SEIR Appendix C, Attachment 14) deterring human and domestic animal intrusion. Specific fencing designs would be determined by location, and would include post and rail, wrought iron, or other fencing as provided in Attachment 1 to the VPQCBMP that would contain small gaps to allow spadefoot movement while preventing access by humans or pets. No significant impact issues are raised, and no revision to the SEIR is required as a result of this comment.

I-16: The commenter expresses concern that the proposed western spadefoot mitigation sites do not provide sufficient upland habitat for natural western spadefoot movement. The proposed vernal pool mitigation sites and upland habitat mitigation plans would provide high quality vernal pool habitat surrounded by an additional 300 acres of protected primarily upland open space to the south and southwest that would facilitate movement of wildlife and maintain connectivity for western spadefoot between the pools. Refer to Responses I-14 and I-15 above, which concluded that the current design would support the movement and habitat needs of western spadefoot and other vernal pool-associated species.

I-17: The commenter asserts that the project should provide, at a minimum, 400-meter buffers of upland habitat between the vernal pool mitigation sites and the project footprint. As discussed above, the proposed vernal pool mitigation sites and upland habitat mitigation plans would provide high quality vernal pool habitat surrounded by an additional 300 acres of protected open space to the south and southwest. This is a sufficient distance to facilitate movement of wildlife and

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for the western spadefoot. The watersheds of the proposed pools would also be protected and completely within the proposed vernal pool preserve, and no further buffer is warranted. Refer to Responses I-14 and I-15 above, which concluded that the current design would support the movement and habitat needs of western spadefoot and other vernal pool-associated species.

I-18: The City acknowledges this conclusion. This comment does not raise an issue concerning the environmental analysis or adequacy of the SEIR.

Comment Letter J

From: Dan Silver
To: Marshall, Dawna
Subject: [EXTERNAL] Southwest Village Specific Plan Project DEIR
Date: Monday, June 16, 2025 3:06:35 PM

****This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.****

June 16, 2025

RE: Southwest Village Specific Plan Project DEIR

Gentlepersons:

J-1

Endangered Habitats League (EHL) appreciates the opportunity to to comment on this project and its environmental documentation under CEQA. For your reference, EHL was a member of the original MSPC Working Group in 1993. Our comments will focus on MSPC conformance.

1) Beyer Blvd mitigation

According to the SEIR:

J-2

To offset the impacts from the proposed Beyer Boulevard extension within the Otay Mesa A and Otay Mesa B properties and the Furby-North Preserve, the conservation strategy required mitigation for the project as well as conservation of an additional 66 acres immediately south of the project-level area and restoration and long-term management of 0.403 acre of vernal pool habitat on a degraded mesa top on the Otay Mesa B property.

We understand that the 66 acres in question, and an adequate area for vernal pool restoration, are pictured in Figure 51 and labelled "Additional Potential Habitat Preservation (95.29 acres)" and "Potential Vernal Pool Restoration Area (2.13 acres)," respectively. Presumably, actions implementing this conservation and restoration will be in a Vernal Pool HCP Major Amendment. Please confirm, and please maintain Endangered Habitats League on notification lists for this amendment.

2) Biological open space

J-3

The project proposes to bisect what was to be 100% Open Space with Beyer Blvd. Project mitigation should include all feasible measures to reduce human impacts to resources conserved under the MSPC. Impacts from both authorized and unauthorized public access are serious problems. Yet, the City does *not* have adequate enforcement staff to enforce trail regulations. For example, Mission Trails has sustained severe damage from illegal trails. Off trail use is common, and even authorized use causes a host of indirect impacts to wildlife. For these reasons, and due to the extreme sensitivity of the resources involved, potential impacts due to public access should be avoided and minimized in two important ways:

Comment Letter J: Endangered Habitats League

J-1: This comment letter is identical to comment letter H above. Please refer to Response H-1 above.

J-2: This comment letter is identical to comment letter H above. Please refer to Response H-2 above.

J-3: This comment letter is identical to comment letter H above. Please refer to Response H-3 above.

COMMENTS

RESPONSES

Comment Letter J

- J-4 | • Removal of the proposed perimeter trail, which provides easy and extensive access to preserved land for unauthorized use
- J-5 | • Removal of the proposed trail head

J-6 | Thank you for your consideration, and acknowledgement of receipt is requested and appreciated.

Yours truly,
Dan Silver

Dan Silver, Executive Director
Endangered Habitats League
8424 Santa Monica Blvd., Suite A 592
Los Angeles, CA 90069-4267

213-804-2750
dsilverla@me.com
<https://ehleague.org>

J-4: This comment letter is identical to comment letter H above. Please refer to Response H-4 above.

J-5: This comment letter is identical to comment letter H above. Please refer to Response H-5 above.

J-6: This comment letter is identical to comment letter H above. Please refer to Response H-6 above.



For birds, for people, for the planet.

Comment Letter K

June 22, 2025
Southwest Village Specific Plan
Dawna Marshall
City of San Diego Development Services Center
1222 First Avenue, MS 501
San Diego, CA 92101
DSDEAS@sanidiego.gov

Subject: SDBA Comments on Southwest Village Specific Plan DEIR SCH No. 2004051076, Project No.: PRJ-0614791

K-1

The San Diego Bird Alliance (previously Audubon Society) is a 3,000+ member non-profit organization with a mission to foster the protection and appreciation of birds, other wildlife, and their habitats, through education and study, and to advocate for a cleaner, healthier environment. We have been involved in conserving, restoring, managing, and advocating for wildlife and their habitat in the San Diego region since 1948. We appreciate the opportunity to comment on the Southwest Village Specific Plan DEIR, and its impacts to species residing in the existing MSCP land and open space that will be used to extend Beyer Blvd and build Southwest Village.

K-2

3.4.3.2 Brush Management pg 3-14

We appreciate the commitment to revegetate all manufactured slopes with native species, and encourage all similarly revegetated spaces to also have a covenant of easement, and that brush management not impact nesting bird species, or be done during nesting season. Nesting birds are protected by the Migratory Bird Treaty Act, at both the state and federal level. Defensible space is a highly modified form of open space and should not be treated as biological/natural open space nor counted as mitigation for impacts to biological resources. All project landscaping trees and plants should be California native plants. All native habitats in biological/natural open space should be directly restored, including Diegan coastal sage scrub, native grasslands and vernal pools. These should not count as mitigation until restoration has been completed since harmful land uses have damaged the habitat and are not sustainable mitigation areas without restoration.

K-3

3.6.1.2 Biological Resources c. Bird-Safe Glass (pg 3-46)

We appreciate the commitment to bird safe glass sound barriers along the construction of Beyer Blvd, and where glass panes are proposed adjacent to open space. The bird safe glass recommendations from USFWS are appropriate and will lessen impacts of bird collisions along the open space barriers. Due to adjacency of this project to open space that is valuable habitat for migrating bird species, and threatened and endangered bird species, Bird-Safe glass should be utilized in design and construction of all commercial and residential buildings in the village. This will further mitigate adverse effects on many bird species. Glass collisions kill over 1 billion birds per year, and section A5.107 of CALGreen specifies bird-friendly building design strategies that should be implemented in this project. These design

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Comment Letter K: Endangered Habitats League

K-1: The City acknowledges these introductory comments. They do not raise an issue concerning the environmental analysis or adequacy of the SEIR. Please see the responses below to specific comments.

K-2: The commenter notes that brush management for the project should involve native vegetation and not impact nesting birds. All project activities would comply with the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code (CFG) protections for nesting birds. As described in SEIR Section 5.4.3.2, nesting bird surveys would specifically be conducted prior to vegetation clearing or brush management during the nesting season, and timing restrictions or avoidance measures would be implemented as needed to prevent disturbance to active nests, in addition to mitigation to ensure that take of birds or eggs or disturbance of breeding activities is avoided.

The manufactured slope areas would be considered developed after project implementation and are not counted as mitigation nor identified as restored habitat. With the proposed development of those areas, the manufactured slopes are not conserved habitat requiring a covenant of easement. To clarify,

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the manufactured slopes are not considered restored, nor have they been identified as mitigation, as implied in this comment. None-the-less, compliance with the MBTA and CDFG protections for nesting birds is required. Mitigation for the project impacts includes both open space conveyance as well as implementation of specific restoration plans, as discussed in mitigation measures PR-BIO-1 through PR-BIO-6, PR-BIO-11, PR-BIO-12, PR-BIO-15, PR-BIO-16a, and PR-BIO-16b. The implementation of the restoration plans must meet the identified success criteria prior to being approved as complete. Refer to SEIR Section 5.4.3.4 for additional details.

All landscaping plant palettes for lands adjacent to the MHPA are subject to City review and have been developed to comply with MHPA Land Use Adjacency Guidelines which prohibit use of invasive non-native plant species adjacent to MHPA preserve areas. Compliance with the MHPA Land Use Adjacency Guidelines is required at the program level through mitigation measure SP-LU-1 and at the project level through mitigation measure PR-LU-1.

To further address nesting bird protections, the following language was added to the Biological Resources Report (Appendix C of the SEIR) Brush Management sections 1.3.2.2.b and 1.3.2.2.c and MSCP Land Use Adjacency Guidelines for Brush Management (Section 6.2.1.2.d) to address avoidance of impacts to nesting birds: In addition, brush management would avoid impacts to nesting birds in conformance with MBTA and CFGC either through timing restrictions or pre-activity nest avoidance surveys. These measures ensure that brush management and restoration activities are conducted in a manner that protects sensitive biological resources and complies with applicable state and federal regulations.



Comment Letter K

For birds, for people, for the planet.

K-3 cont. ↑ features will additionally lower energy costs and cooling requirements¹. Will bird safe glass and other design features be included in the project design?

K-4 ↓ **5.4.32 Analysis b. Special Status Wildlife; Project Level (pg 5.4-23)**
Impacts to Bird Species, this section acknowledges significant impacts to various bird species. According to a study released in 2019², wild bird populations have declined by 30%, almost 3 billion birds since 1970. The largest decline was found in Grassland bird species, with more than 700 million birds or 50% of the population lost. Habitat loss is the largest driving factor in declines, and these species are at even greater risk due to the compounding effects of climate change. The 2025 State of the Birds report highlighted continuing trends of losses to bird species, again with the largest impacts on grassland birds, and one-third of bird species of high or moderate conservation concern³. We appreciate every effort by city staff, city planners, and developers to protect San Diego’s unique biodiversity and bird habitat, and are committed to working together to prevent bird losses and greater climate impacts.

K-5 ↓ **10.2.4 Project-Level Mitigation; Land Use; PR-LU-1: Land Use Adjacency Guidelines (pg 10-32)**
 In recent years there have been more and more studies that show the impact of light pollution on wildlife - specifically birds and other pollinators. Light pollution causes bird collisions and has many adverse effects during migration. It is one of the main contributors for bird mortality. In addition to the requirement that all outdoor lighting adjacent to open space be shielded to prevent light over-spill off-site and in compliance with SDMC Section 142.0740, we recommend that the project adopt Dark Sky standards for lighting and commit to choosing warmer colors in the range of 2000 to 3000K for exterior lights while striving to minimize perimeter lighting. All lights should be shielded, face away from the MHPA, and be on a timer or motion-sensitive. Reducing glare, spillage, or light trespass has also been shown to increase safety and security for humans. These lighting standards should be required throughout the project including but not limited to parking areas (3.4.4.5 Parking pg 3-18), pedestrian facilities (3.5.3.4 Pedestrian Facilities pg 3-35), trails (3.5.4.2 Trails pg 3-36), street edges and other outdoor lighted areas. We urge that during Spring and Fall migration these measures are strictly implemented.

K-6 ↓ **General Comments on the Project Plan Project No.: PRJ-0614791**
Invasive Plants & Animals
 This project should not plant, or include in planting palettes with any invasive species, and should permanently control and remove all invasive non-native plants as identified by the California Invasive Plant Council in landscaping, natural open space and defensible space. Control will be a permanent

¹ https://codes.iccsafe.org/s/CAGBC2022P3/appendix-a5-nonresidential-voluntary-measures/CAGBC2022P3-AppxA5-SecA5_107

² <https://www.birds.cornell.edu/home/wp-content/uploads/2019/09/DECLINE-OF-NORTH-AMERICAN-AVIFAUNA-SCIENCE-2019.pdf>

³ <https://www.audubon.org/magazine/sweeping-new-report-shows-us-birds-declining-sharply-across-range-habitats>

K-3: The commenter asserts that bird-safe glass should be utilized in design and construction of all commercial and residential buildings in the Specific Plan area. As noted in Section 3.6.2.1.c of the SEIR, bird-safe glass would be installed when glass panes for fire safety are required adjacent to open space, which is anticipated to be the greatest source for potential bird collision. No change has been made to the SEIR as a result of this comment.

K-4: This comment notes that habitat loss is the biggest contributor to bird population decline and thanks the City in protecting bird habitat. This comment does not raise an issue concerning significant project impacts, the environmental analysis or adequacy of the SEIR, and no further response is warranted.

K-5: The commenter requests that the project implement Dark Sky standards for lighting in addition to the existing requirements of the San Diego Municipal Code (SDMC) to reduce light overspill off-site, especially during migration. In addition to compliance with San Diego Municipal Code Section 142.0740, all lighting for lands adjacent to the MHPA are subject to City review and will be required to comply with MHPA Land Use Adjacency Guidelines which requires that all lighting be shielded and directed away from the MHPA to reduce light pollution into the adjacent MHPA lands. Compliance with the MHPA Land Use Adjacency Guidelines required at the program level through mitigation measure SP-LU-1 and at the project level through mitigation measure PR-LU-1. No revisions to the SEIR are required.

K-6: The commenter notes that the project should not incorporate invasive plants into landscaping or open space areas. All landscaping plant palettes for lands adjacent to the MHPA are subject to City review and will be required to comply with MHPA



Comment Letter K

For birds, for people, for the planet.

K-6 cont. necessary responsibility as invasive non-native plants inevitably appear and colonize in landscaping and biological/natural open space. Homeowners associations, maintenance districts and the owner or manager of biological/natural open spaces should all be proactive and responsible for control of invasive plants.

K-7 Additionally, the project should include routine maintenance on graded areas between grading and construction, to prevent colonization and spread of invasive non-native species. This maintenance should be done monthly until project development and landscaping is completed.

K-8 **Schools**
The Plan draft outlines areas designated as potential school sites within the Planning Area if additional schools are needed. Schools in San Diego County, including SYSD, have seen a steady decline in enrollment throughout the past several years, and are considering school closures, it is likely years until the determination can be made to build a school in this area. If the need arises we encourage the designated school sites to be kept as native habitat areas until future planning determines development of a school or the alternative medium-density residential occurs, after 2032. Maintaining native habitat will provide ecosystem health benefits for the village and will decrease monthly invasive species maintenance costs and soil erosion if the site were to be graded awaiting construction.

K-9 **GHG Emissions - CAP**
We would like to echo comments drafted by the Sierra Club San Diego Chapter regarding GHG emissions and the quantification of such emissions over a 100 year period. All infrastructure on site should be electric, solar systems and photovoltaic battery storage should be sufficient to provide one hundred percent of daily electricity usage. Heat pumps should be utilized, and all project landscaping equipment should be electric.

Thank you
Sincerely,

Jim Peugh
Conservation Committee Co-Chair
San Diego Bird Alliance
peugh@cox.net

Muriel Spooner
Conservation Committee Co-Chair
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Land Use Adjacency Guidelines, which prohibit use of invasive non-native plant species. Compliance with the MHPA Land Use Adjacency Guidelines is required at the program level through mitigation measure SP-LU-1 and at the project level through mitigation measure PR-LU-1. No revisions to the SEIR are required.

K-7: The commenter requests routine maintenance on graded areas between grading and construction to prevent colonization and spread of invasive non-native species. All graded areas are subject to best management practices (BMPs) and general construction practices. If the graded site remains undeveloped for more than 7 to 14 days, stabilization measures would be implemented to inhibit erosion and the growth of invasive species, per 40 Code of Federal Regulations (CFR) 450.21(b). This would control the colonization of invasive non-native species during the construction process. No revisions to the SEIR are required.

K-8: This comment recommends that the PAs designated for school development are left as native habitat areas until school or multi-family residential development occurs on the site. Sites are likely to be graded during each PA's phase, as described in Chapter 7 of the Specific Plan and Table 3-4, Grading of the SEIR. PA 16 is expected to undergo grading during Phase 2, while PA 7 is anticipated to be graded during Phase 4. If the graded site remains undeveloped for more than 7 to 14 days, stabilization measures would be implemented to inhibit erosion and the growth of invasive species, per 40 CFR 450.21(b). No revisions to the SEIR are required.

K-9: The commentor requests additional GHG-reduction measures be incorporated into the project design and quantification of GHG emissions over 100 years. Consistent with the City's CEQA Significance Determination Thresholds and as presented in Section 5.18.3.2 of the SEIR, the program-level components

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demonstrated consistency with the relevant General Plan (2024) policies and the City's Climate Action Plan (CAP), and the project-level components demonstrated consistency with the CAP Consistency Regulations set forth in SDMC Sections 143.1410 and 143.1415. Furthermore, all future development within the Specific Plan area would be subject to the City's GHG regulations in effect at the time development is proposed. As a result of the project's compliance with the aforementioned plans and regulations, impacts related to GHG emissions would be less than significant, and no mitigation is required. Additionally, the project would comply with the current version of the California Energy Code and the California Green Building Standards Code, which establish requirements for solar energy systems and energy efficiency. No specific heat pump or landscape equipment policies are incorporated into the Specific Plan, though Specific Plan development would be subject to building codes in effect at the time of building permits and landscape work would be subject to a City-wide electric landscape equipment regulation if established. No revisions to the SEIR are required.

Comment Letter L



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June 23, 2025

Via email to DSDEAS@sandiego.gov

Ms. Dawna Marshall
City of San Diego
Development Services Center
1222 First Avenue, MS 501
San Diego, CA 92101

Re: Comments Regarding the Southwest Village Specific Plan and Beyer Boulevard Extension Subsequent Environmental Impact Report – PRJ-0614791

Dear Ms. Marshall:

L-1 On behalf of the Sierra Club San Diego Chapter (“Sierra Club”), we submit the following comments regarding the Subsequent Environmental Impact Report (“SEIR”) prepared for the proposed Southwest Village Specific Plan and Beyer Boulevard Extension project (“Project”).

L-2 Tri Pointe Homes IE-SD, Inc. (the “Applicant”) has proposed the construction of 5,130 residential dwelling units and 175,000 square feet of commercial and retail uses within a village core area. (SEIR, p. S-2.) The Project’s Specific Plan would guide development within a 490-acre area. The Project would require—among other necessary documents, permits, and modifications—a General Plan Amendment, a Community Plan Amendment, and a rezone. (SEIR, p. 1.) The Project will also require a permit for deviations from the City of San Diego’s (“City”) Environmentally Sensitive Lands (“ESL”) Regulations. (Id. at 1-3.) Additionally, the City would need to either acquire real property or initiate eminent domain proceedings to acquire (1) the land underlying two conservation easements held by the California Department of Fish and Wildlife, and (2) land owned by the County of San Diego for a wildlife preserve. (Ibid.)

L-3 Given the location of this Project in an area identified by the City’s own General Plan Update as “low propensity” for village development, and the necessary permits and land acquisitions it will require, the Sierra Club hoped that the SEIR would study the Project’s potential impacts exhaustively and mitigate those impacts adequately. This was not the case. The SEIR provides

L-4 for no mitigation of greenhouse gas (“GHG”) impacts and no mitigation beyond what the City already requires under its municipal code in relation to the projected increases in Vehicle Miles Travelled (“VMT”). Furthermore, the SEIR’s project description, cumulative impacts analysis, and analysis of land use impacts are sparse and inadequate, which precludes meaningful review

L-5 of the projects impacts, in violation of the California Environmental Quality Act (“CEQA”).

Comment Letter L: Chatten Brown on behalf of Sierra Club San Diego Chapter

L-1: The City acknowledges these introductory comments. They do not raise an issue concerning the environmental analysis or adequacy of the SEIR. Please see the responses below to specific comments.

L-2: This comment accurately summarizes the proposed project. This comment does not raise an issue concerning the environmental analysis or adequacy of the SEIR.

L-3: The commenter’s assertion that the SEIR failed to exhaustively study the project’s potential impacts and adequately mitigate those impacts is a bare conclusion unsupported by any evidence. Environmental impact determinations presented in the SEIR are consistent with and based on the requirements of the State CEQA Guidelines, the City Guidelines for Determining Significance, and technical analyses conducted by qualified technical specialists. Mitigation measures were identified in collaboration with the City, the Wildlife Agencies, and other stakeholders when potentially significant impacts were identified. More specific responses to the commenter’s concerns are provided in responses below.

L-4: The commenter asserts that the project does not include sufficient mitigation related to project GHG emissions and projected increases in VMT. As discussed in SEIR Section 5.18, Greenhouse Gas Emissions, impacts related to GHG emissions were determined to be less than significant and no mitigation is required. See Response K-9 that provides a summary of the GHG analysis.

As detailed in the SEIR Chapter 5.12, project impacts to VMT would be significant. As detailed in SEIR Section 5.12.4.4, the

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project would reduce VMT impacts via mitigation measure SP-TRA-1 for program-level areas and mitigation measure PR-TRA-1 for project-level areas. The proposed mitigation is based on the current City Transportation Study Manual and City requirements, including the Mobility Choices Program and Mobility Choices Regulations and its accompanying Final PEIR (City 2020; Resolution R-313279; State Clearinghouse Number 2019060003). The Mobility Choices Program is a programmatic approach to ensure Citywide VMT reductions and efficient investment in VMT-reducing facilities. The proposed mitigation includes payment of the City's Active Transportation In-Lieu Fee (ATILF), which funds future City transportation improvements in accordance with the Mobility Choices Program to provide for a decrease in VMT. As detailed in SEIR Section 5.12.4.5, impacts related to VMT at both the program and project-level would be significant after mitigation as identified in the Findings and Statement of Overriding Considerations (SOCs) from the Complete Communities: Mobility Choices Final PEIR (City 2020; Resolution R-313279; State Clearinghouse Number 2019060003) incorporated by reference in the SEIR. Per the Complete Communities Findings and SOCs, compliance with the City's Mobility Choices Program regulations is considered mitigation to the extent feasible and no further mitigation is required.

Refer to the Findings and SOCs from the Complete Communities: Mobility Choices Final PEIR for additional details (see SEIR Chapter 11, References Cited).

L-5: The commenter provides a general, unsupported statement that the SEIR's project description, cumulative impacts analysis, and analysis of land use impacts are inadequate. The comment does not identify any specific informational omission by reference to CEQA or provide any support for its bare conclusion to provide a specific response. The project description meets the requirements of CEQA Guidelines Section

Comment Letter L

Marshall
June 23, 2025
Page 2

I. Despite the Project’s Location in a High-VMT Area, the EIR Shortcuts the Required VMT Calculations and Fails to Provide Actual VMT Mitigation

The City updated its 2022 Transportation Study Manual (“TSM”) in accordance with Senate Bill 743. The City’s 2022 TSG provides clear direction about how projects must conduct their transportation analysis under CEQA.

For Trip Distribution, the 2022 TSM clearly specifies: “If a project generates more than 2,400 daily unadjusted driveway vehicle trips, the SANDAG Regional Travel Demand Model shall be used to estimate trip distribution.” (2022 TSG, p. 10.)¹ We were unable to discern whether the EIR complied with this requirement. Please indicate whether it did or not.

For VMT calculations, the TSM requires the following methodology for residential uses:

Residential: For projects that generate less than 2,400 daily unadjusted driveway trips: Identify the location of the project on the SANDAG VMT per Capita map. The project’s VMT per Capita will be considered the same as the VMT per Capita of the census tract in which it is located. Compare the project’s VMT per Capita to the threshold to determine if the impact is significant OR input the project into the SANDAG Regional Travel Demand Model to determine the project’s VMT per Capita.

For projects that generate greater than 2,400 daily unadjusted driveway trips: *Input the project into the SANDAG Regional Travel Demand Model* for SANDAG to provide the project’s VMT per Capita. To perform the analysis, all project land uses should be inputted, and the VMT/Capita should be determined using the same *method/scripts* that SANDAG utilizes to develop the SANDAG VMT per Capita maps.

(TSM, p. 25, emphasis added; *see also* p. 26 [required methodology for commercial uses].)

This Project would generate more than 2,400 daily trips. (SEIR, p. 5.12-11.) The SEIR admits that the Project “would typically be required to be coded into a SANDAG Regional Travel Demand Model, *instead the residential VMT/Capita and VMT/Employee for the project are considered the same as the residential VMT/Capita or VMT/Employee of the census tract where the proposed development is located.*” (*Ibid.*, emphasis added.) Project-specific VMT was

¹ <https://www.sandiego.gov/sites/default/files/10-transportation-study-manual.pdf>

L-6

City’s Significance Determination Thresholds (City of San Diego 2022) and CEQA. Responses to the commenter’s more specific concerns are provided in responses below.

L-6: The commenter asserts that the SEIR fails to comply with the City’s TSM by forgoing use of the SANDAG Regional Travel Demand Model to estimate trip distribution or VMT. As described in Section 7.5 of the LMA (SEIR Appendix J-4), trip distribution for the project was based on a review of existing traffic patterns, surrounding land uses, existing and future network changes, and a Series 13 Year 2012 SANDAG Select Zone Assignment, which was the available model at the time.

The commenter is correct that the SEIR and associated technical reports rely on the screening maps for VMT where the TSM notes modeling would typically be performed. The City accepts this approach for several reasons. First, the screening maps result in the identification of a potentially significant VMT impact and, therefore, do not obscure an impact that might otherwise be potentially significant with modeling. Second, the project would comply with the Complete Communities: Mobility Choices regulations and rely on the Findings and SOCs from the Final Program EIR for Complete Communities: Housing Solutions and Mobility Choices which does not require quantification of project-specific pre- and post-mitigation VMT. Lastly, the SANDAG model for VMT was not publicly available for use at the time the VMT was being evaluated, and model runs performed by SANDAG Service Bureau staff were unavailable due to staffing constraints and priorities. Therefore, the VMT assessment was based on the best available information for the project location, which is SANDAG’s VMT screening maps.

Comment Letter L

Marshall
June 23, 2025
Page 3

L-6
cont.

assessed “based on SANDAG Series 14 Base Year 2016 Regional Travel Demand ABM2+ screening maps.” (SEIR, p. 5.12-15, emphasis added.)

We interpret this to mean that the SEIR only assessed the Project against existing screening maps without performing the required project-specific VMT analysis. Furthermore, the SEIR provides no justification for why the Project information was not coded into a SANDAG Regional Travel Demand Model to calculate VMT.

We request a clear answer on whether the SEIR complied with the City’s TSM.

L-7

Additionally, Project VMT was calculated using default trip lengths. (SEIR, p. 5.9-5.) Default trips lengths are generally set at seven miles, and are appropriate where a project is located in an area that would generate *typical* trips. This project is located in a high-VMT area,² meaning the project will generate higher VMT than is typical. Therefore, the use of default trip lengths obscures the Project’s VMT impacts by failing to acknowledge the Project’s unique location in a high-VMT area. Even with default trip lengths, the Project would generate nearly 143,000,000 VMT annually; this already massive number would be sure to increase had the SEIR actually studied the Project’s anticipated trip lengths.

L-8

Sierra Club is concerned that the SEIR underestimated VMT, therefore precluding an accurate, full payment of the Active Transportation In Lieu Fee (“ATLIF”) required by the City’s Mobility Choices Regulations. Payment of the ATLIF is required for projects situated in Mobility Zone 4, and available as an alternative to the implementation of VMT reduction measures for projects in Mobility Zone 2. (S.D. Muni. Code §§ 143.1103(b)(5), (c).) The SEIR confirms that the Project will be subject to the ATLIF payments (SEIR, p. 5.12-17), and the Project is mapped as largely being sited in Mobility Zone 4, with a portion of the Project extending into Mobility Zone 2.³ The total that the Applicant will pay towards the ATLIF is dependent on the calculated cost-per-unit for the development, which accounts for *excess VMT per capita*.⁴ Thus, if VMT is underestimated for the Project, the payment ultimately made towards the ATLIF will be underestimated and based on incorrect calculations.

The SEIR should disclose the total, accurate VMT that the Project would produce, to ensure that the ATLIF payment is not improperly reduced.

²<https://www.arcgis.com/apps/webappviewer/index.html?id=bb8f938b625c40cea14c825835519a2b/>.

³<https://sandiego.maps.arcgis.com/apps/instant/sidebar/index.html?appid=75f6a5d68aee481f8ff48240bcaa1239>.

⁴ City of San Diego Active Transportation In Lieu Fee Calculator Tool – User Manual at 12 (May 2020), available at <https://www.sandiego.gov/sites/default/files/7-active-transportation-in-lieu-fee-calculator-user-manual.pdf>.

L-7:

The commenter asserts that the SEIR underestimates VMT by using default trip lengths to calculate VMT despite the project’s location in an area with VMT above the regional mean. The discussion of VMT in the SEIR section referenced in this comment relates to VMT informing emission and fuel demand calculation, not VMT as evaluated for potential transportation impacts. The commenter’s statement that default trip lengths are set at seven miles is incorrect. Default trip lengths in the California Emissions Estimator Model (CalEEMod), which are informed by data provided by 2015 California Statewide Travel Demand Model, differ for residential home-work, home-shopping, and home-other trip types as well as for non-residential trips. These trips lengths for the project range from approximately 6.4 to 13.5 miles per trip. For example, the Specific Plan’s annual VMT used for the calculation of pollutant emissions and transportation-related energy demand for residential uses is estimated at 117,079,378 based on the CalEEMod default trip lengths for each residential trip type (refer to Attachment 1 of Appendix B-1, Air Quality Analysis for the Southwest Village Specific Plan). This is far above the annual VMT of approximately 83,892,002 (for year 2035) that would have been estimated for Specific Plan residents based on 17.1 VMT/Capita and 13,441 new residents. Therefore, the use of default trip lengths in air pollutant emission and energy (fuel) demand quantification is conservative and the project is not in a unique location requiring project-specific trip lengths for these modeling purposes. The commenter does not provide substantial evidence that the default trip lengths from CalEEMod result in the underestimation of VMT and no revision to the SEIR is required.

L-8:

The commenter is concerned that the project would be underpaying the City’s ATILF by underestimating project VMT. As described in Response L-7 above, the SEIR does not underestimate project VMT. Different sources for VMT

Comment Letter L

Marshall
June 23, 2025
Page 4

Finally, CEQA requires SEIRs to describe feasible mitigation measures for impacts identified as significant, and these measures must be “fully enforceable through permit conditions, agreements, or other legally-binding instruments.” (Cal. Code Regs., tit. 14, § 15126.4, subd. (a).) The Project’s SEIR admits to significant VMT impacts, both at the program and project level, yet offers no project-specific mitigation. (SEIR, p. 5.12-17.) In fact, the Project offers *no* VMT mitigation other than to comply with the bare minimum requirements of the Mobility Choices Regulations and other applicable ordinances. (SEIR, p. 5.12-17.) Complying with applicable law is not mitigation. This is glaring oversight and reveals an utter lack of effort on the Applicant’s part to comply with CEQA or reduce VMT on-site.

In fact, the City’s own TSM states: “If a project is found to have a significant transportation VMT impact, the impact **must be mitigated** by reducing the project’s VMT per Capita or VMT per Employee.” (TSM, p. 29, emphasis added.) The City’s TSM then provides several feasible mitigation measures that should be included in the SEIR:

- Transit Network Expansion
- Increased Transit Service Frequency/Speed
- Transit Pass Subsidy/Partial Subsidy
- Enhanced Transit Amenities
- Transit Encouragement Programs
- Transit App
- Onsite Transit Pass Outlet (S)
- Bike Share/Micromobility Fleet
- Traffic Calming
- Neighborhood Electric Vehicle Dedicated Network
- Car Share
- Bicycle Riders Guide
- Electric Bicycle/Micromobility Charging Station
- Subsidized Bicycle Expenses
- Bicycle Parking (S)
- Bicycle Supportive Programs
- DIY Bicycle Repair Stand
- Voluntary Commute Trip Reduction Program

(TSM, p. 29-30.)

The City’s TSM also recommends the *provision* of a “mobility hub.” (TSM, p. 30; cf. SEIR p. 5.18-8 [“SEIR notes the Project would only *accommodate* a mobility hub.”].)

L-9

calculation are used for emissions modeling and transportation analysis. The SEIR section referenced by the commenter relates to VMT calculations for emissions modeling, not transportation analysis and the City’s ATILF. The ATILF calculator published by the City is an Excel based program that allows project applicants, developers, and City staff to calculate the ATILF associated with a specific project based on its location, land use, and size (i.e., number of units). It does not rely on VMT used for the calculation of pollutant emissions within an environmental document. The project Applicant would pay the ATILF based on the City’s calculator tool and applicable policies; no improper reduction of the fee amount would occur. No revision to the SEIR is required.

L-9: As stated in Response L-4 above, compliance with the City’s Mobility Choices Program regulations through payment of the ATILF is considered mitigation to the extent feasible for the project’s significant transportation VMT impact. The SEIR CEQA analysis permissibly incorporates by reference the Complete Communities: Mobility Choices PEIR Findings and SOCs (Resolution R-313279; State Clearinghouse Number 2019060003). As the project is mitigating its significant transportation VMT impact to the extent feasible, no additional mitigation is required.

Comment Letter L

Marshall
June 23, 2025
Page 5

L-10 Sierra Club requests that the SEIR analyze and incorporate the following feasible mitigation measures as well:

- Expansion of major transit service to Project or provision of shuttles to nearest service (especially given the City’s own General Plan includes the following policy: “UD-B.1(g): Integrate transit stations or stops into a village site design,” and the SEIR claims to provide a “village core”)
- Higher percentage of affordable housing;
- Include local-serving commercial uses on the ground floor for Residential Mixed-Use;
- Reduce the Project footprint and increase the mixed use near the “center” of the Project area, to truly make the Project “walkable” as claimed by the SEIR;
- Unbundle parking fees (see Blueprint EIR, Measure AQ-1); and
- Develop a Transportation Demand Management Plan with clear objective requirements.

L-11 The Project must calculate and model its VMT as required, mitigate that VMT, and issue a payment to the ATILF that is actually based on the Project’s VMT, not an estimate of VMT that is reliant on default trip lengths and census tract averages.

II. Land Use Impacts are Inadequately Analyzed

A. Inconsistency with the City’s General Plan

L-12 The FEIR for the 2014 Otay Mesa Community Plan (“OMCP”) concluded that the development planned for by the OMCP was “consistent with General Plan (2008) in effect at the time and smart growth principles directing higher residential density communities to be located close to transit, served by existing public infrastructure, and close to major urban amenities and jobs.” (SEIR, p. 8-24.) The Project’s SEIR concludes that there would be less than significant cumulative impacts to land use because the Project would be consistent with the OMCP and “would not result in population growth exceeding that anticipated in the FEIR and associated projections for population and housing in the region.” (*Ibid.*) However, the very nature of the Project requires a mile-long road extension through an environmentally sensitive area just to provide adequate access; this is clearly antithetical to the smart growth principle of siting projects where they can be served by “existing public infrastructure.”

L-13 The SEIR frequently points to the fact that the Project will involve less units than were previously allowed under the OMCP land use designation to suggest that impacts would be less than significant. (*See, e.g.*, SEIR, pp. S-2, 5.6-16, 5.13-12, & 5.16-4.) Yet, the SEIR fails to acknowledge the Project’s inconsistency with the City’s General Plan Update.

L-10: This comment requests the incorporation of mitigation measures such as expansion of major transit service, a higher percentage of affordable housing, and a reduced project footprint, among others, but fails to tie these measures to any significant project impact. Based on the preceding information, it is assumed the commenter is asserting that this suggested mitigation is related to VMT impacts. Refer to Response L-4. Compliance with the City's Mobility Choices Program regulations through payment of the ATILF is considered mitigation to the extent feasible for the project’s significant transportation VMT impact. The SEIR CEQA analysis permissibly incorporates by reference the Complete Communities: Mobility Choices PEIR Findings and SOCs (Resolution R-313279; State Clearinghouse Number 2019060003) and mitigation for VMT impacts identified therein. As the project is mitigating its significant transportation VMT impact to the extent feasible, no additional mitigation is required.

L-11: This is a concluding remark regarding comments L-6 to L-10. Refer to Responses L-6 through L-4 above regarding this comment’s assertion that the project’s analysis and VMT mitigation is inadequate. Also refer to Response L-10 explaining why the commenter’s suggested mitigation is not required of the project.

L-12: The commenter asserts that the project’s provision of new infrastructure is antithetical to smart growth principles. Construction of the Beyer Boulevard extension was addressed in the 2014 OMCP, identified as part of the OMCP Circulation element, and analyzed in the OMCP FEIR. The OMCP states

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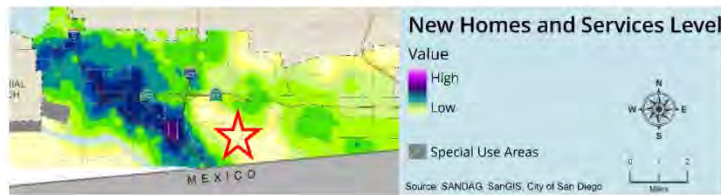
“Beyer Boulevard is proposed to be an east/west connection classified as a 4-lane Major roadway and would link Otay Mesa to the San Ysidro community.” The Beyer Boulevard extension, which is a necessary access component of the project, does not negate the smart growth principles incorporated into the Specific Plan. The OMCP and Specific Plan provide a framework for development of an urban mixed-use center surrounded by residential neighborhoods of graduating intensity. Urban amenities and jobs would be accessible by the planned pedestrian, bicycle, and transit networks. Specifically, the project would provide housing opportunities for those who work in the U.S./Mexico Border Mobility Hub area and incorporates smart growth principles and multimodal infrastructure consistent with strategies in the SANDAG 2021 Regional Plan, as discussed in SEIR Section 5.1.3.2. The project would implement planned growth and necessary infrastructure improvements in tandem with smart growth principles and would therefore be consistent with the OMCP and the General Plan (2024) policies related to smart growth, specifically ME-E.8 and ME-E.11.

L-13: This comment asserts that the project is inconsistent with the General Plan Update (referred to as “General Plan (2024)” in the SEIR) but does not provide any evidence to support this statement. The SEIR’s discussion of the project proposing fewer units than assumed for Southwest Village in the OMCP Final EIR (FEIR; State Clearinghouse Number 2004051076) is appropriate given the OMCP is the applicable land use plan for the area and is considered in other planning documents, including the General Plan (2024). The SEIR also references this decrease in units because, as a subsequent document tiered off the OMCP PEIR, the analysis considers whether impacts of the project are consistent with those identified in the previous document, the OMCP FEIR. Refer to SEIR Section 5.1.3.2 for discussion of the project’s consistency with the General Plan (2024) and OMCP

Comment Letter L

Marshall
June 23, 2025
Page 6

The SEIR provides that the Project would not be inconsistent with the goals and policies of the City's 2024 General Plan Update ("Blueprint SD"), other than with respect to the noise element. (SEIR, p. 5.1-42.) This is plainly untrue. The Project site is located in an area mapped as having low value for village propensity:



Project site marked with red star.
(Blueprint SD, Figure LU-1, Village Climate Goal Propensity.)

As evidenced by the City's own Blueprint mapping, the 5,100+ unit Project is proposed in an area not slated for intensive residential development. In updating its General Plan, the City assured that projects proposed after the adoption of Blueprint SD would comply with this map, "future CPUs, Specific Plans, and/or FPAs would be evaluated for consistency with the General Plan policy framework including the Village Climate Goal Propensity Map." (Blueprint SD PEIR, p. RTC-657, emphasis added.) Yet, the SEIR fails to even mention this map, let alone address the inconsistency between the Project's location and Blueprint SD. This is a material omission that undermines the EIR's role as an informational document. The SEIR even claims, "The project is also consistent with the vision and objectives of Blueprint SD ... as it proposes development of a multimodal community village." (SEIR, p. 8-24.)

Additionally, "[a]ny specific plan or other plan of the city . . . that is applicable to the same areas or matters affected by a general plan amendment shall be reviewed and amended as necessary to make the specific or other plan consistent with the general plan." (Gov. Code § 65359.) Thus, the Specific Plan must be brought into compliance with the latest general plan, Blueprint SD.

Here, the Project would require the adoption of a Specific Plan, which was first envisioned in the 2014 OMCP. (SEIR, p. S-1.) The Specific Plan cannot be inconsistent with Blueprint SD, and must be revised if inconsistency would arise. Because Blueprint SD specifically identifies this area as having low propensity for development, the fact that the Project would result in less units in the planning area than first envisioned in the 2014 OMCP is irrelevant; the 2024 Blueprint SD

FEIR Section 5.1.3.1 for analysis of the OMCP's consistency with the General Plan (2008). Also refer to Response L-14 below for a more detailed response to the commenter's assertion that the project is inconsistent with the General Plan (2024).

L-14: The commenter asserts that the project is inconsistent with Blueprint SD (referred to as "General Plan (2024)" in the SEIR) because it is proposed in an area mapped as having a low value for village propensity. Several assertions in this comment represent a misunderstanding of the General Plan (2024); it is not a site-specific land use plan and the Village Climate Goal Propensity Map does not require future development to occur within "high value" areas. As specifically stated in the General Plan (2024) Program EIR (PEIR; State Clearinghouse Number 2021070359), "Although opportunities for new development would likely be focused in these Climate Smart Village Areas, future CPUs [community plan updates], Specific Plans, and FPAs [focused planning areas] could also plan for development outside these Climate Smart Village Areas (i.e., areas with a village propensity value of 1 through 6) where considered appropriate for the surrounding area." Rather than assigning site-specific land uses, the General Plan (2024) provides a strategy for future land use planning that places more residences and employment options near existing transit. It assumes that development in the City will continue to occur as directed by existing community plans, such as the OMCP. Therefore, in the case of the project, the General Plan (2024) assumes development in the project area consistent with the OMCP and does not change the existing land use framework of the OMCP. As described in comment L-13, the project proposes slightly less intensive development than assumed in the OMCP. Lastly, omission of SEIR discussion specific to the noted figure from the General Plan (2024) PEIR also does not make the SEIR's analysis of General Plan (2024) consistency inadequate; SEIR Section 5.1.3.2 provides a review of the goals and policies of the General Plan (2024) and finds the project to be consistent

| <p style="text-align: right;">Comment Letter L</p> <p>Marshall June 23, 2025 Page 7</p> <p>L-15 cont. ↑</p> <p>supersedes the 2014 community plan, and the new Specific Plan must primarily be evaluated for consistency with the overriding plan.</p> <p>The SEIR fails to adequately perform this analysis or explain how this development could be consistent with the area’s designation of low propensity for development.</p> <p>L-16</p> <p>Additionally, the EIR prepared for Blueprint SD includes the following mitigation measure:</p> <p>MM-BIO-1 – Impacts to Sensitive Biological Resources Future projects that could directly and/or indirectly impact sensitive species, sensitive habitats and/or wetlands shall comply with the City’s Environmentally Sensitive Lands (ESL) Regulations . . . and shall implement avoidance, minimization, and mitigation measures in accordance with the City’s ESL Regulations . . .</p> <p>(Blueprint SD EIR, p. 4.3-68.)</p> <p>This Project would require a permit for a deviation from the City’s ESL Regulations. (SEIR, p. 1-3.) To be consistent with Blueprint SD’s MM-BIO-1, the SEIR should study ways to avoid requiring a deviation from the City’s ESL Regulations, and instead determine if it is feasible to comply by configuring the Project in a different manner.</p> <p>L-17</p> <p>B. <u>The SEIR Failed to Adequately Analyze Consistency with SANDAG’s Regional Plan</u></p> <p>Similarly, the SEIR claims consistency with the SANDAG 2021 Regional Plan:</p> <p>Policies within the Specific Plan would serve to promote the development of the regional plan’s concept of mobility hubs to concentrate future development. Mobility hubs are communities with high concentrations of people, destinations, and travel choices. Therefore, the proposed project would not be inconsistent with the SANDAG 2021 Regional Plan.</p> <p>(SEIR, p. 5.1-41.)</p> <p>While the Project site is located within the Regional Plan’s broadly identified “Gateway Mobility Hub,” it is not located in a future transit priority area,⁵ nor is it located where jobs and housing units are predicted to dramatically increase:</p> <p>⁵ The “Gateway Mobility Hub” is defined by its “key entry points into the 5 Big Moves network.” In contrast, “Transit Priority Area” refers to an area within half a mile of a “major transit stop.” (SANDAG 2021 Regional Plan, p. 33.)</p> | <p>except for the specific limited policies noted within the noise, public services and facilities, and historic preservation elements. These inconsistencies are not relevant to the mapping of village propensity.</p> <p>L-15: The commenter asserts the Specific Plan must be amended for compliance with the General Plan (2024) and makes further comments regarding the propensity for development identified in the General Plan (2024) and the relationship between the General Plan (2024) and existing OMCP. Refer to Response L-14 above. The SEIR properly analyzes project consistency with the General Plan (2024). The Village Climate Goal Propensity map within the General Plan (2024) is not a site-specific land use plan and does not require future development to occur within “high value” areas. The map does not override or amend the existing OMCP and the land use designations identified therein. As specifically stated in the General Plan (2024) Program EIR (PEIR; State Clearinghouse Number 2021070359), “[a]lthough opportunities for new development would likely be focused in these Climate Smart Village Areas, future CPUs [community plan updates], Specific Plans, and FPAs [focused planning areas] could also plan for development outside these Climate Smart Village Areas (i.e., areas with a village propensity value of 1 through 6) where considered appropriate for the surrounding area.” The boundaries of these Climate Smart Village Areas could shift in the future. As updates to SANDAG’s Regional Plan and the regional transportation network occur, the village propensity values identified in the Village Climate Goal Propensity Map could be adjusted depending on an area’s village characteristics and proximity to transit and could result in new Climate Smart Village Areas where opportunities for new development would likely be focused. No changes to the Specific Plan are required and its consistency with both the OMCP and General Plan (2024) are addressed at SEIR Section 5.1 <i>Land Use</i>.</p> |
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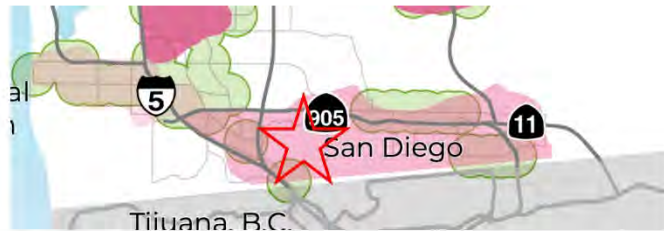
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L-16: The commenter requests that the SEIR study ways to avoid requiring a deviation from the City's ESL Regulations, consistent with MM-BIO-1 of the General Plan (2024) PEIR. The project tiers from the OMCP FEIR and its mitigation framework. The ESL Regulations allow for deviations if certain findings and criteria can be met. Consistent with MM-BIO-1, the SEIR complies with the City's ESL Regulations related to biological resources, which provide guidelines for when a wetland deviation is acceptable, including when impacts occur under the Essential Public Projects Option and under the Biologically Superior Option (BSO) as noted in Section 5.4.7.2.c of the SEIR. Additional detail is provided in Section 7.1.2.4.b of the Biological Resources Report (SEIR Appendix C), which includes an alternatives analysis for the BSO as required by ESL regulations. The BSO was reviewed by City of San Diego, USFWS, and CDFW, and approval for the BSO Wetland Deviation was provided on January 31, 2025 (see Attachment 10 of Appendix C of the SEIR). The project is consistent with City's ESL Regulations related to biological resources through this analysis, and subsequent approvals would also be subject to the City's ESL regulations. No significant impacts are identified and no revisions to the SEIR are required.

L-17: The commenter asserts that the project is inconsistent with the 2021 SANDAG Regional Plan because the Regional Plan growth map for 2050 does not show growth in jobs or housing in the Specific Plan area. The SANDAG 2021 Regional Plan draws upon local plans that are adopted in the region to create a cohesive blueprint for the region; the Specific Plan area was identified by the OMCP for future development and the SANDAG 2021 Regional Plan incorporates land uses included within adopted community plans. However, the SANDAG 2021 Regional Plan is not a regulatory document and SANDAG has no land use authority in the City. Put differently, the SANDAG 2021 Regional Plan does not regulate the project or its land use. As noted by the commenter, growth is planned for this area in the

Comment Letter L

Marshall
June 23, 2025
Page 8



Gateway Mobility Hub shown in light pink, 2035 Potential Transit Priority Areas shown in green. Project marked with red star. (SANDAG 2021 Regional Plan, p. 33.)



Each blue dot represents 50 new jobs in 2025; each yellow dot represents 50 housing units in 2050. Project marked with red star. (SANDAG 2021 Regional Plan, App'x F, p. F-16.)

Notably, the Regional Plan growth map for 2050 shows *no* growth in jobs or housing units in the area of the Project-site. This undercuts the SEIR's assertion that the Project is already included in the City's land use assumptions, as the Regional Plan assumptions clearly do not include the Project despite this map being released well after the 2014 OMCP was finalized.

Additionally, the US Border/Gateway Mobility Hub does not appear to have been slated for intense residential development; rather, it "offers a unique opportunity to improve the regional travel experience for people and vital goods crossing the International Border in both directions daily." (SANDAG 2021 Regional Plan, p. 33.) SANDAG's 2021 Regional Plan does not support the placement of more than 5,000 housing units in an area that is not predicted to see

L-17
cont.

applicable OMCP land use plan, and the lack of certain SANDAG maps reflecting such growth does not change the applicability of the governing land use plan. While not a land use plan, the SANDAG 2021 Regional Plan does provide guidance for smart growth in the region. The project would provide housing opportunities for those who work in the U.S./Mexico Border Mobility Hub area identified in the SANDAG 2021 Regional Plan and incorporates smart growth principles and multimodal infrastructure consistent with strategies in the SANDAG 2021 Regional Plan. As was identified in the SEIR Section 5.1.3.2, no inconsistency with the SANDAG 2021 Regional Plan would occur and therefore no significant impact related to inconsistency with the SANDAG 2021 Regional Plan would occur.

Comment Letter L

Marshall
June 23, 2025
Page 9

L-17
cont.

simultaneous job growth simply because the area is mapped as a mobility hub due its importance to people and goods crossing the border.

In fact, SANDAG's 2021 Regional Plan clearly depicts that much of the Project site is comprised of conserved habitat lands and proposed conserved habitat lands:



Light green represents conserved lands; dark green represents lands proposed for conservation. Project marked with red star. (SANDAG 2021 Regional Plan, App'x AA, p. AA-6.)

L-18

The 2021 Regional Plan provides, “[i]t is important to protect species and their habitats to prevent extinction in San Diego County. This means protecting existing habitats, maintaining, restoring, and monitoring native species and their habitats; and acquiring high-priority, ecologically important land.” (App'x AA, p. AA-7.) This Project will not protect existing habitats, but rather, bisect it with development and road extensions. Yet, the SEIR entirely fails to analyze this inconsistency and summarily declares consistency with the 2021 Regional Plan.

C. The SEIR Fails to Study the Project's Inconsistency with the City's CAP

The GHG Analysis prepared for the Project analyzes the Project's consistency with the City's Climate Action Plan (“CAP”), concluding for each and every CAP measure that the Project is either consistent or that the measure is not applicable. (SEIR, App'x N, pp. 47-69.) However, this cursory analysis fails to disclose the Project's inconsistencies with the CAP.

L-19

For example, CAP Measure 3.5 delineates clear actions to demonstrate compliance, including to “[f]ocus new development in areas that will allow residents, employees and visitors to safely, conveniently and enjoyably travel as a pedestrian, or by biking, or transit, such as in Transit Priority Areas (TPAs), and areas of the city with the lowest amount of vehicular travel.” (CAP, p. 64.) The GHG Analysis provides that the Project is consistent with CAP Measure 3.5 because “[w]hile not currently designated a TPA, the Specific Plan would result in densities and transit connection that may support future designation of the area as a TPA.” (SEIR, App'x N, p. 56.)

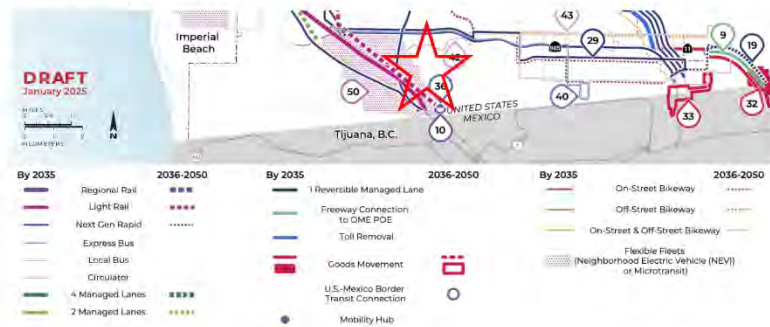
L-18: The commenter asserts that the project is inconsistent with the SANDAG 2021 Regional Plan because the SANDAG 2021 Regional Plan depicts habitat conservation in the Specific Plan area. The SANDAG 2021 Regional Plan is not a regulatory document and SANDAG has no land use authority over the Specific Plan area. The SANDAG 2021 Regional Plan draws upon adopted local plans in the region. The Specific Plan was identified by the OMCP and the SANDAG 2021 Regional Plan incorporates land uses included within community plans. The proposed development area of the Specific Plan is shown as white in the graphic presented in this comment; meaning the Specific Plan development area is not identified for habitat conservation. The mapped area referenced in the comment appears to align with the existing conservation areas shown in Figure 2-5, MHPA and VPHCP Conservation Areas of the SEIR. As discussed in SEIR Section 3.4.5.3, the project designates approximately 185 acres as open space, which is roughly 126 more open space acres than the 59 open space acres anticipated in the OMCP. The additional open space and MHPA/VPHCP conserved areas added as a result of the Specific Plan are shown in Figures 3-44 and 3-45, Post-Project MHPA Boundary and VPHCP 100% Conserved Lands of the SEIR. The project would therefore exceed the open space assumptions presented in this comment. In addition, the project includes wildlife crossing features as described in SEIR Section 3.6.2.1(d) to allow wildlife movement across the proposed extension of Beyer Boulevard West. No inconsistency and no significant impact related to any inconsistency with the SANDAG 2021 Regional Plan have been identified.

L-19: The commenter asserts that the project is inconsistent with the City's CAP, in part because it is not in an existing Transit Priority Area and does not include new transit connections. Consistency with CAP Measure 3.5 is not dependent on either of these factors. CAP Measure 3.5 focuses on providing multimodal transit opportunities such that there is a shift from

Comment Letter L

Marshall
June 23, 2025
Page 10

The Project cannot claim consistency with the CAP by pointing to a potential future designation as a TPA, particularly when the Project itself is not proposing any new transit options. Rather, the Project merely proposes a “mobility hub” that would include “bus staging areas for a planned future transit connection.” (SEIR, p. 3-18, emphasis.) Furthermore, SANDAG’s 2025 Draft Proposed Regional Plan Transportation Network indicates that **no transit is planned near the Project site, even through 2050**:



SANDAG map indicating that no transit is planned in the Project area through 2050. Project marked with a red star.⁶

“[A]n agency may abuse its discretion under CEQA either by failing to proceed in the manner CEQA provides or by reaching factual conclusions unsupported by substantial evidence.” (*Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, 512; Pub. Res. Code § 21168.5.) Substantial evidence does not support the City’s determination that this Project is CAP-consistent merely because transit may be provided later. (*See* Cal. Code Regs., tit. 14, § 15384, subd. (a), “[a]rgument, speculation, unsubstantiated opinion or narrative . . . [do] not constitute substantial evidence”.) Reliance on speculative, unsupported conclusions in this manner is a violation of CEQA.

The City is painting the Project as “smart growth” and climate friendly, yet has utterly failed to analyze the fact that SANDAG projects very little growth in this specific area of Otay Mesa, and

⁶ SANDAG’s 2025 Draft Proposed Regional Plan Transportation Network at 10, <https://www.sandag.org/-/media/SANDAG/Documents/PDF/regional-plan/2025-regional-plan/2025-draft-proposed-regional-transportation-network-eng.pdf>.

vehicular travel to less GHG-emission intensive modes of transportation. The Specific Plan is consistent with this measure. Its mobility plan comprehensively addresses all users to provide a balanced multi-modal complete streets approach and provide connectivity to surrounding communities, as well as the proposed Village Core and mobility hub. Refer to the discussion of consistency with this measure in SEIR Table 5.18-3, Program-Level Climate Action Plan Consistency Analysis for the Southwest Village Specific Plan for further information. As part of the Specific Plan process, the Applicant discussed new public transit connections in the Specific Plan area with MTS. MTS did not identify any near term specific transit improvements within the Specific Plan area. While the Specific Plan provides for a Village Core and land use patterns that encourage the incorporation of public transit service as buildout of the Specific Plan occurs, the provision of public transit is ultimately the responsibility of local transit agencies and is beyond the control of the project Applicant and the City. Based on the preceding discussion, the commenter’s map from SANDAG does not affect the conclusions relative to project CAP consistency. Ultimately, the SEIR GHG impact analysis is based on the thresholds in the City of San Diego Significance Determination Thresholds (City 2022), which were utilized to determine project GHG impacts as explained in the SEIR Sections 5.18.3.1 and 5.18.4.1. SEIR Section 5.18.4.2 identifies no project inconsistency with the CAP; therefore, no revision to the SEIR is required.

L-20: The commenter states the SEIR does not provide substantial support for the consistency determination as the General Plan (2024), SANDAG’s 2021 Regional Plan, and the City’s CAP analysis is based on transit being provided later. See Responses L-12 through L-19 above regarding these assertions. As noted in these responses, the SEIR provides substantial evidence supporting the conclusion that the project is consistent with the

Comment Letter L

Marshall
June 23, 2025
Page 11

L-20
cont.

further failed to address the Project’s inconsistencies with Blueprint SD, SANDAG’s 2021 Regional Plan, and the City’s CAP.

Furthermore, the election to not quantify the Project’s GHG emissions is particularly confounding given the Project’s inconsistencies with Blueprint SD and the CAP. The CAP sets a clear city-wide target to achieve net zero GHG emissions by 2035. (CAP, p. 18.) To achieve this goal, the CAP sets a target of a 15% VMT reduction per capita by 2035. (*Id.* at 64.) This Project is in a high-VMT area, where VMT is projected to be 102.8% of the regional mean in 2035.⁷ As discussed above, this area is also mapped as having low propensity for village development in Blueprint SD. Yet, the SEIR failed entirely to quantify the Project’s GHG emissions, electing instead to perform a cursory analysis of the Project’s “consistency” with the CAP.

Because this Project is not consistent with the CAP or Blueprint SD, as established through this letter, the Project must quantify its GHG emissions to demonstrate that it will achieve net-zero and would therefore not compromise city-wide goals for climate action. According to a February 2025 Planning Department Memoranda regarding CAP consistency determinations:

L-21

Plans and policies that are not consistent with the CAP **must prepare a comprehensive analysis of GHG emissions, including quantification of existing and projected GHG emissions** and incorporation of the measures in the CAP Consistency Regulations to the extent feasible. Cumulative GHG impacts would be significant for any plan or policy that is not consistent with the CAP.

(Exhibit A, emphasis added.)

This quantification should account for emissions over the Project’s lifetime, not just over an arbitrary period (i.e., 30 years). Additionally, this quantification should account for the *entire* Project’s buildout, not just a select phase of Project development, and should rely on reasonable assumptions for the Project’s operation rather than inputting default numbers that fail to capture the Project’s actual impacts. Quantification of GHG emissions in this manner, and the achievement of net zero GHG emissions, could provide transparency regarding the Project and demonstrate consistency with the CAP.

L-22

III. The Project Fails to Provide Any Mitigation for GHG Impacts

The SEIR asserts that program- and project-level impacts associated with the Project would be less than significant. (SEIR, p. 5.18-24.) This determination is based on the fact that the Project is consistent with the City’s CAP land use assumptions and would incorporate the project-

⁷<https://www.arcgis.com/apps/webappviewer/index.html?id=bb8f938b625c40cea14c825835519a2b/>.

City’s CAP and properly analyzes project consistency with the noted planning documents.

L-21: The commenter asserts that the SEIR must quantify the project’s GHG emissions to demonstrate consistency with the City’s CAP. See Responses L-12 to L-15, L-19, and L-20 above; the project has demonstrated consistency with the City’s CAP. Refer also to Responses L-22 and L-23 below for further discussion of CAP consistency. Consistent with CEQA Guidelines section 15064.4, when determining the significance of GHG impacts, the lead agency should consider the extent to which the project complies with requirements adopted to implement a local plan for the reduction or mitigation of GHG emissions, i.e., here the CAP. In addition, a lead agency shall have discretion to determine whether to rely on a qualitative analysis or performance-based standards or quantify GHG emissions. Quantification of project GHG emissions is not required. Consistent with the City’s CEQA Significance Determination Thresholds (City of San Diego 2022), the program-level components demonstrated consistency with the relevant General Plan (2024) policies and the City’s CAP, and the project-level components demonstrated consistency with the CAP Consistency Regulations set forth in SDMC Sections 143.1410 and 143.1415. Quantification of existing and projected GHG emissions is only required for plans or policies that do not comply with the CAP Consistency Regulations or projects that are inconsistent with the land use and zoning designations, would increase density outside a TPA, and would result in more GHG emissions when compared to the land use and zoning designations (City of San Diego 2022). The project is consistent with the CAP Consistency Regulations as well as the land use

Comment Letter L

Marshall
June 23, 2025
Page 12

L-22 cont. ↑ specific requirements set forth in the CAP. (*Id.* at 5.18-23.) We were unable to independently verify that assertion that the Project was included in the CAP’s land use assumptions, and respectfully request that the City points us to where in the CAP that the Project’s land use assumptions are included.

L-23 ↓ Additionally, even if the land uses provided for by the 2014 OMCP were considered in the 2022 CAP, the OMCP or Specific Plan must still be amended to be consistent with the 2024 Blueprint SD. (*See* Section II.A.) Land use assumptions incorporated into documents that preceded Blueprint SD must still be evaluated against the City’s new General Plan policies.

L-24 ↓ As detailed throughout Part II, the Project is inconsistent with both the CAP and Blueprint SD. Compliance with the CAP serves as the threshold for determining whether a Project will result in a significant GHG impact. (SEIR, p. 5.18-24.) In light of the Project’s inconsistency with the CAP, the Project would result in a significant GHG impact. Such impacts must be mitigated in accordance with CEQA. (*See* Cal. Code Regs., tit. 14, § 15126.4, subd. (a).)

L-24 ↓ Additionally, the SEIR appears to be reliant on now-rescinded assumptions, stating, “Project fuel consumption is anticipated to decline over time beyond the initial operational year of the project as a result of continued implementation of increased federal and state vehicle efficiency standards.” (SEIR, p. 5.9-6.) In particular, the SEIR notes, “[r]ecent updates to vehicular emissions standards . . . include the Advanced Clean Cars II regulations.” (SEIR, p. 5.9-2.) However, the programs that the SEIR references are no longer in effect or at risk of being revoked. For example, the California Air Resources Board’s (“CARB”) Advanced Clean Cars regulations would have transitioned the State to only selling new electric vehicles by 2035.⁸ This rule was recently revoked by the Senate and is likely to be signed into law, effectively dismantling the State’s ability to regulate vehicle efficiency standards in a climate-friendly way. Similarly, the State elected not to continue to pursue implementation of CARB’s Advanced Clean Fleets regulations, which would have paved the way for zero-emissions trucking fleets.⁹ The SEIR cannot rely on inapplicable or rescinded programs to assert that the Project’s impacts will be less significant. The SEIR’s analysis—and in particular, its evaluation of GHG impacts—must be revised according to the law actually in effect.

L-25 ↓ The SEIR also fails to consider the Project’s compliance with CARB’s 2022 Scoping Plan (“Scoping Plan”), including Appendix D to the Scoping Plan, which includes local actions. The

⁸ Tony Briscoe, *Senate Votes to Overturn California’s Landmark Ban on New Gas-Only Car Sales*, L.A. TIMES (May 22, 2025), <https://www.latimes.com/environment/story/2025-05-22/senate-votes-in-bid-to-overturn-california-gas-only-car-ban>.

⁹ Russ Mitchell, *California Drops Zero-Emission Truck Rules after Inaction by Biden’s EPA*, L.A. TIMES (Jan. 15, 2025), <https://www.latimes.com/environment/story/2025-01-15/biden-epa-declines-to-protect-california-zero-emission-truck-regulations>.

and zoning designations, and quantification of GHG emissions is not required. Refer to Section 5.18.3.2 and the City’s Significance Determination Thresholds (City of San Diego 2022) for further details. While there are notably incorrect statements in the comment provided, the remainder of this comment pertaining to how to quantify emissions is moot, as no quantification is warranted. No revisions to the SEIR are required.

L-22: This comment requests clarification about where in the CAP the project’s land use assumptions are included. The GHG emission calculation methodologies for the CAP are provided in Appendix B of the CAP, which describes that the CAP relies on SANDAG projections of population, housing units, and jobs and uses those estimates along with emissions factors for each source type to develop forecasts. Specifically, the 2019 population and housing estimates utilized in the City’s CAP are from SANDAG: Demographic & Socio-Economic Estimates for San Diego (August 19, 2020 Version). Years 2030, 2035, and 2050 data are based on SANDAG Series 14 Draft 2021 Regional Plan Growth Forecast, provided by SANDAG (June 2021). SANDAG projections are based on adopted plans, including the OMCP. As previously described, the SEIR considered potential GHG impacts of the project according to the City’s CEQA Significance Determination Thresholds, which direct impacts to be determined through consistency with General Plan and CAP strategies at the program level and through a demonstration of land use consistency and adherence to the CAP Consistency Regulations at the project level. Based on these thresholds, Section 5.18.3.2 of the SEIR and Section 5.2.1 of the Greenhouse Gas Analysis (SEIR Appendix N) describe how the project proposes less emissions-intensive development for the Specific Plan area than anticipated in the applicable land use plan for the area, which is the adopted OMCP. The project is therefore consistent with its applicable land use plan and no conflict with step one of the City’s project-level threshold for GHG impacts would occur.

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Therefore, the SEIR discussion of land use consistency relative to GHG emissions remains adequate and in compliance with the City's CEQA Significance Determination Thresholds.

L-23: The commenter alternately asserts that the Specific Plan must be amended to be consistent with the General Plan (2024) and that the project's inconsistency with the CAP would result in GHG impacts requiring mitigation. See Responses L-14, L-15, and L-19 through L-22 above regarding the commenter's assertion that the project is inconsistent with the General Plan (2024) and the City's CAP. As provided in those responses, there is no showing of project inconsistency with the General Plan (2024) policies and CAP resulting in a significant impact, and GHG impacts would be less than significant. As such, no mitigation for GHG emissions is required or appropriate.

L-24: The commenter asserts that the SEIR must be revised to remove the California Air Resources Board's (CARB's) Advanced Clean Cars II and Advanced Clean Fleets regulations, which are in the process of being revoked. Multiple topics are incorrectly conflated in this comment – the comment discusses regulations from and quotes Section 5.9, Energy, of the SEIR while the commenter states that this change in regulations results in the need to revise the SEIR GHG analysis. The GHG impact analysis is based on consistency with the City's CAP and not the regulations mentioned in this comment; therefore, no change to the GHG analysis in the SEIR is required. The GHG emissions considered in the CAP do not rely on Advanced Clean Cars II regulations; CAP modeling relied on EMFAC2021 version 1.0.1, which accounts for regulations adopted through 2020. Additionally, the SEIR does not rely on these regulations being in place to determine project energy impacts would be less than significant. Instead, the SEIR notes there would be a decrease in transportation-related energy demand from what was anticipated in the OMCP FEIR and the proposed mixed-use village with multimodal connections reduces transportation-

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related energy use. While the revocation of these regulations does not impact the analysis conducted in the SEIR, Section 5.9.2.2 has been revised to acknowledge recent legislative events affecting clean vehicle standards.

L-25: The commenter notes that the project was not evaluated for consistency with CARB's 2022 Scoping Plan despite the OMCP FEIR identifying a significant and unmitigable GHG emissions impact for OMCP buildout. First, the OMCP FEIR's conclusion does not necessitate the SEIR to analyze consistency with the 2022 Scoping Plan. The significant GHG emissions impact identified in the OMCP FEIR was based on a different threshold for GHG emissions analysis than is considered in the SEIR. More specifically, the threshold considered in the OMCP FEIR was based on the state's 2020 targets for GHG emissions reductions, which have now been superseded by targets for future years. While the project is consistent with the OMCP as a land use plan, the SEIR evaluated its potential impacts against the City's current thresholds for GHG emissions impact analysis. The City's CEQA Significance Determination Thresholds (2022) require analysis of consistency with the City's CAP and do not address CARB Scoping Plans. Refer to SEIR Section 5.18.3.1 for further discussion of the applicable significance thresholds.

References by the commenter to local actions and mitigation in Appendix D of the 2022 Scoping Plan are misleading. Appendix D of the 2022 Scoping Plan provides examples of actions that agencies may apply in either local climate planning or project-level review under CEQA. This guidance is intended to support local agencies in meeting and understanding state climate goals but does not mandate implementation of particular measures. Per Appendix D of the 2022 Scoping Plan, it "is not regulatory but is instead intended to provide clarification on specific topics requested by planners, CEQA practitioners, and community groups in response to challenges local jurisdictions face when implementing GHG reduction strategies or approving much-

Comment Letter L

Marshall
June 23, 2025
Page 13

L-25
cont.

OMCP FEIR determined that buildout of the OMCP would result in a cumulatively significant impact to GHG emissions, because the OMCP would only reduce GHG emissions by 9.1 to 11.4%, which fell well short of the City’s goal of 23.8%. (SEIR, p. 5.18-7.) Thus, the very plan that this Project claims consistency with would have resulted in a significant impact. Yet, the Project itself was never evaluated against the Scoping Plan, effectively obscuring the Project’s impacts and allowing the Applicant to evade meaningful mitigation.

L-26

Finally, we appreciate the Applicant’s willingness to commit to an all-electric Project with no natural gas. (SEIR, p. 5.18-12.) However, this design feature must be incorporated as a binding, enforceable mitigation measure, not just mentioned in a comment regarding the Project’s consistency with the CAP. Additionally, the SEIR should clarify whether solar will be incorporated sufficient to meet the Project’s energy demands, or whether solar will be provided consistent with the 2022 Energy Code or will meet an exemption provided therein.

IV. The SEIR’s Project Description is Inaccurate

The SEIR states that Project is located within a Sustainable Development Area (“SDA”), because a portion of the land underlying the Specific Plan area falls within an SDA. (SEIR, p. 5.1-39.)

A portion of the Project is located within a SDA,¹⁰ which, due to the City’s recent land use code changes, means that the entire area will be classified as an SDA despite it lacking any transit. (S.D. Muni. Code §§ 122.0107(a), 113.0103 [“an adopted specific plan prepared in accordance with section 122.0107(a), shall be within the *Sustainable Development Area* if the *Sustainable Development Area* is within a portion of the adopted specific plan”].) The boundaries of an SDA are determined based on *walking* distance to a major transit stop. (S.D. Muni. Code § 113.0103(a).)

L-27

¹⁰<https://webmaps.sandiego.gov/portal/apps/webappviewer/index.html?id=0295d35b03a14d929d3459fe0b9b50cf>.

needed housing projects.” An analysis of consistency with the 2022 Scoping Plan is not necessary for the project, as a location-specific CAP applies. In summary, the SEIR properly considered the GHG emissions impacts of the project according to the City’s CEQA Determination Thresholds and found the impacts to be less than significant. As such, no mitigation was required.

L-26:

The commenter suggests incorporating all-electric project design as a mitigation measure and asks for further detail about whether solar panels will be incorporated into the project. There is no significant impact of the project requiring mitigation related to electricity use or the use of natural gas. As such, there is no nexus for a mitigation measure requiring all-electric development.

Specific details about the installation of solar panels for renewable energy generation are not available at this stage of project planning. As such, the resulting energy output is unknown and it cannot be confirmed whether the project would generate solar energy equivalent to its energy demand. Regarding whether solar panels would be incorporated consistent with the 2022 Energy Code, please note that future development projects would be subject to the iteration of the Energy Code in effect during the building permit process. Therefore, while each future development would be required to comply with the applicable Energy Code, it is not known what the applicable requirements for solar panels or renewable energy would be for each future development project. It is possible that future development would meet an exemption to the typical solar requirements of the Energy Code. The project would comply with the Energy Code; however, no additional detail of solar energy generated in the Specific Plan area is available at this time.

Comment Letter L

Marshall
June 23, 2025
Page 14

The City's map of SDAs includes the following portion of the Project site:



Sustainable Development Areas indicated in blue; specific plan areas indicated in gray.¹¹

Despite what is reflected on the City's maps, this route is hardly walkable. In fact, the Project is located in an area that is functionally inaccessible from nearby transit hubs:

¹¹<https://sandiego.maps.arcgis.com/apps/instant/sidebar/index.html?appid=75f6a5d68ace481f8ff48240bcaa1239>.

L-27: The commenter asserts that the SEIR's project description is inaccurate because the project site is not walkable despite being classified as a Sustainable Development Area by the City. This comment does not raise an issue regarding the environmental analysis or adequacy of the SEIR and no further response is warranted. SEIR Section 5.1.2.1(l) correctly states that the Specific Plan is considered an SDA because a portion of the Specific Plan area is within an SDA, as shown on the City's website (City 2026, <https://webmaps.sandiego.gov/portal/apps/webappviewer/index.html?id=0295d35b03a14d929d3459fe0b9b50cf>). However, the SEIR simply discloses the project's location within an SDA to provide land use context but does not rely upon the project's location within an SDA in the environmental analysis. Refer to Response L-30 below, which discusses the Complete Communities Housing Program. Regarding the commenter's claim that the project site is not walkable, the Village Core has been designed to incorporate a mix of uses and high-density residential development for a pedestrian-oriented design. The Design Policies for commercial uses within the Village Core emphasize creating a safe and welcoming environment for pedestrians. Building frontages are encouraged to have seating areas, plazas, paseos, green spaces, or parks. Additionally, parking and garage areas should be screened from the streets and located internally to the block. The project is not required to provide links to nearby transit hubs, but the project includes a pedestrian connection along Beyer Boulevard to San Ysidro that includes the San Ysidro Transit Center. The project is consistent with the Sustainable Development Area, the project description is adequate, and revisions to the SEIR are not required.

L-27
cont.

Comment Letter L

Marshall
June 23, 2025
Page 15

L-27
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Topographical map of the surrounding area. Project marked with red star; nearby transit marked with yellow.¹²

Pedestrian travel between the Project site and nearby transit would require traversing steep natural slopes or the new Beyer Boulevard with more than 400 feet of elevation gain. These transit options can hardly be considered “accessible” to Project resident pedestrians and the intensity of these routes would effectively bar pedestrian use of these transit hubs. Therefore, the classification of this Project as being located within an SDA is arbitrary.

L-28

As detailed in Part II, the Project is primarily situated in Mobility Zone 4, which is defined as “*VMT inefficient*” because the “average number of vehicle miles travelled per capita or per employee is greater than 85% of the region.”¹³ Therefore, according to the City’s own maps, the Project site is VMT inefficient. The Project merely suggests that future transit will be built, but provides no immediate transit and refrains from making a binding commitment to provide it in the future.

¹² <https://ngmdb.usgs.gov/topoview/viewer/#15/32.5508/-117.0275>

¹³ <https://www.sandiego.gov/complete-communities/mobility-choices>.

L-28: The commenter correctly notes that the project is primarily situated in Mobility Zone 4, which is considered VMT inefficient. The SEIR identifies the project is located in Mobility Zone 4 in several locations, including mitigation measures SP-TRA-1 and PR-TRA-1 in SEIR Section 5.12.4.4. Refer to Response L-19 regarding the provision of transit. SEIR Section 5.12.4.4 acknowledges that even with compliance with the Mobility Choices Regulations that serve as mitigation to the extent feasible, the project’s VMT impact would remain significant.

Comment Letter L

Marshall
June 23, 2025
Page 16

L-29

This Project is mapped as high-VMT and is only considered to be part of an SDA because a portion of the planning area overlaps with an SDA. The Applicant proposes no public transit connections and the Project-site is not reasonably accessible from existing local transit hubs. Therefore, regardless of the paper classification as an SDA, there is *no* element of the Project that supports regional mobility. Development in this area is not sustainable and will result in increased VMT in contravention of the County’s proclaimed climate goals. At the bare minimum, the Project *must* provide a reasonable pedestrian method of travel linking the Project to the nearby transit hubs, or preferably expand transit and include the VMT mitigation measures described above.

L-30

Additionally, the SEIR asserts that the “[t]he Complete Communities Housing Solutions Program does not apply to the project as the project does not qualify,” yet no further support for this conclusion is provided. (SEIR, p. 2-5.) For this reason, the SEIR fails to analyze the cumulative impacts of the Complete Communities Code as applied to this Project. Generally, we understand the Complete Communities Code and the City’s Bonus ADU Program to apply in SDAs. If that is the case, the SEIR must analyze the cumulative impacts of the Project including application of the Complete Communities Code, or point to the particular code section that renders the Complete Communities Code and Bonus ADU Program inapplicable in this Specific Plan area.

V. The Project Should Have Considered a Blueprint SD Consistent Project

CEQA requires that an SEIR analyze a smart growth alternative as part of its analysis if the alternative would achieve the Project’s underlying purpose. (*Golden Door Properties, LLC v. County of San Diego* (2020) 50 Cal.App.5th 467, 548.)

L-31

As stated in the SEIR, the “Specific Plan envisions a complete community that integrates an urban mixed-use center (Village Core) with surrounding residential neighborhoods. Residential neighborhoods, retail, office, school, and recreational uses are designed around an interconnected grid-block development pattern through a comprehensive network of multi-modal streets and pedestrian linkages.” (SEIR, p. S-2.) This purpose is consistent with smart growth principals, which would allow for intentional, climate-friendly growth while still achieving the Project’s goal.

As detailed in Part II.A, the Project is not consistent with Blueprint SD, the City’s latest update to its General Plan. At the very least, the Project was required to consider a smart growth alternative that was consistent with Blueprint SD. This alternative could have contemplated a variation of the Project that provides public transit and had a smaller footprint with less units and higher density, while still maintaining the Project’s character and purpose. A failure to do is a violation of CEQA.

L-29: The commenter asserts that no element of the project supports regional mobility, and additional VMT mitigation measures are required. Refer to Response L-4 and L-19 for discussion of coordination with MTS on the provision of future transit. The project’s land use plan supports the development of regional mobility in the future, and compliance with the City’s Mobility Choices Program regulations through payment of the ATILF is considered VMT mitigation to the extent feasible. The project is not required to provide links to nearby transit hubs, but the project includes a pedestrian connection along Beyer Boulevard to San Ysidro that includes the San Ysidro Transit Center. The provision of public transit is ultimately the responsibility of local transit agencies and is beyond the control of the project Applicant and the City. No revisions to the SEIR are required.

L-30: The commenter asserts that the SEIR must analyze the cumulative impacts of the project, including application of the Complete Communities Code, because the project is within an SDA. As described in Response L-27 above, the project is in an SDA; however, as a point of clarification, the Complete Communities Housing Solutions Program does not to apply to the Specific Plan because the Specific Plan does not contain sites where its floor area ratio incentives apply. Cumulative impacts of the project are analyzed in Chapter 8.0, Cumulative Impacts of the SEIR, which provides a discussion of the methods used to analyze cumulative impacts. The intent and meaning of this comment relative to analyzing the impact of code application is unclear and no more specific response can be provided.

L-31: The commenter is incorrect that the SEIR violates CEQA by failing to analyze a General Plan (2024)-consistent and smart growth alternative. See Responses L-14 and L-15 regarding the statement that the SEIR should have considered a General Plan (2024)-consistent alternative. SEIR Section 5.1, Land Use, contains a thorough and exhaustive identification and

Comment Letter L

Marshall
June 23, 2025
Page 17

Additionally, such an alternative could have considered the necessity behind the Beyer Boulevard extension. A smart growth alternative should consider a project sized to eliminate the need for the Beyer Boulevard extension. The proposed Project extends to the very bottom of the site, far away from the “Village Core,” and could be redesigned to allow for more open space to the south:



Right: Planned Project development within Specific Plan area.¹⁴

L-32

The Sierra Club requests clarification regarding the following questions:

1. Is the Beyer Boulevard extension necessary because of the Project’s configuration, and would it still be necessary if the footprint was condensed farther to the northern portion of the planning area?
2. Is the Beyer Boulevard extension made necessary because of the number of units? If so, at what number of units would the extension no longer be necessary?

The SEIR should explain the selection of this Project configuration and the relationship between the Project layout and the necessity of the road extension. Moreover, the SEIR *must* analyze a smart growth alternative to avoid violating CEQA.

¹⁴ SEIR, Figure 3-1;
<https://sandiego.maps.arcgis.com/apps/instant/sidebar/index.html?appid=75f6a5d68aee481f8ff48240bcaa1239>.
<https://sandiego.maps.arcgis.com/apps/instant/sidebar/index.html?appid=75f6a5d68aee481f8ff48240bcaa1239>.

analysis of General Plan (2024) policies and consistency of the Specific Plan with these policies. This section identified potential program and project-level inconsistencies with General Plan policies relating to noise and historical resources and provided mitigation for these potential impacts. The SEIR need not also include a General Plan (2024) consistent alternative. In addition, CEQA does not specifically require analysis of a smart growth alternative as asserted in this comment. The project’s density, mix of uses, and provision of multimodal transportation infrastructure is consistent with smart growth principles. The SEIR includes a reasonable range of alternatives and alternatives to reduce the project’s significant VMT impacts were considered. Refer to SEIR Section 9.1.2 regarding the rejection of an Increased Density Alternative, which would not avoid the significant and unavoidable impacts of the project. The SEIR concluded that the project has a less-than-significant GHG impact, and no alternative to reduce a less than significant GHG impact is warranted under CEQA. The SEIR properly considered a range of alternatives aimed at avoiding or reducing significant impacts of the project, including VMT, and no revision to the SEIR is required.

L-32: This comment asserts that the SEIR should analyze a smart growth alternative that eliminates the need for the Beyer Boulevard extension. An alternative to eliminate the need for Beyer Boulevard was considered but rejected from further analysis based on environmental constraints, increased safety risks, and the need for property acquisition (see SEIR Section 9.2.5). Beyer Boulevard is also a planned roadway in the OMCP and part of the mobility element that the Specific Plan would implement. Several alternative designs for its exact location or elimination were considered in the planning process to avoid environmental impacts (see SEIR Section 4.0, History of Project Changes). The commenter’s suggestion to provide more open space in the southern portion of the Specific Plan would not

Marshall
June 23, 2025
Page 18

Comment Letter L

VI. The Project Should Incorporate Feasible Mitigation Measures

Feasible mitigation measures should be incorporated to address impacts that the SEIR admitted to be significant, yet left largely unmitigated. The Sierra Club suggests several feasible conditions and possible mitigation measures for consideration in the SEIR:

• GHG Emissions

- Accurately quantify GHG emissions over the lifetime of the entire Project, including all Project phases, and account for all Project-related VMT using Project-specific inputs (i.e., trip lengths) and modeling. Quantification should account for Project construction and operational emissions, including residential and commercial and facility operations.
- Ensure that the Project’s GHG emissions are net zero based on the quantification completed for the above-described measure.
- Comply with the most current Title 24 Tier 1 Building Energy Efficiency Standards.
- Comply with the most current Title 24 Tier 2 Building Energy Efficiency Standards.
- Provide on-site solar and battery systems sufficient to provide annual output equivalent to 100% of the Project’s electricity demand.
- Install heat pumps for all air heating and cooling, water heating, and clothes drying that comply with the 2022 California Building Energy Efficiency Standards.
- Prohibit non-electric landscaping equipment on the Project site.
- Where infeasible to mitigation all GHG emissions on-site, provide off-site GHG reduction measures or make a payment to GHG mitigation bank to fund GHG reduction projects in San Diego County.

• Biological Resources

- Project CEQA documents and conditions of approval should incorporate all terms to protect biological resources described in two documents from the California Department of Fish and Wildlife and U.S. Fish and Wildlife Service, the *Conceptual Conservation Strategy and Regulatory Approach for the Tri Pointe Homes Southwest Village Specific Plan Project in the City of San Diego, California* dated September 4, 2024 (Conservation Strategy) and the *Multi-Habitat Planning Area Boundary Line Adjustment and Biologically Superior Option Wetland Deviation for the Southwest Village Specific Plan, Project 614791, San Diego, California* dated January 31, 2025. Project CEQA documents and conditions of approval should particularly specify that the yellow-shaded “Mitigation/Restoration” area shown in the Conservation Strategy Figure 1.

avoid the need for Beyer Boulevard. The project reduces the development footprint relative to the development area identified in the OMCP. See also Response L-31 above regarding the lack of CEQA requirement to analyze smart growth alternatives and Response L-74 for additional information regarding the proposed provision of the Beyer Boulevard extension as part of the project. No violation of CEQA has been identified.

L-33: The commenter indicates that the project should include feasible mitigation of GHG emissions and incorrectly asserts that the SEIR identified significant GHG emissions impacts. However, the SEIR does not identify significant GHG emissions impacts and there is no requisite nexus for imposition of such mitigation measures. As discussed in Response L-4 and Section 5.18, Greenhouse Gas Emissions of the SEIR, impacts related to GHG emissions were determined to be less than significant. Consistent with the CEQA Guidelines and the City’s CEQA Significance Determination Thresholds, the program-level components demonstrated consistency with the relevant General Plan (2024) policies and the City’s CAP, and the project-level components demonstrated consistency with the CAP Consistency Regulations set forth in SDMC Sections 143.1410 and 143.1415. Furthermore, all future development within the Specific Plan area would be subject to the City’s GHG regulations in effect at the time development is proposed. Quantification of existing and projected GHG emissions is only required for plans or policies that do not comply with the CAP Consistency Regulations. As a result of the project’s compliance with the aforementioned plans and regulations, impacts related to GHG emissions would be less than significant, and no mitigation is required.

L-33

L-34

Marshall
June 23, 2025
Page 19

Comment Letter L

L-34
cont.
L-35
L-36
L-37
L-38
L-39
L-40
L-41
L-42

Southwest Village/Beyer Boulevard Project Impacts and Conceptual Conservation Strategy will be fully restored to maritime succulent scrub or other appropriate native upland vegetation community and that the approximately 13 vernal pools in the "Mitigation/Restoration" area will also be restored.

- Restore vernal pools in the Planning Area 23 MHPA Addition.
- Prohibit planting, remove, and permanently control invasive plants on all biological/natural open space and defensible space in the Project, not just those areas in or adjacent to the MHPA. Invasive non-native plants inevitably colonize landscaping and biological/natural open space so control will be a permanent necessary responsibility of any homeowners' association, maintenance district, and owner or manager of biological/natural open space and defensible space.
- Include routine maintenance on graded areas between the time of grading and completion of construction to prevent colonization and spread of invasive non-native plant species. This maintenance should be conducted monthly and continued until Project development and landscaping is completed.
- Permanently control invasive, non-native arthropods and gastropods in all Project open space and defensible space.
- Prohibit refuse dumping and remove and dispose of all existing and future dumped refuse from biological/natural open space and defensible space.
- Prohibit landscaping or installation of irrigation (other than on a temporary and as-necessary basis for the purposes of grading) along the Project's two proposed emergency access roads—one between the Project development footprint and San Ysidro and one between South Caliente Avenue and East Avenue—to ensure continuity of the habitat to be bisected by the roads and to discourage establishment of non-native plants, arthropods, and gastropods.
- Prohibit bicycles and wheeled vehicles—including electric off-road skateboards, electric bicycles, off-road vehicles, etc.—in all Project biological/natural open space. Mountain bikes and many other wheeled recreation vehicles are commonly used on trails and users are most responsible for establishment of unauthorized trails on other biological/natural open space in the City of San Diego.
- Prohibit and actively and permanently enforce against residents' or other public access to biological/natural open space. Official Project trailheads and trails providing access to biological/natural open space should be removed from the Project.
 - Neither the City of San Diego Parks and Recreation Department nor any other possible long-term management entity have the capacity or resources to provide sustainable recreation management of biological/natural open space. New residents of the Project and the general public will access open space from the Project and will inevitably establish unauthorized trails through sensitive resources and areas thereby negating the fundamental purpose of Project biological/natural open space.

L-34: The commenter requests that the SEIR and conditions of approval incorporate all terms to protect biological resources described in the CDFW and USFWS documents listed in this comment. The proposed mitigation program for biological resource impacts identifies upland mitigation lands to be preserved and conveyed to the City consistent with the Conservation Strategy and BLA/BSO concurrence letters (Attachments 10b and 10a, respectively, to Appendix C of the SEIR), including the mapping provided in the Conservation Strategy letter. These lands are intended to serve as in-kind mitigation for project impacts to non-native grasslands. The project otherwise mitigates for impacts to sensitive vegetation communities and species through the implementation of several targeted restoration plans as detailed in Figure 5.4-9, Mitigation with Project Design Features of the SEIR and Section 8 of the Biological Resources Report (SEIR Appendix C). No changes to the SEIR are required.

L-35: The commenter requests that the project restore vernal pools in the PA 23 MHPA Addition. Section 5.1.6.2 of the SEIR states: "The Specific Plan identifies PA 23 as conserved open space, which comprises 8.80 acres of additional vernal pool preserve area within the Specific Plan area compared to what was originally envisioned with the VPHCP, as detailed in Chapter 4, Project History. An analysis regarding the replacement of 100% conserved lands is provided in Section 6.0 of the Biological Resources Report (SEIR Appendix C) and summarized in SEIR Section 5.4, Biological Resources." This habitat preservation area includes 8.80 acres of mesa top land within PA 23 that would provide replacement functions and values due to the potential for future vernal pool restoration on these lands. Preservation of PA 23, which contains seven existing vernal pools (Section 6.1.2 of SEIR Appendix C), is not required as mitigation under CEQA; instead, it was negotiated with the Wildlife Agencies to offset the approximate 3.8 acre area of impacted mesa top land from the extension of Beyer Boulevard,

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which does not contain vernal pools, within Otay Mesa A and Otay Mesa B in excess of City's LDC Biology Guidelines requirements. The project Applicant does not own the lands within PA 23 and restoration of these lands at this time as part of this project is not required or feasible. The project separately mitigates for impacts to sensitive vegetation communities and species in accordance with City of San Diego Biology Guidelines through the implementation of several targeted restoration plans as detailed in Figure 5.4-9 of the SEIR and Section 8 of the Biological Resources Report (SEIR Appendix C). The restoration plans are attached as Attachments 13, 14, 15, 17, and 18 of SEIR Appendix C and are implemented through mitigation measures PR-BIO-1 through PR-BIO-6, PR-BIO-11, PR-BIO-12, PR-BIO-16a, and PR-BIO-16b. No additional mitigation is warranted.

L-36: The commenter requests that the project prohibit planting, remove, and permanently control invasive plants in all biological/natural open space, not just areas in or adjacent to the MHPA. Such requirements are not warranted. There are existing invasive plants within the project area, and the existing invasive plants are not a result of the project nor is the project responsible for removing them beyond the efforts already proposed. All landscaping plant palettes for lands adjacent to the MHPA are subject to City review and have been developed to comply with MHPA Land Use Adjacency Guidelines, MSCP General Management Directives and MSCP Area Specific Management Directives for the Southern Otay Mesa area (see SEIR Section 5.1.6.[c]), which prohibit the use of invasive non-native plant species and provide for control of existing invasive species. Compliance with the MHPA Land Use Adjacency Guidelines is required at the program level through mitigation measure SP-LU-1 and at the project level through mitigation measure PR-LU-1, which would adequately avoid significant project impacts related to invasive plants. In addition, all restoration plan areas would be managed through long-term management plans (LTMP) that would be funded through

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funding conveyed as part of the project mitigation. These LTMPs would include invasive species control within the mitigation areas to further prevent spread and proliferation of these species within the project. No revisions to the SEIR are required.

L-37: The commenter requests routine maintenance on graded areas prior to construction to prevent the colonization and spread of invasive species. All graded areas are subject to BMPs and general construction practices. If the graded site remains undeveloped for more than 7 to 14 days, stabilization measures would be implemented to inhibit erosion and the growth of invasive species, per 40 CFR 450.21(b). This would control the colonization of invasive non-native species during the construction process. No additional requirements are warranted. No revisions to the SEIR are required.

L-38: The commenter requests the control of invasive, non-native arthropods and gastropods in all project open space and defensible space. The project does not result in impacts associated with non-native arthropods and gastropods, and no mitigation is required. Any existing conditions are not impacts of the project. The City requires invasive species control through the MHPA Land Use Adjacency Guidelines, which prohibit use of invasive non-native plant species. Compliance with the MHPA Land Use Adjacency Guidelines is required at the program level through mitigation measure SP-LU-1 and at the project level through mitigation measure PR-LU-1, which would ensure the project complies with the relevant, applicable regulations regarding invasive species. With implementation or mitigation measures SP-LU-1 and PR-LU-1, impacts related to invasive species would be less than significant and no revisions to the SEIR are required.

L-39: The commenter requests that the project prohibit refuse dumping and remove all existing dumped refuse from

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to discard any waste upon any public right-of-way, City property or private property, without consent of the owner. Existing dumped refuse is not an impact of the proposed project. The project would comply with the City's MSCP General Management Directions and Area Specific Management Directives for Otay Mesa, which require the removal of litter and trash on a regular basis. In addition, illegal dumping would be controlled through the installation of fencing along the MHPA/open space boundaries in compliance with MSCP Land Use Adjacency Guidelines. No revisions to the SEIR are required.

L-40: The commenter requests that the project prohibit landscaping or installation of irrigation along the project's two proposed emergency access roads to ensure habitat continuity. All landscaping plant palettes for lands adjacent to the MHPA are subject to City review and have been developed to comply with MHPA Land Use Adjacency Guidelines, which require landscaping that is compatible with adjacent native plant populations. Compliance with the MHPA Land Use Adjacency Guidelines is required at the program level through mitigation measure SP-LU-1 and at the project level through mitigation measure PR-LU-1 to ensure landscaping is compatible with the native plants in the project vicinity to help maintain wildlife connectivity. Additionally, as noted in Section 3.5.3.1.f of the SEIR "Manufactured slopes associated with the EVA Road would be revegetated with native plants consistent with the surrounding habitats as detailed on the project landscape plans." Landscaping and the installation of irrigation along the EVAs is prohibited to ensure habitat continuity, as stated in Section 4.5.15 of the Specific Plan. No revisions to the SEIR are required.

L-41: The commenter requests that the project prohibit bicycles and wheeled vehicles in all project biological/natural open space. Passive recreation is proposed by the project to allow hiking, walking, and non-motorized bicycle use only. Equestrian and

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electric vehicle use are prohibited. A key objective of the MSCP is to provide public recreation and educational opportunities within the MSCP Preserve System, while providing adequate protection for biological resources. The Specific Plan proposes primitive trails as the only type of trail that could occur within the MHPA. Primitive trails are discussed in Specific Plan Section 5.8.3, which discusses the design and allowed uses. Primitive trails are for pedestrian use only. These activities are considered compatible with the biological objectives of the MSCP. Trails are proposed within the least sensitive areas of the open space. Trails would be clearly demarcated and monitored for degradation as well as off-trail use to prevent significant impacts to biological resources. No revisions to the SEIR are required.

L-42: The commenter requests that the project prohibit public access to biological/open space and asserts that the establishment of unauthorized trails is inevitable. However, the proposed trail system was developed in coordination with the City to support Citywide targets for trail development. Extensive coordination between the project Applicant, City, and Wildlife Agencies was conducted to ensure that management and protection mechanisms are in place to prevent and minimize impacts to biological resources from unauthorized public access. Specific measures include fencing, signage, and restoration of a 100-foot buffer surrounding the designated trail network to prevent unauthorized access to the adjacent open space. This approach would help prevent access to the unauthorized trails and allow for natural vegetation regrowth in the remaining portions of the unauthorized segments as use of the unauthorized trails ceases. No revisions to the SEIR are required.

Marshall
June 23, 2025
Page 20

Comment Letter L

L-43

L-44

L-45

L-46

L-47

L-48

L-49

- To reduce opportunities for unauthorized access to biological/natural open space, both proposed emergency access roads (one between the Project development footprint and San Ysidro, and one between South Caliente Avenue and East Avenue) should be closed to the public and the Project perimeter trail should be removed.
 - In the event that the Project allows public access to biological/natural open space and constructs the perimeter trail, trailheads, and other trails, extraordinary measures and funding will be necessary to ensure use of only authorized trails including permanent programs of visitor contact and education, fencing and signing legitimate trails, removing and restoring all unauthorized trails, and enforcing against use of unauthorized trails.
- Prohibit and permanently enforce against the construction of unauthorized trails. Management and funding should be provided to enforce closures and fully restore native habitat on existing and future unauthorized trails.
- Include effective walls and/or fences and signs at the perimeter of all developed areas bordering biological/natural open space or defensible space to limit unauthorized entry. Walls, fences, and signs should be permanently maintained and modifications prohibited. Walls should be 6-foot-tall concrete block and fences should be 6-foot-tall iron tubular fence. "Trail / Open Space Fence" depicted in Figure 3.10 of the Project Specific Plan is totally insufficient to effectively physically block unauthorized entry to biological/natural open space.
 - 6ft-tall iron tubular fence will be particularly important between the perimeter trail and biological/natural open space to limit unauthorized access.
 - Fencing will also be necessary to block public access to both proposed emergency access roads, one between the Project development footprint and San Ysidro, and one between South Caliente Avenue and East Avenue. 6ft-tall iron tubular fence should be placed at each end of both roads and connected to 6ft-tall walls or other 6ft-tall iron tubular fence to form a continuous barrier between residences, streets, and trails and the emergency access roads
- Restore all damaged native habitats, including Diegan coastal sage scrub, native grasslands, and vernal pools. Natural habitats in the Project have been severely damaged by decades of off-road vehicle use, agriculture, and other harmful land uses and are not sustainable or viable mitigation areas without direct habitat restoration.
- Restore populations of any sensitive plant species native to western Otay Mesa in biological/natural open space.
- Restore habitat suitable for sensitive animal species in all Project biological/natural open space, including but not limited to artificial burrows for Burrowing owls, Diegan coastal sage scrub or maritime succulent scrub for

L-43: The commenter asserts that the project's emergency access roads should be closed to the public and the perimeter trail should be removed to discourage unauthorized access to biological/natural open space in the project vicinity. The SEIR states: "The road would be gated to prohibit public vehicular access. Beyond the trail access points, public access would be prohibited with signage notifying the public to stay only on designated trails. Signage would also be provided along the edges of the EVA Road to provide public notice that access to the surrounding open space is prohibited, with the exception of access to formal primitive trails." The trails identified in the SEIR are consistent with OMCP Recreation Element Policy 7.2-5, as modified during the project review discussions with the City, to prevent significant impacts to nearby biological resources. The final trail network depicted does not include all trails identified in the OMCP, but was determined to meet the recreational needs identified in the OMCP. No revisions to the SEIR are required.

L-44: The City acknowledges the commenter's opinion regarding the extraordinary measures required to enforce trail access and maintenance. However, the design and location of the project's trail network involved extensive coordination between the project Applicant, the City, and the Wildlife Agencies to ensure that adequate management and protection mechanisms such as buffers, fencing, and signage are in place to prevent damage to the adjacent natural areas. As is also discussed in Specific Plan Section 7.11 and SEIR Section 3.5.4.2, trail closures would be implemented through the completion of restoration within 50 feet of the proposed trail alignments, creating a buffer zone with a total width of 100 feet. This approach would help prevent access to the unauthorized trails and allow for natural vegetation regrowth in the remaining portions of the unauthorized segments as use of the trails ceases. No revisions to the trail system or SEIR are required as a result of this comment.

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L-45: The commenter asserts that management and funding should be provided to enforce the closure of unauthorized trails and restoration of native habitat. The Specific Plan acknowledges that many existing or disturbed trails do not meet City standards and may be redundant, unsustainable, or potentially hazardous. Some trails are already planned to be closed to the public and rehabilitated. As part of these efforts, educational signs would be installed to explain the trail closures and restoration areas. As discussed in Specific Plan Section 7.9 and SEIR Section 3.5.4.2, trail closures would be implemented through the completion of restoration within 50 feet of the proposed trail alignments, creating a buffer zone with a total width of 100 feet. This approach would help prevent access to the unauthorized trails and allow for natural vegetation regrowth in the remaining portions of the unauthorized segments as use of the trails ceases. The project is already consistent with the request made in this comment, and no revisions to the SEIR are required.

L-46: The commenter comment requests walls, fences, and signage along project perimeters to prevent unauthorized access to biological/natural open space. Walls and/or fences proposed for the perimeter of Beyer Boulevard would include a combination of masonry walls and chain link of various heights, but at least 6 feet tall, to both attenuate noise to adjacent areas and to encourage wildlife to cross at the designated crossings as discussed in Section 3.5.3.1.b and Figure 3-21, Beyer Boulevard West Wildlife Crossings, Wildlife Fencing, Retaining Walls and Gates of the SEIR. The perimeter of Phase 1 residential project component would be fenced using a variety of walls and fences, as detailed on Figure 3-34, Wall and Fence Legend of the SEIR to avoid impacts to biological resources. No revisions to the SEIR are required.

L-47: The commenter requests that the project restore all native habitats that have been damaged by prior activity. Project

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impacts requiring mitigation are analyzed in the SEIR, and mitigation for impacts to the native sensitive resources are addressed in the habitat and species restoration plans prepared for the project, as provided in the attachments of the Biological Resources Report (SEIR Appendix C). The existing conditions discussed in this comment are not a project impact and are not required to be mitigated by the project. The project is responsible for restoration related to mitigation for project impacts or project features and is not required to restore the entirety of the project's conserved open space areas. No revisions to the SEIR are required.

L-48: Refer to Response L-47 above regarding this comment's request to restore populations of sensitive plant species native to western Otay Mesa. The project is responsible for restoration related to mitigation for project impacts or project features and is not required to restore the entirety of the project's conserved open space areas. Project impacts to sensitive plant species would be mitigated to below a level of significance, as detailed in SEIR Section 5.4.1.2. Habitat restoration plans have been prepared for all of the habitat restoration areas and are found in attachments of the Biological Resources Report (SEIR Appendix C). Plant palettes are identified in each of the plans and include species native to the area, identified on-site, and require seed be locally sourced and/or salvaged when possible. No revisions to the SEIR are required.

L-49: Refer to Response L-47 above regarding this comment's request to restore habitat suitable for sensitive animal species in all project biological/natural open space. The project is responsible for restoration related to mitigation for project impacts or project features and is not required to restore the entirety of the project's conserved open space areas. Project impacts on sensitive animals and their associated habitats would be mitigated to below a level of significance, as detailed in SEIR Section 5.4.1.3. The project provides habitat mitigation for all

Marshall
June 23, 2025
Page 21

Comment Letter L

L-49
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- California gnatcatchers, cactus patches for Coastal cactus wrens, and vernal pools for Riverside fairy shrimp, San Diego fairy shrimp, and Western Spadefoot toads.
- Prepare habitat restoration and resource management plans addressing all mitigation measures proposed above. Habitat restoration and resource management plans should provide extraordinary measures for management and enforcement of trails in the event that recreational access is allowed in biological/natural open space.
 - Prepare a Property Analysis Record (“PAR”) providing for sufficient labor, supplies, and equipment to conduct all biological resource conditions and measures described above. The PAR should provide extraordinary funding for management and enforcement of trails in the event that recreational access is allowed in biological/natural open space.
 - Establish a management endowment or other permanent funding mechanism sufficient to fund all biological resource conditions and measures described above.
 - Establish legal parcels encompassing all biological/natural open space and transfer title of the parcels to a qualified preserve manager, which can be either a government conservation agency or a non-profit. Homeowners associations are not legitimate or appropriate preserve owner/managers.
 - Record a permanent conservation easement on any biological/natural open space naming the California Department of Fish and Game and requiring a judicial proceeding and approval for any proposed vacation of the easement(s).
 - Rezone all biological/natural open space to open space zoning and prohibit future transfer of any zoned development density.
 - Ensure all Project landscaping trees and plants are native California plants.
- **Wildfire Safety**
 - Include defensible space in legal lots separate from biological/natural open space and under the management authority of homeowners’ associations or maintenance districts. The outside edge of defensible space should be same as the edge of any biological/natural open space and should be clearly delineated with permanent physical markers and signs at least every 100 feet.
 - Defensible space should not exceed 100 feet as measured from the edge of buildings, not lot lines. Defensible space greater than 100 feet provide no additional benefit for wildfire safety and is counterproductive to wildfire safety when colonized by highly flammable invasive, non-native plant weeds.
 - Do not count defensible space as biological/natural open space or mitigation for Project impacts to biological resources, as defensible space has little to no biological value.
 - Provide manually controlled stoplights to facilitate traffic flow in the event of an evacuation.

the sensitive species listed in this comment except artificial burrows for burrowing owls is not required, as no active burrowing owl nests would be impacted by the project. While not required as mitigation, the project is proposing artificial burrows for burrowing owls (see SEIR Section 3.6.2.1[b]). No specific issue has been identified in this comment pertaining to the proposed mitigation, and no further response can be provided. No revisions to the SEIR are required.

L-50: The commenter requests the preparation of habitat restoration and resource management plans for the additional mitigation measures proposed in comments L-34 through L-49 above. The project is responsible for restoration related to mitigation for project impacts or project features and is not required to restore the entirety of the project’s conserved open space areas. Project impacts to biological resources requiring mitigation are analyzed in Section 5.4, Biological Resources of the SEIR, and mitigation for impacts to the native sensitive resources are addressed in the habitat and species restoration plans prepared for the project (see SEIR Sections 5.4.3, 5.4.4, 5.4.5, and 5.4.7). The habitat restoration plans are found in Attachments 13 through 15, 17, and 18 of the Biological Resources Report (SEIR Appendix C). No change to the Biological Resources Report or SEIR is required as a result of this comment.

L-51: The commenter requests preparation of a Property Analysis Record (PAR) for the biological resource conditions and measures proposed in comments L-34 through L-49 above. While a preliminary PAR has been prepared for the long-term management of the proposed restoration mitigation areas (see mitigation measures PR-BIO-2 and PR-BIO-3), a final PAR would be developed and approved by City staff as final mitigation plans are approved and final funding amounts determined. As the additional conditions requested in L-34 through L-49 have

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not been added to the project and are not required under CEQA, no PAR has been or would be prepared for them.

L-52: The commenter requests establishment of a management endowment or other permanent funding mechanism for the biological resource conditions and measures proposed in comments L-34 through L-49 above. While a management endowment is required for the long-term management of conserved land, as described in Section 1.2.3 of the SEIR, the additional conditions requested in L-34 through L-49 have not been added to the project and are not required under CEQA. No endowment for these measures is required.

L-53: The commenter requests that all biological/natural open space be incorporated into new legal parcels and transferred by title to a qualified preserve manager. All of the mitigation lands, including the lands proposed for restoration and those proposed to be conveyed, would be added to the MHPA and managed by the City or otherwise protected through a Conservation Easement, Covenant of Easement, or Irrevocable Offer to Dedicate (see mitigation measure PR-BIO-15 in SEIR Section 5.4.3.4). The MHPA BLA was analyzed in the SEIR and approved by the City, USFWS, and CDFW prior to publication of the SEIR.

L-54: The commenter requests a permanent conservation easement be recorded on any biological/natural open space naming CDFW. Easements related to CDFW are described in Sections 3.7 and 3.8 of the SEIR and under the requirements of the State law are subject to the approval of the State Wildlife Conservation Board, not a judicial proceeding and approval as suggested by the commenter. The proposed conserved lands subject to these easements would provide third party beneficiary status to CDFW and USFWS.

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L-55: The commenter requests that the project rezone all biological/natural open space to open space zoning and prohibit future transfer of any zoned development density. PAs 23 and 29 contain conserved open space. Some privately owned parcels in PAs 23 and 29 would be zoned Open Space-Residential (OR-1-2), which allows up to one single-family dwelling unit per parcel. However, City- and applicant-owned parcels in PAs 23 and 29 would be zoned Open Space-Conservation (OC-1-1), which does not permit residential development. PA 28 would also be designated open space in the Specific Plan and would be zoned OR-1-2. All OR-1-2 parcels within the Specific Plan area would be permitted to develop one unit per parcel, and any such unit would be subject to the maximum dwelling unit cap of 5,130 dwelling units allowed under the Specific Plan.

The following text has been added to the Specific Plan to clarify the allowed development in the conserved PAs: "Privately owned parcels within Planning Areas 23 and 29 may allow limited development, in accordance with Chapter 13, Article 1, Division 2, Section 131.0204 (Open Space-Residential zone) of the City of San Diego's municipal code and the MSCP Conservation Plan." Text has also been added to the Specific Plan to clarify the allowed development in PA 28: "Limited development may occur in open space areas that are not conserved in accordance with Chapter 13, Article 1, Division 2, Section 131.0204 (Open Space-Residential zone) of the City of San Diego's municipal code and the MSCP Conservation Plan. Open space areas are located within Planning Area 28." However, given the additional constraints in the open space areas, such as terrain, access, and easements, residential development potential in OR zones within the Specific Plan area is anticipated to be limited. As a result, there is no need to explicitly prohibit the transfer of residential densities from these areas because the development potential is expected to be minor.

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L-56: The commenter requests that all project landscaping trees and plants be native California plants. All landscaping plant palettes, including those for lands adjacent to the MHPA, are subject to City review and have been developed to comply with MHPA Land Use Adjacency Guidelines, which prohibit the use of invasive non-native plant species. In addition, all manufactured slopes within brush management zone (BMZ) 2 would be revegetated with native species and would be protected through a covenant of easement, as discussed in Section 1.3.2.2 of the Biological Resources Report (SEIR Appendix C).

L-57: The commenter requests that the project include BMZs in separate legal lots from the biological/natural open space and create defensible space that is clearly delineated by permanent signage and markers at least every 100 feet. BMZ 1 and BMZ-2 would be maintained by either a Master Maintenance Association or a private property owner. Per SDMC Section 142.0412, long-term maintenance of the project's proposed BMZs is the responsibility of the property owner; for those lots that are owned or managed by a homeowner's association (HOA), the HOA would be responsible for maintenance of the BMZ in perpetuity.

As stated in SDMC Section 142.0412, up to 100 feet of fuel modification (e.g., BMZs) is required to be maintained between native/naturalized vegetation and structures. Further, as stated in SEIR Section 5.6.3.2, BMZs are prohibited in designated mitigation lands, and all future development would be required to demonstrate compliance with current building, Wildland-Urban Interface and fire code requirements in effect at the time development is proposed. Future development under the Specific Plan would be required to demonstrate regulatory consistency with the City LDC Brush Management Regulations, Landscape Standards, and the California Fire Code (CFC), requirements of the California Building Code (CBC), and California Wildland-Urban Interface Code (CWUI).

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- L-58:** The commenter notes that defensible space should not exceed 100 feet as measured from the edge of buildings. Brush management zones for this project are based on a standard 35-ft Zone One with 65-ft Zone Two. Final configuration of brush management zones shall be established in conjunction with final layout of residential structures, exercising zone reduction provisions and allowed alternative compliance set forth under SDMC Section 142.0412(f). All future development under the Specific Plan would be required to comply with SDMC Section 142.0412(c), which states that the width of Zone One and Zone Two shall not exceed 100 feet, consistent with this comment.
- L-59:** The commenter notes that defensible space is not considered biological/natural open space and defensible space should not be used as mitigation for project impacts. The SEIR does not count defensible space (BMZs) as biological/natural open space or mitigation for project impacts. No revisions to the SEIR are required.
- L-60:** The commenter requests manually controlled traffic signals to facilitate traffic flow during an evacuation. A Wildfire Evacuation Study (SEIR Appendix E) was completed for the project to identify emergency operations procedures, evacuation routes, and other information related to emergency evacuation. SEIR Section 5.6.3.2 discusses health and safety impacts related to emergency evacuation. In the event of an emergency, law enforcement personnel move people at highest risk. Evacuation management actions include road closures, intersections management, and traffic stops where and when needed. As the population at greatest risk changes due to fire spread/travel, law enforcement directing the evacuation would necessarily adjust and adapt using all tools available to them. Impacts related to emergency evacuation were determined to be less than significant, and no revisions to the SEIR are required.

Comment Letter L

Marshall
June 23, 2025
Page 22

- L-61 | ○ Prohibit high risk wildfire activities, including maintenance or defensible space, grilling, fireworks, etc. on National Weather Service-declared red flag days.
- L-62 | ○ Install exterior fire sprinklers on all buildings around the perimeter of the Project.

Measures suggested above to protect biological resources should be conducted in both the MHPA and other Project natural open space outside the MHPA. The MHPA borders the property, but does not encompass the entirety of the Project’s open space:



Left: Baseline MHPA depicted in green, VPHCP/MHPA in light blue. **Right:** Open space on Project-site depicted in dark green. (SEIR, Figure 2-5; SEIR, App’x C, Figure 8.)

Incorporation of these measures in the MHPA and other Project natural open space would better mitigate the Project’s impacts. All of the measures described above are feasible and would drastically reduce the Project’s significant impacts, contributing to a more biodiversity-friendly Project.

VII. Conclusion

The City just massively upzoned designated “infill” areas across the entire City as part of the Blueprint General Plan Update, in areas that it claims will facilitate sustainable growth and ensure it will meet its VMT reductions in compliance with the City’s CAP. Sierra Club provided comments on Blueprint, and supported the increased density in areas where transit will *actually* materialize. Under Blueprint, the City itself designated the Project area as one of the *worst* places for development.

The City cannot now simultaneously claim this Project is also “sustainable development,” to avoid incorporation of meaningful VMT and GHG mitigation measures. CEQA requires disclosure and mitigation of a project’s impacts.

L-61: The commenter requests the prohibition of high-risk wildfire activities on National Weather Service-declared red flag days. SDMC Section 5.11.0307(c) places restrictions on open burning, including recreational fires and portable outdoor fireplaces during high fire risk conditions, such as a red-flag warning. Further, under California Health and Safety Code Section 12511, dangerous fireworks are illegal to sell, possess, or use without a special display permit. All future projects under the Specific Plan would be required to comply with these regulations.

Additionally, as concluded in Section 5.6.3.2b of the SEIR, the program-level impacts would be similar to those identified in the OMCP FEIR; specifically, the project is situated in an area designated as a Very High Fire Hazard Severity Zone (VHFHSZ), therefore, wildfire exposure risk was determined to be potentially significant. To reduce impacts related to wildfire exposure, the OMCP FEIR identified Mitigation Framework HAZ-1, which requires future projects to incorporate sustainable development and other measures into site plans in accordance with the City’s Brush Management Regulations, and Landscape Standards pursuant to the Land Development Manual, OMCP, and Specific Plan policies intended to reduce the risk of wildfires. In addition, all future projects shall be reviewed for compliance with the most current CBC, CFC, Section 145.0701 through 145.0711 of the LDC, Chapter 7 of the CBC, and California Wildland-Urban Interface Code (Effective 1/1/2026) and Fire Prevention Bureau Policy B-18-01 or most current San Diego Fire-Rescue Department Policy for reduced defensible space. As stated in SEIR Section 5.6, Human Health/Public Safety/Hazardous Materials, the SEIR will carry forward mitigation measure HAZ-1; however, no new impacts were identified, therefore no new mitigation is proposed. Additionally, similar to the OMCP FEIR, project-level impacts were determined to be less than significant. No additional mitigation for wildfire risk is required because compliance with the brush management zone ordinances ensures impacts do

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not rise to the level of significance. Per CEQA Guidelines Section 15126.4(a)(3), mitigation measures are not required for effects which are not found to be significant. The project would comply with regulations and implement mitigation to prevent significant wildfire impacts, and no revisions to the SEIR are required.

L-62: The commenter requests the installation of exterior fire sprinklers on all buildings around the perimeter of the project. All future projects under the Specific Plan would be reviewed for compliance with the most current CFC, Section 145.0701 through 145.0711 of the LDC, and Chapter 7 of the CBC, which establish requirements for fire readiness and defense. Additionally, as described in Response L-61 above, the SEIR carries forward OMCP FEIR mitigation measure HAZ-1, which requires future projects to incorporate sustainable development and other measures into site plans in accordance with the City's Brush Management Regulations, and Landscape Standards pursuant to the General Plan (2024), OMCP, and Specific Plan policies intended to reduce the risk of wildfires. Consistent with Option 1 in Policy FBP-18-01 Section V.C, where a 100-foot BMZ cannot be achieved along canyon edges and open space areas, the Specific Plan identifies the alternative compliance measure of 6-foot non-combustible walls, designed with bird-safe glass where glass is used as part of the wall adjacent to open space (refer to Specific Plan Section 7.9, Specific Plan Supplemental Development Regulations, and SEIR Section 3.6 for details of the bird safe glass project design feature). The project already incorporates measures to protect against wildfire, and no additional features such as exterior fire sprinklers are required to prevent significant wildfire impacts. No revisions to the SEIR are required.

L-63: The commenter asserts that the measures suggested in comments L-34 through L-56 above should be conducted in MHPA and natural open space outside the MHPA. As depicted

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on Figure 5.1-8, Post-Project MHPA Boundary and VPHCP 100% Conserved Lands all of the mitigation lands, including the lands proposed for restoration and those proposed to be conveyed would be added to the MHPA. An MHPA BLA was analyzed in the SEIR and approved by the City, USFWS, and CDFW prior to publication of the SEIR. All measures specific to MHPA lands would apply to all of the lands within the post-MHPA BLA configuration. Figure 7 of the Biological Resources Report (SEIR Appendix C) depicts the preserve and open space parcels located outside of the MHPA, including the Pipitone Covenant of Easement in the western portion of the Specific Plan area. This area is already conserved, and the proposed covenant of easement areas not included in the post-BLA MHPA would be managed in perpetuity in accordance with the respective covenant of easement requirements.

L-64: The commenter asserts that the project is inconsistent with the General Plan (2024) by proposing development in an area that is not designated for increased development densities in the General Plan (2024). Refer to Responses L-14 and L-15 regarding consistency with the General Plan (2024) and to Response L-4 regarding VMT and GHG emissions impacts and mitigation. The City does not improperly avoid mitigation for either VMT or GHG emissions and the SEIR complies with CEQA relative to impact analysis disclosure and mitigation for identified significant impacts. The SEIR has appropriately addressed impacts in accordance with the City's CEQA Significance Determination Thresholds (City 2022) and has provided mitigation for significant impacts. The project would have less than significant impacts related to GHG, and no mitigation is required (SEIR Section 5.18, Greenhouse Gas Emissions). Refer to Response L-4 above regarding the commenter's assertion that the City is failing to mitigate the project's significant VMT impact. The project complies with the City's Mobility Choices Program. Per the Complete Communities Final PEIR Findings and SOCs, compliance with the City's

Comment Letter L

Marshall
June 23, 2025
Page 23

- L-65 | The SEIR fails as an informational document in this regard—it does not even *mention* Blueprint’s Village Propensity Map.
- L-66 | The SEIR must be revised to analyze the Project’s inconsistencies with Blueprint SD and the CAP, as the Specific Plan for the Project is *required* to be consistent with the City’s General Plan. Additionally, because inconsistency with the CAP necessitates a finding of significant GHG impacts, the Project must adequately mitigate that impact by providing meaningful, enforceable mitigation for GHG emissions and VMT, including the measures provided in this letter. The SEIR must also consider a true smart growth alternative, which could evaluate a more condensed configuration for the Project to reduce VMT impacts in an area that lacks effective public transit. Lastly, the Project should incorporate public transit *now* and as a part of the Project, not merely suggest it at a later date, given the total lack of feasible connections to public transit in the area.
- L-67 |
- L-68 |
- L-69 |
- L-70 | Additionally, the Sierra Club respectfully requests responses to the various questions posed throughout this letter, which are listed again here for your reference:
 1. Did the SEIR comply with the City’s TSM and use SANDAG’s Regional Travel Demand Model to estimate VMT?
 2. Where in the CAP are the land use assumptions for the Project included?
 3. What section of the Complete Communities Code renders the Complete Communities Program inapplicable to the Project?
 4. Is the Beyer Boulevard extension necessary because of the Project’s configuration, and would it still be necessary if the footprint was condensed farther to the northern portion of the planning area?
 5. Is the Beyer Boulevard extension made necessary because of the number of units? If so, at what number of units would the extension no longer be necessary?
- L-71 |
- L-72 |
- L-73 |
- L-74 |
- L-75 | Thank you for your consideration of these comments, we look forward to your response.

Sincerely,



Isabella Coye
Kathryn Pettit
Josh Chatten-Brown

Mobility Choices Program Regulations is considered mitigation to the extent feasible, and no further mitigation is required. Refer to the Findings and SOCs from the Complete Communities: Mobility Choices Final PEIR (City 2020) incorporated by reference in the SEIR for additional details.

- L-65:** Refer to Response L-14 above regarding the commenter’s assertion that the SEIR fails as an informational document because it does not mention the Village Propensity Map in the General Plan (2024). No revisions to the SEIR are required.
- L-66:** Refer to Responses L-14, L-15, and L-19 through L-22 above regarding the commenter’s assertion that the project is inconsistent with the General Plan (2024) and the City’s CAP. The project is not inconsistent with these plans and no revision to the Specific Plan is required.
- L-67:** Refer to Response L-4 regarding the commenter’s assertion that the project fails to mitigate GHG and VMT impacts. The project Applicant would pay into the ATILF. Per the Complete Communities: Mobility Choices PEIR Findings and SOCs (Resolution R-313279; State Clearinghouse Number 2019060003), compliance with the City’s Mobility Choices Program Regulations through payment of the ATILF is considered VMT mitigation to the extent feasible. The project has been determined to be consistent with the CAP, GHG impacts would be less than significant and no mitigation is required.
- L-68:** Refer to Response L-31 regarding the commenter’s request to provide a smart growth alternative. The SEIR properly considered a reasonable range of alternatives aimed at avoiding or reducing significant impacts of the project, including VMT, and no revision to the SEIR is required.

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- L-69:** Refer to Response L-19 above regarding the commenter’s opinion that public transit should be provided as a project-level component. Per the Complete Communities: Mobility Choices PEIR Findings and SOCs (Resolution R-313279; State Clearinghouse Number 2019060003), compliance with the City’s Mobility Choices Program Regulations through payment of the ATILF is considered VMT mitigation to the extent feasible, and no additional mitigation is required. The project includes a Village Core area to encourage future public transit connections in the Specific Plan area. The provision of public transit is ultimately the responsibility of local transit agencies and is beyond the control of the project Applicant and the City.
- L-70:** Refer to Response L-6 above regarding the commenter’s concern that the project did not comply with the City’s TSM. As described in Section 7.5 of the LMA (SEIR Appendix J-4), trip distribution for the project was based on a review of existing traffic patterns, surrounding land uses, existing and future network changes, and a Series 13 Year 2012 SANDAG Select Zone Assignment, which was the available model at the time. No revisions to the SEIR are required.
- L-71:** Refer to Response L-22 above regarding the commenter’s request for the location of the project’s land use assumptions in the City’s CAP.
- L-72:** Refer to Response L-30 above regarding the commenter’s request for clarification about the applicability of the Complete Communities Program to the project. Per SDMC Section 143.1002(b), the Complete Communities Housing Solutions Program does not apply to the Specific Plan because the Specific Plan does not contain sites where its floor area ratio incentives apply.

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- L-73:** Refer to Response L-32 above regarding the commenter’s speculation that the Beyer Boulevard extension is an unnecessary component of the project. An alternative to eliminate the need for Beyer Boulevard was considered but rejected from further analysis based on environmental constraints, increased safety risks, and the need for property acquisition (see SEIR Section 9.2.5).
- L-74:** Refer to Response L-32 above regarding the commenter’s speculation that the Beyer Boulevard extension is an unnecessary component of the project. As summarized in SEIR Section 3.5.3, the fundamental purpose of the Beyer Boulevard West extension is to connect the Specific Plan area and San Ysidro, provide roadway capacity for anticipated traffic generated by development within the Specific Plan area, and to provide additional fire and emergency vehicle access to the area. The Specific Plan mobility network integrates the planned regional transportation network, as described in the General Plan and Otay Mesa Community Plan, and SANDAG’s Regional Plan. The mobility network in Southwest Village is organized around two key arterials that access the center of the community, with one offering north-south access (Caliente Avenue) and the other offering east-west access (Beyer Boulevard). These arterials provide facilities for pedestrians, bicyclists, public transit, and vehicular traffic, ensuring that all modes are accommodated and residents and visitors have transportation and emergency evacuation options. Beyer Boulevard is thus an important arterial connecting Otay Mesa to the San Ysidro Community Plan area and providing a secondary access route to and from Southwest Village.
- The project’s proposed provision of the Beyer Boulevard West extension (prior to the 700th residential unit in the Phase 1 PAs) is based on SANDAG’s regional travel model trip distribution for Phase 1 and addresses the project objective to plan for infrastructure improvements concurrent with development.

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However, Section 7.12 of the Specific Plan provides for flexibility in phasing, indicating that flexibility in sequencing is allowed without constituting an amendment to the Plan as long as adequate infrastructure is provided. Further, SEIR Section 5.12, Traffic/Circulation, indicates that, "...the phasing is a current estimate that can change due to the unknown timing of when other PA owners would initiate their own development process. Therefore, future PA development would be subject to discretionary review at the project-level for consistency with the current Specific Plan phasing and would be required to complete the Specific Plan on-site and off-site improvements needed to support their development per future project-specific studies. Other future discretionary developments within the Specific Plan would be required to comply with the City's TSM requirements, and, if applicable, prepare a project-level local mobility analysis to address access in accordance with City requirements. In addition, future projects would be required to demonstrate adequate infrastructure, including emergency access, in accordance with the SDMC, CBC and CFC requirements.

Finally, an alternative to eliminate the need for the Beyer Boulevard West extension was considered but rejected from further analysis based on environmental constraints, increased safety risks, and the need for property acquisition (see SEIR Section 9.2.5).

L-75: The City acknowledges this conclusion. This comment does not raise an issue concerning the environmental analysis or adequacy of the SEIR.

Comment Letter M

Marshall, Dawna

To: Blake, Martha
Subject: RE: [EXTERNAL] Otay Mesa Southwestern Village Biological Concerns

From: Daniel Dow <danielddow13@gmail.com>
Sent: Saturday, May 10, 2025 7:13 AM
To: Blake, Martha <MBlake@sandiego.gov>
Subject: [EXTERNAL] Otay Mesa Southwestern Village Biological Concerns

****This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.****

Hello,

M-1 | I was reading over the EPA for the southwestern village and noticed some things I thought warranted pointing out. These are all plant related and if this message would be better forwarded to an acting biologist or botanist working with this program please send the message to whom it's best suited.

M-2 | In the environmental report it is stated future surveying will need to be done for plant resources on top of the mesa. Working in the botany field and being an avid hiker, and Otay Mesa resident I have seen and can offer coordinates for some of the plants in the area. However I have concerns regarding some of the sites and unlisted species.

M-3 | Firstly, the extension of Beyer will be paved over a population of over a dozen Atriplex Pacifica, also sites 13/19 will be on top of a population of Eryngium Aristalatum. Work on the south rim will also displace a minor portion of the population of adolphia, but most will be preserved in open space.

M-4 | Of less concern, also on the site of future Beyer is a population of Fagonia laevis, which is primarily a desert species, but has small coastal populations only on Otay Mesa in SD county, and then in Baja. These genetics are likely highly specific to the environment and would be a significant loss to the species and diversity of the mesa.

M-5 | Least importance, sites 13/19 will also destroy the largest remaining population of Malvella leprosa on the mesa, which although not a protected species is a high value forage source for many of our insects, and has been nearly eradicated from the mesa in the last decade of development.

M-6 | I would appreciate any points of contact for acting ecologist, botanists, etc working on the project, and if possible would like to nominate myself to be actively involved in the surveying or consulting if possible. I recommend collection of seed for the listed species, Atriplex and Eryngium, and I recommend salvaging and reintroduction projects for the Atriplex, Fagonia, and Malvella.

Thank you for your time, and I appreciate any response or insight.

Comment Letter M: Daniel Dow

M-1: The City acknowledges these introductory comments. They do not raise an issue concerning the environmental analysis or adequacy of the SEIR. Please see the responses below to specific comments.

M-2: This comment does not raise an issue concerning the environmental analysis or adequacy of the SEIR. Please see the responses below to specific comments.

M-3: This comment notes populations of Atriplex Pacifica (south coast salt scale), Eryngium Aristulatum (San Diego button celery), and adolphia (California adolphia) in the project vicinity. Rare plant surveys were conducted in accordance with standard practice and City Biology Guidelines. These three species have been identified within the larger project site and impacts and mitigation would be provided in accordance with City Biology Guidelines. Specifically, as discussed in Section 5.4.3.4 of the SEIR, mitigation measure SP-BIO-1 requires site-specific biological surveys for future projects in the program-level areas to identify and mitigate potential impacts to sensitive plant species, including south coast salt scale and California adolphia. Mitigation measure PR-BIO-1 requires salvage and restoration of San Diego button celery through implementation of the VPQCBMP (Attachment 12 of SEIR Appendix C). In addition, the

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mitigation plans included as attachments to the Biological Resources Report (SEIR Appendix C) include requirements regarding seed collection and bulking by a qualified native plant nursery, including vernal pool plant seed from pools that are to be impacted. Refer to SEIR Section 5.4 for additional information regarding the existing sensitive plants, and their preservation areas.

M-4: The City acknowledges the commenter’s opinion that impacts to *Fagonia laevis* (California fagonbush) from the Beyer Boulevard extension would constitute a significant loss to the species and the diversity of the mesa. However, general and rare plant surveys and subsequent impact analyses were conducted in accordance with standard practice and City Biology Guidelines, which require analysis of certain listed special-status species. California fagonbush is not a significant special-status species and no revisions to the Biological Resources Report (SEIR Appendix C) or SEIR are required.

M-5: The commenter asserts that development of PAs 13 and 19 would destroy the largest remaining population of *Malvella leprosa* (alkali mallow) on the mesa. However, general and rare plant surveys and subsequent impact analyses were conducted in accordance with standard practice and City Biology Guidelines, which require analysis of listed special-status species. Alkali mallow is not a special-status species and no revisions to the Biological Resources Report (SEIR Appendix C) or SEIR are required.

M-6: The City acknowledges this conclusion, including the commenter’s recommendations for seed collection and salvage. While this comment does not raise an issue regarding the environmental analysis or adequacy of the SEIR, the following discussion is provided and to be included in the record. The mitigation plans included as attachments to the Biological Resources Report (SEIR Appendix C) include requirements

COMMENTS

RESPONSES

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regarding vernal pool plant seed collection and bulking by a qualified native plant nursery, including vernal pool plant seed from pools that are to be impacted. Ultimately, these efforts are to be carried out under the supervision of a Qualified biologist provided by the applicable owner/permittee. The project fulfills the seed collection and salvage requested in this comment.

Comment Letter N

Attn: Dawna Marshal

1. Project name: **SOUTHWEST VILLAGE SPECIFIC PLAN**
2. **Project No. PRJ 0614791**
3. SCH No 2004051076
4. Community Plan Area of Otay Mesa
5. Council District # 8

Ms. Dawna

I am a property Owner on a subdivision within Pardee Homes project. Ours subdivision is already an accepted subdivision with public roads, **changing the use from residential to open space use, is bad for our subdivision and probably illegal.**

I like many other property owners within the Oilander Subdivision from day one when Pardee Homes started their public informative meetings as part of their project on said meetings City officials were present, we asked questions about Lots marked as Open space, we asked to find responses from the City since they id not had an answer and every time they said the same; we will get back to you, (Never had given answers).

N-1

Is it legal? That on land that has public roads and zoned for residential use, vacant lots are being use to create Vernal Pools? Including those portions for public usage?

Yes, City of San Diego is creating Vernal Pools, planting endanger species plants that were not there for the last 40 years.

I know that, because in the 90's as property a property Owner and pooling with many other owners, We initiated steps as directed by City, to one day have infrastructure; Created an identity "Baja Vista" was the name of our project;

Prepared a Precise Plan , we paid for an environmental study back then, and only one vernal pool was considered by the City staff to be important and was set aside

Comment Letter N: Tony Blas

N-1: The City acknowledges the commenter’s concerns regarding impacts to property values and property rights which are strictly economic and social concerns and do not raise any environmental impact issue under CEQA. CEQA requires an analysis of physical impacts to the environment; it does not require analysis of social and economic impacts, such as effects related to property values. Per CEQA Guidelines Section 15131, “an economic or social change by itself shall not be considered a significant effect on the environment.” Regardless, the following discussion addresses the concerns raised.

The OMCP requires preparation of a Specific Plan for the project area in order for development to proceed. Property owners still have the same legal rights as before the Specific Plan proposal; the Specific Plan simply provides greater detail for planning. Currently, all properties within the Specific Plan area are zoned Agricultural-Residential (AR-1-1), which permits 1 dwelling unit per lot. The Specific Plan proposes to rezone properties containing mitigation lands, MHPA, or VPHCP 100% conserved lands to the OC zone, which does not allow residential development. These areas are located in PAs 22, 23 and 29 and are either City-owned or Applicant-owned and

Comment Letter N

and fenced, there was another small Vernal pool located by the biologist for our EIR as well, and the same person from the City staff; **Stated that was of poor**

quality and were not interested on saving it. Today the same poor quality Vernal pool is being enhanced and this is fragmenting our subdivision. This is creating problems for the future of our properties. Where in the entire City of San Diego, you can find a buildable vacant lot within a subdivision for a price less than 1,000,000.00 (One million Dollars)?Remember; This Subdivision is a prime location, most of the lots are located on flat land. City of San Diego, is hurting for buildable land. Demand for housing is critical.

**Why the City is permitting this proposed designation?
We are in possession of some of the last vacant buildable land.**

Antonio Blas Owner of APN 645-075-21-00, 645-076-05-00

Sincerely



Antonio Blas
AKA Tony Blas

N-1
cont.

would be conserved. The Specific Plan proposes to rezone remaining properties within the open space areas in PA 28 to OR zones to preserve privately owned open space property in a land use plan for such purposes as preservation of public health and safety, visual quality, sensitive biological resources, steep hillsides, and control of urban form, while retaining private development potential. The OR zones are also intended to help implement the habitat preservation goals of the City and the MSCP by applying development restrictions to lands wholly or partially within the boundaries of the MHPA. The OR-1-2 zone permits 1 dwelling unit per lot, which is consistent with the current AR-1-1 zone. For properties fully within the MHPA, property owners can still develop 25% of a parcel or build one dwelling unit or go through an amendment process to seek approval for a greater development area or density. However, given the constraints in the open space areas such as terrain, access, and easements, residential development potential in OR zones within the Specific Plan area is anticipated to be limited.

Comment Letter O

 J. Whalen Associates, Inc.

Balancing the needs of the environment with those of business.

June 13, 2025

Ms. Dawna Marshall
City of San Diego
1222 First Avenue
San Diego, CA 92101

Re: Comments on Southwest Villages DEIR

2851 Camino Del Rio S. Dear Ms. Marshall:

O-1 Suite 200, Dept. A
San Diego, California
92108
619.683.5544

This firm represents the Abrams family, the owners of the five-acre Southwind project that is almost entirely surrounded by Southwest Villages. We have been coordinating closely with Tri-Pointe Homes on common issues, such as grading, sewer and biological resource matters, and are confident we can work through our issues going forward.

O-2 619.683.5585 FAX
www.jwhalen.net

Here are our comments on the Draft Southwest Villages EIR:

- 1) Figure 3-12 There is a 36" water line in Abrams Avenue shown when it should be a dual 16" system;
- 2) Figure 3-13 Confirm that unlabeled and unsized sewer not connecting to Southwind is meant to depict the planned sewer connection to Southwind, adding size and connection point;
- 3) Figure 3-40 shows a 16" water line serving Southwind, different from Figure 3-12, again a dual 16" system is the plan;
- 4) Figure 3-4, same comment as on Figure 3-13, also Appendices K-4 (Figure 4 is accurate, Figure 3 is missing size and connection point) and K-5 (Figure 3 is accurate, Figure 4 is missing size and connection point);
- 5) 5.4.1.4 Jurisdictional waters mapping needs to be consistent with text statements, i.e. text says no Corps jurisdiction, but biological technical report says otherwise;
- 6) 5.4-21 Project-level special-status species list should also include a mention of the Quino at the State level, as it is proposed for listing and previous CDFW staff review indicated the proposed listing is warranted, in which case the species would be subject to incidental take prohibition without a permit;
- 7) 5.4-32 Incorrect terminology—ESA Section 7 requires formal consultation, not Section 10. Also, it should be possible to include the Quino in an amendment to the VPHCP, given that the species is endemic to vernal pools and their

O-3
O-4
O-5
O-6
O-7
O-8

Comment Letter O: J. Whalen Associates, Inc.

O-1: The City acknowledges these introductory comments; however, they do not raise an issue concerning the environmental analysis or adequacy of the SEIR. Please see the responses below to specific comments.

O-2: The commenter asserts that Figure 3-12, Public Water Facilities should be revised to show a dual 16" water line instead of a 36" water line in Abrams Avenue. Figure 3-12 has been revised to correctly depict the water lines in Abrams Avenue.

O-3: The commenter requests confirmation that the unlabeled and unsized sewer in Figure 3-13, Public Sewer Facilities is meant to depict the planned sewer connection to Southwind. The commenter is correct in their assumption; there would be a sewer stub installed within PA 8 that would allow Southwind to gravity sewer to Beyer Boulevard.

O-4: The commenter notes inconsistencies between Figure 3-40, Proposed Water System and Figure 3-12 regarding the water line serving Southwind. To clarify, a 16" dual system would serve Southwind until Beyer Boulevard is completed as a through street during Phase 2. At that time, there would be adequate looping, and the 16" dual system in Abrams would not be necessary. SEIR Figure 3-40 has been revised to be consistent with SEIR Figure 3-12.

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- O-5:** The commenter requests clarifying revisions to Figures 3 and 4 of the project's sewer studies in Appendices K-4 and K-5, respectively. The City agrees with the requested revisions, and Figure 3-13, Public Sewer Facilities, Figure 3-41, Phase 1a Sewer Facilities, and Figure 3-42, Phase 1b Sewer Facilities have been corrected accordingly in the final SEIR.

- O-6:** The commenter asserts that the jurisdictional waters mapping in SEIR Section 5.4.1.4 needs to be consistent with text statements. Section 5.4.1.4 of the SEIR, including Figures 5.4-4a-1 through 5.4-4a-5, Existing Potential Jurisdictional Resources (USACE), correctly note that potential USACE jurisdictional waters were identified in the project-level areas. However, as the project has not yet applied for permits, only the USACE can make the determination that they have jurisdiction. Figures 5.4-4a-1 through 5.4-4a-5 have been adjusted to more clearly state that the USACE may have jurisdiction. If the USACE does have jurisdiction, they would be a Responsible Agency with discretionary approval power over the project. While SEIR Section 3.8.3 also identified this potential jurisdiction, additional clarification has been added to the text of Section 3.8.3. The USACE has also been added to SEIR Section 1.3.3 as a Responsible Agency.

- O-7:** The commenter asserts that the project-level special-status species list should mention Quino checkerspot butterfly at the State level, as it is proposed for listing. As of July 2025, CDFW has not designated Quino checkerspot butterfly as a candidate species under CESA (Special Animals List, CDFW July 2025). The CDFW staff report from February 2025 does indicate that listing is warranted; however, because a final decision on candidacy has not been published at this time, it was not included in the discussion as listed or a candidate for listing.

Comment Letter O

O-8 cont.
O-9
O-10
O-11
O-12
O-13

- watersheds, and in this case, impacts to the Quino would be confined to the mitigation site. In so doing, then the applicant can utilize Section 2080.1 of the Fish & Game code for a consistency determination in lieu of a permit;
- 8) 5.4-34 There is no mention of the need for a CESA 2081 permit for Crotch's bumble bee impacts. The protocols to address the species have evolved to include both species assessments as were done here, but also pre-construction surveys to the extent they aren't already required by MSCP adjacency guidelines. The measures should be updated;
 - 9) 5.4-36 Same comment as 5.4-32—incorrect terminology. Assuming there are no Army Corps jurisdictional waters, there will be no Section 7 consultation, a Section 10 permit will be required, potentially through a focused amendment to the VPHCP in lieu of an individual HCP if the species is listed;
 - 10) 5.4-82 There is no requirement in the San Diego MSCP Subarea Plan for the perpetually funded management of upland open space, especially with a further condition requiring wildlife agencies approval. San Diego was the first Subarea, and as such it was not required for applicants to fund permanent management, unlike subsequent Subarea Plans. The VPHCP does require funded management;
 - 11) 5.4-109 If there is no Army Corps 404 permit required (Section 3.8.3), there should be no role for the Corps in approval of a mitigation plan. The language in the condition should be changed to reflect that. Table 5.4-8 calls out drainages as Corps-jurisdictional when they do not appear to be so under current Corps delineation protocols. Resource mapping should be corrected in Final EIR.

We appreciate this opportunity to comment on this important project, the largest infusion of new homes in recent San Diego history. Please do not hesitate to follow up with any questions.

Very truly yours,

J.Whalen Associates, Inc.

by:

James E. Whalen
President

cc: Crisara Abrams (Abrams Trust)
Jonathan Kohlenberg (SB&O)

O-8: The commenter notes incorrect terminology for the FESA Section requiring formal consultation and states that Quino checkerspot butterfly could be included in an amendment to the VPHCP. Section 8.2.4.2 of the Biological Resources Report (SEIR Appendix C) does include the following correct language: "Formal consultation through ESA Section 7 or coordination through ESA Section 10 process would be required with USFWS..." Additionally, language referring to potential inclusion of this species in the VPHCP Major Amendment was added to section 5.4.3.3. As Quino checkerspot butterfly has not been formally designated a Candidate species, a consistency determination under CESA Section 2080.1 would not apply. Chapter 1.0, Introduction; Chapter 3.0, Project Description; and Section 5.4, Biological Resources of the SEIR have been revised.

O-9: The commenter asserts that a CEQA 2081 permit is required for Crotch's bumble bee impacts. Final SEIR Section 5.4.3.3 and 5.4.7.5(b) has been revised to state "A CDFW Section 2081 Incidental Take Permit would be required due to impacts to Crotch's bumble bee associated with project-level development areas." The Incidental Take Permit is a required component of mitigation measure PR-BIO-9a prior to the issuance of any Grading Permit, Demolition Plans/Permits and Building Plans/Permits.

O-10: Refer to Response O-8 above regarding the terminology revision recommended in this comment. In the event the western spadefoot toad becomes listed as endangered at the federal level, within the timeframe of this project, formal consultation through FESA Section 7 or coordination through FESA Section 10 process or VPHCP MA would be required, as applicable. Currently, the Applicant anticipates obtaining take authorization in the event of a potential listing concurrent with the Section 10 processing for Quino checkerspot butterfly.

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O-11: The commenter notes that funded management is not required for the City's MSCP SAP or the VPHCP. Mitigation measure PR-BIO-15 in Section 5.4.3.4 of the SEIR and the Biological Resources Report (SEIR Appendix C) have been revised to include additional options for the protection of upland open space, including a Conservation Easement, Covenant of Easement, or Irrevocable Offer to Dedicate.

O-12: The commenter asserts that the SEIR incorrectly designates certain drainages as USACE-jurisdictional, and that there should be no role for the USACE in approval of a mitigation plan if there is no USACE 404 permit required. While Section 3.8.3 notes that a formal jurisdictional determination would be required to conclude that there would be no USACE permits required, the project would be required per mitigation measures PR-BIO-16a and PR-BIO-16b to obtain all relevant permits from the wetland regulatory agencies. Final jurisdictional delineations would be confirmed during the permitting phase. USACE is included in SEIR Section 5.4 Table 5.4-8 and mitigation measures PR-BIO-16a and PR-BIO-16b in the event USACE asserts jurisdiction over any of the resources during the permitting process.

O-13: The City acknowledges this conclusion. This comment does not raise an issue concerning the environmental analysis or adequacy of the SEIR.

Comment Letter P

Marshall, Dawna

From: Leticia Segura <leticiasegura29@gmail.com>
Sent: Monday, June 16, 2025 4:48 PM
To: Councilmember Vivian Moreno; DSD EAS
Cc: Nicholas Segura
Subject: [EXTERNAL] Re: Southwest Village Specific Plan/PRJ-0614791

****This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.****

On Mon, Jun 16, 2025 at 4:31 PM Leticia Segura <leticiasegura29@gmail.com> wrote:

Hello Vivian,
 I am writing as a concerned land owner. Lot #34 has been in my family for over 60 years. My dad's dream was that one day my family would be able to build a home on this land. We have maintained ownership of this property for all these years waiting to be able to someday fulfill my father's dream.

P-1 I was contacted by a gentleman via US mail who shared that the City of SD was creating Vernal Pool Habitat Conservation on many of the lots that was owned by individuals like me who did not sell their land to the large companies like TriPointe Homes. I personally cleaned up my land several years ago when there was dumping that was taking place on my land as well as neighboring lots. There was never any evidence of any habitats (just trash).

I was shocked when I read the [Southwest Village Specific Plan \(Part 1\)](#) and saw that my property was being zoned as an Open Space Area- specifically a Vernal Pool Habitat Conservation Plan. It now appears that my property was rezoned from residential to open space, making my property worthless or completely diminished the value of my property. I don't understand how the land is being appraised. You can see the value of my lot- worth \$10,836 but my neighbor - Lot 19 is valued at \$157,234. This does not make sense.



I would like to know what are my rights as a property owner. Please reach out to me by email- leticiasegura29@gmail.com or via phone- 619 315-9190.

Comment Letter P: Leticia Segura

P-1: The City acknowledges the commenter's concerns regarding the proposed land use of the commenter's property under the Specific Plan. Comments regarding the clean-up of dumped materials is noted. Habitat information is included in the SEIR Section 5.4 for the programmatic areas based on the Biological Resources Report (SEIR Appendix C), but any future development in the programmatic areas would require site-specific surveys by a Qualified biologist in accordance with mitigation measure SP-BIO-1. Refer to SEIR Section 5.4 for additional habitat information.

P-2: The City acknowledges the commenter's economic concerns regarding impacts to property values and property rights. CEQA requires an analysis of physical impacts to the environment; it does not require an analysis of social and economic impacts, such as effects related to property values. Per CEQA Guidelines Section 15131, "an economic or social change by itself shall not be considered a significant effect on the environment." Regardless, the following discussion addresses the commenter's concerns.

The OMCP requires preparation of a Specific Plan for the project area in order for development to proceed. Property owners still have the same legal rights as before the Specific Plan proposal;

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the Specific Plan simply provides greater detail for planning. Currently, all properties within the Specific Plan area are zoned AR-1-1, which permits 1 dwelling unit per lot. The Specific Plan proposes to rezone properties containing mitigation lands, MHPA, or VPHCP 100% conserved lands to open space zones depending on the property owner. These areas are located in PAs 23 and 29, which include some privately owned parcels where up to one single-family dwelling unit per parcel may be permitted under the OR-1-2 zoning designation. OR zones are intended to preserve privately owned open space property in a land use plan for such purposes as preservation of public health and safety, visual quality, sensitive biological resources, steep hillsides, and control of urban form, while retaining private development potential. The OR zones are also intended to help implement the habitat preservation goals of the City and the MSCP by applying development restrictions to lands wholly or partially within the boundaries of the MHPA. PA 28 would also be designated open space in the Specific Plan and would be zoned OR-1-2. All OR-1-2 parcels within the Specific Plan area would be permitted to develop one unit per parcel, and any such unit would be subject to the maximum dwelling unit cap of 5,130 dwelling units allowed under the Specific Plan. However, given the constraints in the open space areas such as terrain, access, and easements, residential development potential in OR zones within the Specific Plan area is anticipated to be limited.

City- and applicant-owned parcels in PAs 23 and 29 would be zoned OC-1-1, which does not permit residential development.

Comment Letter Q



801 South Figueroa Street, Suite 450
Los Angeles, California 90017
213.570.8000 telephone
213.570.8010 facsimile
www.parkvelayos.com

June 23, 2025

VIA EMAIL

Dawna Marshall
City of San Diego Development Services Center
1222 First Avenue, MS 501
San Diego, CA 92101
DSDEAS@sandiego.gov

Re: Southwest Village Specific Plan Project Supplemental Environmental Impact Report
(PRJ-0614791; State Clearinghouse No. 2004051076)

Dear Ms. Marshall:

On behalf of BDM Twenty LLC ("BDM Twenty") and Otay Mesa LLC ("Otay Mesa"), we appreciate the opportunity to provide written comments on the Draft Supplemental Environmental Impact Report ("SEIR") for the proposed Southwest Village Specific Plan ("Specific Plan") Project (the "Project"). The Specific Plan encompasses approximately 490 acres of land in the Otay Mesa Community Plan area of the City of San Diego ("City"). BDM Twenty and Otay Mesa are two of the largest landowners in the Specific Plan area. Specifically, BDM Twenty owns an approximately 20-acre property (Assessor Parcel No. ["APN"] 667-010-14-00) located in the southern central portion of the Specific Plan area identified as Planning Area ("PA") 21 (the "BDM Twenty Property").¹ Otay Mesa owns an approximately 160.6-acre property (APN 645-080-03-00) within the northeastern portion of the Specific Plan area and adjacent to the Specific Plan area to the north and east (the "Otay Mesa Property").² The portion of the Otay Mesa Property located within the Specific Plan area is included in the areas identified as PAs 3, 4, 5 and a portion of PAs 28 and 29. The BDM Twenty Property and Otay Mesa Property are referred to collectively herein as the "Properties."

The proposed Project would have significant impacts on the Properties, including impacts that were not appropriately analyzed and/or disclosed. Although we support responsible development of the Specific Plan area, there are a multitude of issues with the Project as currently proposed. Given the magnitude of this Project, it is imperative that the SEIR provide a comprehensive and detailed analysis of all reasonably foreseeable environmental impacts in compliance with the California Environmental Quality Act ("CEQA"). Participation by informed members of the public, both formally and informally, is an "essential" part of the CEQA process. (CEQA Guidelines Section 15201.) The California Supreme Court has

¹ The BDM Twenty Property is 20.004 acres as shown in the certified land survey dated November 15, 2024 (attached as Exhibit 1 to this letter).

² Refer to the San Diego County Assessor parcel map for APN 645-080-03-00, attached as Exhibit 2.

Q-1

Q-2

Comment Letter Q: Park & Velayos LLP on behalf of BDM Twenty LLC and Otay Mesa LLC

Q-1: The City acknowledges these introductory comments; however, they do not raise an issue concerning the environmental analysis or adequacy of the SEIR. Please see the responses below to specific comments.

Q-2: This introductory comment summarizes the points raised in the commenter's letter and asserts that environmental impacts are not appropriately analyzed or disclosed in the SEIR, is noted for the record. Environmental impact determinations presented in the SEIR are based on CEQA, the CEQA Guidelines, the City's CEQA Guidelines for Determining Significance, and technical analyses conducted by qualified technical specialists. Mitigation measures were identified in collaboration with the City, the Wildlife Agencies, and other stakeholders when potentially significant impacts were identified. This comment is a conclusory summation of the commenter's letter and does not provide any evidence in support of its assertion that the SEIR inadequately analyzes project impacts. In addition to providing

Comment Letter Q

Park & Velayos LLP

June 23, 2025
Page 2

Q-2 cont. ↑

mandated that CEQA procedures be “scrupulously followed” in order to foster crucial public participation in environmentally significant actions. (*Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 392.) “The EIR process protects not only the environment but also informed self-government.” (*Id.*) Unfortunately, from our preliminary review, the SEIR fails in this regard to sufficiently evaluate and disclose the potential impacts of the proposed Project. As discussed below, we have preliminarily identified several significant concerns about the proposed Project and inadequate analyses in the SEIR, including, without limitation, project description issues, and biological resources, fire, and traffic impacts, that must be addressed before the Project is able to move forward in the entitlement process.

Q-3 ↓

The SEIR includes hundreds of pages of text, as well as thousands of pages of appended technical reports and materials. Our clients have not had an opportunity to fully review the SEIR and related materials, and hereby reserve the right to submit additional comments once they have had an opportunity to fully review the materials. Given the significant implications this Project has on the Properties, we hereby request that the comment period for the SEIR be extended for an additional 90 days to allow for a complete review. In the alternative, we request that the deficiencies noted below, at a minimum, be addressed in a revised SEIR that is recirculated for public comment.

I. The Process Has Not Been Transparent or Collaborative.

Q-4 ↓

The City has grossly overstated the property owner outreach that has been conducted. For example, Section 1.73 of draft Specific Plan states that “[t]he Southwest Village Subcommittee collaborated with stakeholders who own a majority of the land through ongoing communications, subcommittee meetings and workshops. Four of the five largest land owners have been consistently involved in the process from the start.” First, BDM Twenty and Otay Mesa, who are among the largest landowners, have not been consistently involved in the process, with no substantive information or outreach from the City in the last five years; in fact, despite their efforts to be involved, our clients have been consistently excluded from the planning process. Second, the subcommittee should have collaborated with all of the landowners. Based on the southwestvillagespecificplan.com website, it appears there are approximately 70 other private landowners in the Specific Plan area. The Southwest Village Subcommittee meetings occurred from May 2018 to December 2019 with a recommendation on January 15, 2020 to approve the draft Specific Plan. However, there has been insufficient outreach since that time and the Otay Mesa Planning Group meetings shared limited information. It is also not clear how the draft Specific Plan and Project have changed since that time, but it certainly did not result from collaboration with long-standing stakeholders like BDM Twenty and Otay Mesa who have been shut out of the planning process. We are not aware of any other stakeholders in the Specific Plan area other than the applicant that have been fully informed and included in the City’s process.

Further outreach is critical to ensure that all owners and affected stakeholders are given the opportunity to provide meaningful input. This input would undoubtedly lead to changes to

adequate environmental analysis under CEQA within the SEIR, the City has complied with the procedural requirements of CEQA to allow for public participation and informed decision making. Specific responses to the commenter’s environmental concerns are provided below.

Q-3: This comment requests an extension of the SEIR review period by an additional 90 days. The SEIR was released for an initial review period of 45 days, from May 1, 2025 to June 16, 2025. On June 11, 2025, the City received a request from the USFWS to extend the public comment period; the extension was granted in a public notice dated June 16, 2025, and the revised public comment period ended on June 23, 2025. Per CEQA Guidelines Section 15203, the lead agency has discretion in establishing the public review period for EIRs. No additional extensions were granted for review of the SEIR.

Q-4: This comment asserts that the project Applicant failed to sufficiently collaborate with property owners in the Specific Plan area during the planning process. While this comment does not raise an issue regarding the environmental analysis or adequacy of the SEIR, the following discussion is provided to be included in the record.

The Specific Plan planning process has included review by the Southwest Village Subcommittee of the Otay Mesa Community Planning Group, and the Otay Mesa Community Planning Group, and, in addition, would go to City of San Diego Planning Commission and City Council for noticed, open, and public review and decision. Public outreach for the Specific Plan included nearly two years of public Subcommittee Meetings

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(noticed via mail to all owners within the Southwest Village and via 30 email communications to a contact list of nearly 70, per the Applicant). Public notifications were sent to owners within 300 feet of the Southwest Village Specific Plan Area at project application, SEIR scoping and Draft SEIR review. Between May 2018 and December 2019, 15 subcommittee meetings (including several evening workshops) were held to address the following topics: land use, housing and density, design and placemaking, commercial and the Village Core, parks and public spaces, schools, connectivity and mobility, utilities and resources and Specific Plan implementation. In addition to multiple, ongoing Subcommittee Meetings, on August 30, 2018, a City of San Diego publicly noticed Planning Commission Workshop on the Southwest Village Specific Plan was held. Workshop public and Planning Commission feedback was incorporated in the plan and process. On January 15, 2020, the Southwest Village Subcommittee voted unanimously to recommend approval of the Southwest Village Specific Plan. On March 4, 2020, a publicly noticed Environmental Impact Report Scoping Meeting was held in the evening at San Ysidro High School. Ongoing updates on the status of the Southwest Village were provided by Southwest Village Subcommittee Chairperson Felipe Nuno at Otay Mesa Community Planning Group Meetings between January 2020 and June 2025. Public Review of the Draft Subsequent Environmental Impact Report occurred between May 1, 2025 and June 23, 2025. Five direct mail pieces were mailed directly to more than 150 addresses, including representatives from BDM Twenty and Otay Mesa. Mailers included the dedicated project website southwestvillageplan.com and email address info@southwestvillageplan.com, through which individuals could learn more about the Southwest Village Specific Plan, ask questions and sign up to receive emails about the project and project-related meetings. Multiple opportunities and public meetings were provided for public input on the Specific Plan prior to the Subcommittee's unanimous vote to recommend

Comment Letter Q

Park & Velayos LLP

June 23, 2025
Page 3

Q-4
cont.

the Project, which should be analyzed in a revised SEIR that is recirculated for public review and comment.

2. The Project Description is Inadequate.

Q5

The Project description is inadequate, confusing and lacking in critical details. A complete and accurate description of the Project under review is essential to allow the public an opportunity to effectively participate in the environmental process. (*County of Inyo v. City of Los Angeles* (1977) 71 Cal.App.3d 185, 193.) The Project description in the SEIR fails to include all of the elements of the Project, and describes the Project in a confusing and misleading manner. This failure ultimately results in an incomplete, inconsistent and inadequate CEQA document that fails to disclose all of the reasonably foreseeable impacts of the Project.

a. The Project Description Lacks Critical Information and Details.

Q-6

CEQA Guidelines Section 15147 requires an EIR to include “technical data, maps, plot plans, diagrams, and similar relevant information sufficient to permit full assessment of significant environmental impacts by reviewing agencies and members of the public.” The Project description fails to include such information. For example, no plot plans, diagrams or renderings of Phase 1 are included. The SEIR states that Phase 1 proposes 920 dwelling units, but does not provide any other information regarding the proposed project, such as the square footage, height, siting and massing of the proposed buildings. In *Stoepthemillenniumhollywood.com v. City of Los Angeles* (2019) 39 Cal.App.5th 1 (“*Millennium*”), the Court found the project description, which failed “to describe the siting, size, mass, or appearance of any building proposed to be built at the project site[,]” to be inadequate under CEQA. (*Id.* at 18.) In describing what an acceptable project description would include, the *Millennium* Court listed the following: “site plans, cross-sections, building elevations, or illustrative massing to show what buildings would be built, where they would be sited, what they would look like, and how many there would be.” (*Id.* at 19.) The SEIR fails to provide these baseline materials. In addition, a number of Project components are conceptual and lack details or a timeline (e.g., schools, parks in PAs 2, 3 and 17). Further, the draft Specific Plan permits 1,315 dwelling units in Phase 1, which the SEIR fails to explain or analyze.

Q-7

Other Project components – for example, the proposed signage – are also not discussed or analyzed. Further, the proposed Development Agreement is also not discussed. The Project description includes a mere one-sentence summary stating that the Development Agreement “defines the rights and duties of the City and the project applicant regarding buildout of the project and identifies extraordinary benefits resulting from the project.” The specifics regarding the buildout of the Project that will be included in the Development Agreement and the proposed term, at a minimum, should be discussed in the Project description, and the draft Development Agreement should be attached to the SEIR and recirculated for public review.

Q-8

Importantly, CEQA does not allow for a vague and undefined analysis in a program EIR analysis. Merely labeling an EIR as a program EIR does not by itself decrease the level of analysis otherwise required in the EIR. Here, the program-level analysis in the SEIR was

approval of the project, which was followed by the recommendation of approval by the Otay Mesa Community Planning Group on June 18, 2025.

Q-5: This comment cites case law and introduces comments regarding adequacy of the project description. See Topical Response 1 and Responses Q-6 through Q-33 regarding the assertion that the SEIR’s project description is inadequate. The SEIR adequately describes the project to a level of detail that allows for analysis of environmental impacts in accordance with the requirements of CEQA and the CEQA Guidelines.

Q-6: The commenter asserts that the SEIR’s project description is inadequate because it lacks site-specific details and fails to analyze 1,315 units for Phase 1 rather than the 920 units proposed. Please refer to Topical Response 1 regarding the adequacy of the SEIR project description for program-level and project-level components. The project description provided in Chapter 3.0, *Project Description*, of the SEIR is developed at the appropriate level of detail to support the Vesting Tentative Map (VTM) application and specifically identifies other discretionary actions proposed. The project-level actions are intended to allow for the development of up to 920 units within Phase 1. The location and types of units, including design and architectural features, density by lot, landscaping, open space requirements and expected parking are described throughout the project description. SEIR Section 3.5.5.2 provides details about project signage, as mentioned in this comment. SEIR Figures 3-1 through 3-46 provide locational details such as program- and project-level grading areas, roadway cross-sections, the VTM, water and sewer facilities, and more. The specific designs for the individual residential phases are not yet known so the approvals for the same are not requested. Nonetheless, the project description provided in the SEIR is accurate, stable, finite, and developed at the appropriate level

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of detail to support analysis of the requested discretionary actions.

Finally, regarding the 1,315 units versus the 920 units, as described in Section 3.5.1 of the SEIR, while the Specific Plan allows for up to 1,315 residential units in PAs 8 through 14, the project VTM No. 2188969 proposes only up to 920 total dwelling units in these areas. As a result, the project-level analysis in the SEIR analyzes the impact of the 920 dwelling units proposed by the project through the VTM.

Q-7: The commenter asserts that the proposed Development Agreement (DA) should be discussed in and attached to the SEIR. At the time the draft SEIR was prepared, it was anticipated that a DA would be completed for the project; however, a DA is no longer proposed. References to the DA have been removed from the cover of the SEIR and relevant SEIR Sections 1.2.3 and 3.7. All physical project components of the project have been described in SEIR Chapter 3, Project Description.

Q-8: The commenter asserts without support that the program-level analysis in the SEIR is conclusory and asserts that the SEIR must analyze the impacts caused by each proposed project to the extent that information is known or reasonably could be known. See Topical Response 1 for a discussion of program and project EIRs.

To address the commenter's more specific assertions, the project involves a Specific Plan with phased development anticipated to take place over the next 10 to 25 years with multiple land use types alongside the infrastructure required to serve these land uses. Given the long-term implementation of the Specific Plan, a detailed site-specific analysis is not possible at the program-level, nor is it required under CEQA. The level of specificity to be included in the CEQA analysis is determined by the nature of the project and the rule of reason, and a

Comment Letter Q

Park&Velayos LLP

June 23, 2025
Page 4

Q-8
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conclusory and improperly deferred the analysis of reasonably foreseeable impacts. (See *Friends of Mammoth v. Town of Mammoth Lakes* (2000) 82 Cal.App.4th 511, concluding that where a program EIR provides detailed information on conceptual projects, it must analyze the impacts caused by each proposed project to the extent that information is known or reasonably could be known.)

b. The Description of Improvements and Timing Is Vague.

Q-9

It is clear from the SEIR and Specific Plan that the phasing and timing of the Project was designed to benefit the applicant, TriPointe, to the detriment of the other private property owners in the Specific Plan area. Revisions to the currently proposed plan, as well as other conditions and safeguards are needed to ensure that the other property owners are not unduly burdened or disadvantaged. For example, the Project should be conditioned upon a phased infrastructure financing plan that includes clear triggers, reimbursements, and fair-share calculations that are agreed to by all of the property owners. Conditions or Specific Plan requirements should be added to ensure that later phases are not burdened by early-phase commitments by TriPointe without compensation or planning flexibility to the other stakeholders. For example, early grading of Phases 2 and 4 benefits Phase 1. Phase 1 grading outside of its development footprint should be limited unless there is a proportional benefit and/or compensation for later phases.

Q-10

Further, while certain PAs are owned by a single landowner (e.g., the PAs in Phase 1 [PAs 8 through 14] and Phase 2 [PAs 15 through 20] are owned by TriPointe), other PAs include multiple owners, which could impact the feasibility of implementing future development. This would be particularly troublesome in the event that certain owners are not agreeable to the improvements/commitments envisioned for their properties. For example, there are two owners in PA 21; the western and central portion of PA 21 is owned by BDM Twenty and the eastern portion is owned by another private landowner. The Project proposes East Avenue to be developed directly through the eastern parcel, which substantially limits the development potential in the remainder of this parcel. PAs 19 and 20, which are located directly east of PA 21 and are owned by TriPointe, directly benefit from this roadway, without TriPointe having to construct a roadway in PAs 19 and 20. It is unclear why the proposed East Avenue does not traverse PAs 19 and 20.

Q-11

Further, the implementation and financing of the improvements is unclear. In the few instances that cost sharing is discussed, the description is vague and ambiguous. For example, the SEIR (page 5.14-11) states that future development within the Specific Plan area would share in the cost and construction of the off-site sewer system improvements to the Otay Mesa Trunk Sewer line along Otay Mesa Road and Beyer Boulevard along with other private developments in its vicinity. This leaves many questions unanswered, including what the specific improvements consist of; the cost of the improvements; how costs would be allocated; the other private developments that would share in the cost; how much other private developments would contribute; and enforcement of such cost-sharing.

Q-12

Q-13

Below is a preliminary, non-exhaustive list of issues with the Project as currently proposed, as well as suggested clarifications and recommendations.

program EIR is designed for analyzing program-wide effects, broad policy alternatives and mitigation measures, cumulative impacts and basic policy considerations. The SEIR does not dismiss potentially significant impacts; however, the SEIR acknowledges the degree of uncertainty by conservatively identifying potentially significant impacts for the program-level components when there is not sufficient information to determine impacts would be less than significant. Potentially significant program-level impacts are addressed by requiring site-specific analyses when more concrete development proposals are put forth at future phases of the project. Site-specific mitigation measures may be identified at that time to reduce impacts to a less than significant level. This is considered mitigation to the extent feasible. In light of these facts, the SEIR does meet the commenter's request by analyzing the impacts caused by each proposed project to the extent that information is known or reasonably could be known. The SEIR is adequate as both a program EIR and project EIR for the respective project components, and does not improperly defer analysis.

Q-9:

The commenter asserts that the phasing and timing of the project is designed to benefit the Applicant, and that conditions or Specific Plan requirements should be added to ensure that stakeholders in later phases are not disproportionately burdened. This appears to raise a social or economic issue and not an environmental impact issue under CEQA. See Topical Response 1 for a discussion of program and project EIRs. More specifically, the phasing plan was established based on the proposed VTM, which has been developed concurrently with the creation of the Specific Plan. Since the VTM development is expected to occur as part of the project-level approvals in the near future, it was reasonable to assume as Phase 1. Subsequent phases were determined based on best practices for ensuring proper circulation, overall stormwater management, and compliance with fire access requirements as buildout of the Specific Plan occurs.

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As stated in the Specific Plan, the Phasing Summary reflects targeted land use assumptions in logical chronological order. However, it does not specify the exact sequence of development which will occur provided that the necessary infrastructure to support the development is in place. Given the uncertainty in timing and development progress among different property owners, it is difficult to establish a definitive sequence of development for the program-level areas. The standard City administrative process allows for flexibility in the phasing.

The commenter's assertion that the project was designed to benefit the Applicant to the detriment of other private property owners is not an environmental issue under CEQA and is not required to be addressed in the environmental document. From a CEQA perspective, the SEIR is adequate as both a program EIR and project EIR for the respective project components and does not improperly defer analysis or mitigation. No revisions to the SEIR are required.

Q-10: The commenter asserts that Phase 1 grading outside of its development footprint should be limited unless there is a proportional benefit for later phases. This comment does not assert an issue under CEQA. The grading for Phase 1 outside of its development footprint is intended to daylight edge conditions, provide site access, convey stormwater run-on through the site, and support overall earthwork balance. Early grading within Phase 2 is intended to serve as a fill disposal and borrow area to facilitate earthwork balancing across Phase 1, including Beyer Boulevard, which is intended to serve as a major access point for the entirety of the Specific Plan area. Construction BMPs and storm drain outfalls and facilities would be included to accommodate both the temporary fill/borrow operations, and the ultimate Specific Plan storm drain requirements. This is a necessary component of the project. No revisions to the SEIR are required.

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Q-11: The commenter expresses concern about the feasibility of future phases given that multiple landowners exist in the Specific Plan area; additionally, the commenter questions why East Avenue does not traverse PAs 19 and 20, which are owned by the Applicant. These topics pertain to the project design, and not to the adequacy of the environmental document. In accordance with CEQA Guidelines Section 15088, the City is responding to comments raising significant environmental issues. The entirety of the comment letters received are available for the decision maker's review and consideration.

It is possible, as noted in this comment, that potential conflicts in future development may arise because there are multiple property owners in the Specific Plan area. However, as discussed in Response Q-9 above, the Specific Plan allows flexibility in the timing of development and does not require landowners to develop their parcels at all. Although the comment does not relate to the adequacy of the environmental document, East Avenue is a necessary access route for the project-level components. The proposed East Avenue alignment runs adjacent to PAs 21 and 23 west of PAs 19 and 20. PA 23 is identified as conserved open space in the Specific Plan. The current East Avenue alignment was chosen to act as a buffer between the biological resources in PA 23 and the development in PA 22, and does not traverse PAs 19 and 20 for this reason.

Q-12: The comment raises an economic issue, not an environmental impact issue under CEQA. The commenter asserts that the implementation and financing of future infrastructure improvements in the Specific Plan area is unclear. While this comment does not raise an issue regarding the environmental analysis or adequacy of the SEIR, Section 7.7 of the Specific Plan states that future public improvements would be implemented as indicated in Table 7.2, Phasing Summary of the Specific Plan, and Section 7.14 of the Specific Plan states that the necessary infrastructure and public facilities required for each phase of

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development shall both be constructed as part of the implementing project or may be necessary to construct upfront of an implementing project.

Q-13: See Responses Q-14 through Q-30 below regarding the list of project issues introduced in this comment. Several of the comments below pertain to the project design, and not to the potential significant environmental impacts of the proposed project or adequacy of the environmental document. In accordance with CEQA Guidelines Section 15088, the City responds to comments raising significant environmental issues and the following responses are provided to be included in the record.

Comment Letter Q

Park & Velayos LLP

June 23, 2025
Page 5

- Q-14 • Emergency Access
 - The emergency vehicle access (“EVA”) road and secondary EVA road should be constructed in the beginning of Phase 1 and be completed prior to the first Certificate of Occupancy regardless of whether Beyer Boulevard West is completed. This is critical given that the existing conditions evacuation time is estimated to be over an hour (91 minutes) before even a single Project trip is added. Construction of these EVA roads are imperative for fire, life and safety concerns, and should be conditioned exclusively to the commencement of Phase 1 development.
 - The EVA road from South Caliente Avenue to East Avenue should be required in Phase 2 when PAs 19 and 20 are developed.
- Q-15 • Phase 1
 - It is unclear why only an interim intersection at Caliente Avenue/Beyer Boulevard is required for Phase 1, whereas the full intersection improvement is required in Phase 2. The full intersection improvement should be required in Phase 1. Also, the SEIR does not adequately describe what the interim intersection and full intersection improvements consist of.
- Q-16 • Beyer Boulevard West
 - Beyer Boulevard West should be constructed in the beginning of Phase 1 and be completed prior to the first Certificate of Occupancy. This is imperative for the Phase 1 PAs for fire, life and safety reasons. As noted above, the existing conditions evacuation time is estimated to be over an hour (91 minutes) before even a single Project trip is added. This improvement should be exclusively conditioned upon TriPointe and Phase 1 development (i.e., no other Specific Plan land owner should be burdened with this improvement). Development east of Caliente Avenue does not require this roadway and should not be conditioned upon the construction of Beyer Boulevard in any manner. This is particularly critical given that Beyer Boulevard West is proposed in a highly ecologically sensitive area under multiple jurisdictions.
- Q-17 • Table 3-2 on page 3-6 of the SEIR states that Beyer Boulevard West from West Avenue to the western Specific Plan boundary will be constructed at the 700th dwelling unit. However, Figure 3-5, Street Classifications and Network, shows Beyer Boulevard West beginning west of West Avenue. This inconsistency should be clarified and analyzed, as necessary, in the revised SEIR.

Q-14: The commenter asserts that (1) the two EVA Roads should be completed during Phase 1 prior to the first certificate of occupancy and (2) that the EVA Road from South Caliente to East Avenue should be required in Phase 2 when PAs 19 and 20 are developed. There are only two EVA Roads proposed in the Specific Plan area, therefore, these statements are contradictory; however, a detailed discussion of the project’s EVA Roads is provided for clarification.

SEIR Sections 3.4.4.1 and 5.6.3.2(b) describe the project’s emergency routes, which were developed by a qualified specialist, as detailed in the Wildfire Evacuation Study included as Appendix E. Caliente Avenue is adequate for emergency access for the first 200 units in Phase 1 of the Specific Plan. Upon construction of the 201st unit, secondary access is required per the San Diego Fire-Rescue Department, as discussed in SEIR Section 3.5.3.1(f). The EVA roadway from South Caliente to East Avenue is not required in Phase 2, as Street B and Street D would provide adequate access for PAs 19 and 20 in the event of an emergency. Construction of the primary EVA Road in Phase 2 is not required. Refer to SEIR Section 3.4.4.1 for further details regarding emergency access and SEIR Section 5.6.3.2(b) regarding emergency access analysis. Finally, the project would be required to comply with the applicable California Building Code regulations related to emergency access at the time of building permit issuance.

Q-15: The commenter asserts that the full intersection improvement for Caliente Avenue and Beyer Boulevard should be required in Phase 1. However, the level of development proposed during Phase 1 would not necessitate the full intersection improvements requested in this comment. Additionally, no development that would front this intersection is proposed in Phase 1. Street widths and improvements would have to meet Fire Marshal and City Engineer standards until there is higher demand placed on Caliente Avenue during development in

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Phase 2. The timing of these improvements is discussed in SEIR Table 3-2, Specific Plan Phasing Summary, the interim and full intersection improvements are depicted in Attachment A of Appendix J-2, Southwest Village Specific Plan Transportation Phasing Plan.

Q-16: The commenter asserts, without evidence, that Beyer Boulevard West should be completed during Phase 1 prior to the first certificate of occupancy and that the improvement should be exclusively conditioned upon the Applicant. In addition to the emergency access evaluation, a Local Mobility Analysis (Appendix J-4) was prepared for the project-level VTM in accordance with the City’s TSM (September 2022) to assess transportation needs. Based on the SANDAG regional model trip distribution used and the Applicant’s proposed phased development for the project-level VTM in the Local Mobility Analysis (Appendix J-4) and the Evacuation Study (Appendix E), the Beyer Boulevard West extension is not required at the beginning of Phase I. The Applicant demonstrated that the construction of Beyer Boulevard West (from the project boundary to Enright Drive) prior to the 700th dwelling unit would result in adequate circulation and emergency access for the buildout of the project-level VTM. Other future discretionary developments within the Specific Plan would similarly be required to comply with the City’s TSM requirements, and, if applicable, prepare a project-level local mobility analysis to address access in accordance with City requirements. In addition, future projects would be required to demonstrate adequate infrastructure, including emergency access, in accordance with the SDMC, CBC and CFC requirements.

Q-17: The commenter notes an inconsistency between Table 3-2 and Figure 3-5, Street Classifications and Network in the SEIR related to Beyer Boulevard West. Figure 3-5 has been revised to clarify that Beyer Boulevard West is west of West Avenue and Beyer

Comment Letter Q

Park&Velayos LLP

June 23, 2025
Page 6

- Q-18 • Beyer Boulevard East
 - The full width of Beyer Boulevard East between West Avenue and Caliente Avenue should be required to be constructed in Phase 1. The SEIR states that Phase 1 would include an interim improvement including two lanes in each direction within the half-width segment of the ultimate 4-lane roadway. However, no justification is provided for this interim improvement; rather, this merely alleviates TriPointe from having to construct the full roadway and puts the burden on other smaller landowners even though TriPointe is the only major landowner with properties fronting Beyer Boulevard East. This improvement should be exclusively conditioned upon TriPointe and Phase 1 development (i.e., no other Specific Plan land owner should be burdened with this improvement).
 - SEIR page 3-29 states that Beyer Boulevard East will ultimately be a four-lane roadway. However, Figure 3-7, *Beyer Boulevard East Between West Avenue and Caliente Avenue*, shows a two-lane roadway. This inconsistency should be clarified and analyzed, as necessary, in the revised SEIR.
- Q-19 • Caliente Avenue
 - The full width of South Caliente Avenue, including the western portion between Beyer Boulevard East and Street B, should be constructed in Phase 2 and should be located entirely on TriPointe properties.
- Q-20 • Spine Road
 - The SEIR and Specific Plan include the development of PAs 4 and 5 (owned by Otay Mesa) in Phase 3 and include the development of PAs 1, 2, 3, 6, and 7 in Phase 4. These PAs are all located along the proposed Spine Road which extends from Caliente Avenue easterly to the intersection with 1st Avenue in PAs 4 and 5. Although the western portion of Spine Road is not located in PAs 4 and 5, the Specific Plan and SEIR require the full improvement of Spine Road in Phase 3, which unfairly burdens PAs 4 and 5. The development and improvement of Spine Road should be distributed proportionately among the PAs adjacent to the road. For example, assuming PAs 4 and 5 are developed in Phase 3 prior to the development of PAs 1, 2, 3, 6 and 7 in Phase 4, Phase 3 should only be required to develop an interim reduced-width Spine Road per established City policy (to accommodate the fair share of trips generated from PAs 4 and 5), and half-width improvements only, with the full width frontage improvements required in Phase 4 as the PAs develop.
- Q-21

Boulevard east is east of West Avenue, consistent with Table 3-2 and the rest of the SEIR.

Q-18: The commenter asserts that the full width of Beyer Boulevard East between West Avenue and Caliente Avenue should be constructed in Phase 1 and conditioned upon the Applicant. As discussed in the LMA (SEIR Appendix J-4), the half street capacity would be sufficient to support Phase 1 and would operate at LOS A in Phase 1. No revisions to the SEIR are required.

Q-19: The commenter notes an inconsistency between SEIR page 3-27 and Figure 3-7, *Beyer Boulevard East Between West Avenue and Caliente Avenue* regarding the ultimate width of Beyer Boulevard East. Figure 3-7 has been updated to show the correct image for Beyer Boulevard East as shown in Specific Plan Figure 4.8, *Modified Cross-Section for 4-Lane Urban Major with Class I Bike Path and Class II Bike Lanes With Buffer* of the Specific Plan.

Q-20: The commenter asserts that the full width of South Caliente Avenue should be constructed in Phase 2 and should be located entirely on properties owned by the Applicant. The City acknowledges this position, but this comment does not raise an issue concerning the environmental analysis or adequacy of the SEIR. South Caliente Avenue is assumed to be constructed in Phase 2, and the timing of proposed South Caliente Avenue improvements would be finalized when the adjacent PAs are proposed to be developed.

Q-21: The commenter asserts that the planned improvement of Spine Road in Phase 3 unfairly burdens PAs 4 and 5. The City acknowledges the commenter's position, but this comment does not raise an issue concerning the environmental analysis or adequacy of the SEIR. The timing of Spine Road improvements would be finalized when the adjacent PAs are proposed to be developed.

Comment Letter Q

Park&Velayos LLP

June 23, 2025
Page 7

- Q-22 • Central Avenue
 - Figure 4.1, Street Classifications, of the Specific Plan labels the western portion of Central Avenue, which appears to extend from Caliente Avenue easterly to the western boundary of PA 3 (“West Central Avenue”), as a two-lane collector street with two-way center left turn lane and Class II bike lanes (“West Central Avenue”), and labels the eastern portion of Central Avenue, which appears to extend from the western boundary of PA 3 to the intersection with 1st Avenue (“East Central Avenue”), as a two-lane collector with a Class I multi-use path on one side. The SEIR and Specific Plan require the full development of West Central Avenue and East Central Avenue in Phase 3 (PAs 4 and 5), which unfairly burdens Otay Mesa with construction outside of the Otay Mesa Property. As with Spine Road, the development and improvement of Central Avenue should be distributed proportionately among the PAs adjacent to the road. Further, the full width improvements and timing needs to be revised to reflect coordination with the land dedication and improvements required for the Candlelight project, City of San Diego Project No. 40329. As with Spine Road, should PAs 4 and 5 develop in Phase 3 prior to Phase 4 as assumed by the Specific Plan and SEIR, and/or prior to the Candlelight project, only the partial width improvements satisfactory to accommodate the fair share of trips generated by PAs 4 and 5 should be required for West Central Avenue per City policy. Further, if PAs 1, 2, 3, 6 and 7 are developed before PAs 4 and 5, then the full width improvement of West Central Avenue should be required.
- Q-23 • Schools
 - The timing and implementation descriptions of the schools are vague and ambiguous. Further, the SEIR assumes that temporary school facilities will be utilized in the event that PA 7 and/or 16 are not developed with school uses, and also during the interim period before a school(s) is constructed in the Specific Plan area. However, the SEIR fails to provide an analysis of these alternate school facilities and the associated impacts such as traffic, noise, construction, air quality, etc.
- Q-24 • Utilities
 - The 10-inch gravity sewer line along Caliente Avenue from the terminus to Beyer Boulevard East should not be required for Phase 3, which includes the development of PAs 4 and 5. This line is outside of PAs 4 and 5 and should instead be required in Phase 1, as this line is adjacent to PA 8.
- Q-25 • Utilities
 - The SEIR does not identify the specific water and sewer requirements that would be required for Phase 5 (PA 21) (refer to SEIR p. 3-9 and Specific Plan p. 178).

Q-22: The commenter asserts that the full development of West Central Avenue and East Central Avenue in Phase 3 unfairly burdens Otay Mesa LLC with construction outside of the Otay Mesa LLC Property. The City acknowledges the commenter’s position, but this comment does not raise an issue concerning the environmental analysis or adequacy of the SEIR. The timing of Central Avenue improvements beyond what is required as part of VTM-1 would be finalized when the adjacent PAs are proposed to be developed.

Q-23: The commenter asserts that the SEIR fails to analyze the temporary school facilities that would be utilized before any schools are constructed in the Specific Plan area. To clarify, the project does not propose the construction of temporary school facilities to serve the students generated by the project; instead, students would temporarily attend other existing schools in the region until school facilities are constructed in the Specific Plan area. This clarification in language has been made in Section 5.13.3.2(e) of the Final SEIR. As the project does not propose the construction of temporary school facilities, no impacts associated with construction of temporary facilities would occur.

The commenter also expresses concern about transportation impacts and associated impacts such as air quality and noise resulting from the use of alternative facilities. Regarding traffic concerns, transportation impacts under CEQA are based on VMT and the SEIR identified that the project would have significant VMT impacts. See also Responses L-4 and L-6. The air quality analysis (SEIR Appendix B-1) utilizes the project-level LMA’s trip generation (SEIR Appendix J-4) with CalEEMod default trip lengths to calculate resultant air pollutant emissions. Refer to Response L-7 above regarding how the use of default trip lengths in air pollutant emission quantification is adequate; CalEEMod default trip lengths sufficiently capture the transportation emissions associated with trips to existing

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schools before schools within the Specific Plan area are constructed. Regarding noise, the noise analysis (SEIR Appendix I) is based on SANDAG future Activity Based Model (ABM2)/2019 Regional Transportation Plan (RTP) traffic projections which include traffic generated by the Specific Plan, including the project-level areas. Future SANDAG volumes in the Specific Plan area are higher than the segment volumes in the project-level LMA, as shown in Table 7 of Appendix I and Figure 17 of Appendix J-4; as a result, the traffic volumes used to assess project-generated noise impacts are conservative and adequately capture the noise associated with temporary trips to attend schools outside of the Specific Plan area before schools within the Specific Plan area are constructed.

As described in this comment and in SEIR Section 5.13.3.2(e), if PAs 7 and/or 16 are not developed with school uses, the site's underlying Medium Density Residential land use would apply. SEIR Sections 5.3, Air Quality/Odor; 5.10, Noise; and 5.12, Traffic/Circulation of the SEIR acknowledge the flexibility in how buildout of the Specific Plan occurs and identify significant and unavoidable program-level impacts related to criteria pollutants and sensitive receptors, off-site traffic noise, and VMT. Future development proposals, including either a school or medium density residences on PAs 7 and 16, would require separate environmental analyses at which point additional project design features or mitigation measures may be identified to account for any potential significant environmental impacts related to school facilities. No revisions to the SEIR are required.

Q-24: The commenter asserts that the 10-inch gravity sewer line adjacent to PA 8 along Caliente Avenue should be required in Phase 1 instead of Phase 3. While this comment does not raise an issue regarding the environmental analysis or adequacy of the SEIR, the following response is provided to be included in the record. Although PA 8 is adjacent to Caliente Avenue, PA 8 does not sewer to Caliente Avenue due to slope/topography. A

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sewer line in Caliente Avenue is only required for sewer service for PAs 1 through 7, which are not expected to develop until Phase 3. No revisions to the SEIR are required.

Q-25: The commenter notes that the SEIR does not identify the specific water and sewer requirements that would be required for Phase 5 and PA 21. Please refer to Topical Response 1 regarding the adequacy of the SEIR project description for program-level and project-level components. The PAs surrounding PA 21 are anticipated to develop in earlier phases, meaning all required water and sewer infrastructure would exist by the time PA 21 is developed. Should buildout of the Specific Plan occur in a different order than anticipated, the standard City administrative process would ensure that adequate infrastructure exists to serve PA 21. No revisions to the SEIR are required.

Comment Letter Q

Park & Velayos LLP

June 23, 2025
Page 8

- Q-26 }
 - o The SEIR does not explain how water allocations will be prioritized among phases. Phase 1 benefits from early infrastructure, while later phases may face curtailments or capacity limits.
- Q-27 }
 - Trails, Parks, and Paseos
 - o The Specific Plan discusses trail amenity enhancements on page 172 but does not specify which Phases would be responsible for such enhancements, or how such enhancements would be implemented or financed.
- Q-28 }
 - o The Specific Plan states that trail closures would be implemented though completion of restoration within 50 feet of proposed trail alignments (a total of 100 feet wide) (page 172), but does not specify how responsibility for such restoration would be determined.
- Q-29 }
 - o The public mini/pocket parks in PAs 19 and 20 should be required for Phase 2 (which is the phase that PAs 19 and 20 are developed), and not in Phase 5 (PA 21). (SEIR Table 3-2.)
- Q-30 }
 - o It is not clear why the proposed perimeter trails along the northern and southern boundary of PA 29 are requirements for Phases 3-7, especially given that TriPointe owns parcels adjacent to the northern boundary and the City owns the majority of parcels in PA 29. (SEIR Table 3-2.) Given the circumstances, these trails should be conditioned as TriPointe commitments.
- Q-31 }

In general, it is unclear why the development of the PAs and related improvements are phased in the manner that they are described in the SEIR and Specific Plan. A detailed explanation of the phasing with justification for the phases and specific triggers and commitments for each PA would allow the public to better understand and provide meaningful feedback on the Project. In addition, any improvements that are benefitting the TriPointe PAs should be implemented by TriPointe and not conditioned on unknown future development.
- Q-32 }
 - c. **The Project Description Is Not Finite or Stable.**

The proposed Project has been changed multiple times without explanation, justification, or input from affected stakeholders since the start of this City process. For example, the Conceptual Land Use Plan dated June 19, 2018, which was attached to the Southwest Village Subcommittee meeting agenda dated June 20, 2018, includes completely different roadways and parcel configurations compared to the current plan in the SEIR and Specific Plan. The Staff Report dated August 21, 2018 for the August 30, 2018 Planning Commission meeting regarding the Specific Plan states that “[t]he draft Southwest Village Specific Plan assumes development of 3,791 dwelling units” (Staff Report page 3), whereas the Project in the SEIR and Specific Plan includes 5,130 dwelling units. A Revised Conceptual Land Use Plan dated October 17, 2018 was attached to the Southwest Village Subcommittee meeting agenda dated October 17, 2018, which reconfigured the PAs and roadways and changed the density of the parcels. The next year,

- Q-26: The commenter asserts that infrastructure in Phase 1 could unfairly experience water allocation benefits compared to later phases. However, water supply is allocated for the entire project and analyzed as sufficient through the Water Supply Assessment (SEIR Appendix M). Water would be sufficiently distributed as buildout of the Specific Plan occurs. No revisions to the SEIR are required.
- Q-27: The commenter notes that the Specific Plan does not specify the phasing or financing of the trail amenity enhancements on page 172 of the Specific Plan. While this comment does not raise an issue regarding the environmental analysis or adequacy of the SEIR, the following response is provided to be included in the record. As described in Section 3.4.5 of the SEIR, amenity enhancements are intended to be integrated with the development of each PA. If these amenities are used to fulfill the population-based park recreational points required by the City Parks Master Plan and the General Plan (2024) Parks Standards, the recreational improvements must be constructed commensurate with development. Additionally, the phasing summary in Table 3-2 specifies the anticipated timing for the development of specific parks and trails. Responsibility for implementing these amenities lies with the developers of each PA in which the amenities would be located. For example, pocket parks within PA 5 would incorporate amenity enhancements when that PA is developed, and financing would be determined with those respective development plans.
- Q-28: The commenter asserts that the Specific Plan fails to specify how responsibility for trail closures and restoration would be determined. As discussed in Specific Plan Section 7.11 and SEIR Section 3.5.4.2, trail closures would be implemented through the completion of restoration within 50 feet of the proposed trail alignments, creating a buffer zone with a total width of 100 feet. As described in the trail restoration plan in Attachment 1 of the Biological Resources Report (SEIR Appendix C),

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TriPointe Homes would be responsible for trail implementation through open space they currently own. Responsibility for implementing trails in areas not owned by TriPointe lies with the property owner of each PA during the phase at which each PA is proposed for development. Attachment 1 of the Biological Resources Report (SEIR Appendix C) contains more information regarding the roles, responsibilities, and timing of restoration.

Q-29: The commenter asserts that the pocket parks in PAs 19 and 20 should be required for Phase 2 instead of Phase 5. While this comment does not raise an issue regarding the environmental analysis or adequacy of the SEIR, the following response is provided to be included in the record. As discussed in Response Q-27 above, the pocket parks are the responsibility of the developers of the PAs where they are located. While PAs 19 and 20 are in Phase 2 and the pocket parks are in Phase 5, it is the responsibility of the developers of PAs 19 and 20 to construct the parks. It would not be the responsibility of the developer of PA 21 in Phase 5. No revisions to the SEIR are required.

Q-30: The commenter asserts that the perimeter trails along the northern and southern boundary of PA 29 should be conditioned as Applicant commitments. While this comment does not raise an issue regarding the environmental analysis or adequacy of the SEIR, the following response is provided to be included in the record. As discussed in SEIR Section 3.4.5.2, the phasing of the perimeter trail is determined by the phasing of the PA that it is adjacent to. It is expected that the exact alignment of the trails would be finalized during the grading process for the development of the PAs. The Applicant would be responsible for implementing the perimeter trail adjacent to PAs owned by the Applicant, while other landowners would be responsible for implementing the portion of the perimeter trail adjacent to PAs they own upon development of these PAs. No revisions to the SEIR are required.

Comment Letter Q

Park & Velayos LLP

June 23, 2025
Page 9

Q-32
cont.

a different Revised Draft Land Use Plan dated March 26, 2019 was attached to Southwest Village Subcommittee meeting agenda dated May 15, 2019, which further revised the PAs, roadways and densities. The meeting presentation also stated that the Project would include up to 5,277 homes and up to 174,240 square feet of commercial use. The Land Use Plan included in the March 3, 2020 Scoping Meeting presentation included additional changes. Further changes were made to the Land Use Plan included in the SEIR. The different draft land use plans are attached as Exhibit 3. In addition, the Staff Report dated August 21, 2018 for the August 30, 2018 Planning Commission meeting regarding the Specific Plan stated that the applicant (TriPointe) had prepared a draft Specific Plan and had been working with Planning Department staff in conducting outreach to community members, property owners and affected stakeholders (Staff Report page 2). However, this draft Specific Plan was not discussed or shared with BDM Twenty or Otay Mesa, and no such outreach occurred. At a minimum, the Project and Specific Plan changes should be disclosed, explained and evaluated.

Q-33

Further, the SEIR concedes that the proposed Project is "conceptual." The plans in the SEIR are labeled as "conceptual" for "illustrative purposes only," including, but not limited to, Figure 3-2, Specific Plan Development Phasing, Figure 3-8, Bicycle Facility Network, Figure 3-9, Pedestrian Facility Network, Figure 3-10, Parks and Trails, Figure 3-11, Trails Network, Figure 5.7-2, Conceptual Drainage System, Figure 3-27, Planning Area 8, 9 and 10 Pocket Park Concept Designs, Figure 3-28, Planning Area 10, 11 and 12 Paseos and Pocket Park Concept Designs, and Figure 3-29, Planning Area 13 and 14 Paseos and Pocket Park Concept Designs. In *Millennium*, the Court of Appeal upheld a court order invalidating an EIR prepared by the City of Los Angeles that only presented conceptual scenarios and failed to describe a building development project, which the Court concluded provided the public and decisionmakers "little by way of actual information." (*Millennium*, 39 Cal.App.5th at 18.) Here, as in *Millennium*, "these regulations simply limit the range of construction choices for future developers." (*Id.*) This does not meet CEQA's requirements for a sufficient project description.

Q-34

3. The SEIR is Filled With Errors and Inconsistencies, and Makes Unjustifiable Assumptions.

As a critical threshold issue, the land area assumptions in the SEIR are not correct, and therefore the environmental analysis is invalid. For example, as discussed above, the BDM Twenty Property is approximately 20 acres. However, Table 3-1 of the SEIR and Table 2.1 of the Specific Plan state that PA 21, which includes the BDM Twenty Property and an additional property to the east, is 15.1 acres. This acreage is incorrect, yet it was used as the basis of the environmental analysis. Curiously, the presentation for the Southwest Village Subcommittee meeting dated October 18, 2019 listed the BDM Twenty Property area as 19.5 acres, which is much more accurate than the smaller acreage used in the SEIR. Further, Table 3-3 of the SEIR states that the program-level areas total 369.9 acres; if the area of the project-level parcels listed in Table 3-1 are added (these areas total 60 acres), then this adds up to 429.9 acres. Yet, the SEIR states that the Specific Plan area totals approximately 490 acres. Further, the SEIR states that the project-level area is 166.1 acres (121.8 acres in the Specific Plan area and 44.3 acres off-site), whereas the Biological Resources Report (Appendix C of the SEIR) ("Bio Report") states that the project-level areas are 219 acres. These inconsistent areas need to be corrected and the

Q-35

Q-36

Q-37

Q-31: Refer to Response Q-9 above regarding the phasing concerns expressed in this comment.

Q-32: The commenter asserts that project changes were not adequately communicated to affected stakeholders during the planning process. Refer to SEIR Chapter 4 for details regarding project changes and Response Q-4 above regarding the multiple opportunities provided for public input and discussion, where project changes were communicated at public forums that local stakeholders were encouraged to attend. The project identified and analyzed in the SEIR has remained stable and finite as described in SEIR Chapter 3 Project Description and the comment does not raise any inadequacy of the environmental document or review.

Q-33: The commenter is incorrect that the SEIR is conceptual and does not meet CEQA requirements for a sufficient project description. The project description provided in Chapter 3.0, *Project Description*, of the SEIR is developed at the appropriate level of detail to support the Vesting Tentative Map (VTM) application and specifically identifies other discretionary actions proposed. The project-level actions are intended to allow for the development of up to 920 units within Phase 1. The location and types of units, including design and architectural features, density by lot, landscaping, open space requirements and expected parking are described throughout the project description. SEIR Figures 3-1 through 3-46 provide locational details, including program- and project-level grading areas, roadway cross-sections, the VTM, water and sewer facilities, and more. The specific designs for the individual residential phases are not yet known so the approvals for the same are not requested. Nonetheless, the project description provided in the SEIR is accurate, stable, finite, and developed at the appropriate level of detail to support analysis of the requested discretionary actions. Please also refer to Topical Response 1 for further discussion of the level of detail provided in the SEIR project

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description. Also refer to Response Q-6. The SEIR project description provides specific land uses and densities for each PA along with conceptual drawings of Specific Plan-wide utility, circulation, and recreation amenities, which are noted in the comment. As discussed further in Topical Response 1, these components of the project description provide sufficient detail for evaluation of environmental impacts in accordance with CEQA Guidelines Section 15124. The project description is adequate and prepared in accordance with CEQA requirements.

Q-34: The commenter asserts that the acreage of the BDM Twenty Property is incorrectly stated in the SEIR. The commenter is correct that the acreage of the BDM Twenty Property (APN 667-010-14) is approximately 20 acres, and this acreage has been revised in SEIR Table 3-1, Southwest Village Specific Plan Development Summary and Table 3-3, Program-Level Development Summary. This resulted in a corresponding decrease in the total street acreage in Table 3-1.

Q-35: The commenter asserts that the acreage of the program-level areas is reported incorrectly in the SEIR based on Table 3-1 and Table 3-3. As described in Q-34 above, the acreage of PA 21 and the project-level streets have been adjusted in the final SEIR. The commenter is correct that PAs 8-14 are project-level components totaling 60.7 acres, as reported in Table 3-1, and that adding these 60.7 acres to the new program-level total of 377.4 acres results in 438.1 acres, which is less than the Specific Plan total. However, there are also 49.3 acres of streets reported in Table 3-1. Adding the acreages for the project-level components, program-level components, and streets results in the correct 490-acre Specific Plan total.

Q-36: The commenter notes that the project-level acreage totals are reported differently in the SEIR and the Biological Resources Report (SEIR Appendix C). Specifically, the SEIR reports the

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project-level acreage as 166.1 acres on page 2-2, while the Biological Resources Report reports it as 219 acres on page 3. The correct project-level acreage is approximately 220 acres, and the value reported on page 2-2 of the SEIR is erroneous and has been revised. However, this is the only location in the SEIR where the acreage is incorrectly reported. The SEIR correctly analyzed the entire Specific Plan area, including the 220 acres of project-level area, for each issue area. The erroneous value has been corrected in the final SEIR, but no revisions to the analysis are required.

Q-37: The commenter requests that the inconsistencies mentioned in comments Q-34 through Q-36 above be corrected in the final SEIR. Revisions have been made at SEIR Table 3-1, Table 3-3, and page 2-2 to correct acreage discrepancies. The request for net acreages and area deductions for internal design elements, such as sidewalks, trails, etc., that are contingent upon the final design of the planning areas, is considered speculative and unreasonable to provide at the Specific Plan level of planning.

Footnote 6 under Specific Plan Table 2.1 has been updated to better clarify that the developable acreages are subject to change due to project-level implementation refinements, such as development regulations, property boundary surveys, or detailed site mapping; however, such changes would not affect the maximum development capacity and the environmental analysis would not change. As a result, no revisions to the SEIR are required.

Comment Letter Q

Park&Velayos LLP

June 23, 2025
Page 10

Q-37 cont. ↑ environmental analyses need to be revised to match the corrected areas in a recirculated SEIR. The SEIR and Specific Plan should be consistent and include clear definitions of acreage, floor area, dedications, and any other relevant measurements. In addition, the SEIR and Specific Plan should be revised to provide the land area calculations for each PA based on APNs and/or surveys, and individual APNs within each PA, including: (1) gross acreage (i.e., total acreage); (2) net acreage; (3) net acreage deductions (i.e., specifying the areas that are deducted from gross acreage to calculate net acreage, such as roads, etc.); (4) area of roads, sidewalks, trails and other public rights-of-way in each PA; and (5) area of open space and conserved land.

Below are other examples of inconsistencies and errors that need to be corrected and analyzed in a revised SEIR.³

Q-38 • Figure 24.1 of the Bio Report shows almost all of the BDM Twenty Property as supporting Valley and Foothill Grassland, based on “SanGis vegetation data.” However, a review of the currently available SanGis data shows this area as supporting Non-native Grassland, not Valley and Foothill Grassland. Figure 24.1 also presents vegetation community mapping for portions of the Otay Mesa Property, based on “SanGis vegetation data.” However, a review of the currently available SanGis data shows that the most recent SanGis data was not used in the Bio Report. Further, Figure 24.1 does not show any vegetation on the portion of the Otay Mesa Property located southwest of Dillon Canyon (east of PA 22). The Bio Report and SEIR should be revised to ensure that the technical data underlying the environmental analysis reflect the most current and accurate available data.

Q-39 • Cumulative projects – Table 8-1, Cumulative Projects, of the SEIR lists 23 projects. However, the Wildfire Evacuation Study (SEIR Appendix E) (“WES”) and the Local Mobility Analysis (SEIR Appendix J-4) (“LMA”) only include 17 cumulative projects, and the projects listed therein are different than the SEIR. Both lists are incomplete given the 2024 opening year assumption. These two lists should be updated comprehensively in a revised SEIR to reflect related projects that are relevant to the cumulative impact analyses consistent with the proposed buildout years of the Project, including any extended term contemplated in the Development Agreement.

Q-40 • Use of 2024 as the opening year is inaccurate and not possible, as the SEIR was published in 2025.

Q-41 • Wildfire Evacuation Study:

- The calculations of the population and vehicle estimates in Table 4 do not account for the commercial area of the related projects.

³ Please note that this list is preliminary and not exhaustive.

Q-38: The commenter asserts that the Biological Resources Report (SEIR Appendix C) and SEIR should be updated with the most current SanGIS vegetation data. The SanGIS vegetation data was updated in 2024, based on metadata available at San Diego Regional Data Warehouse. While the older version of the vegetation mapping data is depicted in the SEIR and Figure 24.1 of the Biological Resources Report, a visual comparison of the two data-sets do not provide an appreciable difference in the general mapping, although City staff recognizes that the most recent mapping does label the grassland as non-native grassland and several areas of coastal sage scrub as maritime succulent scrub. Both documents note that site-specific surveys would be required to update the vegetation mapping for any future projects brought forward within the Program-level project areas; thus, remapping of these areas would not result in a change in the impact analysis because the SEIR would continue to identify a potentially significant impact to sensitive vegetation communities at the program-level, and would require the same mitigation as identified in the SEIR.

Q-39: The commenter asserts that the list of cumulative projects is outdated and should be updated to be consistent with the proposed buildout years of the project. Cumulative analysis is addressed topic by topic, as the cumulative study area and cumulative analysis vary by topic. While a general list of cumulative projects is provided, not all the projects listed are

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relevant to every cumulative analysis issue topic. The cumulative project lists were determined by the City to be adequate in the context of each issue area discussed in each report. The SEIR includes reasonably foreseeable development projects that may affect the cumulative impact analysis in the SEIR whereas the list of cumulative projects in the LMA (SEIR Appendix J-4) and Appendix E, Wildfire Evacuation Study, Southwest Village Project were developed for the assignment of vehicle trips to specific roadways. As such, there are a number of projects identified in the SEIR that were not included in the LMA given their trips would not affect the same intersections or roadway segments studied for the project. For example, cumulative projects shown in SEIR Table 8-1, Cumulative Projects that are outside of the appropriate traffic study area include Airway Logistics SDP, Nakano, and Sanyo Logistics.

Additional differences in the cumulative project list are based on duplicative project applications, project types, conservative analysis of now-closed applications, and timing. Epoca I, J, and L implement residential portions of the mixed-use project Lumina (which is within the Central Village Specific Plan) assumed in the LMA. Therefore, there was no need to add their trip generation to the LMA, which would be duplicative of cumulative trips considered from Lumina as a whole. La Media Road was only noted in the SEIR, and not the LMA, because it is a City CIP road widening project; road widening has the potential to result in construction impacts contributing to cumulative impacts considered in the SEIR but would not generate vehicular trips that need to be considered in an LMA. Lumina II was proposed after the list of cumulative projects in the LMA was proposed; however, the trips anticipated for the Otay Mesa Floreo project considered in the LMA more than account for this additional project given the Otay Mesa Floreo project proposed over 700 units more than Lumina II. The trips would contribute to the same study intersections; therefore, the LMA provides a conservative analysis. Finally, the LMA also only includes

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projects that would be assumed to be built by the project level opening year analysis; given that no construction or building permits have been pulled for this project, it is expected that BDM Mixed Use would be constructed, and therefore generate vehicle trips, after the project's opening year. These differences in the cumulative project lists are appropriate for the issue areas addressed.

Further, as noted in Section 8.0, Cumulative Impacts, of the SEIR, the cumulative impact analysis is primarily based on the plan method described in CEQA Guidelines Section 15130(b)(1)(B). Based on the long-range nature of the Specific Plan, it is anticipated that additional unknown, future projects are likely to be developed in the area. For this reason, further OMCP buildout was assumed in the cumulative analysis. The list of projects in Table 8-1 supplements the growth projection method as a means of analyzing potential cumulative impacts for those issue areas that result in localized impacts that could be affected specifically by the noted projects. As noted above, the differences in the cumulative project list used in Chapter 8, Cumulative Impacts of the SEIR and the list used in the LMA do not require revisions to either the LMA analysis or analysis of other SEIR issue areas.

Finally, as a matter of practicality, technical studies informing an environmental document must also be approved and remain stable for the preparation of the environmental analysis to occur. Specifically related to the LMA and Wildfire Evacuation Study, circulation element facilities required to serve planned development must be known in order to adequately analyze environmental impacts associated with all components of a project.

Q-40: The commenter asserts that the use of 2024 as the opening year for the LMA (SEIR Appendix J-4) is inaccurate. The City acknowledges that the opening year would be exceeded. For a

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detailed discussion of the cumulative analysis and assumptions, refer to Response Q-39. As the cumulative projects used for the LMA adequately reflect expected cumulative traffic, the opening year reported in the LMA does not change the results or validity of the LMA or the environmental analysis, and no revisions to the SEIR are required.

Q-41: The commenter asserts that the population and vehicle estimates in Table 4 of the Wildfire Evacuation Study (SEIR Appendix E) do not account for the commercial area of the related projects. This is correct. As described in the Wildfire Evacuation Study, the project and surrounding land uses are primarily residential; therefore, the evacuation analysis conservatively assumes an evening evacuation scenario, when all residents would be presumed home and the highest number of vehicles would be evacuating the area. This is a more conservative analysis than a daytime situation, when there would be evacuation from commercial areas but a lower overall number of evacuees because the majority of residents are presumed to leave the Specific Plan area during the day.

The study area for the Wildfire Evacuation Study uses south of SR-905, west of the project's eastern boundary, east of I-805 and the railway, and north of the United States/Mexico border. As identified in Table 2 of the Wildfire Evacuation Study, the cumulative projects considered for the analysis are those that would use the same evacuation routes as the project. Projects that do not use the same evacuation routes as the project would not contribute to cumulative evacuation traffic. None of the cumulative projects identified had associated commercial uses; therefore, no evacuating vehicles from commercial uses were calculated or included in Table 4. No revisions to the SEIR are required.

Comment Letter Q

Park & Velayos LLP

June 23, 2025
Page 11

- Q-42 [○ The WES assumes that the 5,130 units would include 3.39 persons per unit. What is the source of the 3.39 person per unit assumption?
- Q-43 [○ The WES assumes that an average of two persons per vehicle would occur during an evacuation. What is the source of this assumption?
- Q-44 [○ Figure 9, Cumulative Projects, of the WES is blank with four tags that do not show cumulative projects.
- Q-45 [• The average daily trip (“ADT”) assumptions do not appear to be applicable and should be verified. The LMA states that the ADT for Beyer Boulevard and Caliente Avenue were analyzed using volumes from the San Ysidro Community Plan (adopted in 2016), as the horizon year ADT was based on a Series 12 SANDAG traffic model forecast. The LMA explained that the Otay Mesa Community Plan (adopted in 2014) was not applied because it used an older Series 11 SANDAG traffic model forecast. However, the future ADT volumes in the San Ysidro Community Plan, which are shown in Figure 3-16 therein, are specific to the roadway segments in that area and are not generally applicable to roadways that merely have the same roadway classification, which is what the LMA appears to assume.⁴ For example, Figure 3 of the LMA states that the ADT of both Beyer Boulevard West and East is 28,100 and states that this is the volume from the San Ysidro Community Plan. However, Figure 3-16 of the San Ysidro Community Plan shows a varying ADT of 11,700 to 28,800 along Beyer Boulevard west of Otay Mesa Road (and, notably, there is no portion of the roadway with a 28,100 ADT). Further, the LMA assumes, without providing any support, that a consistent ADT of 28,100 would apply along the entire length of Beyer Boulevard West and East; however, how could the two-lane Beyer Boulevard West have the same estimated ultimate ADT as the four-lane Beyer Boulevard East? (Refer to Table 4.1 in the Specific Plan.)
- Q-46 [• It is unclear how the public roadways were laid out in this Specific Plan. For example, it appears that approximately 80% of the South Caliente Avenue right-of-way is shown within PA 21 (specifically, the BDM Twenty Property). The Specific Plan should be revised to clarify that proposed streets will be located entirely on the TriPointe properties.
- Q-47 [• Table 3-2, Specific Plan Phasing Summary, of the SEIR states that a public multi-use perimeter trail in PA 21 will be constructed in Phase 5 (PA 21). However, there is no perimeter trail included in PA 21; see Figure 3-30 of the SEIR. Thus, PA 21 should not be conditioned on the development of any trails.
- Q-48 [• Figure 5.22, Open Space Areas, of the Specific Plan – the overlays on this figure are incorrect in certain areas. For example, the eastern portion of the Otay Mesa Property

⁴ The San Ysidro Community Plan can be accessed at https://www.sandag.ca.gov/sites/default/files/inline-images/plan_2016_1.pdf

- Q-42: The commenter requests the source for the 3.39 person per unit assumption used in the Wildfire Evacuation Study. As cited in the Wildfire Evacuation Study (SEIR Appendix E), the 3.39 persons per unit assumption is from the SANDAG Demographic and Socioeconomic Estimates 2020 Average Household Size in the Community Planning Area of Otay Mesa.
- Q-43: The commenter requests the source for the Wildfire Evacuation Study's (SEIR Appendix E) assumption that an average of two persons per vehicle would occur during an evacuation. As described in the Wildfire Evacuation Study that was prepared by an evacuation planning expert, during an evacuation, it is standard practice to assume that an average of two persons per vehicle would evacuate. This would result in up to 11,916 vehicles potentially evacuating in a major incident that required full evacuation of the project and the existing population. However, to be conservative, the evacuation travel time calculation in the Wildfire Evacuation Study is based on every residence evacuating two vehicles. This results in a total of up to 14,058 evacuating vehicles.
- Q-44: The commenter notes that Figure 9 of the Wildfire Evacuation Study (SEIR Appendix E) is blank with four tags that do not show cumulative projects. Within the Wildfire Evacuation Study, the figure was inadvertently left blank with only the project tags visible. The blank figure was intended to graphically represent the information provided in Table 2 of the Wildfire Evacuation Study, which lists cumulative projects, addresses, estimated number of units or total square feet, and if the project is permitted. This comment was considered by the City; the blank

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tags in Figure 9 were unintentional and the result of a technological error that occurred when generating the version of the SEIR for web-posting and electronic viewing. To ensure clarity, a corrected version of Figure 9 is provided in the Wildfire Evacuation Study in Appendix E of the Final SEIR.

- Q-45:** The commenter asserts that the average daily trip (ADT) assumptions used in the SEIR are inadequate. However, the commenter misunderstands the source of the ADTs and the difference between the LMA (SEIR Appendix J-4) and the Transportation Phasing Plan (SEIR Appendix J-2). The commentor states that the 28,100 ADT from the LMA does not appear on Figure 3-16 of the San Ysidro Community Plan. The LMA does not include horizon year ADTs; however, the Transportation Phasing Plan does include the noted horizon year volume of 28,100 ADT. Page 9 of the Transportation Phasing Plan clearly states how the San Ysidro volumes are included in Attachment F of the Transportation Phasing Plan, which shows the San Ysidro Community Plan SANDAG traffic model with the noted volume of 28,100 ADT circled in red. The SANDAG traffic model has more details and volumes beyond what is shown on Figure 3-16 of the San Ysidro Community Plan. No revisions to the SEIR are required.

- Q-46:** The commenter asserts that the proposed public roadways should be located entirely on properties owned by the Applicant. The City acknowledges this commenter’s position, but this comment does not raise an issue concerning the environmental analysis or adequacy of the SEIR. The planned roads are a graphical representation of the location; alignments would be finalized as buildout occurs.

- Q-47:** The commenter notes an inconsistency between SEIR Table 3-2 and Figure 3-30, Trails Network Phasing regarding the perimeter trail in PA 21. The perimeter trail has been removed from Phase 5 of the Table 3-2 to correct this inconsistency.

Comment Letter Q

Park & Velayos LLP

June 23, 2025
Page 12

Q-48
cont.

is located in a Multiple Habitat Planning Area (“MHPA”), but this is not shown in Figure 5.22.

Q-49

- The Bio Report is inconsistent regarding the scope of the Project. The report states that the Phase 1 project includes 795 units but in other places states that 920 units are proposed. This is also inconsistent with the 1,315 units identified in Phase 1 of the Specific Plan. Further, the Bio Report assumes that the density for the Residential Mixed-Use zone is 20-44 units per acre, whereas the density included in the Project description and Specific Plan is 30-62 units per acre.

Q-50

- The biological resources impact analysis in Table 5.4-7 assumes the proposed MHPA boundary line adjustment; however, impacts should be analyzed with and without such adjustment.

Q-51

- The SEIR states that the proposed school(s) will include 1,268 students (Table 5.3-3). How was this number calculated? The presentation for the Southwest Village Subcommittee meeting dated April 17, 2019 included calculations of estimated elementary and middle school student generation using the San Ysidro School District School Facilities Needs Analysis (2016), which showed a maximum Project enrollment of 2,312 students. This analysis should be included in the SEIR using the latest San Ysidro School District School Facilities Needs Analysis.

Q-52

- Figure 4.1, Street Classifications, of the Specific Plan labels the proposed roadways within the Specific Plan area with different numbers and provides additional details about the street classifications based on the corresponding numbers in Table 4.1, Street Classification by Segment. However, the eastern portion of Central Avenue, which appears to extend from the western boundary of PA 3 easterly to the intersection with 1st Avenue in PAs 4 and 5, does not include a number and therefore does not appear to be included in Table 4.1. Further, the eastern portion of Spine Road, which appears to extend from the western boundary of PA 3 to the intersection with 1st Avenue in PAs 4 and 5, is labeled as No. 10; however, No. 10 in Table 4.1 lists the roadway as 1st Avenue. Figure 4.1 does not include a number on 1st Avenue.

Q-53

4. The Environmental Impact Analyses are Inadequate and Violate CEQA.

As a preliminary matter, the SEIR is permeated by a general failure to disclose the data and assumptions upon which the significance conclusions are based. Although this critical information is sometimes included in an appendix to the SEIR, it should not be buried in a manner that prevents City decision-makers and the public from finding it. For example, refer to the discussion in Section 4.b, below, regarding the evacuation time calculations that are buried in an SEIR appendix. A commenter should not be required to “ferret out” information in technical appendices of an EIR. (*Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2005) 40 Cal.4th 412, 442.) An evaluation of the facts and assumptions upon which the SEIR’s conclusions are based is key to determining the accuracy of these assumptions and the adequacy of the analysis and mitigation.

Q-48: The commenter asserts that the MHPA in the Otay Mesa LLC property should be shown in Figure 5.22, *Open Space Areas*, of the Specific Plan. Figure 5.22 has been updated with the latest MHPA areas.

Q-49: The commenter asserts that the Biological Resources Report (SEIR Appendix C) inconsistently describes the project’s number of residential units. The commenter is correct that the Biological Resources Report erroneously states that the VTM includes up to 795 units on page 1. This mistake has been corrected to be consistent with the rest of the Biological Resources Report, which otherwise correctly identifies up to 920 residential units for the project-level components. Regardless, biological impacts are not determined by the number of residential units or residential density; they are dependent on the area of ground disturbance. As discussed in Response Q-36, the acreage inconsistencies between the SEIR and the Biological Resources Report are due to an erroneous one time acreage reference in Chapter 2 of the SEIR, although both the SEIR and Biological Resources Report correctly analyzed impacts associated with approximately 220 acres of project-level disturbance area. This inconsistency does not prevent the Biological Resources Report from appropriately analyzing the full scope of the project.

Q-50: The commenter asserts that project impacts should be analyzed with and without the proposed MHPA BLA. The BLA is a part of the project and is accordingly analyzed as such. A comparison of the biological values of the impacted areas and land to be transferred into the MHPA preserve is presented in the Biological Resources Report (SEIR Appendix C) consistent with this MSCP policy. An analysis of project impacts without the BLA would be inaccurate and irrelevant to provide, as the project

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would not be considered for approval without the BLA. No revisions to the SEIR are required.

Q-51: The commenter requests clarification about the project’s estimated student generation rate. The commenter correctly notes that SEIR Table 5.3-3, Adopted and Proposed Specific Plan Land Uses and Traffic Comparison identifies 1,268 students, consistent with the OMCP, based on the provision of two elementary schools within the Specific Plan area. This is not the student generation rate of the project’s proposed residential land uses which include students of all ages; rather, it is used to estimate trips generated by the schools in the analysis. Refer to Table 1 of Appendix J-1, Southwest Village Specific Plan Programmatic Level Vehicle Miles Traveled Assessment for more detailed trip generation calculations. The number of students attending school in the Specific Plan area (and therefore generating trips to those schools) is notably different from the student generation rate of the project’s proposed residential units. SEIR Section 5.13.3.2 acknowledges that the Specific Plan is anticipated to generate 2,200 new students based on the number of residential units proposed and average student generation per household. This number for students generated by the new residences was used for coordination with the San Ysidro School District relative to the need for additional school facilities. The student counts mentioned in this comment serve two different purposes, and the anticipated student generation rate for the project was properly coordinated with the San Ysidro School District to ensure that the project’s impact on school facilities was adequately captured in the SEIR. No revisions to the SEIR are required.

Q-52: The commenter notes an inconsistency between Specific Plan Figure 4.1 and Table 4.1 regarding Central Avenue and Spine Road. To clarify any confusion regarding the classification of Spine Road and Central Ave, Specific Plan Figure 4.1 has been updated. Central Avenue is now represented by Segments 9

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and 10a, 1st Avenue is now Segment 10b, and Spine Road is now Segments 10c and 11. Please note that the precise location for the change in classification of Central Avenue and Spine Road from a two-lane collector with a two-way center left turn lane to a two-lane collector without a center turn lane would be determined along with the future design of PAs 2 and 3. Table 4.1 has also been updated to reflect this revision. These clarifications to the Specific Plan have also been made to SEIR Figure 3-5 and Table 3-5, Public Street Cross-Section Modifications Related to Parking do not result in any potential significant impact, and no revisions to the SEIR are required.

Q-53: This introductory comment to Section 4 of the comment letter cites case law and summarizes the commenter's position that the SEIR fails to disclose the data used in the analysis by utilizing technical appendices. The comment does not identify a specific issue with any particular technical appendix or related SEIR environmental analysis in order to respond. The technical appendices were properly referenced, summarized, and made available for those desiring more detailed review. It is neither practical nor effective to include all of the project data and details in the main body of the SEIR, especially considering the technical nature of the information in the appendices, complexity of this project and project analysis and the need to provide a readable environmental document with meaningful public disclosure. Lead agencies may limit discussion to a brief explanation as to why those effects are not potentially significant. No revisions to the SEIR are required. Refer to Response Q-76 below regarding the commenter's concerns about evacuation time calculations.

Comment Letter Q

Park&Velayos LLP

June 23, 2025
Page 13

Q-54 In addition, the SEIR states that the Specific Plan will be developed in phases and may be built out as early as 2035 or extend longer to 2050. However, the SEIR does not include an analysis of concurrent construction and operational impacts during this phased development scenario. The SEIR should also include updated environmental analyses consistent with the contemplated future build out years. Moreover, the SEIR analyzes certain areas outside of the project-level areas in detail, which all seems to benefit TriPointe. For example, the historical resources survey area shown in Figure 5.5-1 shows that the survey included areas in PA 29 in the southeast portion of the Specific Plan area (not a part of Phase 1, 2 or 4), which are areas owned by TriPointe.

Q-55

Q-56 Further, the Specific Plan allows for approval of “minor” modifications listed in Section 7.9 without requiring a Specific Plan amendment, and the minor modifications include, among others, density/intensity transfers (provided that the proposed number of units does not exceed the maximum permitted density and other requirements are met). The project-level analysis analyzed 920 proposed units in Phase 1. However, the Specific Plan permits up to 1,315 units in Phase 1. Thus, the SEIR analysis does not evaluate the full scope of the potential impacts of Phase 1.

a. Biological Resources.

Q-57 The SEIR improperly defers analysis of the program-level areas. The scope of the Project is known and specifically defined – for example, the maximum density of all PAs, including the project- and program-level areas, are set forth in the Specific Plan. Thus, the Bio Report should have included biological surveys and conducted a comprehensive analysis of the entire Specific Plan area and not just the TriPointe areas. Further, the program-level mitigation measures requiring future surveys constitute deferred mitigation. CEQA requires that mitigation measures be specific, enforceable, and not deferred unless future actions are performance-based and tied to objective criteria. (CEQA Guidelines Section 15126.4.)

Q-58 Moreover, many of the mitigation measures are vague. For example, SEIR page 5.4-22 states that mitigation of the San Diego fairy shrimp “would be the responsibility of whichever project completes the impacts.” What does this mean? Why isn’t this targeted toward the area or development that causes the impact? As another example, the SEIR states that indirect impacts would be mitigated by dust control measures, but it is not clear how this will be implemented, or how this measure would sufficiently mitigate the impacts.

Q-59 The program-level analysis of biological resources is conclusory, and the conclusions that impacts would be potentially significant are not based on substantial evidence. With respect to the program-level analysis of indirect impacts to special status plants, for example, the SEIR states that impacts would be potentially significant. However, the program-level development would implement the same mitigation measure as Phase 1 to address this issue, and the SEIR concluded inexplicably that with implementation of such mitigation measure, the project-level impact would be reduced to less than significant. Further, the program-level analysis concluded that impacts related to the introduction of invasive species into the surrounding open space could potentially occur, even though a similar impact was determined to be less than significant in the

Q-60

Q-54: The commenter asserts that the SEIR should analyze concurrent construction and operational impacts during phased development and questions why certain areas are surveyed in more detail than others. See Topical Response 1 for general discussion of the differences in analysis and mitigation for program-level and project-level components. The SEIR does consider simultaneous buildout when it would represent a worst-case analysis, as applicable. For example, the air quality analysis identifies there may be concurrent construction and operational emissions given the timing of future Specific Plan implementation is currently unknown. The SEIR Sections 5.3.3 and 5.3.4 provide pollutant emissions calculations for full Specific Plan buildout, as well as typical construction scenarios and construction and operational emissions for the project-level components. The analysis of and mitigation for construction emissions of future development are consistent with the OMCP FEIR, requiring future air quality mitigation if impacts are identified, and conservatively concluding construction emission impacts could remain significant and unmitigated.

Conversely, the SEIR also considers when phased construction would result in greater impacts, such as the case with construction noise. The construction noise analysis in SEIR Section 5.10.6.2 considers that sensitive receptors such as residential and school uses could be occupied as construction activities in the program-level areas continue. Phased development was factored into the SEIR’s analysis, as requested in this comment. No revisions to the SEIR are required.

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Q-55: Refer to Topical Response 1 regarding the level of analysis for program versus project-level components and to Response Q-9 above regarding phasing concerns from separate ownership expressed in this comment. Specific to the historical resources survey area, the project-level areas, which include improvement areas outside of the residential PAs, were surveyed by the Owner/Permittee (TriPointe) as a part of the project-level review requirements in accordance with the OMCP PEIR MMRP and other requirements. As future projects are submitted to the City within the Specific Plan, those Owners/Permittees would be subject to the same requirements by mitigation measure SP-HIST-1. The remainder of this comment discussing a benefit to the Applicant does not address the adequacy of the environmental document and no response is required.

Q-56: The commenter asserts that the SEIR fails to provide a complete analysis by analyzing 920 residential units in Phase 1 instead of the maximum 1,315 units allowed in the Specific Plan. As described in Section 3.5.1 of the SEIR, the Specific Plan allows for up to 1,315 residential units in PAs 8 through 14, but the project VTM No. 2188969 proposes only up to 920 total dwelling units in these areas. As a result, the project-level analysis in the SEIR analyzes the impact of the 920 dwelling units proposed by the project through the VTM. The VTM would only allow for the construction of up to 920 dwelling units, notwithstanding that the Specific Plan permits more units in these PAs.

Section 7.9 of the Specific Plan requires that any PA receiving transferred units stay within the development density range established by the planning area's land use designation. As is described in Section 7.10 of the Specific Plan, such transfers would be subject to substantial conformance review, which would ensure that the appropriate level of development review and CEQA review would occur at that time. The SEIR therefore does evaluate the full scope of the potential impacts of the project as proposed.

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- Q-57:** The commenter asserts that the SEIR defers analysis and mitigation of the program-level areas. See Topical Response 1 for discussion of SEIR mitigation for the program-level and project-level components. Specifically, with regard to future biological surveys of program-level areas, these would not constitute deferred mitigation, as the mitigation provides direction for future surveys and identifies performance standards for application of City policies to avoid or minimize impacts to identified biological resources. It would be inappropriate and infeasible for TriPointe to survey land owned by others. It also would be improper to provide species-specific and habitat-specific mitigation for all program-level areas without a requirement for future surveys at this stage given the unknown implementation timing of these components and that conditions on the ground may change.
- Q-58:** The commenter requests clarification on San Diego fairy shrimp mitigation described in SEIR page 5.4-22. In this context, the SEIR uses “project” to mean “development”; whatever entity causes the impacts to fairy shrimp would be responsible for mitigating those impacts. See Topical Response 1 regarding how mitigation measures are implemented at the program-level, and C-7 for more clarification on mitigation and discretionary action timing related to biological resources. Regarding the commenter’s specific reference to dust control measures, refer to mitigation measure SP-AQ-1 in SEIR Section 5.3.4.4, which describes specific dust control measures such as watering, soil stabilizers, and speed limits for construction vehicles that would minimize indirect impacts on biological resources. These are standard dust control measures applied per San Diego Air Pollution Control District Rule 55. No revisions to the SEIR are required.

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Q-59: This comment asserts that the program-level analysis of biological resources is conclusory and significance conclusions lack substantial evidence support, particularly related to mitigation measure for impacts to special status species. The SEIR appropriately identifies significant program level impacts and provides mitigation consistent with CEQA. Refer to Topical Response 1 regarding the differences in program-level and project-level mitigation, including relevant performance standards and Response C-7 for more clarification on mitigation and discretionary action timing related to biological resources. The commenter's statement that the same mitigation measures for special status species apply to program-level and project-level is not correct, as the program-level and project-level mitigation in SEIR Section 5.4.3.5 differ based on the future surveys and limits of disturbance required to establish biological resources mitigation for program-level areas pursuant to the program-level mitigation measures and City policy.

Q-60: The commenter incorrectly states that the program-level impact analysis regarding invasive species is inconsistent with the OMCP FEIR conclusion on this topic. See SEIR Section 5.4.5, which concludes that the impact would be less than significant with mitigation, consistent with the impact conclusions of the OMCP FEIR.

Comment Letter Q

Park & Velayos LLP

June 23, 2025
Page 14

Q-60
cont.

Otay Mesa Community Plan Final EIR. The project-level impact analysis is also conclusory in a number of instances. For example, with respect to the project-level impacts to sensitive species, the analysis argues that the loss is a "small portion" and therefore impacts are less than significant; however, no threshold or evidence is provided in support of this conclusion.

Q-61

Q-62

In addition, there appears to be conflicting approaches regarding open space designations and proposed infrastructure. The proposed pump station is located within the Vernal Pool Habitat Conservation Plan ("VPHCP") preserve. The SEIR states that this is an "allowed use," yet no alternatives analysis or minimization strategy is provided. Similarly, the SEIR proposes drainage outfalls into conserved canyon habitats without analysis of feasible alternatives or sufficient justification.

Q-63

The MHPA/VPHCP impermissibly limits the land area of the Otay Mesa Property eligible for development below 25%. The Bachmann family (Otay Mesa) has owned the Otay Mesa Property since the 1960s. In 1997, the City adopted the City of San Diego Multiple Species Conservation Plan ("MSCP") Subarea Plan. The MSCP established the MHPA for Southern Otay Mesa. Approximately 115 acres of the approximately 160.6-acre Otay Mesa Property was placed within the boundary of the MHPA, significantly limiting land available for development. The MHPA area included several canyons and adjacent slopes and left two distinct mesa top areas unencumbered, including the northwest portion of the Otay Mesa Property (PAs 3, 4 and 5) ("Northwest Mesa Top") and the southwest portion of the Otay Mesa Property (the portion of PA 29 located east of PA 22) ("Southwest Mesa Top").

With the adoption of the MSCP Subarea Plan, approximately 72% of the Otay Mesa Property was included within the MHPA. The remaining area outside the MHPA equaled approximately 45 acres (or approximately 28% of the total parcel area), including approximately 35 acres on the Northwest Mesa Top and approximately 10 acres on the Southwest Mesa Top. The total area remaining eligible for development complied with existing MHPA policy that permits development on a minimum of 25% of a parcel's least environmentally sensitive area. The 2014 Otay Mesa Community Plan update designated both the Northwest Mesa Top and Southwest Mesa Top as Neighborhood Village which permits 15 to 25 units per acre, with the opportunity to develop each mesa top in accordance with the MHPA. The 2014 Otay Mesa Community Plan enabled 28% of the parcel to be eligible for development.

However, with the adoption of the VPHCP in 2017, the Southwest Mesa Top has been designated VPHCP Preserve (at a 100% conservation level), which is considered an expanded MHPA area. This action eliminated development opportunities entirely on the Southwest Mesa Top that is immediately adjacent to land designated for medium density development. It also reduced the developable land area of the Otay Mesa Property to approximately 21.8%, below the 25% minimum area that should be available for development. The proposed Specific Plan and SEIR should be revised to increase the developable area of the Otay Mesa Property to a minimum of 25%, consistent with the 1997 MSCP. A surplus of on-site sensitive resources within the MHPA open space would be available to mitigate impacts of development on the developable area.

Q-61: The commenter states that the following phrase in the SEIR is conclusory and not supported by a threshold or sufficient evidence: "the loss of suitable habitat within the project-level impact area comprises a small portion of the suitable habitat available to these species on a local level and on a regional scale; therefore, loss of habitat outside the MHPA would not affect the regional long-term survival of this species." There is no established threshold for impacted habitat as a percentage of a total regional habitat area. The phrase above was used to support the analysis and impact conclusions for San Diego goldenstar, Orcutt's bird's beak, California adolphia, San Diego bur-sage, San Diego County viguiera, seaside cistanthe, cliff spurge, Palmer's grapplinghook, bobtail barley, California box-thorn, ashy spike-moss, San Diego needlegrass, graceful tarplant, and small-flowered microseris, as described in the Biological Resources Report (SEIR Appendix C). The regional availability of habitat for these species is well-documented via sources such as the Jepson Flora Project and site-specific biological surveys. Additionally, San Diego goldenstar and Orcutt's bird's beak are MSCP-covered species, and the MSCP SAP concluded that conserved populations protect these species regionally long-term. There is sufficient evidence to support the conclusions made in the SEIR in the absence of a quantitative threshold of significance. No revisions to the SEIR are required.

Q-62: The commenter expresses concerns about the potential impacts of the pump station located within PA 30 in the VPHCP preserve and the proposed drainage outfalls. To clarify, the VPHCP (City of San Diego 2019, sandiego.gov/sites/default/files/2024-05/vphcp_revised_final_0.pdf) specifically identifies that the pump station is an allowed use within the vernal pool preserve. As described in SEIR Section 5.14, *Utilities*, this pump station would be subject to VPHCP adjacency requirements and the MHPA Land Use Adjacency Guidelines and no further analysis is

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required. The drainage outfalls mentioned in this comment are proposed to be constructed in Phase 2 and would discharge into Spring Canyon, as described in SEIR Section 3.4.6.1 and shown in SEIR Figure 3-19, Project-Level Grading Phasing. While impacts for the outfall southeast of the Specific Plan area would require a MHPA BLA, all impacts associated with the installation of the drainage would be temporary and impacted areas would be restored with native vegetation after installation of the drainage pipe. A discussion of potential alternative locations for these components is not required to be provided in the SEIR under CEQA; these components were sited based on conversations and coordination with the City and the Wildlife Agencies to ensure that biological resources were adequately protected. No revisions to the SEIR are required.

Q-63: The commenter asserts that the Specific Plan and SEIR should be revised to increase the developable area of the Otay Mesa LLC property to a minimum of 25%, consistent with the 1997 MSCP. While the Specific Plan and SEIR do not address properties outside of the Southwest Village Specific Plan area boundary, the City acknowledges that properties zoned OR-1-2 under private ownership would still be allowed to develop the property consistent with the applicable the Municipal Code and the VPHCP. Clarification has been added to footnote 5 of Specific Plan Table 2.1 regarding this issue. Any units developed within the OR-1-2 zone would be subject to the maximum dwelling unit cap of 5,130 dwelling units under the Specific Plan. However, given the lack of existing infrastructure in the area, MHPA development limits, and VPHCP development limits for development in 100% conserved areas, individual property owners are expected to be constrained in obtaining individual permits to develop their parcels, limiting the likelihood that multiple units would be developed. Therefore, assuming development of these parcels would occur and including them in the project analyzed in the SEIR and planned development

Comment Letter Q

Park & Velayos LLP

June 23, 2025
Page 15

Q-64 In addition, the Specific Plan area boundary should be revised to include the entire area of the Otay Mesa Property, consistent with the Southwest Specific Plan Area identified in the Otay Mesa Community Plan. Here, however, the hardline boundary of certain portions of the MHPA was used to establish the boundary of the Specific Plan area, which results in bifurcating certain parcels such as the Otay Mesa Property. The Specific Plan area boundary should be revised to include the entire Otay Mesa Property so that administration and management of the development area and open space can be better coordinated and administered through implementation of the Specific Plan.

Q-65 Below are additional questions and comments regarding the biological resources analysis and mitigation measures identified by our biology technical expert, Greg Mason, the Principal and Senior Biologist at Alden Environmental, Inc. with over 20 years' experience (resume attached as Exhibit 4).

Q-66 • PR-BIO-5 – Page 5.4-67 of the SEIR states that “[f]ormal consultation with USFWS through a Section 7 or Section 10 process would be required to confirm adequate mitigation for direct impacts to Quino checkerspot butterfly habitats.” Will this formal consultation with the U.S. Fish and Wildlife Service (“USFWS”) be conducted as part of the VPHCP Major Amendment? If so, will it also cover potential take of the Quino checkerspot butterfly on/within the program-area parcels?

Q-67 • Page 5.4-79 of the SEIR states that “[t]he western spadefoot is not an MSCP-covered species, and in the event the western spadefoot becomes listed as endangered at the federal level, within the timeframe of this Project, formal consultation through FESA Section 7 or coordination through FESA Section 10 process would be required.” Will this formal USFWS consultation be conducted as part of the VPHCP Major Amendment? If so, will it also cover potential take of the western spadefoot toad on/within program-area parcels?

Q-68 • Page 5.4-89 of the SEIR states that “[t]he Wildlife Agencies requested a Major Amendment to the VPHCP to specifically address the impacts to 100% conserved lands associated with the Beyer Boulevard alignment. To demonstrate consistency with the MSCP and the VPHCP, Beyer Boulevard has been the subject of extensive study to identify a design that would minimize impacts to the greatest degree feasible and incorporate features to ensure wildlife movement through the open space areas north and south of the road would remain viable. The City and Wildlife Agencies have identified a path forward that includes processing a Major Amendment to the VPHCP to specifically address impacts to 100% conserved lands under the VPHCP from the proposed extension of Beyer Boulevard through portions of the West Otay Mesa A and West Otay Mesa B properties and Furby-North Preserve.” This section clearly states that Beyer Boulevard has been fully studied at the project level, not at the program level. Is it correct that the VPHCP Major Amendment will be approved at the City/CEQA level through the adoption of the SEIR? What is the status of the federal (USFWS) National Environmental Policy Act (“NEPA”) process and approval path?

Q-69

Q-64: The commenter asserts that the Specific Plan area boundary should be revised to include the entire area of the Otay Mesa LLC property, consistent with the Southwest Specific Plan Area in the OMCP. The Southwest Village boundary is the same in both the 2014 OMCP and the Specific Plan, as seen in OMCP Figure 1-3, *Otay Mesa Precise and Specific Plan Areas*. No revisions to the Specific Plan or SEIR are required.

Q-65: See Responses Q-66 through Q-74 below regarding the biological resources analysis and mitigation issues introduced in this comment.

Q-66: The commenter asks if the formal consultation required by mitigation measure PR-BIO-5 would be conducted as part of the VPHCP MA and cover potential take of the Quino checkerspot butterfly in program-level areas. As discussed in SEIR Section 3.7.6, the VPHCP MA is required for impacts to 100% conserved lands associated with the Beyer Boulevard West alignment in the project-level areas. Formal consultation with USFWS would be conducted as part of the VPHCP MA. The VPHCP MA is not required for the program-level components, and Quino checkerspot butterfly is not a VPHCP-covered species. Potential program-level impacts to Quino checkerspot butterfly are addressed through mitigation measure SP-BIO-1, which requires site-specific surveys for future projects implemented under the Specific Plan to avoid or mitigate for impacts to sensitive species, including Quino checkerspot butterfly, consistent with the relevant biological regulations. If future surveys required by mitigation measure SP-BIO-1 in the program-level areas identify potential impacts to Quino checkerspot butterfly, an HCP would be required through a FESA Section 10 permit.

Q-67: The commenter asks if the formal consultation for western spadefoot mentioned on page 5.4-79 of the SEIR would be conducted as part of the VPHCP MA and cover potential take of

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Q-67: The commenter asks if the formal consultation for western spadefoot mentioned on page 5.4-79 of the SEIR would be conducted as part of the VPHCP MA and cover potential take of western spadefoot in the program-level areas. Refer to Response Q-66 above regarding the applicability of the VPHCP MA to the project-level areas only. Potential program-level impacts to western spadefoot are addressed through mitigation measure SP-BIO-1, which requires site-specific surveys for future projects implemented under the Specific Plan to avoid or mitigate for impacts to sensitive species, including western spadefoot, consistent with the relevant biological regulations. If future surveys required by mitigation measure SP-BIO-1 in the program-level areas identify potential impacts to western spadefoot and it is a listed species, an HCP would be required through a FESA Section 7 or Section 10 permit, as applicable.

Q-68: This comment provides a direct quote from the SEIR and correctly notes that the Beyer Boulevard West extension was studied at the project level. This comment does not raise an issue concerning the environmental analysis or adequacy of the SEIR. Please see Response Q-69 below.

Q-69: The commenter asks if the VPHCP MA would be approved at the City/CEQA level through the adoption of the SEIR and inquiries about the project's National Environmental Policy Act (NEPA) process. The SEIR acknowledges that an MA to the VPHCP is required and provides a detailed analysis of the anticipated effects of the proposed MA in SEIR Sections 3.7.7, 5.1.6.2, and 5.1.6.3. While this detailed analysis has been provided in the SEIR, the City acknowledges that the MAs to the VPHCP shall be memorialized through an addendum to the VPHCP and a FESA Permit Amendment which will require discretionary City approvals separate from certification of the SEIR and shall be documented in the VPHCP Annual Report. Regarding the commenter's inquiry about NEPA compliance and the USFWS approval path, if project approvals by the City proceed before

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completion of the VPHCP MA, the City and project Applicant would coordinate with USFWS to ensure that these project components are implemented through the applicable process and permits consistent with FESA (as described in mitigation measures PR-BIO-5 and PR-BIO-12), including a separate HCP, as applicable. As part of the VPHCP MA, the USFWS would require and conduct a NEPA analysis prior to its approval of the VPHCP MA. Potential impacts to the nesting/foraging/movement of Quino checkerspot butterfly and western spadefoot, which are federally listed and proposed for listing, respectively, would be addressed pursuant to either Section 7 or Section 10 of the FESA, as applicable. Additionally, in lieu of MSCP coverage for Quino checkerspot butterfly, the CDFW would be expected to review and issue a consistency determination on the federal permit.

Comment Letter Q

Park & Velayos LLP

June 23, 2025
Page 16

- Q-70 | • Page 5.4-105 of the SEIR states that “[i]mpacts to vernal pools outside of the MHPA do not require a deviation from the wetland regulations as all impacts would be mitigated consistent with the VPHCP.” This text stating that a wetland deviation for vernal pool impacts outside of the MHPA should be incorporated into the appropriate sections discussing wetland impacts in the program-level analysis.
- Q-71 | • Page 5.4-106 of the SEIR states that “[i]mpacts to wetlands within the Beyer Boulevard and Caliente Avenue alignments would be processed under the Essential Public Projects Option due to these roadways being City Mobility Element roadways with regional function.” Will the Essential Public Project deviation option for Beyer Boulevard be processed and approved as part of the Phase 1 approvals? The SEIR should clearly state that this is an initial requirement prior to any development and not to be deferred to future program-level projects that would come forward at a later date.
- Q-72 | • Page 5.4-108 of the SEIR states that “[a]dditionally, any impacts to wetlands in the City would require a deviation from the ESL wetland regulations.” This text is in a program-level section and should clearly reiterate that impacts to vernal pools outside of the MHPA do not require a deviation from the wetland regulations, as all impacts would be mitigated consistent with the VPHCP.
- Q-73 | • Page 10-7 of the SEIR states that “[i]f mobility element roads (i.e., Beyer Boulevard, Airway Road, and Del Sol Boulevard) impact existing conserved lands, an additional 1:1 ratio shall be added to the City required mitigation ratio in order to replace the lands that were previously preserved as open space.” Why is Beyer Boulevard discussed under the program-level mitigation measures (SP-BIO-1) when it is clearly identified elsewhere in the SEIR as a project-level component, and analyzed as such? Additionally, why should there be a question about future impacts to already conserved lands at this point, given the alignment for Beyer Boulevard was studied at the project level and therefore the impacts have been assessed?
- Q-74 | • Page 10-9 of the SEIR states that “[a]dditionally, any impacts to wetlands in the City would require a deviation from the ESL wetland regulations.” As noted above, impacts to vernal pools outside of the MHPA do not require a deviation from the wetland regulations as all impacts would be mitigated consistent with the VPHCP. This should be restated in the SEIR, as appropriate, for program-level wetland impacts.
 - b. **Fire and Emergency Response.**
- Q-75 | The entire Specific Plan area is located in a Very High Fire Hazard Severity Zone per the latest CalFire maps (which were published prior to the publication of the SEIR). However, the SEIR fails to account for this in the wildfire and fire public services analysis. Moreover, the WES does not include a worst-case fire scenario quantitative analysis. CEQA requires disclosure of reasonably foreseeable emergency conditions, and consideration of worst-case scenarios. This means an analysis that considers peak winds (e.g., Santa Ana conditions), dry conditions, full buildout, peak hour congestion, bottleneck due to narrow roadways (Beyer

- Q-70: The commenter suggests specific language regarding wetland deviations; however, as noted by the commenter, the SEIR already states the requested language. SEIR Section 5.4.7.2 also indicates that future development in program-level areas would be required to address compliance with the City’s ESL regulations including applicable requirements related to wetland deviations. The City acknowledges that impacts to vernal pools outside of the MHPA would not require deviations per ESL regulations. No change to the SEIR has been made as a result of this comment.
- Q-71: The commenter asserts that the Essential Public Projects Option for Beyer Boulevard should be confirmed in Phase 1, prior to any development. Refer to Response Q-16 regarding the timing of the construction of Beyer Boulevard. The Essential Public Projects Option would be exercised prior to the construction of Beyer Boulevard.
- Q-72: Refer to Response Q-70 above regarding the wetland regulations deviation mentioned in this comment.
- Q-73: The commenter asserts that Beyer Boulevard should not be discussed under the program-level analysis because it is a project-level component. While the majority of the improvements related to Beyer Boulevard West are analyzed at the project level, full buildout of Beyer Boulevard East is a program-level component, as discussed in SEIR Section 3.4.4.1. Beyer Boulevard East is therefore included in mitigation measure SP-BIO-1, as discussed in this comment.

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Q-74: Refer to Response Q-70 above regarding the wetland regulations deviation mentioned in this comment.

Q-75: The commenter asserts that the SEIR and the Wildfire Evacuation Study do not acknowledge that the entire Specific Plan area is in a VHFHSZ or analyze the worst-case fire scenario. See Response Q-76 below. As stated in Section 5.6.1.2 of the SEIR, the entire project area is designated as a VHFHSZ according to the California Department of Forestry and Fire Protection's Resource Assessment Program maps.

Regarding the commenter's assertion that the project's wildfire analysis is inadequate, a qualitative analysis of evacuation scenarios was conducted, including Scenario 6, which includes evacuating vehicles associated with the existing, cumulative and project buildout land uses. Overall, there is limited development south of SR-905, and the project is designed to be resilient to wildfire and required to meet the current regulations for development in a VHFHSZ, which includes standards for roadways, water availability, construction materials, and vegetation management requirements. Additionally, the State Fire Marshal's data shows that homes constructed according to 2022 CBC Chapter 7A standards significantly reduce fire risks for properties located in the Wildland Urban Interface and Fire Hazard Severity Zones (California Building Industry Association 2022, <https://cbia.org/wp-content/uploads/2022/03/Wildfire-Press-Release-Ver-1.2.pdf>). Furthermore, the risk of major structural damage is greatly minimized when homes are part of a well-planned and mitigated master-planned community, such as the project (Federal Emergency Management Agency 2023, https://www.fema.gov/sites/default/files/documents/fema_2023-npr.pdf). According to the Office of the State Fire Marshal Property Loss Data, no master-planned community built after the adoption of CBC Chapter 7A has experienced significant

Comment Letter Q

Park & Velayos LLP

June 23, 2025
Page 17

Q-75 cont. ↑ Boulevard two-lane roadway), etc. The analysis in the WES is particularly troublesome in light of the recent Los Angeles fires in which entire communities were not able to evacuate via car and ended up having to leave their cars and evacuate on foot, even with wide, multi-lane roadways.

Q-76 ↓ In the event of a wildfire, the SEIR states that the last vehicle would be evacuated from the Specific Plan area and onto one of the primary evacuation roadways in over four hours (approximately 246 minutes), which is extremely lengthy. This fact alone should require the full buildout of Beyer Boulevard West before the first dwelling unit is occupied in Phase 1. The SEIR should analyze additional evacuation roadways and/or alternate roadway configurations to minimize the evacuation time frames. The SEIR states that the evacuation timeframe "is informational only as full-scale, mass evacuation events are now extremely rare due to the rise of wildfire evacuation technology that allows evacuations to be precisely managed to evacuate smaller populations in a successive phasing to minimize traffic surges." The SEIR fails to provide details or evidence in support of this. For example, what fire spread rate is assumed? What would the evacuation timing be without the full construction of Beyer Boulevard West? The Specific Plan (p. 157) states that future projects that include more than 200 units shall submit a Fire Plan to the City for review that demonstrates (1) there are two separate access points; and (2) said access points shall be placed at a distance not less than half of the maximum overall diagonal dimension of the planning area to be served. What is the basis of the 200 unit threshold?

Q-77 ↓ Further, the evacuation calculations in the WES and SEIR are misleading. The WES states that the total number of vehicles for existing conditions and opening year 2024 is 3,798, and assuming a roadway capacity of 2,500 vehicles per hour ("VPH"), the evacuation would take approximately 91.5 minutes. However, the 3,798 vehicles calculation understates existing conditions; as shown in Table 4 of the WES, this number only accounts for the existing year residential vehicles (1,926) and the opening year residential vehicles (1,872) but not the existing institutional vehicles (636) or the opening year non-residential vehicles (which are not listed in Table 4). An explanation is buried in footnote (g) of Table 4, which states that "[t]hese numbers represent the combined population totals for those uses included in the Weekend Evening evacuation scenario analyzed herein, which includes all residential uses and excludes institutional and commercial uses that would not be expected to be operational during an evening evacuation scenario. Further, the commercial uses proposed as part of the project are expected to serve the project's population and are not considered regional commercial uses." An evacuation could occur at any time, and in fact is more likely to occur during the day when temperatures are at a peak. By assuming, without justification, that the evacuation would occur on a weekday evening, the WES underestimates the evacuation times and fails to provide a true and accurate estimate of wildfire impacts. Further, the WES states that "[i]f all evacuation traffic is considered for Existing Conditions and Opening Year 2024, the total number of vehicles would be 4,198 and 5,196, respectively," and for Phase 1a and 1b, "[i]f all evacuation traffic is considered for Existing Conditions and Opening Year 2024, the total number of vehicles would be 5,638 and evacuation would be anticipated to take 270.6 minutes. It is anticipated that the project Phase 1c would add approximately 88.3 minutes to the Existing Condition + Opening Year 2024 conditions." These numbers are buried in the WES and not mentioned in the SEIR.

Plan, provide a baseline level of high wildfire safety when designed to updated fire code requirements. The community's fire-smart design in accordance with current and updated regulations would reduce the potential for structure loss from wildfire to below a level of significance. The City has determined that the project's wildfire analysis is adequate, and no revisions to the SEIR are required.

Q-76: The commenter asserts that full buildout of Beyer Boulevard West should be required before the first dwelling unit is occupied in Phase 1 to ensure that timely emergency evacuation is possible. As stated in Section 5.6.3.2 of the SEIR, the reported approximately 246-minute evacuation time is in consideration of a worst-case mass-evacuation scenario where only a singular evacuation route is available to project occupants at full buildout of the Specific Plan. As detailed in the Wildfire Evacuation Study (SEIR Appendix E), under the singular access mass evacuation scenario, which considers a full buildout of the Specific Plan, Beyer Boulevard would be operational; therefore, construction of the Beyer Boulevard extension would have no impact on the reported evacuation times under this scenario.

The comment further states that the SEIR should analyze additional or alternate evacuation roadways or configurations to minimize evacuation time frames. Section 4.1.3 of the Wildfire Evacuation Study considers the availability of additional evacuation routes. The analysis states it would take up to approximately 78.6 minutes to evacuate Phase 1a + Existing Conditions + Opening Year 2024 Conditions, and up to approximately 102.6 minutes with the addition of Phase 1b. In Phase 1c, when the Beyer Boulevard Extension would be operational, evacuation times along Caliente Avenue are reduced, with total evacuation times of up to approximately

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91.1 minutes. Further, none of these scenarios consider vehicles evacuating along the Secondary EVA, which would be constructed and operational prior to the 201st dwelling unit if Beyer Boulevard West is not yet constructed. The Secondary EVA would further reduce evacuation times disclosed in the SEIR.

Finally, the comment states that the SEIR fails to provide details or evidence to support the statement that mass evacuations are extremely rare due to technological advancements, specifically asking about the fire spread rate that is assumed and what evacuation timing would be without the construction on Beyer Boulevard. As described in the Wildfire Evacuation Study, the County has implemented Genasys EVAC a system that enables emergency managers to designate small areas in a surgical approach that can target neighborhoods, blocks or streets for alert messaging. As described previously, the singular access worst-case evacuation scenario considers a mass-evacuation of all project occupants at full buildout of the Specific Plan with only one evacuation route available, which would represent a scenario in which the Beyer Boulevard extension was not operational. No fire spread modeling was performed as part of the evacuation analysis; however, as described in Response Q-75 above, the Project would provide fire safety features in building construction that would support contingency options, including the potential to shelter project occupants in place.

Q-77: This comment requests an explanation for the 200-unit threshold requiring preparation of a Fire Plan. Per Section D106.2 of the 2022 California Fire Code that the project is subject to, multi-family residential projects with more than 200 dwelling units are required to provide two separate and approved fire apparatus access roads, regardless of whether the development is equipped with an approved automatic sprinkler system.

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Q-78: The commenter asserts that the calculations in the Wildfire Evacuation Study (SEIR Appendix E) and SEIR are misleading because 1) the analysis does not assume vehicles associated with institutional or non-residential uses 2) the justification for this assumption is explained in a footnote and 3) wildfire is more likely to occur during the day. As described in Section 4.1.1 of the Wildfire Evacuation Study, the evacuation time analysis assumes evacuation would occur at a time when residential occupancy would be at its peak, which for the purposes of this analysis, was determined to be a weekend evening evacuation, when institutional and commercial uses would be closed. As the project and surrounding land uses are primarily residential, peak residential occupancy represents the greatest possible number of evacuating vehicles within the study area. Evacuation can occur at any time of day; therefore, for the purposes of the wildfire analysis within the SEIR, the assumption for weekend evening evacuation was predicated on the land uses within the study area, as described in the Wildfire Evacuation Study.

The comment also states that the full evacuation analysis is not provided in the SEIR. The worst-case mass evacuation scenario – singular access analysis, presented in Section 5.6, Human Health/Public Safety/Hazardous Materials, of the SEIR, provides the analysis of a worst-case evacuation scenario where all evacuating vehicles use a singular evacuation route. The comments indication that 270.6 minutes is the actual worst-case evacuation time as noted in the WES ignores the WES' detailed indication that although worst-case, it is not a reasonable scenario. The analysis that resulted in 270.6 minutes considers an unlikely scenario of a singular access evacuation, where only one evacuation route is available to evacuees. At every phase of the Project's construction, there would be more than one evacuation route available to the Project's residents. At build out, there would be multiple potential routes and the likelihood of a constrained evacuation limited to one route is

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not reasonable or foreseeable. For the following reasons, the 270.6 minute scenario is not considered appropriate:

1. This analysis considers a worst-case scenario; therefore, the total evacuation time would likely be shorter for a typical evacuation.
2. As presented in Section 4.1.2, time is not the only factor that determines if an evacuation would be safe, cited studies show evacuations can be safely executed over 30 minutes or 10 hours.
3. As presented in Section 4.1.2, phased/targeted evacuations result in faster evacuation times than mass evacuations. Additionally, phased evacuations are the preferred approach for emergency managers in the County – smaller populations phased over longer time frames result in less traffic congestion (Li, et al. 2024, Fehr and Peers 2021, Department of Homeland Security 2019).
4. As presented in Section 1.2.2.2, the project includes a number of fire protection features, which provide protection for evacuees; therefore, longer evacuations aren't necessarily dangerous along hardened and protected corridors which keep evacuees away from at risk areas (like the project) vs evacuating through the fuel bed (as people evacuating the town of Paradise had to during the 2018 Camp Fire).
5. As presented in Section 4.1.2, the availability of contingency options in these newer communities that allow emergency managers flexibility (i.e., ability to move populations at highest risk first, shelter in place).
6. The evacuation timeframes detailed are a maximum amount of time for the last evacuees to leave the area, most of the evacuees are out of the area sooner than the maximum estimated evacuation times.

Comment Letter Q

Park & Velayos LLP

June 23, 2025
Page 18

Q-78 cont. ↑ which summarily states that the evacuation time for the full buildout of the Project would be approximately 246 minutes. The analysis should be revised to provide a conservative analysis using worst-case data, as the existing analysis fails to provide a legitimate picture of the evacuation times that would actually occur when Project residents are trying to evacuate.

Q-79 ↓ In addition, the General Plan (2024) Public Facilities, Services and Safety Element includes Fire Services and Infrastructure Policy PF-D.1, which establishes response time requirements. The SEIR fails to include an analysis of emergency response times. Conflicts with Fire Services and Infrastructure Policy PF-D.1 are not disclosed or analyzed.

Q-80 ↓ Further, the incomplete related projects list identified above and the related wildfire analyses should be corrected in a revised WES.

Q-81 ↓ Lastly, the SEIR unduly burdens later phases to mitigate wildfire risk. For example, mitigation measure SP-HAZ-1 is imposed on the program-level, but not the project-level development.

c. Traffic.

Q-82 ↓ The traffic study (Appendix J-1) states that the cumulative projects were identified at the time of the Notice of Preparation, which was February 26, 2020, over five years ago. The cumulative project list is severely out of date and, therefore, invalidates the cumulative traffic analysis. The cumulative impact analysis needs to be updated and included in a recirculated SEIR.

Q-83 ↓ Further, the 2024 opening year is not possible given that the SEIR was published in 2025. The traffic study limited the cumulative projects to those that had an opening year on or before year 2024. This impermissibly limits the scope of the analysis and does not account for cumulative projects that will open in 2025 and beyond, which therefore underestimates cumulative impacts. For example, the BDM Mixed Use Project (PTS # 673818), which, in fact, is mentioned in the LMA, is not accounted for. Similarly, the traffic counts were collected in 2022 and are out of date and should also be updated.

Q-84 ↓ The conclusion that the reduced widths of Beyer Boulevard and Caliente Avenue would not cause hazard or safety issues are conclusory and not supported by substantial evidence.

Q-85 ↓ The SEIR states that the construction of the two proposed school sites on the Specific Plan area would accommodate the Specific Plan-generated growth; however, in the interim phases prior to school construction and operations, students generated from the proposed Specific Plan would need to attend school in temporary classroom facilities outside of the Specific Plan area, either on an interim (5 years or less) or permanent basis. Were the traffic effects of potential temporary classrooms evaluated? Do both school sites need to be developed to accommodate the growth? On the other hand, if a school is developed on PA 7 and not PA 16, how will that affect traffic and access for PAs 4 and 5?

7. Since the Chapter 7A building codes were adopted in 2007, there has been no loss of any structure in a master planned community due to wildfire.

The wildfire evacuation analysis also included estimated evacuation times for Phase 1a, Phase 1b, and Phase 1c of the project. The City has determined that the project's wildfire analysis is adequate, and no revisions to the SEIR are required.

Q-79: The commenter asserts that the SEIR fails to discuss compatibility with General Plan (2024) policies related to emergency response time requirements. The OMCP FEIR fully addresses response times in FEIR Section 5.13.3.1, which identified the need to develop Fire Station No. 49, as well as a fire station to be collocated with a police protection facility, to provide adequate levels of service to the OMCP area under buildout. The SEIR, which tiers from the FEIR, includes an analysis that the project would not generate additional residential or commercial development or create demand for fire protection services beyond what was estimated for Southwest Village in the OMCP, and Fire Station No. 49 currently planned for in the OMCP Public Facilities Financing Program as Project OM F-2. As anticipated in the FEIR and noted in the SEIR, the project would pay Development Impact Fees to contribute to the planned fire service facilities identified in the OMCP FEIR. These planned facilities would support existing and future fire protection services needed to adequately serve the area. No inconsistency with Policy PF-D.1 would occur and no revisions to the SEIR are required.

Q-80: The commenter asserts that the incomplete related projects list identified in comment Q-39 above and the related wildfire analyses should be revised. Refer to Response Q-39 above regarding the concerns raised in this comment.

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- Q-81:** The commenter states that mitigation measure SP-HAZ-1 burdens later phases of Specific Plan to mitigate for wildfire risk. First, see Topical Response 1 relative to differences in program-level and project-level mitigation. Specific to mitigation measure SP-HAZ-1, which is carried forward from the OMCP FEIR, there is no significant project-level impact to which this mitigation measure would appropriately apply. The plans available for the project-level components incorporate brush management zones and enhanced fire safety features in compliance with the applicable state and City regulations (refer to SEIR Section 5.6.3.3.b), consistent with the OMCP PEIR mitigation measure and it is not warranted to carry the measure forward at the project level, considering its elements are already included in the project plans and will be implemented. Formal CBC compliance verification would occur during the building permit process, as is standard for City development projects. As such, there is no need for this measure to apply at the project level where compliance with the regulations will be verified. Future program-level development would need to demonstrate compliance with the same regulations by incorporating brush management zones and building fire safety features. No undue burden on future development occurs.
- Q-82:** Refer to Response Q-39 above regarding the commenter's assertion that the cumulative projects list provided in the LMA (SEIR Appendix J-4) requires updating; also refer to comment Q-40 above regarding the commenter's assertion that 2024 cannot be used as the opening year for the project. In summary, the ZA projects and opening year assumptions in the LMA and the cumulative impact analysis in SEIR Chapter 8, Cumulative Impacts accurately represent the existing conditions and are adequate under CEQA.

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Q-83: The commenter asserts, but provides no supporting evidence, that the traffic counts collected in 2022 must be updated. Traffic counts are conducted to establish baseline traffic volumes to which cumulative project trips are added for near term analysis with project-generated trips. As the traffic analysis considers cumulative projects in addition to the 2022 baseline volumes to provide a near term analysis, the City has determined that the 2022 counts used in the LMA (SEIR Appendix J-4) do not change the results or validity of the LMA or the environmental analysis, and no revisions to the SEIR are required. Refer also to Response Q-39 relative to the adequacy of the cumulative project trip generation.

Q-84: The commenter asserts that the hazard and safety conclusions for Beyer Boulevard and Caliente Avenue are not supported by substantial evidence. However, a detailed analysis of the roadway classification downgrades is provided in Attachment A and Attachment B to the Transportation Phasing Plan (SEIR Appendix J-2). The classification downgrade applies a lower City of San Diego roadway classification that continues to meet the City's safety standards. The commenter has not provided substantial evidence of any safety issues with the noted roadway standards, and no revisions to the SEIR are required.

Q-85: Refer to Response Q-23 above regarding the commenter's concerns about the traffic impacts of temporary school facilities.

Comment Letter Q

Park & Velayos LLP

June 23, 2025
Page 19

d. Mitigation.

Q-86 There are a multitude of issues with regard to the mitigation in the SEIR. First, the SEIR is structured such that the project-level phase is analyzed separately from the program-level phase and the burden of the mitigation measures falls on the program-level. For example, Health Risk Assessment mitigation is required at the program level, but no air quality mitigation is required at the project level. Further, many of the program-level mitigation measures constitute deferred analysis and are impermissibly vague (e.g., the noise measures). In fact, even the project-level mitigation measures, such as PR-NOS-1 which requires an interior noise analysis, constitute deferred analysis. Also, the SEIR states that no mitigation is available for increases in traffic noise at existing land uses because the City cannot require alterations to these land uses.

Q-87 However, CEQA requires an analysis of potentially feasible mitigation; thus, the SEIR fails in this regard. In addition, the Mitigation Monitoring and Reporting Program (“MMRP”) fails to identify the timing, implementation and enforcement of the mitigation measures. Further, it is difficult to distinguish between Project design features and mandatory mitigation measures.

Q-88

Q-89

In general, mitigation measures seem to be more beneficial for earlier phases. For example, with respect to biological resource mitigation for impacts to upland vegetation communities and land cover types, lower mitigation ratios are allowed where the location of the mitigation preservation areas are located within the MHPA or outside the MHPA but within the affected habitat type. The mitigation ratio calculations for Phase 1 assume that the MHPA boundary line adjustment would occur, and accordingly mitigation ratios are based on all impacts occurring outside the MHPA and being mitigated within the MHPA (with one exception).

e. Cumulative Impacts.

Q-91 As discussed above, the cumulative impact analysis is inadequate due to the inconsistent and out-of-date cumulative projects that were analyzed. Further, the analysis of cumulative impacts is vague and does not account for the full scope of the Project. As California Courts have warned, “[t]here exists a real danger in the filing of separate environmental documents for the same project because consideration of the cumulative impact on the environment may never occur.” (*City of Santee v. County of San Diego* (1989) 214 Cal.App.3d 1438, 1452, citing *Citizens Assn. for Sensible Development of Bishop Area v. County of Inyo* (1985) 172 Cal.App.3d 151, 166.)

f. Alternatives.

Q-92 The SEIR failed to analyze a reasonable range of alternatives. CEQA Guidelines Section 15126.6 requires an EIR to analyze “a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives.” The SEIR only evaluated two alternatives: Alternative 1 – No Project Alternative; and Alternative 2 – Reduced Project.

Q-86: The commenter asserts that the burden of the project’s mitigation measures fall on the program-level components. For a response regarding project-level versus program-level mitigation in the SEIR, please refer to Topical Response 1. More specifically related to the commenter’s air quality mitigation example, this is a case where the project-level information and analysis was able to demonstrate that no project-level mitigation is required because air quality impacts are not significant. However, in the case of program-level components, the program-level mitigation for criteria pollutant impacts carried forward from the OMCP FEIR includes requirements for control measures or buffers from sensitive receptors only where a future development results in individual impacts exceeding the applicable pollutant thresholds. The project-level analysis demonstrates that there would not be an exceedance of the applicable standards; therefore, no further mitigation is required at the project level. Similarly, the program-level mitigation measures related to sensitive receptors are carried forward from the OMCP FEIR and would apply where sources of toxic air contaminants are proposed within screening distances of sensitive receptors (refer to SEIR Table 5.3-9, *CARB Land Use Siting Constraints*). As the project-level components do not propose these types of uses, no mitigation, including preparation of a health risk assessment, is necessary. In summary, the SEIR properly assigns program-level and project-level mitigation where potentially significant impacts are identified for each component.

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Q-87: The commenter asserts that certain project-level mitigation measures, such as mitigation measure PR-NOS-1 constitute deferred mitigation. For a response regarding the appropriate level of detail for program-level and project-level mitigation, please refer to Topical Response 1. More specifically related to the comment regarding project-level noise mitigation and mitigation measure PR-NOS-1, PR-NOS-1 does not improperly defer mitigation. Mitigation measure PR-NOS-1 requires detailed building plans to be available to complete the required interior noise analysis; these detailed building plans are not available at this time. Currently, neither building locations nor building design features for the program-level analysis are available. The measure requires an interior noise analysis be prepared for specifically identified lots and buildings prior to the issuance of building permits in accordance with clear performance standards outlined in the City's General Plan (2024). It is standard for compliance with interior noise to be verified prior to permit issuance when building design has been determined. Potential noise control measures are identified that may be used to reduce noise depending upon the specific site location and building features. With mitigation measure PR-NOS-1, impacts would be reduced to less than significant.

Q-88: The commenter asserts that the SEIR fails to analyze all potentially feasible mitigation related to increased traffic noise. This is incorrect; as discussed in SEIR Section 5.10.3.5, it was determined that off-site vehicle traffic noise would occur at a magnitude for which no mitigation is feasible to reduce impacts to less than significant at both the program level and project level. This does not mean that no mitigation was considered. The SEIR does include noise mitigation measures, as discussed throughout Section 5.10, Noise, and as mentioned above in this comment letter (mitigation measure PR-NOS-1). However, it was acknowledged that none of these measures would be guaranteed to reduce off-site vehicle traffic noise to a less than significant level due to the level of noise and typical noise

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reduction from noise-reducing building design measures such as closed windows, improved building materials, and other measures. Thus, the SEIR properly concludes that program-level transportation noise impacts could be significant and not mitigated. No revisions to the SEIR are required.

Q-89: The commenter asserts that SEIR Chapter 10, Mitigation Monitoring and Reporting Program fails to identify the timing, implementation, and enforcement of the mitigation measures. The text of each measure contained within the Mitigation Monitoring and Reporting Program includes detailed information tying implementation of the measure to required timing, performance standards that must be met, and responsible parties for implementing and monitoring. Refer to Topical Response 1 regarding the clear triggers and performance standards contained in SEIR mitigation measures. In a few instances, the SEIR mitigation measures (e.g., PR-BIO-15 and PR-BIO-16 [now PR-BIO-16a and PR-BIO-16b]) and the Mitigation Monitoring and Reporting Program (SEIR Chapter 10, Mitigation Monitoring and Reporting Program) have been revised to include additional clarifying language. These limited changes are reflected in track changes in the Final SEIR. Absent more specific comments on specific measures, no further response need be provided. Finally, Project Design Features presented in Section 3.6, Project Design Features of the SEIR are not mitigation measures but inherent features of the project design that are requirements of the VTM at the project level and/or Specific Plan at the program level. These features also include specific performance standards, timing, and reviewing and monitoring requirements subject to the satisfaction of the applicable City Department or agency. The project-level project design features would be conditions of the discretionary development permits, while the program-level project design features have been incorporated into the Specific Plan.

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Q-90: The commenter asserts that mitigation measures seem to be more beneficial for earlier phases and cites the mitigation ratios required for upland vegetation communities and land cover types. For a response regarding project-level versus program-level analysis and mitigation in the SEIR, please refer to Topical Response 1. The OMCP PEIR mitigation framework has been applied to all phases of development, and measures implemented or carried forward as appropriate. More specifically to this comment related to the mitigation ratios required for upland vegetation communities, impacts to upland habitat are mitigated based on the City's Biological Guidelines under both the project-level and program-level components. The program-level Owner's/Permittees can also provide mitigation within the MHPA to utilize the lower ratios afforded in that situation, consistent with the Biological Guidelines. Ultimately, the remainder of this comment does not pertain to the adequacy of the environmental document, and no further response is warranted. No revisions to the SEIR are required.

Q-91: The commenter cites inapt case law and summarizes prior comments made regarding the cumulative project list and expresses concern with the level of detail in the cumulative analysis. Refer to Response Q-39 above regarding the commenter's concerns about the cumulative project list.

The commenter is incorrect that the cumulative impact analysis is vague or does not cover the full scope of the proposed actions; the comment is not supported by evidence of or more specific detailed comment regarding these unsupported assertions. The cumulative impact analysis provided in the SEIR discusses cumulative impacts resulting from the Specific Plan as a whole and, where there is a significant cumulative impact identified, further specifies whether the program-level and/or project-level components of the project have a cumulatively considerable contribution to that impact. Therefore, the preparation of the SEIR and its cumulative impact analysis for

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the Specific Plan as a whole provides a more comprehensive cumulative impact analysis than would have been provided if separate environmental documents were prepared as individual development projects are proposed. As noted in CEQA Guidelines Section 15168, a program EIR has the benefit of ensuring “consideration of cumulative impact that may be slighted in a case-by-case analysis.” The cumulative impact analysis in the SEIR properly addresses cumulative impacts for the full scope of the project and no revision to the SEIR is required.

Q-92: The commenter asserts that the SEIR fails to analyze a reasonable range of alternatives. As noted by the commenter, CEQA Guidelines Section 15126.6 requires a range of reasonable alternatives to be analyzed in an EIR. CEQA Guidelines Section 15126.6(f) further explains the “rule of reason” governing the analysis of alternatives, which indicates that the range of alternatives is provided for the purpose of discussion and informed decision making. As such, analysis should be limited to alternatives that avoid or substantially lessen environmental impacts, are feasible, and attain basic project objectives. As described in SEIR Section 9.2, Alternatives Considered but Rejected five additional alternatives were considered but rejected from further analysis in the SEIR based on their inability to avoid significant impacts of the project or lack of feasibility. The detailed analysis of two alternatives in the SEIR achieves the requirements of CEQA. Additional analyses and recirculation of the SEIR are not required.

Comment Letter Q

Park&Velayos LLP

June 23, 2025
Page 20

Q-93

Further, the SEIR failed to analyze alternatives that would avoid or substantially lessen the Project’s significant and unavoidable environmental effects. “Under CEQA, the range of alternatives that an EIR must study in detail is defined in relation to the adverse environmental impacts of the proposed project.” (*In re Bay-Delta etc.* (2008) 43 Cal.4th 1143, 1167.) The SEIR states that Alternative 2 was identified to consider if reducing the development footprint of the Specific Plan to increase mesa top conservation would reduce significant biological resources impacts while still achieving the project objectives. It is not clear why the sole alternative other than the no project alternative was selected to reduce the biological impacts when the SEIR concluded that biological impacts would be less than significant with mitigation, while there are unmitigated significant impacts in a number of other resource areas, including land use, air quality/odor, historical resources, human health/public safety/hazardous materials, noise, traffic/circulation, utilities and tribal cultural resources. Alternative 2 would convert the 10.74-acre PA 22 from residential to MHPA open space. The remainder of the approximately 490-acre Specific Plan area would remain the same. The SEIR states that Alternative 2 “would result in similar or slightly reduced impacts compared to the project” (page S-5; emphasis added). However, CEQA requires an analysis of alternatives that would “avoid” (i.e., fully reduce impacts to less than significant) or “substantially lessen” a project’s significant impacts. Alternative 2 falls short of this requirement.

Q-94

The alternatives analysis in the SEIR is similar to the alternatives analysis for the project discussed in *People’s Collective for Env’t Justice v. Cnty. of San Bernardino*, No. CIVSB2228456 (Cal. Super. Ct. Sept. 17, 2024) (“*People’s Collective*”), which involved the proposed Bloomington Business Park Specific Plan for the development of a 213-acre area with industrial and business park uses. In *People’s Collective*, the EIR considered three alternatives: Alternative 1 – No Project/No Development Alternative; Alternative 2 – No Project/Buildout of Existing Zoning Alternative; and Alternative 3 – Reduced Project/No Specific Plan Alternative. Alternative 3 decreased the proposed floor area by 35% and decreased the land area that would be developed by 46%. The EIR found air quality impacts to be significant and unavoidable, and although impacts under Alternative 3 were less than the project, the impacts would still be significant and unavoidable. The Court concluded that “Alternative 3 is not demonstrated to represent a meaningful alternative designed to reduce project impacts where it represents the primary portion of the existing development that drives the inmitigable air quality impacts” and “the major source of air quality impacts remain unchanged and are not avoided or substantially reduced.” Here, Alternative 2 analyzed in the SEIR would reduce the density of the Project by less than 6% (the difference in floor area is unknown since the SEIR does not provide floor area information), and the development area would be reduced by less than 9%.⁵ As discussed in Section 9.3.2 of the SEIR, Alternative 2 would only minimally reduce (or not reduce) significant impacts compared to the Project – land use impacts would be “slightly less”; air quality impacts would be “somewhat reduced”; biological resource impacts would be “slightly less”; historic resource impacts would be “slightly reduced”; human health/public safety/hazardous materials

⁵ The SEIR does not disclose the development area of the proposed Project; however, the SEIR description of Alternative 1 states on page S-4 that “[t]his alternative would include 292.7 acres of developable area, which would be 164.8 more acres of additional development than are included in the proposed Specific Plan.” 292.7 acres – 164.8 acres = 127.9 acres; 10.74 acres + 127.9 acres = ~8.4%.

Q-93: The commenter cites case law and asserts that the SEIR fails to analyze alternatives that would avoid or substantially lessen the project’s significant and unavoidable impacts. There were five additional alternatives considered but rejected from further analysis in Section 9.2, Alternatives Considered but Rejected of the SEIR. These alternatives considered the potential to avoid or reduce the significant impacts of the project but found each alternative to either not reduce the intended impacts, result in other significant impacts, or be infeasible for implementation.

CEQA does not require the identification of an alternative that fully avoids project impacts. In conformance with CEQA Guidelines Section 15126.6(a), the SEIR meaningfully considers potential alternatives to the project that could feasibly attain most of the basic project objectives and avoid or lessen the identified impacts. The commenter also does not suggest an alternative for analysis meeting these criteria. The analysis of Alternative 2 provided in the SEIR achieves the requirements of CEQA for analysis of alternatives. See also Responses L-37 and Q-94.

Q-94: The commenter refers to use *People’s Collective for Env’t Justice v. Cnty. Of San Bernardino*, a superior court decision which is not a published appellate opinion and not binding precedent, to argue that SEIR Alternative 2 is not a meaningful alternative.

Alternative 2 was developed for the purpose of avoiding impacts to mesa tops. The specific project alterations considered under Alternative 2 achieve this purpose while other alternatives considered but rejected from further analysis were considered for the purpose of avoiding other project impacts. An EIR need not provide an alternative that avoids all significant impacts of a project with a single alternative. The analysis of Alternative 2 provided in the SEIR achieves the requirements of CEQA by reducing the project’s significant impacts despite not fully avoiding all significant impacts of the project. Refer to

Comment Letter Q

Park & Velayos LLP

June 23, 2025
Page 21

Q-94 cont. ↑ impacts would be “similar”; hydrology/water quality impacts would be “slightly less”; geology/soils impacts would be “slightly less”; noise impacts would be “slightly less”; paleontological resource impacts would be “slightly less”; traffic impacts would be “similar”; utilities impacts would be “slightly reduced”; and tribal cultural resource impacts would be “incrementally less.” Thus, similar to *People’s Collective*, Alternative 2 is not a meaningful alternative designed to reduce project impacts.

Q-95 ↑ Nevertheless, the SEIR identified Alternative 2 as the Environmentally Superior Alternative “since it would slightly reduce impacts to biological resources (10.49 acres of non-native grasslands)” (SEIR page 9-22), even though the SEIR concluded that the proposed Project’s biological resource impacts would be less than significant with mitigation. Notably, the SEIR failed to analyze an alternative that would substantially lessen or avoid the Project’s significant and *unavoidable* impacts, which included impacts related to land use, air quality, historic resources, human health/public safety/hazardous materials, noise, traffic, utilities and tribal cultural resources. For example, with regard to historic resources, the SEIR concluded that the Project would have a significant and unavoidable impact on CA-SDI-22,936. This site is eligible for listing in the California Register of Historical Resources and is designated locally, and 100% of this significant archaeological resource will be impacted by the proposed road construction. Although mitigation through data recovery is proposed, CEQA prioritizes preservation in place as the preferred method (CEQA Guidelines Section 15126.4(b)(3)(A)). The SEIR does not justify why avoidance is infeasible or analyze alternatives that could preserve the archaeological site. (Please also note that a figure showing the precise location of CA-SDI-22,936 would be helpful to determine whether there is an alternate Caliente Avenue roadway path north of Central Avenue in order to avoid or minimize the impact.)

Q-96 ↑ In addition, the SEIR failed to analyze an alternative location. With regard to alternative locations, CEQA Guidelines Section 15126.6(f)(2)(A) states that “[t]he key question and first step in analysis is whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location[,]” and “locations that would avoid or substantially lessen any of the significant effects of the project need be considered.” Specifically in regard to alternative locations, CEQA Guidelines Section 15126.6(f)(2)(C) provides that “[w]here a previous document has sufficiently analyzed a range of reasonable alternative locations and environmental impacts for projects with the same basic purpose, the lead agency should review the previous document. The EIR may rely on the previous document to help it assess the feasibility of potential project alternatives to the extent the circumstances remain substantially the same as they relate to the alternative.” The Otay Mesa Community Plan EIR, however, did not analyze an alternative location. Given that a number of the significant impacts of the Project relate to its location, an alternative location(s) should have been considered and analyzed.

Q-97 ↑ **5. The Project Constitutes Improper Piecemealing Which Is Prohibited Under CEQA.**
The SEIR analyzes a portion of the Project – Phase 1 – in detail, and fails to analyze the remainder of the Project in any meaningful way, instead leaving this analysis to some undefined

Responses L-37 and Q-93 regarding the range of alternatives considered in the SEIR.

Q-95: The commenter asserts that the SEIR fails to propose alternatives that would substantially lessen or avoid the project’s significant and unavoidable impacts. The SEIR analyzed and identified Alternative 2 as an environmentally superior alternative to the project. As described in the previous responses, a range of alternatives that would have avoided or substantially reduced other significant and unavoidable impacts of the project were also considered but rejected in SEIR Section 9.2, *Alternatives Considered but Rejected*. Specifically related to the avoidance of CA-SDI-22,936, please refer to the No Caliente Avenue North of Central Avenue Alternative discussed in SEIR Section 9.2.3. Avoidance of CA-SDI-22,936 via alternative roadway alignments was considered but found not to be feasible due to the locations of existing roadways, required capacity of Caliente Avenue, and existing approvals for construction of segments of Caliente Avenue. While preservation in place is understood to be the preferred method of mitigation, the project cannot feasibly preserve this resource in place (refer to SEIR Section 5.5.6.4.b) and, as a result, would result in a significant and unmitigable impact. The SEIR adequately identifies significant impacts to CA-SDI-22,936 and the SEIR adequately addresses alternatives that would have avoided the site. No revisions to the SEIR are required. Detailed findings on the feasibility of alternatives or mitigation measures to substantially lessen or avoid the significant effects on the environment will be completed in accordance with CEQA Guidelines Section 15065. A Statement of Overriding Considerations, pursuant to CEQA Guidelines Section 15093, has been prepared for the consideration of the decision-making body (City Council) and left to its discretion to determine whether project benefits would outweigh remaining impacts.

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In accordance with Public Resources Code Section 21082.3, the precise location of archaeological resources cannot be provided to the public. As such, no further information can be provided in response to the commenter’s request for a figure showing the precise location of CA-SDI-22,936.

Q-96: The OMCP FEIR does not analyze an alternative location as it is the land use plan for the defined Community Plan area. Similarly, the SEIR does not include an analysis of an alternative location, as the project would implement a Specific Plan with boundaries previously defined by the OMCP and analyzed in the OMCP FEIR. As the basic purpose of the project is to implement the Southwest District portion of the OMCP, an alternative location would not achieve the core objective of the project. Therefore, no alternative location is required to be analyzed in the SEIR.

Q-97: The commenter asserts the project constitutes improper piecemealing by analyzing the program-level components in less specific detail than the project-level components. The comment reflects a misunderstanding of program level environmental review. Please refer to Topical Response 1 related to the SEIR’s project-level versus program-level analyses. Addressing both the project-level and program-level components in one SEIR is permitted and encouraged by CEQA, is not piecemealing under CEQA, and project-level information is not available for the program-level project components which are appropriately analyzed at the program level.

Comment Letter Q

Park&Velayos LLP

June 23, 2025
Page 22

Q-97
cont.

time in the future, even though the scope of the later phases is known and could be fully analyzed in detail. However, CEQA mandates “that environmental considerations do not become submerged by chopping a large project into many little ones – each with a minimal potential impact on the environment – which cumulatively may have disastrous consequences.” (*Bozung v. Local Agency Formation Com.* (1975) 13 Cal.3d 263, 283-84; *City of Santee v. County of San Diego* (1989) 214 Cal.App.3d 1438, 1452.) The specific density and maximum floor area of the entire Project was known and reasonably foreseeable to the City, and therefore the environmental impacts should have been comprehensively analyzed and disclosed.

6. Recirculation of the SEIR is Required Under CEQA.

CEQA requires a lead agency to recirculate a draft EIR for public comment when “significant new information” is added to an EIR after notice has been given but before certification. (CEQA Guidelines Section 15088.5(a).) The term “information” can include changes in the project or environmental setting as well as additional data or other information. (Id.) CEQA Guidelines Section 15088.5(a) states that “significant new information” requiring recirculation include, for example, a disclosure showing that:

- (1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
- (2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
- (3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project’s proponents decline to adopt it.
- (4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded. (*Mountain Lion Coalition v. Fish and Game Com.* (1989) 214 Cal.App.3d 1043).

The SEIR fails to provide sufficient information and analysis of the full scope of the Project’s reasonably foreseeable environmental impacts, and is riddled with errors and inconsistencies. These deficiencies require that a revised SEIR with additional data and analysis be recirculated for further public review and comment.

7. Conclusion.

The analyses that have been prepared on the potential environmental impacts of the Project are insufficient for the reasons identified in this letter. As currently drafted, the SEIR fails to comply with CEQA, and additional analyses are required in order to fully disclose the true impacts of the Project. We are requesting that these deficiencies be corrected in a recirculated SEIR prior to any further consideration of this Project.

Q-98

Q-99

Q-98: The commenter states a revised SEIR with additional data and analysis is necessary but fails to identify any specific informational omission of such data or missing analysis or any circumstance enumerated in CEQA Guidelines section 15088.5 triggering recirculation of the SEIR. The SEIR is not fundamentally inadequate and conclusory such that public comment was precluded. The analysis presented in the SEIR is based on the CEQA Guidelines, the City’s CEQA Significance Determination Thresholds (City 2022), the OMCP FEIR, and supported by substantial evidence in the SEIR and accompanying technical analyses conducted by qualified technical specialists. Minor revisions were made in the Final SEIR to add clarification. No changes to the SEIR were made that would constitute significant new information requiring recirculation of the draft SEIR. Specifically, there is no new significant impact, substantial increase in impact severity, substantially different feasible project alternative/mitigation to reduce an impact that is declined to be adopted, or fundamental inadequacy that precluded meaningful review. Recirculation of the SEIR is not warranted.

Q-99: The City acknowledges this conclusion. As demonstrated by the preceding responses, no deficiencies have been identified, and additional analyses and recirculation of the SEIR are not required.

Comment Letter Q


Park&Velayos LLP

June 23, 2025
Page 23

Q-99
cont.

Thank you for your consideration of these comments. BDM Twenty and Otay Mesa are eager to become involved in the planning process and hope that the City will give meaningful opportunity for and consideration of the feedback of all property owners in the Specific Plan area.

Sincerely,



Francis Y. Park
of PARK & VELAYOS LLP

cc: Mr. Michael H. Shoemaker
Mr. William A. Spurgin
Mr. Gerald M. Whitehead
Marcos D. Velayos, Esq.
Jennifer L. Erickson, Esq.

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Comment Letter R

Attention: Dawna Marshal

City of San Diego Development Services Center 1222 First Avenue, MS 501,
San Diego CA 92101

Reference of:

- 1- Southwest Village Specific plan
- 2- Project# PRJ 0614791
- 3- SCH# 2004051076
- 4- Community Plan Area of Otay Mesa
- 5- Council District # 8


R-1

1- My name is Jean Wallenstein Gilles. I am one of the owners of Oil Lander Subdivision Otay Mesa. I am writing this letter on behalf of myself and other partners/owners Samuel N Diba, Theresa NGethe, Mario Orozco, Daniel Montejano that we are opposed to open space as marked on the Pardee Homes Conceptual plan because Pardee or city of San Diego have no right to change or propose change our zoning from residential to open space on an already accepted subdivision.

2- We are open for Use of residential to create more density but not to open space that will prohibit building residential. We did not purchase raw land, we purchased land into R-1 subdivision with acceptable public roads. This project is ignoring this subdivision ownership right.

3- We request that the city of San Diego to stop creating sensitive land, vernal pool that was not existed before and this is detrimental to the property owners of our subdivision fragmenting public roads servicing our lots.

4- If the city of Diego and Padee are vow to continue with their proposed plan that is detrimental to the value of our land. We, land owners request that they pay us the real value of our land or swap us identical land for other location. Thank you,


Jean Wallenstein Gilles

Comment Letter R: Jean Wallenstein Gilles

R-1: The City acknowledges the commenter’s concerns regarding impacts to property values and property rights. CEQA requires an analysis of physical impacts to the environment; it does not require analysis of social and economic impacts, such as effects related to property values. Per CEQA Guidelines Section 15131, “an economic or social change by itself shall not be considered a significant effect on the environment.” Regardless, the following response is included in the record.

The OMCP requires the preparation of a Specific Plan for the area in order for development to proceed. Property owners still have the same legal rights as before the Specific Plan proposal; the Specific Plan simply provides greater detail for planning. Currently, all properties within the Specific Plan area are zoned AR-1-1, which permits 1 dwelling unit per lot. The Specific Plan proposes to rezone properties containing MHPA, VPHCP 100% conserved lands or project-level mitigation lands with the OC zone, which does not allow residential development. These areas are located in PAs 22, 23 and 29 and are either City-owned or Applicant-owned and would be conserved. The Specific Plan proposes to rezone remaining properties within the open space areas in PA 28 with OR zones to preserve privately owned open space property in a land use plan for such purposes as preservation of public health and safety, visual quality, sensitive biological resources, steep hillsides, and control of urban form, while retaining private development potential. The OR zones are also intended to help implement the habitat preservation goals of the City and the MSCP by applying development restrictions to lands wholly or partially within the boundaries of the MHPA. The OR-1-2 zone permits 1 dwelling unit per lot, which is consistent with the current AR-1-1 zone. For properties fully within the MHPA, property owners can still develop 25% of a parcel or build one dwelling unit or go

COMMENTS

RESPONSES

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Specific Plan area would be permitted to develop one unit per parcel, and any such unit would be subject to the maximum dwelling unit cap of 5,130 dwelling units allowed under the Specific Plan. However, given the constraints in the open space areas such as terrain, access, and easements, residential development potential in OR zones within the Specific Plan area is anticipated to be limited. There are no existing public roads in the Specific Plan area that meet the City's engineering standards, nor is there an existing approved subdivision with planned public roads. The Specific Plan would not fragment public roads serving lots in the Specific Plan area, as asserted in this comment.

**Final Subsequent Environmental Impact Report
for the
Southwest Village Specific Plan (Project No. 0614791)
San Diego, California
SCH No. 2004051076**

April 2026

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TABLE OF CONTENTS

List of Abbreviated Terms xiii

Executive Summary S-1

 S.1 Project OverviewS-1

 S.2 SEIR Process.....S-3

 S.3 Areas of ControversyS-3

 S.4 Project Alternatives.....S-4

 S.5 Summary of Environmental Impacts and Significance ConclusionsS-6

1.0 Introduction 1-1

 1.1 Project Background1-1

 1.2 Project Scope1-1

 1.3 SEIR Purpose Legal Authority1-4

 1.4 SEIR Scope.....1-6

 1.5 SEIR Public Review Process..... 1-12

2.0 Environmental Setting..... 2-1

 2.1 Regional Setting.....2-1

 2.2 Project Location.....2-1

 2.3 Planning Context.....2-2

 2.4 Physical Environment2-2

 2.5 Parcel Ownership.....2-6

3.0 Project Description 3-1

 3.1 Project Background3-1

 3.2 Project Objectives3-1

 3.3 Southwest Village Specific Plan3-2

 3.4 Program-level Components.....3-5

 3.5 Project-level Components..... 3-25

 3.6 Project Design Features 3-45

 3.7 Discretionary Actions..... 3-54

 3.8 Federal, State, and Other Agency Actions 3-61

4.0 History of Project Changes..... 4-1

5.0 Environmental Analysis..... 5.1-1

 5.1 Land Use..... 5.1-1

 5.2 Visual Effects and Neighborhood Character 5.2-1

 5.3 Air Quality/Odor 5.3-1

TABLE OF CONTENTS (cont.)

5.4 Biological Resources 5.4-1

5.5 Historical Resources 5.5-1

5.6 Human Health/Public Safety/Hazardous Materials..... 5.6-1

5.7 Hydrology/Water Quality 5.7-1

5.8 Geology/Soils 5.8-1

5.9 Energy Conservation 5.9-1

5.10 Noise 5.10-1

5.11 Paleontological Resources 5.11-1

5.12 Traffic/Circulation 5.12-1

5.13 Public Services 5.13-1

5.14 Utilities 5.14-1

5.15 Water Supply 5.15-1

5.16 Population and Housing 5.16-1

5.17 Agricultural and Mineral Resources 5.17-1

5.18 Greenhouse Gas Emissions 5.18-1

5.19 Tribal Cultural Resources 5.19-1

**6.0 Significant Unavoidable Environmental Effects which Cannot be
Avoided
if the Proposed Project is Implemented 6-1**

6.1 Significant Environmental Effects Which Cannot Be Avoided if the
Project Is Implemented6-1

6.2 Significant Irreversible Environmental Changes Which Would Result if the
Project Is Implemented6-2

7.0 Growth Inducement 7-1

7.1 Project Effects on Short-term Growth7-2

7.2 Project Effects on Growth Rate7-2

7.3 Project Effects on Infrastructure7-2

7.4 Conclusion.....7-3

8.0 Cumulative Impacts 8-1

8.1 Plans and Programs Evaluated for Cumulative Impacts8-2

8.2 List of Projects8-2

8.3 Significance Thresholds.....8-5

8.4 Cumulative Analysis.....8-5

TABLE OF CONTENTS (cont.)

9.0 Project Alternatives 9-1

9.1 Introduction9-1

9.2 Alternatives Considered but Rejected.....9-4

9.3 Alternatives Fully Analyzed9-7

9.4 Environmentally Superior Alternative 9-22

10.0 Mitigation Monitoring and Reporting Program..... 10-1

10.1 Program-level MMRP 10-2

10.2 Project-level MMRP..... 10-2928

11.0 References Cited 11-1

12.0 Preparers and Individuals Consulted 12-1

12.1 City of San Diego 12-1

12.2 Consultants 12-2

12.3 Public Agencies..... 12-4

TABLE OF CONTENTS (cont.)

FIGURES

| | | |
|--------|---|---------|
| 2-1: | Regional Location | 2-7 |
| 2-2: | USGS Topography | 2-8 |
| 2-3: | Aerial Photograph | 2-9 |
| 2-4: | Otay Mesa Community Plan Southwest District Land Uses | 2-10 |
| 2-5: | MHPA and VPHCP Conservation Areas | 2-11 |
| 2-6: | Parcel Ownership | 2-12 |
| 3-1: | Specific Plan Land Use Plan | 3-6763 |
| 3-2: | Specific Plan Development Phasing | 3-6964 |
| 3-3: | Program-level Planning Areas | 3-7164 |
| 3-4: | Program-level Grading Areas | 3-7366 |
| 3-5: | Street Classifications and Network | 3-7467 |
| 3-6: | Caliente Avenue between Central Avenue and Beyer Boulevard East | 3-7668 |
| 3-7: | Beyer Boulevard between West Avenue and Caliente Avenue | 3-7769 |
| 3-8: | Bicycle Facility Network | 3-7870 |
| 3-9: | Pedestrian Facility Network | 3-8071 |
| 3-10: | Parks and Trails | 3-8272 |
| 3-11: | Trails Network..... | 3-8473 |
| 3-12: | Public Water Facilities | 3-8674 |
| 3-13: | Public Sewer Facilities..... | 3-8875 |
| 3-14: | Project-level Components | 3-9076 |
| 3-15: | Project-level Planning Areas | 3-9177 |
| 3-16: | Project-level Grading Areas | 3-9278 |
| 3-17a: | Vesting Tentative Tract Map | 3-9379 |
| 3-17b: | Vesting Tentative Tract Map | 3-9480 |
| 3-18: | Phase 1 Temporary Pump Station | 3-9581 |
| 3-19: | Project-Level Grading Phasing..... | 3-9682 |
| 3-20: | Beyer Boulevard West and East | 3-9783 |
| 3-21: | Beyer Boulevard West Wildlife Crossings, Wildlife Fencing, Retaining Walls and Gates..... | 3-9884 |
| 3-22: | Conserved Parcels in Relation to Beyer Boulevard West..... | 3-9985 |
| 3-23: | Beyer Boulevard between Enright Drive and East Beyer Boulevard - Interim Condition.. | 3-10086 |
| 3-24: | Beyer Boulevard Widening between Enright Drive and East Beyer Boulevard - Ultimate Condition | 3-10187 |
| 3-25: | State Route 905 & Caliente Avenue Westbound On-Ramp | 3-10288 |
| 3-26: | Caliente Avenue SR-905 Bridge Restriping and Signal Improvements | 3-10389 |
| 3-27: | Planning Area 8, 9 and 10 Pocket Park Concept Designs | 3-10490 |
| 3-28: | Planning Area 10, 11, and 12 Paseos and Pocket Park Concept Designs | 3-10691 |
| 3-29: | Planning Area 13 and 14 Paseos and Pocket Park Concept Designs | 3-10892 |
| 3-30: | Trails Network Phasing..... | 3-11093 |
| 3-31: | Perimeter Trail Amenities | 3-11294 |
| 3-32: | Slope Revegetation Areas | 3-11395 |
| 3-33: | Wall and Fence Types | 3-11496 |
| 3-34: | Wall and Fence Legend..... | 3-11597 |

TABLE OF CONTENTS (cont.)

FIGURES (cont.)

| | | |
|---------|---|------------|
| 3-35: | Phase 1 Brush Management | 3-11698 |
| 3-36: | Brush Management Zone Cross Sections..... | 3-11799 |
| 3-37: | Brush Management Adjacent to Planning Area 10 | 3-118400 |
| 3-38: | Brush Management Adjacent to Planning Area 12 and 14 | 3-119401 |
| 3-39: | Phase 1a Water Facilities..... | 3-120402 |
| 3-40: | Proposed Water System..... | 3-121403 |
| 3-41: | Phase 1a Sewer Facilities | 3-123404 |
| 3-42: | Phase 1b Sewer Facilities | 3-125405 |
| 3-43: | Proposed <u>MHPA Boundary Line Adjustment</u> <u>VPHCP 100% Conserved Lands Replacement</u> <u>Lands</u> | 3-127406 |
| 3-44: | Proposed <u>VPHCP 100% Conserved Lands Replacement Lands</u> <u>MHPA Boundary Line</u> <u>Adjustment</u> | 3-129407 |
| 3-45: | Post-Project MHPA Boundary and VPHCP 100% Conserved Lands | 3-131408 |
| 3-46: | Proposed Covenant of Easements for the Protection of Environmentally Sensitive Lands | 3-132409 |
| 5.1-1: | Airport Compatibility Zones..... | 5.1-101401 |
| 5.1-2: | Specific Plan Vehicle Traffic Noise Contours | 5.1-102402 |
| 5.1-3: | Project-level Vehicle Traffic Noise Contours..... | 5.1-103403 |
| 5.1-4: | Modeled Noise Barriers..... | 5.1-104404 |
| 5.1-5: | Pre-Project MHPA Boundary and VPHCP 100% Conserved Lands..... | 5.1-105405 |
| 5.1-6: | Project-level MHPA Boundary Line Deletions | 5.1-106406 |
| 5.1-7: | Project-level Baseline MHPA Boundary Line Additions | 5.1-107407 |
| 5.1-8: | Post-Project MHPA Boundary and VPHCP 100% Conserved Lands | 5.1-108408 |
| 5.2-1: | Proposed View Corridors and Gateways | 5.2-22 |
| 5.2-2: | Photograph Key Map | 5.2-23 |
| 5.2-2a: | Existing Site Photographs | 5.2-24 |
| 5.2-2b: | Existing Site Photographs | 5.2-25 |
| 5.2-2c: | Existing Site Photographs | 5.2-26 |
| 5.2-2d: | Existing Site Photographs | 5.2-27 |
| 5.2-2e: | Existing Site Photographs | 5.2-28 |
| 5.4-1a: | Vegetation Communities/Land Use Types | 5.4-130424 |
| 5.4-1b: | Vegetation Communities/Land Use Types | 5.4-131425 |
| 5.4-1c: | Vegetation Communities/Land Use Types..... | 5.4-132426 |
| 5.4-1d: | Vegetation Communities/Land Use Types..... | 5.4-133427 |
| 5.4-1e: | Vegetation Communities/Land Use Types..... | 5.4-134428 |
| 5.4-1f: | Aerial Photograph | 5.4-135429 |
| 5.4-1g: | Vegetation Communities/Land Use Types..... | 5.4-136430 |
| 5.4-1h: | Vegetation Communities/Land Use Types..... | 5.4-137431 |
| 5.4-1i: | Vegetation Communities/Land Use Types..... | 5.4-138432 |
| 5.4-2a: | Special Status Plant Species..... | 5.4-139433 |
| 5.4-2b: | Special Status Plant Species..... | 5.4-140434 |
| 5.4-2c: | Special Status Plant Species..... | 5.4-141435 |
| 5.4-2d: | Special Status Plant Species..... | 5.4-142436 |

TABLE OF CONTENTS (cont.)

FIGURES (cont.)

| | |
|--|------------|
| 5.4-2e: Special Status Plant Species..... | 5.4-143137 |
| 5.4-3a: Special Status Wildlife Species..... | 5.4-144138 |
| 5.4-3b: Special Status Wildlife Species..... | 5.4-145139 |
| 5.4-3c: Special Status Wildlife Species..... | 5.4-146140 |
| 5.4-3d: Special Status Wildlife Species..... | 5.4-147141 |
| 5.4-3e: Special Status Wildlife Species..... | 5.4-148142 |
| 5.4-4a-1: Existing Potential Jurisdictional Resources (USACE) | 5.4-149143 |
| 5.4-4a-2: Existing Potential Jurisdictional Resources (USACE) | 5.4-150144 |
| 5.4-4a-3: Existing Potential Jurisdictional Resources (USACE) | 5.4-151145 |
| 5.4-4a-4: Existing Potential Jurisdictional Resources (USACE) | 5.4-152146 |
| 5.4-4a-5: Existing Potential Jurisdictional Resources (USACE) | 5.4-153147 |
| 5.4-4b-1: Existing Potential Jurisdictional Resources (RWQCB) | 5.4-154148 |
| 5.4-4b-2: Existing Potential Jurisdictional Resources (RWQCB) | 5.4-155149 |
| 5.4-4b-3: Existing Potential Jurisdictional Resources (RWQCB) | 5.4-156150 |
| 5.4-4b-4: Existing Potential Jurisdictional Resources (RWQCB) | 5.4-157151 |
| 5.4-4b-5: Existing Potential Jurisdictional Resources (RWQCB) | 5.4-158152 |
| 5.4-4c-1: Existing Potential Jurisdictional Resources (CDFW) | 5.4-159153 |
| 5.4-4c-2: Existing Potential Jurisdictional Resources (CDFW) | 5.4-160154 |
| 5.4-4c-3: Existing Potential Jurisdictional Resources (CDFW) | 5.4-161155 |
| 5.4-4c-4: Existing Potential Jurisdictional Resources (CDFW) | 5.4-162156 |
| 5.4-4c-5: Existing Potential Jurisdictional Resources (CDFW) | 5.4-163157 |
| 5.4-4d-1: Existing Potential Jurisdictional Resources (City of San Diego Wetlands)..... | 5.4-164158 |
| 5.4-4d-2: Existing Potential Jurisdictional Resources (City of San Diego Wetlands)..... | 5.4-165159 |
| 5.4-4d-3: Existing Potential Jurisdictional Resources (City of San Diego Wetlands)..... | 5.4-166160 |
| 5.4-4d-4: Existing Potential Jurisdictional Resources (City of San Diego Wetlands)..... | 5.4-167161 |
| 5.4-4d-5: Existing Potential Jurisdictional Resources (City of San Diego Wetlands)..... | 5.4-168162 |
| 5.4-5a: Wildlife Tracking Study | 5.4-169163 |
| 5.4-5b: Focal Species Swale Routes | 5.4-170164 |
| 5.4-5c: Coyote and Bobcat Hotspots..... | 5.4-171165 |
| 5.4-6: Critical Habitat | 5.4-172166 |
| 5.4-7: Quino Checkerspot Butterfly Host and Nectar Plants..... | 5.4-173167 |
| 5.4-8: Operational Noise Modeling..... | 5.4-174168 |
| 5.4-9: Mitigation and with Project Design Features | 5.4-175169 |
| 5.4-10: Long-term Management | 5.4-176170 |
| 5.4-11a: City of San Diego Wetlands..... | 5.4-177171 |
| 5.4-11b: City of San Diego Wetlands..... | 5.4-178172 |
| 5.4-11c: City of San Diego Wetlands..... | 5.4-179173 |
| 5.4-11d: City of San Diego Wetlands..... | 5.4-180174 |
| 5.4-11e: City of San Diego Wetlands..... | 5.4-181175 |
| 5.4-12: Resources Subject to City of San Diego Wetland Deviation | 5.4-182176 |
| 5.4-13: Proposed Vernal Pool Restoration..... | 5.4-183177 |
| 5.5-1: Historical Resources Survey Area in Relation to Project-Level and Program-Level Analysis Areas | 5.5-49 |

TABLE OF CONTENTS (cont.)

FIGURES (cont.)

| | | |
|---------|--|-----------|
| 5.6-1: | Hazardous Sites Listings Locations..... | 5.6-37 |
| 5.6-2: | Phase I and II Environmental Site Assessments Locations..... | 5.6-38 |
| 5.6-3: | Specific Plan Buildout Evacuation Routes | 5.6-39 |
| 5.6-4: | Phase 1a Evacuation Routes..... | 5.6-40 |
| 5.6-5: | Phase 1b Evacuation Routes..... | 5.6-41 |
| 5.6-6: | Phase 1c Evacuation Routes | 5.6-42 |
| 5.7-1: | Existing Watershed Management Areas and Hydrologic Units | 5.7-26 |
| 5.7-2: | Conceptual Drainage System | 5.7-27 |
| 5.8-1: | San Ysidro Landslide and Geohazard Areas..... | 5.8-21 |
| 5.8-2: | Soils and Geologic Formations | 5.8-22 |
| 5.8-3: | Active Fault Locations | 5.8-23 |
| 5.10-1: | Project-Level Interior Noise Analyses Required | 5.10-3736 |
| 5.11-1: | Paleontological Sensitivity Ratings | 5.11-13 |
| 8-1: | Cumulative Projects | 8-27 |
| 9-1: | Reduced Project Alternative Site Plan | 9-23 |

TABLE OF CONTENTS (cont.)

TABLES

| | | |
|--------|--|----------|
| S-1: | Summary of Environmental Impacts..... | S-7 |
| 1-1: | Impact Assessment Summary Comparison | 1-8 |
| 3-1: | Southwest Village Specific Plan Development Summary | 3-34 |
| 3-2: | Specific Plan Phasing Summary | 3-6 |
| 3-3: | Program-Level Development Summary | 3-1244 |
| 3-4: | Grading..... | 3-1543 |
| 3-5: | Public Street Cross-Section Modifications Related to Parking..... | 3-2048 |
| 3-6: | Program-Level Parks..... | 3-2120 |
| 3-7: | Phase 1 Residential Development Summary | 3-3028 |
| 3-8: | Phase 1 Parking Summary | 3-3735 |
| 5.1-1: | City of San Diego Land Use – Noise Compatibility Guidelines | 5.1-20 |
| 5.1-2: | Land Use Adjacency Guidelines Summary | 5.1-28 |
| 5.1-3: | Specific Plan Noise Compatibility Impacts..... | 5.1-45 |
| 5.1-4: | Program-level Consistency with Otay Mesa Community Plan Policies 2.1-1 and 2.1-2 | 5.1-4950 |
| 5.1-5: | Project-level Future Vehicle Traffic Noise Levels | 5.1-59 |
| 5.1-6: | Summary of Proposed MHPA BLA | 5.1-8079 |
| 5.1-7: | Summary of Proposed VPHCP Conservation Analysis | 5.1-83 |
| 5.1-8: | Summary of Proposed MHPA BLA and VPHCP Conservation Analysis..... | 5.1-85 |
| 5.2-1: | Photographic Survey Description | 5.2-2 |
| 5.2-2: | OMCP Policy Consistency Analysis Related to Visual Resources | 5.2-6 |
| 5.3-1: | Air Quality Measurements at the Otay Mesa-Donovan Air Quality Monitoring Station .. | 5.3-2 |

TABLE OF CONTENTS (cont.)

TABLES (cont.)

| | | |
|---------|--|------------|
| 5.3-2: | Ambient Air Quality Standards | 5.3-63 |
| 5.3-3: | Adopted and Proposed Specific Plan Land Uses and Traffic Comparison | 5.3-6 |
| 5.3-4: | Total Maximum Operational Emissions for the Specific Plan | 5.3-7 |
| 5.3-5: | Air Quality Impact Screening Levels | 5.3-9 |
| 5.3-6: | Sample Project Daily Construction Emissions | 5.3-11 |
| 5.3-7: | Maximum Daily Project-level Construction Emissions | 5.3-12 |
| 5.3-8: | Summary of Project-level Operational Emissions | 5.3-13 |
| 5.3-9: | CARB Land Use Siting Constraints | 5.3-18 |
| 5.4-1: | Vegetation Communities/Land Cover Types within the Project-level Survey Areas | 5.4-2 |
| 5.4-2: | Special-status Plant Species Observed or with a Moderate Potential to Occur | 5.4-4 |
| 5.4-3a: | Special-status Wildlife Species Observed and with a Moderate to High Potential to Occur within the Program-level Survey Area | 5.4-6 |
| 5.4-3b: | Special-status Wildlife Species Observed and with a Moderate to High Potential to Occur within the Project-level Survey Area..... | 5.4-7 |
| 5.4-4: | Existing Potential Jurisdictional Resources within the Project-level Survey Areas | 5.4-109 |
| 5.4-5: | Critical Habitats | 5.4-13 |
| 5.4-6: | Vegetation Communities/Land Cover Types within the Program-level Areas | 5.4-9693 |
| 5.4-7: | Direct Impacts to Vegetation Communities/Land Cover Types within the Project-level Survey Areas Assuming an MHPA BLA | 5.4-9995 |
| 5.4-8: | Summary of Impacts to Potential Jurisdictional Resources within the Project-level Survey Areas | 5.4-107403 |
| 5.4-9: | Indirect Impacts to Vernal Pool and Disturbed Wetlands Assumed to Contain San Diego Fairy Shrimp | 5.4-109105 |
| 5.4-10: | City of San Diego Wetlands Subject to a Wetland Deviation..... | 5.4-110406 |
| 5.5-1: | Cultural Resources Previously Mapped within the Project-Level and Program-Level Areas | 5.5-4 |
| 5.5-2: | Cultural Resources Field Results for the Project for the Project-level Analysis Area | 5.5-10 |
| 5.6-1: | Hazardous Sites Listings..... | 5.6-2 |
| 5.6-2: | Phase I and II Environmental Site Assessments Reviewed..... | 5.6-3 |
| 5.7-1: | Existing Project Area Drainage Conditions | 5.7-2 |
| 5.7-2: | Specific Plan Drainage with Project | 5.7-7 |
| 5.7-3: | VTM and EVA Road Drainage with Project | 5.7-9 |
| 5.7-4: | VTM Detention Analysis Summary..... | 5.7-10 |
| 5.8-1: | Dominant Faults Seismic Hazards | 5.8-7 |
| 5.9-1: | Power Content Labels..... | 5.9-1 |
| 5.10-1: | Noise Measurements | 5.10-2 |
| 5.10-2: | Noise Abatement and Control Ordinance Applicable Noise Level Limits | 5.10-4 |
| 5.10-3: | Specific Plan Increases in Ambient Vehicle Traffic Noise..... | 5.10-12 |
| 5.10-4: | Project-Level HVAC Noise Levels at Adjacent Property Lines..... | 5.10-22 |
| 5.10-5: | Construction Noise Levels..... | 5.10-28 |
| 5.12-1: | Transportation VMT Assessment Methodology by Land Use | 5.12-11 |
| 5.12-2: | City of San Diego VMT Thresholds | 5.12-12 |
| 5.12-3: | Specific Plan VMT Impact Findings (Series 14 ABM2+)..... | 5.12-15 |

TABLE OF CONTENTS (cont.)

TABLES (cont.)

5.12-4: Project-level VMT Impact Findings (Series 14 ABM2+) 5.12-16

5.13-1: Deployment Measures to Address Future Growth by Population Density per
Square Mile 5.13-7

5.13-2: Deployment Measures to Address Future Growth by Population Clusters 5.13-7

5.16-1 Population and Housing Estimates for the OMCP Area..... 5.16-1

5.18-1: California GHG Emissions by Section in 1990, 2010, and 2019 5.18-2

5.18-2: City of San Diego GHG Emissions in 2019..... 5.18-2

5.18-3: Program-level Climate Action Plan Consistency Analysis for the Southwest Village
Specific Plan 5.18-9

8-1: Cumulative Projects8-2

9-1: Alternatives Comparison9-7

TABLE OF CONTENTS (cont.)

APPENDICES

- A: NOP and Responses dated February 26, 2020
- B-1: Air Quality Analysis for the Southwest Village Specific Plan San Diego, California dated March 3, 2025
- B-2: Energy Calculation Worksheets dated 2024
- C: Biological Resources Report for the Southwest Village Specific Plan dated ~~April 9, 2026~~ March 21, 2025
- D: Results of the Historical Resources Investigation of the Southwest Village Specific Plan San Diego, California dated ~~March 27, 2026~~ November 18, 2024
- E: Wildfire Evacuation Study, Southwest Village Project dated September 2024
- F-1: Storm Water Quality Management Plan (SWQMP) Southwest Village Vesting Tentative Map (VTM) 614791 dated April 28, 2023
- F-2: Conceptual Drainage and Water Quality Summary for the Southwest Village Specific Plan dated April 28, 2023
- F-3: Drainage Study for Southwest Village Tentative Map (Preliminary Engineering) dated May 14, 2024
- F-4: Southwest Village – Technical Memorandum Addressing Hydrology and Water Quality for Emergency Vehicle Access Road “Project Alternative” dated May 14, 2024
- G-1: Preliminary Geotechnical Investigation, Southwest Village, Vesting Tentative Map, San Diego, California dated March 28, 2019
- G-2: Supplemental Geotechnical Investigation and Slope Stability Analysis, Southwest Village VTM-1, San Diego, California, prepared by Geocon Incorporated, dated June 25, 2021
- G-3: Preliminary Geotechnical Evaluation and Slope Stability Analysis, Southwest Village VTM-2 (Borrow/Fill Site), San Diego, California dated July 2, 2021
- G-4: Update to the Geotechnical Investigation and Slope Stability Analysis for Beyer Boulevard dated February 16, 2022
- G-5: Response to City Review Comments Southwest Village San Diego, California dated March 7, 2022
- G-6: Response to City Review Comments, Southwest Village, San Diego, California dated December 16, 2022
- G-7: Response to City Review Comments, Southwest Village, San Diego California dated July 6, 2023
- G-8: Addendum Report and Response to City Review Comments Southwest Village dated September 14, 2023
- G-9: Geotechnical Memorandum, Southwest Village Emergency Vehicle Access Road, San Diego, California dated March 27, 2024
- G-10: Geotechnical Study, Southwest Village Emergency Vehicle Access Road, San Diego, California dated March 27, 2024
- H-1: Phase II Groundwater Assessment, Otay Mesa Southwest Village, San Diego, CA dated October 11, 2022.
- H-2: Updated Phase II Groundwater Assessment, Otay Mesa Southwest Village, San Diego, CA, dated July 2, 2023.
- I: Noise Analysis for the Southwest Village Specific Plan, San Diego, California dated June 19, 2024

TABLE OF CONTENTS (cont.)**APPENDICES (cont.)**

- J-1: Southwest Village Specific Plan Programmatic Level Vehicle Miles Traveled Assessment dated ~~April 1, 2026~~ August 6, 2024
- J-2: Southwest Village Specific Plan Transportation Phasing Plan dated ~~April 1, 2026~~ January 9, 2025
- J-3: Southwest Village VTM-1 (up to 920 homes) Project Level Vehicle Miles Traveled Assessment dated ~~April 1, 2026~~ August 6, 2024
- J-4: Southwest Village VTM-1 (PA 8-14: Residential) Local Mobility Analysis Report dated ~~April 1, 2026~~ August 13, 2024
- K-1: Water Systems Analysis for the Southwest Village VTM 1 Project in the City of San Diego dated June 14, 2024
- K-2: Addendum No. 1 to the Water System Analysis for the Southwest Village VTM 1 Water Study in the City of San Diego dated June 14, 2024
- K-3: Southwest Village Specific Plan Water Study in the City of San Diego dated June 14, 2024
- K-4: Sewer Study for the Southwest Village VTM 1 Project in the City of San Diego dated August 22, 2024
- K-5: Addendum No. 1 to the Sewer Study for the Southwest Village VTM 1 Project in the City of San Diego dated August 22, 2024
- K-6: Southwest Village Specific Plan Sewer Study in the City of San Diego dated December 19, 2024
- L: Waste Management Plan for the Southwest Village Specific Plan, San Diego, California dated June 14, 2024
- M: Water Supply Assessment and Verification Report dated May 9, 2023
- N: Greenhouse Gas Analysis for the Southwest Village Specific Plan, San Diego, California dated May 31, 2024
- O: Otay Mesa Community Plan Trails Map Amendment dated March 24, 2025

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LIST OF ABBREVIATED TERMS

| | |
|-------------------|---|
| µg/m ³ | micrograms per cubic meter |
| AAQS | Ambient Air Quality Standards |
| AB | Assembly Bill |
| <u>ADA</u> | <u>Americans with Disabilities Act</u> |
| ADD | Assistant Deputy Director |
| ADRP | Archaeological Data Recovery Program |
| ADT | average daily trips |
| AFY | acre-feet per year |
| AIA | Airport Influence Area |
| ALUC | Airport Land Use Commission |
| ALUCP | Airport Land Use Compatibility Plan |
| AME | Archaeological Monitoring Exhibit |
| AMI | area median income |
| APCD | Air Pollution Control District |
| APN | Assessor's Parcel Number |
| <u>AR</u> | <u>Agricultural-Residential Zone</u> |
| ASMD | area specific management directives |
| ASTM | American Society for Testing and Materials |
| ATILF | Active Transportation In-Lieu Fee |
| Basin Plan | Water Quality Control Plan for the San Diego Basin |
| BAU | business as usual |
| <u>BGEPA</u> | <u>Bald and Golden Eagle Protection Act</u> |
| BI | Building Inspector |
| BLA | boundary line adjustment |
| BMP | best management practice |
| BMZ | Brush Management Zone |
| <u>BPS</u> | <u>Building Performance Standard</u> |
| BRCA | Biological Resource Core Area |
| Brown Field | Brown Field Municipal Airport |
| BSO | Biologically Superior Option |
| BUOW | Burrowing Owl |
| C&D | Construction and Demolition |
| C&D Ordinance | Construction and Demolition Debris Recycling Ordinance |
| CAAQS | California Ambient Air Quality Standards |
| CAFE | Corporate Average Fuel Economy |
| <u>Cal-IPC</u> | <u>California Invasive Plant Council</u> |
| CAL FIRE | California Department of Forestry and Fire |
| CalEEMod | California Emissions Estimator Model |
| CALGreen | California Green Building Standards Code |
| CalRecycle | California Department of Resources Recycling and Recovery |
| Caltrans | California Department of Transportation |
| CAP | Climate Action Plan |
| CAPCOA | California Air Pollution Control Offices Association |
| CARB | California Air Resources Board |
| CBC | California Building Code |

| | |
|--------------|---|
| CBSC | California Building Standards Code |
| CCAA | California Clean Air Act |
| CCR | California Code of Regulations |
| CDFG | California Department of Fish and Game |
| CDFW | California Department of Fish and Wildlife |
| CEC | California Energy Commission |
| CEQA | California Environmental Quality Act |
| CERCLA | Comprehensive Environmental Response, Compensation, and Liability Act |
| CESA | California Endangered Species Act |
| CFC | California Fire Code |
| CFR | Code of Federal Regulations |
| City | City of San Diego |
| CLOMR | Conditional Letter of Map Revision |
| CM | Construction Manager |
| CNEL | Community Noise Equivalent Level |
| CNPS | California Native Plant Society |
| CO | carbon monoxide |
| County | County of San Diego |
| CPIOZ | Community Plan Implementation Overlay Zone |
| CPU | Community Plan Update |
| CRC | California Residential Code |
| CRHR | California Register of Historic Resources |
| CRPR | California Rare Plant Rank |
| CSVr | Consultant Site Visit Record |
| <u>CWUIC</u> | <u>California Wildland-Urban Interface Code</u> |
| dB | decibel |
| dB(A) | A-weighted decibels |
| DEH | Department of Environmental Health |
| DEHQ | County of San Diego Department of Environmental Health and Quality |
| DIF | Development Impact Fees |
| <u>DNE</u> | <u>Does Not Exist</u> |
| DOC | California Department of Conservation |
| DPM | diesel particulate matter |
| DPR | Department of Parks and Recreation |
| DREAM | Department of Real Estate and Airport Management |
| DSD | Development Services Department |
| DTSC | California Department of Toxic Substances Control |
| du | dwelling units |
| du/ac | dwelling units per acre |
| EAS | Environmental Analysis Section |
| EI | Expansion Index |
| EIR | environmental impact report |
| EMFAC | EMission FACTor |
| <u>EQ</u> | <u>Executive Order</u> |
| EOP | Emergency Operations Plan |
| EPP | Essential p ublic Projects |
| ESA | Environmentally Sensitive Area |

| | |
|-------------------|--|
| ESA | Environmental Site Assessment |
| ESL | Environmentally Sensitive Lands |
| <u>EV</u> | <u>Electric Vehicle</u> |
| EVA | emergency vehicle access |
| FAA | Federal Aviation Administration |
| FAR | Floor Area Ratio |
| FEIR | Final Program Environmental Impact Report |
| FEMA | Federal Emergency Management Agency |
| FESA | Federal Endangered Species Act |
| FIRM | Flood Insurance Rate Map |
| FMMP | Farmland Mapping and Monitoring Program |
| FPB | Fire Prevention Bureau |
| FY | Fiscal Year |
| g | peak ground acceleration |
| <u>GC</u> | <u>Grading Contractor</u> |
| Geocon | Geocon Inc. |
| GHG | greenhouse gas |
| <u>GPCD</u> | <u>Gallons Per Capita Per Day</u> |
| gpd | gallons per day |
| gpm | gallons per minute |
| GWP | Global warming potential |
| HAZMAT Area Plan | 2020 San Diego County Operational Area Hazardous Materials Area Plan |
| HCD | State of California Department of Housing and Community Development |
| HCP | Habitat Conservation Plan |
| <u>HDM</u> | <u>Highway Design Manual</u> |
| HIRT | Hazardous Materials Incident Response Team |
| HMBP | Hazardous Materials Business Plan |
| HMD | Hazardous Materials Division |
| HMP | Hydromodification Management Plan |
| HOA | Homeowners Association |
| HOV | High-Occupancy Vehicle |
| HRA | Health Risk Assessment |
| HRB | Historical Resources Board |
| HRG | Historic Resources Guidelines |
| HRR | Historical Resources Regulations |
| HVAC | Heating, ventilation, and air conditioning |
| IB 520 | City Development Services Department Information Bulletin-520 |
| ICLEI | International Council for Local Environmental Initiatives |
| IPCC | Intergovernmental Panel on Climate Change |
| I-5 | Interstate 5 |
| I-8 | Interstate 8 |
| I-805 | Interstate 805 |
| ITP | Incidental Take Permit |
| kBTU | kilo-British thermal units |
| kWh | kilowatt hours |
| <u>LA</u> | <u>Landscape Architect</u> |
| Land Use Element | Land Use and Community Planning Element |

| | |
|-----------------------|--|
| LDC | Land Development Code |
| LEA | Local Enforcement Agency |
| L_{eq} | average sound level |
| LID | Low Impact Development |
| <u>LiDAR</u> | <u>light detection and ranging</u> |
| LMA | Local Mobility Analysis |
| LOMR | Letter of Map Revision |
| LOS | Level of Service |
| LPPA | Local Park Planning Areas |
| <u>LS</u> | <u>less than significant</u> |
| LUST | leaking underground storage tank |
| MA | Major Amendment |
| MBTA | Migratory Bird Treaty Act |
| METRO | Metropolitan Sewerage System |
| mgd | million gallons/day |
| MHMP | Multi-Hazard Mitigation Plan |
| MHPA | Multi-Habitat Planning Area |
| MLD | Most Likely Descendent |
| <u>MMA</u> | <u>Master Maintenance Association</u> |
| MMC | Mitigation Monitoring Coordination |
| MMRP | Mitigation Monitoring and Reporting Program |
| <u>MMT</u> | <u>million metric tons</u> |
| MMT CO ₂ e | million metric tons of carbon dioxide equivalent |
| MND | Mitigated Negative Declaration |
| MRZ | Mineral Resource Zone |
| MSCP | Multiple Species Conservation Program |
| MSL | mean sea level |
| MS4 | Municipal Separate Storm Sewer System |
| MT CO ₂ e | metric tons of carbon dioxide equivalent |
| MTS | Metropolitan Transit System |
| Mw | moment magnitude |
| MWD | Metropolitan Water District |
| NAAQS | National Ambient Air Quality Standards |
| NAHC | Native American Heritage Commission |
| NCCP | Natural Communities Conservation Plan |
| NDP | Neighborhood Development Permit |
| NHTSA | National Highway Traffic Safety Administration |
| <u>NI</u> | <u>No Impact</u> |
| NO ₂ | nitrogen dioxide |
| NO ₃ | nitrate |
| <u>NOC</u> | <u>Notice of Completion</u> |
| NOP | Notice of Preparation |
| NO _x | oxides of nitrogen |
| NOLF IB | Naval Outlying Field Imperial Beach |
| NPDES | National Pollutant Discharge Elimination System |
| <u>NTP</u> | <u>Notice To Proceed</u> |
| OEHHA | Office of Environmental Health Hazard Assessment |

| | |
|-------------------|---|
| OES | Office of Emergency Services |
| OMCP | Otay Mesa Community Plan |
| OMTS | Otay Mesa Trunk Sewer |
| OPR | Governor’s Office of Planning and Research |
| <u>OSHA</u> | <u>Occupational Safety and Health Administration</u> |
| OVHPS | Ocean View Hills Pump Station |
| OWD | Otay Water District |
| P&R | City of San Diego Parks and Recreation Department |
| PA | Planning Area |
| PAR | Property Analysis Record |
| PDP | Planned Development Permit |
| PDP | Priority Development Project |
| PEIR | Programmatic Environmental Impact Report |
| PI | Principal Investigator |
| PLDO | Park Land Dedication Ordinance |
| PM | particulate matter |
| PM ₁₀ | particulate matter with a diameter of 10 microns or less |
| PM _{2.5} | particulate matter with a diameter of 2.5 microns or less |
| <u>PME</u> | <u>Paleontological Monitoring Exhibit</u> |
| POC | Points of Compliance |
| Ppb | parts per billion |
| ppm | parts per million |
| <u>PQB</u> | <u>Project Qualified Biologist</u> |
| PRC | Public Resources Code |
| <u>PRS</u> | <u>Principal Restoration Specialist</u> |
| <u>project</u> | <u>Southwest Village Specific Plan project</u> |
| PUD | Public Utilities Department |
| Pure Water | Pure Water San Diego Program |
| <u>QBM</u> | <u>Qualified Biological Monitor</u> |
| RAQS | Regional Air Quality Strategy |
| RCRA | Resource Conservation and Recovery Act |
| RE | Resident Engineer |
| <u>REA</u> | <u>Registered Environmental Assessor</u> |
| REC | Recognized Environmental Condition |
| RECON | RECON Environmental, Inc. |
| RHNA | Regional Housing Needs Allocation |
| <u>RIC</u> | <u>Revegetation Installation Contractor</u> |
| <u>RM</u> | <u>Residential Medium</u> |
| <u>RMC</u> | <u>Restoration Maintenance Contractor</u> |
| <u>RMX</u> | <u>Residential Mixed-Use Zone</u> |
| ROG | reactive organic gases |
| ROW | right-of-way |
| RPS | Renewable Portfolio Standard |
| RTP | Regional Transportation Plan |
| RWQCB | Regional Water Quality Control Board |
| SANDAG | San Diego Association of Governments |

| | |
|---------------------------|--|
| SANDAG 2021 Regional Plan | SANDAG San Diego Forward: The 2021 Regional Plan |
| SB | Senate Bill |
| SCH | State Clearinghouse |
| SCIC | South Coastal Information Center at San Diego State University |
| Scoping Plan | Climate Change Scoping Plan |
| SCS | Sustainable Communities Strategy |
| SDA | Sustainable Development Area |
| SDAB | San Diego Air Basin |
| SDAPCD | San Diego Air Pollution Control District |
| SDCP | San Diego Community Power |
| SDCWA | San Diego County Water Authority |
| SDFD | San Diego Fire-Rescue Department |
| SDG&E | San Diego Gas & Electric |
| SDMC | San Diego Municipal Code |
| SDP | Site Development Permit |
| SDPD | San Diego Police Department |
| <u>SDR</u> | <u>supplemental development regulations</u> |
| SEIR | Subsequent Environmental Impact Report |
| SFHA | Special Flood Hazard Area |
| SIP | State Implementation Plan |
| <u>SM</u> | <u>significant and mitigated</u> |
| SO ₂ | sulfur dioxide |
| SO _x | sulfur oxides |
| SOCs | Statement of Overriding Considerations |
| Specific Plan | Southwest Village Specific Plan |
| sq. mi | square-mile |
| SR- | State Route |
| SR-52 | State Route 52 |
| SR-94 | State Route 94 |
| SR-125 | State Route 125 |
| SR-905 | State Route 905 |
| <u>SU</u> | <u>Significant and Unmitigated</u> |
| SUHSD | Sweetwater Union High School District |
| SWPPP | Storm Water Pollution Prevention Plan |
| SWQMP | Storm Water Quality Management Plan |
| SWRCB | State Water Resources Control Board |
| SYCP | San Ysidro Community Plan |
| SYMH | San Ysidro Mobility Hub |
| SYSD | San Ysidro School District |
| TCM | Transportation Control Measures |
| TCP | traditional cultural property |
| TDM | transportation demand management |
| <u>TMDL</u> | <u>Total Maximum Daily Load</u> |
| TPA | Transit Priority Area |
| TSM | Transportation Study Manual |
| U.S. | United States |

| | |
|---|---|
| U.S. EPA | U.S. Environmental Protection Agency |
| UDC | Unified Disaster Council |
| Unified OES/COSD Op Area Emergency Ops Plan | Unified San Diego Emergency Services Organization and County of San Diego Operational Area Emergency Operations Plan |
| USACE | U.S. Army Corps of Engineers |
| USBP | United States Border Patrol |
| USDOT | U.S. Department of Transportation |
| USFWS | U.S. Fish and Wildlife Service |
| USGS | United States Geologic Survey |
| UST | underground storage tank |
| UWMP | Urban Water Management Plan |
| VAP | Voluntary Assistance Program |
| VMT | vehicle miles traveled |
| VOC | volatile organic compounds |
| VPHCP | Vernal Pool Habitat Conservation Plan |
| VTM | Vesting Tentative Map |
| WES | Wildfire Evacuation Study |
| Wildlife Agencies | USFWS and CDFW |
| WMP | Waste Management Plan |
| WRMP | Water Resources Master Plan |
| WSA | Water Supply Assessment |

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Executive Summary

This Subsequent Environmental Impact Report (SEIR; State Clearinghouse No. 2004051076) for the proposed Southwest Village Specific Plan (Specific Plan) and associated discretionary actions (referred to as the “project” or Specific Plan throughout this SEIR) has been prepared by the City of San Diego (City) in compliance with the California Environmental Quality Act (CEQA) Statute and Guidelines (Public Resources Code, Section 21000 et seq. and California Code of Regulations, Title 14, Section 15000, et seq.) and in accordance with the City’s 2022 CEQA Significance Determination Thresholds.

As described in Section 15168 of the CEQA Guidelines, an SEIR ~~can~~shall incorporate by reference the program-level environmental review documents and analyze only the subsequent project’s new or additional significant environmental effects and any new or additional mitigation measures or alternatives that were not identified and analyzed in the program EIR. In this case, the program-level EIR is the 2014 Otay Mesa Community Plan (OMCP) Final EIR (FEIR), which was certified March 11, 2014 (City 2014).

The purpose of this SEIR is to inform decision-makers and the public of the potential significant environmental impacts of the project that were not identified and analyzed in the FEIR. This SEIR also considers the availability of mitigation measures as required by Section 15126.400 of the CEQA Guidelines to minimize the project’s significant impacts and evaluates reasonable alternatives to the project that may reduce or avoid one or more significant environmental effects as required by CEQA Guidelines Section 15126.6.

S.1 Project Overview

The proposed project evaluated in this SEIR is the adoption of the Specific Plan and associated discretionary actions. The Specific Plan would serve as the land use framework to guide future development within the approximately 490-acre Specific Plan area. In addition to the programmatic guidance for future development, project-level development is proposed for certain components of the Specific Plan. The environmental analysis considers the implementation of the Specific Plan at a program level for components that would be implemented in future phases, while other project components are evaluated at the project level to facilitate the development of the initial phases of the Specific Plan.

The development and implementation of this Specific Plan was envisioned as part of the OMCP, adopted March 11, 2014 (City 2014). Specifically, the Otay Mesa Vision Map identifies the Specific Plan area within the Southwest District as a Village Opportunity area. The OMCP requires the preparation of a specific plan prior to consideration of any comprehensive development and rezoning proposals within the Southwest District of the OMCP in order to ensure development is consistent with applicable OMCP policies. This project would establish the Specific Plan, consistent with the land use vision and policies laid out in the 2014 OMCP.

The Specific Plan envisions a complete community that integrates an ~~urban~~ mixed-use center (Village Core) with surrounding residential neighborhoods. Residential neighborhoods, retail, office, school, and recreational uses are designed around an interconnected grid-block development pattern through a comprehensive network of multi-modal streets and pedestrian linkages.

The Specific Plan provides a comprehensive policy framework intended to guide future development for the Southwest Village community consistent with the OMCP and City of San Diego General Plan City of Villages Strategy (see Section 2.3.1 of this SEIR). The OMCP identifies the Park, Institutional, and Neighborhood Village land use designation for the project site, which allows for 15-25 dwelling units per acre (du/ac) and a total of up to 5,880 dwelling units. The project would amend the OMCP Neighborhood Village land use designation to reflect ~~at~~ the density range between 8 to 62 dwelling units per acre, the land use map for the planned park and school sites proposed, the trails map, the roadway classification map and related sections in the land use chapter ~~as part of~~ the Specific Plan. The Specific Plan establishes a range of allowable residential densities across 30 planning areas (PAs) to allow for flexibility in future planning and design and a total of 5,130 dwelling units (or 750 ~~fewer~~ residential units than the maximum number of dwelling units identified in the current OMCP ~~currently allows~~) as follows:

- Medium-Low Density Residential allowing 8 to 22 dwelling units per acre
- Medium Density Residential allowing 15 to 29 dwelling units per acre
- Medium-High Density Residential allowing 20 to 44 dwelling units per acre
- Mixed-Use Residential allowing up to 175,000 square feet of commercial and retail uses at a maximum floor area ratio of 3.0 and multi-family attached residential units at a density range of 30 to 62 dwelling units per acre.

The OMCP also identifies future commercial development; however, specific acreages and square footages are not listed in the OMCP. The Specific Plan would include a residential village anchored by up to 175,000 square feet of commercial and retail uses in a mixed-use Village Core.

To support this level of development, the Specific Plan identifies public facilities including a location for a new 6.2-acre school site and an optional second ~~8.96.9~~-acre school site. The Specific Plan additionally designates ~~18.147.6~~ acres of park space and conceptualizes up to ~~3531.5~~ acres of park uses within the Specific Plan area, 5 miles of trails, and approximately ~~185.0~~ acres of open space. Access to the Specific Plan area would be provided from Otay Mesa via Caliente Avenue and from San Ysidro via an extension of Beyer Boulevard.

The Specific Plan provides detailed text and exhibits describing the range of land uses (residential, retail, commercial, office, mixed-use, parks, and open space), public realm, mobility network, and infrastructure that would occur in the Specific Plan area. It provides policies and regulations to ensure that the buildout of Southwest Village proceeds in a manner consistent with the OMCP and General Plan ~~City~~ policies and regulations, and land development regulations in the San Diego Municipal Code.

S.1.1 Phasing and Implementation

The Specific Plan provides the framework and foundation for the buildout of the Specific Plan area, which is anticipated to be developed in multiple phases over time due to multiple property ownerships. In all, there are thirty PAs. Phase 1 would include development of PA 8–14, which are in the Vesting Tentative Map, construction of an extension of Beyer Boulevard connecting the Specific Plan area to San Ysidro, rough grading within PA 7 and PA 15 through PA 20 to allow for a balanced grading operation, in addition to other water, sewer and transportation infrastructure improvements. Development ~~beyond that~~—for phases 2 through 7 (PA 1 through PA 6 and PA 9 through PA 27)—would require future development entitlement applications.

The Specific Plan anticipates a phasing order, but this order is subject to change, and more than one phase may occur at once, provided that the necessary infrastructure is developed concurrently. The development of each PA would be contingent on necessary on- and off-site improvements including roads, parks, and infrastructure and utilities.

S.2 SEIR Process

The Notice of Preparation (NOP) for this SEIR was circulated on February 26, 2020, and a scoping meeting was held on March 4, 2020, from 5:30 PM to 7:30 PM at San Ysidro High School at 5353 Airway Road, San Diego, CA 92154. The NOP circulated for analysis of the project, related letters received, and comments made during the scoping meeting are included as Appendix A of this SEIR.

A Notice of Availability of the Draft SEIR was distributed on May 1, 2025 that identified how to provide comments on the Draft EIR prior to the end of public review on June 16, 2025. Public review was extended at the request of the United States Fish and Wildlife Services to June 23, 2025. The Draft SEIR, Specific Plan, FEIR and all related appendices ~~were have been~~ made available for public review and inspection during the public review period at the City of San Diego's Development Services City Planning Department, located at 1222 First Avenue 202 C Street, San Diego, CA 92101, and on the City's webpage at:

- <https://www.sandiego.gov/ceqa/draft>

Copies of the Notice of Availability of the Draft SEIR ~~were are~~ also available at the San Ysidro Library (4235 Beyer Boulevard) and San Diego Central Library (330 Park Boulevard).

The Final SEIR will be posted on the City's webpage at:

- <https://www.sandiego.gov/ceqa/final>.

S.3 Areas of Controversy

Section 15123(b)(3) of the CEQA Guidelines requires that an environmental impact report address issues to be resolved, including the choice among alternatives and whether or how to mitigate

significant impacts. With regard to the project, the major issues to be resolved include decisions by the lead agency include the following:

1. Whether this SEIR adequately describes the environmental impacts of the project.
2. Whether the benefits of the project override the environmental impacts that cannot be feasibly avoided or mitigated to a level of insignificance.
3. Whether there are any alternatives to the project that would substantially lessen any of the significant impacts of the project and achieve most of the basic project objectives.

In accordance with Section 15123(b)(2) of the CEQA Guidelines, the SEIR summary must identify areas of controversy known to the lead agency, including issues raised by agencies and the public. Public comments received during the NOP public review period addressed potential impacts to biological resources, traffic and the transportation network, and cultural resources. Refer to SEIR Appendix A for the detailed NOP public review comment letters. A total of 18 comment letters were received during the Draft SEIR public review. The topics of concern included biological resources, transportation, cultural resources, greenhouse gases and climate action plan, land use, utilities, the provision of the Beyer Boulevard West extension, land value, and property rights. Refer to the Response to Comment chapter of this SEIR for the comments received.

S.4 Project Alternatives

Project alternatives are evaluated in Chapter 9.0, *Alternatives*. The alternatives discussion is intended to “focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project,” even if these alternatives would impede to some degree the attainment of the project objectives” (CEQA Guidelines Section 15126.6(b)). The evaluations analyze the ability of each alternative to further reduce or avoid the significant environmental effects of the project. Each major issue area included in the impact analysis of this SEIR has been given consideration in the alternatives analysis. This SEIR evaluates two alternatives to the project: Alternative 1: No Project Alternative and Alternative 2: Reduced Project.

S.4.1 Alternative 1: No Project Alternative (Adopted Community Plan)

The No Project Alternative would allow for development consistent with the adopted OMCP and zoning. Under the No Project Alternative (Adopted Community Plan), a Specific Plan would be adopted that would provide the same development intensity and development footprint as identified in the OMCP. The development would include the same civic and neighborhood-serving commercial uses within areas identified on the OMCP land use map for the Southwest Specific Plan Area. Per the OMCP, this alternative assumes the development of up to 5,880 residential dwelling units at densities between 15 and 25 dwelling units per acre, 59 acres of parks, general commercial uses, and a network of trails and roadways, including several alternatives for a future Beyer Boulevard alignment. This alternative would include 292.7 acres of developable area, which would be ~~177.4164.8~~ more acres of additional development than are included in the proposed Specific Plan

(6056% increase). This alternative could result in 750 more residential units at lower densities. Also, 27.5 acres of additional parks could occur under this alternative based on population projections at the time the OMCP was prepared (87% increase).

Impacts of the No Project Alternative would be greater for all environmental issues relative to the project considering the increase in development footprint and the number of units proposed under this alternative, except for traffic/circulation and agricultural and mineral resources where impacts would be similar to the project.

The No Project Alternative would meet most of the project objectives, as this alternative would provide balanced residential housing (Objective 1), accommodate housing growth in the region (Objective 2), provide a Village Core connected to the regional transportation network (Objectives 3 and 4), provide public recreational amenities (Objective 6), and improvements would be implemented concurrently with development (Objective 8). This alternative would develop PAs 23 and 29 that include ~~to~~ mesa tops, canyon lands, and sensitive biological resources. Thus, this alternative would not meet the objective of protecting mesa, canyon, and sensitive biological resources (Objective 5) to the same extent as of the project, which avoids development of these areas. Similarly, the proposed development of PAs 23 and 29 with residential uses under this alternative would not meet the project objective to follow environmentally sensitive design practices (Objective 7) to the same extent as of the project, as the project would avoid development within PAs 23 and 29 to protect additional sensitive biological resources.

S.4.2 Alternative 2: Reduced Project Alternative

The Reduced Project Alternative was identified to consider if reducing the development footprint of the Specific Plan to increase mesa top conservation would reduce significant biological resources impacts while still achieving the project objectives. Under this alternative, the Specific Plan development footprint would be reduced in size to expand mesa top conservation by converting ~~10.540.74~~ acres comprising PA 22 from residential to Multi-Habitat Planning Area (MHPA) open space near the existing MHPA. This alternative would result in 267 fewer residential units and ~~10.540.74~~ additional acres of open space compared to the proposed project. All other components of the project would remain unchanged.

The Reduced Project Alternative would result in similar or slightly reduced impacts compared to the project, with ~~no ne of the environmental resources resulting in an~~ increase in the severity of impacts. Less than significant impacts associated with visual effects and neighborhood character, population and housing, agricultural and mineral resources, and greenhouse gas emissions would be similar under the Reduced Project Alternative compared to the project. Significant and mitigated impacts associated with biological resources, hydrology/water quality, geology/soils, paleontological resources, and tribal cultural resources, would be reduced under the Reduced Project Alternative compared to the project. The less than significant impacts ~~to~~ energy conservation, public services, and water supply would also be reduced under this alternative. Significant and unmitigated impacts related to land use plan consistency, air quality/odor, historical resources, noise, and utilities (solid waste) would remain significant and not mitigated, and reduced compared to the project. Significant and unmitigated impacts to human health/public safety/hazardous materials and traffic/circulation would also remain significant and unmitigated, similar to the project.

This alternative would meet most of the project objectives, as this alternative would accommodate housing growth in the region (Objective 2), protect canyon lands, mesa tops and biological resources (Objective 5), provide recreational amenities (Objective 6), follow environmentally sensitive design and sustainable development practices (Objective 7), and improvements would be implemented concurrently with development (Objective 8). The Reduced Project Alternative would remove 267 residential units and would not provide a balanced land use plan (Objective 1) to the extent of the proposed project. This alternative would also not meet the objectives regarding the Village Core (Objective 3) or the transportation grid network (Objective 4) as it would result in the reduction of the Village Core and the associated transportation grid network.

S.4.3 Environmentally Superior Alternative

State CEQA Guidelines Section 15126.6(e)(2) requires that an EIR identify which alternative is the environmentally superior alternative. If the No Project Alternative is the environmentally superior alternative, the EIR must also identify which of the other alternatives is environmentally superior. The Reduced Project Alternative would be considered the environmentally superior alternative, since it would slightly reduce impacts to biological resources (10.49 acres of non-native grasslands). As described above, the Reduced Project Alternative would meet most of the project's objectives; however, it would result in fewer housing opportunities in the OMCP area compared to the project, and would not provide as balanced of a land use plan as the proposed project. The removal of a residential block would cause this alternative to fail to meet the Specific Plan's objectives to provide balanced neighborhoods (Objective 1), and a Village Core (Objective 3) with a grid transportation network (Objective 4).

S.5 Summary of Environmental Impacts and Significance Conclusions

Table S-1, *Summary of Environmental Impacts*, summarizes the conclusions of the environmental analysis of this SEIR. Impacts are identified as significant or less than significant. In the case of significant impacts, Table S-1 identifies proposed mitigation measures to reduce or avoid that impact.

**Table S-1
Summary of Environmental Impacts**

| Environmental Issue | OMCP FEIR Impact Conclusion | Results of the SEIR Impact Analysis | SEIR Mitigation | SEIR Impact Level After Mitigation |
|--|--|--|---|--|
| <p>5.1 Land Use</p> <p>Would the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project?</p> | <p>Less than significant without mitigation.</p> | <p>Program-level Due to potential inconsistencies with General Plan (2024) Noise Element Policy NE-B.3 and NE-I.1 as well as OMCP Noise Element Policy 9.2-2 that may involve significant secondary physical impacts related to noise, direct land use inconsistency impacts at the program level would be significant.</p> <p>While the program-level development would be inconsistent with OMCP Open Space/Preservation Element Policy 2.6-4 and OMCP Urban Design Element Policy 4.2-4, no secondary environmental impact would result and impacts would be less than significant.</p> <p>The program-level development would be inconsistent with OMCP Public Facilities Services and Safety Element Policy 6.5-3 as future projects may not be required to prepare waste management plans. This would lead to significant secondary physical impacts related to solid waste. This program-level land use plan policy inconsistency impact would be significant.</p> <p>The program-level development has the potential to impact significant archaeological and historic resources. The sites would potentially be 100% impacted in conflict with the General Plan Historic Preservation Element Policy <u>HP-A.5</u> and OMCP Historic Preservation Element that both identify the need to preserve significant archaeological and historical sites for future generations. This program-level land use plan inconsistency impact would be significant.</p> <p>Project-level The project-level components would comply with the SANDAG 2021 Regional Plan, Brown Field Airport ALUCP, and NOLF IB ALUCP. The project-level development would result in inconsistencies with General Plan (2024) Noise Element policies NE-B.3 and NE-I.1 that lead to secondary physical noise impacts. In addition, the project-level development would impact a significant archaeological site. The site would be 100% impacted in conflict with the General Plan Historic Preservation Element Policy <u>HP-A.5</u> and OMCP Historic Preservation Element that both identify the need to preserve significant archaeological sites for future generations. Direct land use plan inconsistency impacts at the project-level would be significant.</p> <p>Cumulative The project would result in direct noise land use compatibility impacts; however, these impacts occur within the project site as a direct result of the project and do not combine with other cumulative project impacts. Cumulative land use-noise incompatibility would be less than significant.</p> <p>Solid waste is a cumulative issue. The project inconsistency with OMCP Public Facilities Services and Safety Element Policy 6.5-3 and associated solid waste impacts would contribute to a cumulatively significant solid waste impact.</p> | <p>Program-level SP-NOS-1 Exterior Noise Analysis SP-NOS-2 Interior Noise Analysis SP-UTIL-1 Waste Management Plan SP-HIST-1 Archaeological Resources SP-HIST-2 Historical Architectural Resources</p> <p>Project-level PR-NOS-1 Interior Noise Analysis PR-HIST-1 Data Recovery for CA-SDI-22, 936 PR-HIST-2 Construction Monitoring</p> <p>Cumulative SP-UTIL-1 Waste Management Plan SP-HIST-1 Archaeological Resources SP-HIST-2 Historical Architectural Resources PR-HIST-1 Data Recovery for CA-SDI-22, 936 PR-HIST-2 Construction Monitoring</p> | <p>Program-level Significant and unmitigated</p> <p>Project-level Significant and unmitigated</p> <p>Cumulative Significant and unmitigated</p> |

| Environmental Issue | OMCP FEIR Impact Conclusion | Results of the SEIR Impact Analysis | SEIR Mitigation | SEIR Impact Level After Mitigation |
|--|---|--|---|--|
| | | <p>While the project would be inconsistent with OMCP Open Space/Preservation Element Policy 2.6-4 and OMCP Urban Design Element Policy 4.2-4, no secondary environmental impact would result and cumulative impacts would be less than significant.</p> <p>The project has the potential to impact significant archaeological and historic resources. The sites would potentially be 100% impacted in conflict with the General Plan Historic Preservation Element Policy <u>HP-A.5</u> and OMCP Historic Preservation Element that both identify the need to preserve significant archaeological and historical sites for future generations. This land use plan inconsistency impact would be cumulatively significant.</p> | | |
| <p>Would the collocation of residential and industrial land uses and/or conversion of industrial to residential land uses, proposed as part of the project, create land use incompatibilities or result in physical changes as a result of precluding achievement of regional economic development objectives/policies for industrial development?</p> | <p>Less than significant with Mitigation Framework HAZ-3.</p> | <p>Program-level Implementation of the program-level areas would not involve introducing or collocating residential uses in proximity to industrial uses. Direct impacts would be less than significant.</p> <p>Project-level Implementation of the project-level areas would not involve introducing or collocating residential uses in proximity to industrial uses. Direct impacts would be less than significant.</p> <p>Cumulative The project would not involve introducing or collocating residential uses in proximity to industrial uses and the project would not contribute to a significant cumulative impact related to collocating residential uses with industrial uses.</p> | <p>Program-level None</p> <p>Project-level None</p> <p>Cumulative None</p> | <p>Program-level Less than significant</p> <p>Project-level Less than significant</p> <p>Cumulative Less than significant</p> |
| <p>Would the project result in a conflict with the purpose and intent of the ESL Regulations, the Historical Resources Regulations, and the Brush Management Regulation of the LDC?</p> | <p>Less than significant with Mitigation Framework LU-1a and LU-1b.</p> | <p>Program-level The program-level development would be consistent with the Historical Resources, ESL and Brush Management Regulations, and impacts would be less than significant.</p> <p>Project-level Development of the project-level components would be consistent with the Historical Resources, ESL and Brush Management regulations. Project-level direct impacts would be less than significant.</p> <p>Cumulative Development of the project would be consistent with the Historical Resources, ESL and Brush Management regulations. Project cumulative impacts would be less than significant.</p> | <p>Program-level None</p> <p>Project-level None</p> <p>Cumulative None</p> | <p>Program-level Less than significant</p> <p>Project-level Less than significant</p> <p>Cumulative Less than significant</p> |
| <p>Would the proposed project result in a conflict with adopted environmental plans, including the City of San Diego's MSCP Subarea Plan and the MHPA adopted for the purpose of avoiding or mitigating an environmental effect for the area?</p> | <p>Less than significant with Mitigation Framework LU-2.</p> | <p>Program-level Implementation of the program-level components would introduce land uses adjacent to the MHPA, which could result in potentially significant direct impacts at the program level.</p> <p>Project-level Implementation of the project-level components would introduce land uses adjacent to the MHPA, which could result in significant direct impacts at the project level.</p> <p>Cumulative The project as well as cumulative projects would be required to demonstrate compliance with the MSCP Subarea Plan, VPHCP, and MHPA Land Use Adjacency Guidelines. Therefore, a less than significant cumulative impact would occur and the project would not contribute to a significant cumulative impact. ▸</p> | <p>Program-level SP-LU-1 Land Use Adjacency Guidelines</p> <p>Project-level PR-LU-1 Land Use Adjacency Guidelines</p> <p>Cumulative None</p> | <p>Program-level Less than significant with mitigation</p> <p>Project-level Less than significant with mitigation</p> <p>Cumulative Less than significant</p> |

| Environmental Issue | OMCP FEIR Impact Conclusion | Results of the SEIR Impact Analysis | SEIR Mitigation | SEIR Impact Level After Mitigation |
|---|--|--|---|--|
| 5.2 Visual Effects and Neighborhood Character | | | | |
| <p>Would the project affect the visual quality of the area, particularly with respect to views from public viewing areas, vistas, or open spaces?</p> | <p>Less than significant without mitigation.</p> | <p>Program-level Implementation of the Specific Plan would allow the public access to view corridors and the northern gateway identified by the OMCP and would not impact planned viewpoints to Spring Canyon and Moody Canyon from major roadways. Further, the Specific Plan design regulations would not allow height and bulk restrictions that would potentially impact views. The Specific Plan policy framework would ensure that future development would present a visually consistent, architecturally interesting community that would not impact scenic views and vistas. Program-level direct impacts related to blocking public views would be less than significant.</p> <p>Project-level The project-level components would implement a portion of the proposed trail network that would increase public access and viewing opportunities to the open space areas surrounding the Specific Plan area and would site park and open space areas towards the edges of the development to preserve views. The design of the Beyer Boulevard extension considers viewpoints to Moody Canyon and would not impact public views of this open space area. Development of the project-level components would be built consistent with the Specific Plan, General Plan (2024), and LDC regulations (except for requested and permitted deviations processed and evaluated as part of the project's PDP), therefore not impeding viewpoints from the community. Therefore, project-level direct impacts related to blocking views would be less than significant.</p> <p>Cumulative The project as well as cumulative projects would be required to demonstrate compliance with landform grading guidelines, including those contained in the City Grading Regulation, ESL Regulations, and Steep Hillside Guidelines of the Land Development Code except for allowed deviations. Compliance with applicable regulations would ensure cumulative impacts would be less than significant, and the project would not contribute to a significant cumulative impact.</p> | <p>Program-level None</p> <p>Project-level None</p> <p>Cumulative None</p> | <p>Program-level Less than significant</p> <p>Project-level Less than significant</p> <p>Cumulative Less than significant</p> |
| <p>Would the project's land use changes be compatible with surrounding development in terms of bulk, scale, materials, or style? Would adverse aesthetic impacts result from the project?</p> | <p>Less than significant without mitigation.</p> | <p>Program-level Implementation of the program-level components would not severely contrast with the surrounding neighborhood character. The Specific Plan has sited the highest intensity uses within the center of the Specific Plan with lower intensity uses around the perimeter, providing consistency with the surrounding development and open space areas. The Specific Plan policy framework would ensure that future development would present a visually consistent, architecturally interesting community that would still be consistent with allowable height, outdoor lighting, and bulk regulations. Therefore, there would be less than significant program-level direct visual compatibility impacts.</p> <p>Project-level Implementation of project-level components would be consistent with development regulations of the General Plan (2024), Specific Plan, and LDC (except for requested and permitted deviations processed and evaluated as part of the project's PDP). Development at the project level would therefore result in less than significant direct impacts.</p> <p>Cumulative Future individual projects in the Specific Plan area would be required to comply with the Specific Plan policy framework and applicable City regulations pertaining to visual resources. Other projects in the OMCP would be required to comply with applicable</p> | <p>Program-level None</p> <p>Project-level None</p> <p>Cumulative None</p> | <p>Program-level Less than significant</p> <p>Project-level Less than significant</p> <p>Cumulative Less than significant</p> |

| Environmental Issue | OMCP FEIR Impact Conclusion | Results of the SEIR Impact Analysis | SEIR Mitigation | SEIR Impact Level After Mitigation |
|--|---|---|---|--|
| Would the project result in a substantial change to natural topography or other ground surface relief feature? | Less than significant without mitigation. | <p>regulations and the OMCP policies pertaining to visual resources that avoid significant visual impacts. The project would not contribute to a significant cumulative impact and cumulative impacts would be less than significant.</p> <p>Program-level The program-level components would result in a less than significant impact related to landform alteration and grading and changes to unique physical features. Future individual projects within the Specific Plan area would be required to demonstrate compliance with landform grading guidelines contained in the City Grading Regulations, ESL Regulations, and Steep Hillside Guidelines of the LDC. Application of these regulatory and guidance documents would ensure that direct impacts associated with changes to natural topography at the program level would be less than significant.</p> <p>Project-level The proposed grading to develop the project-level components is consistent with the City Grading Regulations, ESL Regulations, and Steep Hillside Guidelines of the LDC. In addition, a SDP including necessary findings is required concurrent with the Phase 1 development to implement requested deviations from the ESL Regulations. Application of these regulatory and guidance documents and required permitting would ensure that direct impacts associated with significant alteration of the natural landform at the project level would be less than significant.</p> <p>Cumulative Cumulative projects as well as the proposed project would be required to demonstrate compliance with applicable landform grading, environmentally sensitive lands and steep hillside development regulations. Therefore, no cumulative impact would occur and the project would not contribute to a significant cumulative impact.</p> | <p>Program-level None</p> <p>Project-level None</p> <p>Cumulative None</p> | <p>Program-level Less than significant</p> <p>Project-level Less than significant</p> <p>Cumulative Less than significant</p> |
| Would the project result in a negative visual appearance due to the loss, covering, or modification of any unique physical features such as a natural canyon or hillside slope in excess of 25 percent gradient? | Less than significant without mitigation. | <p>Program-level The program-level components would result in a less than significant impact related to changes to unique physical features. Future individual projects within the Specific Plan area would be required to demonstrate compliance with landform grading guidelines contained in the City Grading Regulation, ESL Regulations, and Steep Hillside Guidelines of the LDC. Program-level direct impacts would be less than significant.</p> <p>Project-level The anticipated project-level components, such as the construction of Beyer Boulevard West, the EVA Road, and residential development would be consistent with the grading areas anticipated by the OMCP. However, an SDP, including necessary findings, is required concurrent with the Phase 1 development to implement requested deviations from ESL Regulations and the Steep Hillside Guidelines of the LDC. Application of these regulatory and guidance documents would confirm that direct impacts associated with changes to unique physical features at the project level would be less than significant.</p> <p>Cumulative Cumulative projects as well as the proposed project would be required to demonstrate compliance with applicable landform grading and steep hillside development regulations . Therefore, cumulative impacts would be less than significant and the project would not contribute to a significant cumulative impact.</p> | <p>Program-level None</p> <p>Project-level None</p> <p>Cumulative None</p> | <p>Program-level Less than significant</p> <p>Project-level Less than significant</p> <p>Cumulative Less than significant</p> |

| Environmental Issue | OMCP FEIR Impact Conclusion | Results of the SEIR Impact Analysis | SEIR Mitigation | SEIR Impact Level After Mitigation |
|---|---|--|---|--|
| 5.3 Air Quality/Odor | | | | |
| <p>Would the project obstruct or conflict with the implementation of the San Diego Regional Air Quality Strategy or applicable portions of the State Implementation Plan?</p> | <p>Less than significant without mitigation.</p> | <p>Program-level Implementation of the Specific Plan land uses would not result in an increase in operational emissions that would conflict with or obstruct implementation of air quality plans. Additionally, as the proposed maximum number of dwelling units is less than proposed by the OMCP and assumed in air quality plans for the area, no conflict with air quality plans would occur at the program level. Program-level direct impacts would be less than significant.</p> <p>Project-level Buildout of project-level areas would not result in emissions that would conflict with or obstruct implementation of air quality plans. Additionally, the project would generate fewer air quality emissions compared to what proposed by the OMCP and assumed in air quality plans for the area. Therefore, project-level impacts would be less than significant.</p> <p>Cumulative The project would generate fewer air quality emissions compared to the emissions assumed in the Regional Air Quality Strategies to achieve air quality standards for the San Diego Air Basin. The project would not considerably contribute to a significant cumulative impact.</p> | <p>Program-level None</p> <p>Project-level None</p> <p>Cumulative None</p> | <p>Program-level Less than significant</p> <p>Project-level Less than significant</p> <p>Cumulative Less than significant</p> |
| <p>Would the project result in emissions that would violate any air quality standard or contribute substantially to an existing or projected air quality violation?</p> | <p>Significant and unavoidable with Mitigation Framework AQ-1 and AQ-2.</p> | <p>Program-level Because the exact construction schedule and details are not known for future development implemented under the Specific Plan, program-level construction emissions impacts would be significant. As future development allowed by the Specific Plan could generate operational emissions that would result in regional emission levels that could exceed state and federal air quality standards, direct program-level operational emissions impacts would be significant.</p> <p>Project-level Total operational emissions associated with the project-level components would not result in regional emissions that would exceed the NAAQS or CAAQS or contribute to existing violations, and direct impacts would be less than significant.</p> <p>Cumulative The project construction and operational emissions have the potential to exceed the air quality standards, which would combine with cumulative projects and significantly contribute to the regional non-attainment of air quality emission standards. Thus, the project would considerably contribute to a cumulative air emissions impact.</p> | <p>Program-level SP-AQ-1 Control Measures/Technology SP-AQ-2 Buffer Sensitive Receptors</p> <p>Project-level None</p> <p>Cumulative SP-AQ-1 Control Measures/Technology SP-AQ-2 Buffer Sensitive Receptors</p> | <p>Program-level Significant and unmitigated</p> <p>Project-level Less than significant</p> <p>Cumulative Significant and unmitigated</p> |

| Environmental Issue | OMCP FEIR Impact Conclusion | Results of the SEIR Impact Analysis | SEIR Mitigation | SEIR Impact Level After Mitigation |
|--|--|--|---|--|
| Would the project expose sensitive receptors to substantial pollutant concentration, including air toxics such as diesel particulates? | Significant and unavoidable with Mitigation Framework AQ-3 and AQ-4. | <p>Program-level Implementation of the program-level components would not expose sensitive receptors to substantial pollutant concentrations associated with Diesel Particulate Matter (DPM) during construction or from substantial pollutant concentrations from heavily traveled roadways, and would not result in a CO hot spot. Impacts would therefore be less than significant. However, should a gas station, dry cleaner, or other use identified in CARB's Land Use Siting Constraints be proposed within the program-level areas, a significant direct impact related to exposure of sensitive receptors could occur.</p> <p>Project-level As project-level components would not expose sensitive receptors to construction-related DPM or DPM from heavily travelled roadways, would not result in a CO hot spot, or include stationary sources of toxic emissions, direct impacts would be less than significant.</p> <p>Cumulative The project would potentially result in the siting of land uses generating stationary source pollutants within proximity to sensitive receptors. While this is a direct impact, it would not cumulatively combine with other projects in the area considering the distance and dispersion of air quality issues result in this being a localized issue. The project would have a less than significant cumulative air toxics impact.</p> | <p>Program-level SP-AQ-3 Public Notice SP-AQ-4 Health Risk Assessment</p> <p>Project-level None</p> <p>Cumulative None</p> | <p>Program-level Significant and unmitigated</p> <p>Project-level Less than significant</p> <p>Cumulative Less than significant</p> |
| Would the project create objectionable odors affecting a substantial number of people? | Less than significant without mitigation. | <p>Program-level The program-level components do not include heavy industrial or agricultural uses that are typically associated with odor complaints. Exposure to odors associated with project construction would be short term and temporary in nature. The two proposed sewer pump/lift stations required to serve the project would be located within enclosed structures that would be equipped with proper odor control systems and scrubber fans, as these components are standard industry requirements to ensure odor management in accordance with the San Diego Air Pollution Control District Rule 51. Program-level direct impacts would be less than significant.</p> <p>Project-level The project-level components do not include heavy industrial or agricultural uses that are typically associated with odor complaints. Odors produced during construction would be temporary in nature and any odors associated with the proposed sewer pump/lift stations would be adequately mitigated with odor control systems. Project-level direct impacts would be less than significant.</p> <p>Cumulative While other cumulative projects may introduce odor generating uses to the OMCP area, the project would not involve these uses. Therefore, the project would not considerably contribute to a significant cumulative impact.</p> | <p>Program-level None</p> <p>Project-level None</p> <p>Cumulative None</p> | <p>Program-level Less than significant</p> <p>Project-level Less than significant</p> <p>Cumulative Less than significant</p> |
| 5.4 Biological Resources | | | | |
| <p>Would the project result in a reduction in the number of any unique, rare, endangered, sensitive, or fully protected species of plants or animals?</p> <p>Would the project result in a substantial adverse impact on any Tier I, Tier II, Tier IIIA or Tier IIIB habitats as</p> | Less than significant with Mitigation Framework BIO-1, BIO-2, BIO-4, and LU-2. | <p>Program-level Impacts to special-status plants and wildlife species associated with future development within the program-level areas would be significant.</p> <p>Project-level Impacts to special-status plants and wildlife species associated with future development within the project-level areas would be significant.</p> | <p>Program-level SP-BIO-1 Sensitive Plants and Wildlife SP-BIO-2 Migratory Wildlife</p> <p>Project-level PR-BIO-1 San Diego Button Celery PR-BIO-2 Otay Tarplant</p> | <p>Program-level Less than significant with mitigation</p> <p>Project-level Less than significant with mitigation</p> <p>Cumulative Less than significant</p> |

| Environmental Issue | OMCP FEIR Impact Conclusion | Results of the SEIR Impact Analysis | SEIR Mitigation | SEIR Impact Level After Mitigation |
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| <p>identified in the Biology Guidelines of the LDC or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife?</p> | | <p>Cumulative Cumulative projects in the City would be required to minimize impacts to sensitive species and habitat at the project level through compliance with the Biology Guidelines, ESL Regulations, MSCP and VPHCP policy documents, agency permitting, and standard mitigation requirements. The project would minimize impacts to sensitive species in accordance with these aforementioned policy documents and regulations. Overall, the project would not substantially contribute to a cumulatively considerable impact on sensitive species.</p> | <p>PR-BIO-3 San Diego Barrel Cactus and Snake Cholla PR-BIO-4 Thread-leaved Brodiaea PR-BIO-5 Quino Checkerspot Butterfly PR-BIO-6 San Diego and Riverside Fairy Shrimp PR-BIO-7a Least Bell's Vireo Breeding Season Avoidance – Construction PR-BIO-7b Least Bell's Vireo Breeding Season Avoidance – Restoration Implementation PR-BIO-8a Coastal California Gnatcatcher Breeding Season Avoidance within the MHPA PR-BIO-8b Coastal California Gnatcatcher Breeding Season Avoidance – Restoration Implementation PR-BIO-9a Crotch's Bumble Bee Impact Minimization PR-BIO-9b Crotch's Bumble Bee Habitat Mitigation PR-BIO-10 Burrowing Owl Pre-Construction Surveys PR-BIO-11 Cactus Wren Habitat Restoration PR-BIO-12 Western Spadefoot Habitat Restoration PR-BIO-13 Breeding Season Avoidance/Pre-Construction Surveys for Western Spadefoot PR-BIO-14 Breeding Season Avoidance/Pre-Construction Bird Surveys PR-BIO-15 Dedication of Mitigation Lands</p> <p>Cumulative None</p> | |
| <p>Would the project result in interference with the nesting/foraging/movement of any resident or migratory fish or wildlife species?</p> | <p>Less than significant with Mitigation Framework BIO-2.</p> | <p>Program-level The program level areas are limited to the mesa tops and would not reduce the availability or functionality of wildlife use in the surrounding open space and canyon networks. Program-level direct impacts related to wildlife movement corridors would be less than significant.</p> <p>Project-level Wildlife crossing features would be incorporated into the project-level components and project-level direct impacts to wildlife corridors would be less than significant.</p> <p>Cumulative The regional corridor connections have been planned through the MHPA and the MSCP Subarea Plan. The wildlife corridor analysis addressed the overall corridor connectivity throughout the area as well as the maintenance of the MHPA corridor areas. Cumulative impacts would be less than significant.</p> | <p>Program-level None</p> <p>Project-level None</p> <p>Cumulative None</p> | <p>Program-level Less than significant</p> <p>Project-level Less than significant</p> <p>Cumulative Less than significant</p> |

| Environmental Issue | OMCP FEIR Impact Conclusion | Results of the SEIR Impact Analysis | SEIR Mitigation | SEIR Impact Level After Mitigation |
|--|---|---|--|--|
| <p>Would the project result in an impact to a sensitive habitat, including, but not limited to streamside vegetation, oak woodland, vernal pools, wetlands, coastal sage scrub, or chaparral?</p> <p>Would the project result in the introduction of invasive species of plants into a natural open space area?</p> | <p>Less than significant with Mitigation Framework BIO-1, BIO-2, BIO-4, and LU-2.</p> | <p>Program-level Implementation of the program-level components would potentially result in impacts to sensitive vegetation communities and future development could potentially introduce invasives into surrounding open space. Program-level direct impacts would be significant.</p> <p>Project-level Sensitive habitat is present in the project-level areas and project-level direct impacts to sensitive vegetation communities and invasive species would be significant.</p> <p>Cumulative Cumulative projects in the City' MSCP Subarea Plan area would be required to minimize impacts to sensitive habitats at the project level through compliance with the Biology Guidelines, ESL Regulations, MSCP and VPHCP policy documents, agency permitting, and standard mitigation requirements. The project would minimize impacts to sensitive habitats in accordance with these aforementioned policy documents and regulations. Overall, the project would not substantially contribute to a cumulatively considerable impact on sensitive habitat.</p> | <p>Program-level SP-BIO-1 Sensitive Plants and Wildlife SP-LU-1 Land Use Adjacency Guidelines</p> <p>Project-level PR-BIO-15 Dedication of Mitigation Lands <u>PR-BIO-16a Wetland</u> <u>PR-BIO-16b Vernal Pools</u> PR-LU-1 Land Use Adjacency Guidelines</p> <p>Cumulative None</p> | <p>Program-level Less than significant with mitigation</p> <p>Project-level Less than significant with mitigation</p> <p>Cumulative Less than significant</p> |
| <p>Would the project affect the long-term conservation of biological resources as described in the MSCP?</p> <p>Would the project meet the objectives of the MSCP Subarea Plan's Land Use Adjacency Guidelines or conflict with the provisions of the MSCP Subarea Plan, or other approved local, regional, or state conservation plans?</p> | <p>Less than significant with Mitigation Framework LU-2.</p> | <p>Program-level Land use adjacency and compatibility impacts could potentially occur associated with projects within the program-level areas located adjacent to the MHPA. Program-level direct impacts would be significant.</p> <p>Project-level Land use adjacency and compatibility impacts could occur associated with project-level components located adjacent to the MHPA and would result in a significant project-level impact.</p> <p>Cumulative Cumulative projects in the City' MSCP Subarea Plan area would be required to demonstrate compliance with the MSCP Subarea Plan and MHPA Land Use Adjacency Guidelines. The project would be in compliance with these policies and guidelines. Therefore, the project would have a less than significant cumulative impact related to the MSCP consistency.</p> | <p>Program-level SP-LU-1 Land Use Adjacency Guidelines</p> <p>Project-level PR-LU-1 Land Use Adjacency Guidelines</p> <p>Cumulative None</p> | <p>Program-level Less than significant with mitigation</p> <p>Project-level Less than significant with mitigation</p> <p>Cumulative Less than significant</p> |
| <p>Would the project result in an impact on City, state, or federally regulated wetlands (including, but not limited to, salt marsh, vernal pool, lagoon, riparian habitat, etc.) through direct removal, filling, hydrological interruption, or other means?</p> | <p>Less than significant with Mitigation Framework BIO-4.</p> | <p>Program-level There are known wetland and vernal pool resources in the Specific Plan area, and program-level impacts would be significant.</p> <p>Project-level There are known wetland and vernal pool resources in the project-level areas, and project-level impacts would be significant.</p> <p>Cumulative Cumulative projects in the watershed would be required to prevent impacts to wetlands at the project level through compliance with the Biology Guidelines and resource agency requirements. The project would be consistent with the wetland requirements identified in the Biology Guidelines and would be required to obtain necessary resource agency permits. Therefore, the project cumulative impact to wetlands and jurisdictional resources would be less than significant.</p> | <p>Program-level SP-BIO-23 Wetlands</p> <p>Project-level PR-BIO-16a Wetland and <u>PR-BIO-16b Vernal Pool Mitigation</u></p> <p>Cumulative None</p> | <p>Program-level Less than significant with mitigation</p> <p>Project-level Less than significant with mitigation</p> <p>Cumulative Less than significant</p> |

| Environmental Issue | OMCP FEIR Impact Conclusion | Results of the SEIR Impact Analysis | SEIR Mitigation | SEIR Impact Level After Mitigation |
|---|--|--|--|--|
| <p>Would the temporary construction noise from the proposed plan and project or permanent noise generators (including roads) adversely impact sensitive species (e.g., coastal California gnatcatcher) within the MHPA?</p> | <p>Less than significant with Mitigation Framework BIO-1, BIO-2, BIO-3, BIO-4, and LU-2.</p> | <p>Program-level At a program-level of review and without project specific development plans, program-level operational noise to special-status wildlife species would be potentially significant.</p> <p>Project-level The project-level components would generate operational noise that would result in significant impacts to coastal California gnatcatcher and cactus wren. Also, noise impacts to Cooper’s hawk, northern harrier, white-tailed kite, merlin, California horned lark, yellow warbler, yellow-breasted chat, loggerhead shrike, southern California rufous-crowned sparrow, grasshopper sparrow, and Bell’s sage sparrow would be significant.</p> <p>Cumulative Cumulative projects in the MSCP Subarea Plan would be required to comply with the MSCP Subarea Plan, MHPA Land Use Adjacency Guidelines and Biology Guidelines to reduce noise impacts on sensitive species at the project level. The project would also comply with these requirements. Therefore, the project would not substantially contribute to a significant cumulative impact, and cumulative noise impacts to sensitive species would be less than significant.</p> | <p>Program-level SP-LU-1 Land Use Adjacency Guidelines</p> <p>Project-level PR-LU-1 Land Use Adjacency Guidelines PR-BIO-8a Coastal California Gnatcatcher Breeding Season Avoidance within the MHPA PR-BIO-11 Cactus Wren Habitat Restoration PR-BIO-15 Dedication of Mitigation Lands PR-NOS-1 Interior Noise Analysis</p> <p>Cumulative None</p> | <p>Program-level Less than significant with mitigation</p> <p>Project-level Less than significant with mitigation</p> <p>Cumulative Less than significant</p> |
| 5.5 Historical Resources | | | | |
| <p>Would the project result in the alteration or destruction of a prehistoric or historical archaeological site? Would the project result in any adverse physical or aesthetic effects on a prehistoric or historic building, structure, object, or site?</p> | <p>Less than significant with Mitigation Framework HIST-1 and HIST-2.</p> | <p>Program-level There is potential for significant unidentified archaeological and/or historical resources to be present in the program-level areas and impacted during grading. Program-level direct impacts would be significant.</p> <p>Project-level Implementation of the project would result in impacts to resource CA-SDI-22,936, which would constitute a significant effect to a known historical resource. Project-level direct impacts would be significant.</p> <p>Cumulative There is a potential for cumulatively significant impacts to unidentified archaeological and historical resources within the project area as well as the cumulative study area. Impacts related to CA-SDI-22,936 would also be cumulatively significant. As such, the project would contribute to a potentially significant cumulative impact to archaeological and/or historical resources.</p> | <p>Program-level SP-HIST-1 Archaeological Resources SP-HIST-2 Historic Architectural Resources</p> <p>Project-level PR-HIST-1 Data Recovery for CA-SDI-22, 936 PR-HIST-2 Construction Monitoring</p> <p>Cumulative SP-HIST-1 Archaeological Resources SP-HIST-2 Historic Architectural Resources PR-HIST-1 Data Recovery for CA-SDI-22, 936 PR-HIST-2 Construction Monitoring</p> | <p>Program-level Significant and unmitigated</p> <p>Project-level Significant and unmitigated</p> <p>Cumulative Significant and unmitigated</p> |
| <p>Would the project result in any impact to existing religious or sacred uses within the potential impact area?</p> | <p>Less than significant with Mitigation Framework HIST-1.</p> | <p>Program-level Ground disturbing activities could unearth and impact an unknown subsurface religious or sacred resource. Program-level direct impacts would be significant.</p> <p>Project-level Implementation of the project-level components could adversely affect the sacred site identified by the NAHC. Additionally, ground disturbing activities could unearth and impact an unknown subsurface religious or sacred resource. Project-level direct impacts would be significant.</p> <p>Cumulative Cumulative projects in the cumulative study area would potentially impact significant religious or sacred sites. As such, the project would contribute to a significant cumulative impact to potentially significant religious or sacred sites.</p> | <p>Program-level SP-HIST-1 Archaeological Resources</p> <p>Project-level PR-HIST-2 Construction Monitoring</p> <p>Cumulative SP-HIST-1 Archaeological Resources PR-HIST-2 Construction Monitoring</p> | <p>Program-level Significant and unmitigated</p> <p>Project-level Significant and unmitigated</p> <p>Cumulative Significant and unmitigated</p> |

| Environmental Issue | OMCP FEIR Impact Conclusion | Results of the SEIR Impact Analysis | SEIR Mitigation | SEIR Impact Level After Mitigation |
|---|---|--|---|--|
| <p>Would the proposed project result in the disturbance of any human remains, including those interred outside of formal cemeteries?</p> | <p>Less than significant with Mitigation Framework HIST-1.</p> | <p>Program-level There is a potential for buried human remains to be disturbed by grading and construction activities. Program-level direct impacts would be significant.</p> <p>Project-level There is a potential for buried human remains to be disturbed by grading and construction activities. Project-level direct impacts would be significant.</p> <p>Cumulative Any unanticipated human remains discoveries for the project and cumulative projects would be required to adhere to the Public Resources Code Section 5097.98 and state Health and Safety Code Section 7050.5, which would reduce impacts to less than significant. The project contribution to a cumulative human remains impact would be less than significant.</p> | <p>Program-level SP-HIST-3 Human Remains</p> <p>Project-level PR-HIST-2 Construction Monitoring</p> <p>Cumulative None</p> | <p>Program-level Less than significant with mitigation</p> <p>Project-level Less than significant with mitigation</p> <p>Cumulative Less than significant</p> |
| 5.6 Human Health/Public Safety/Hazardous Materials | | | | |
| <p>Would the project areas expose people or property to health hazards, including wildfire and airport operations?</p> | <p>Significant and unavoidable with Mitigation Framework AQ-3, AQ-4, HAZ-1, HAZ-2, and HAZ-3.</p> | <p>Program-level No conflict with the Brown Field or NOLF IB ALUCPs would occur and no airport hazard would result. The Specific Plan may result in significant air quality emissions that could result in health hazards and would place uses in wildfire-prone areas. Program-level direct impacts would be significant.</p> <p>The program-level components may result in sensitive receptors being exposed to toxic air contaminants from dry cleaning facilities, gas stations or other uses, and the program-level would result in a potentially significant health impact.</p> <p>Project-level The project-level components would not expose receptors to toxic air contaminants, would comply with regulations regarding wildfire, and would not conflict with any ALUCP. Impacts would be less than significant.</p> <p>Cumulative Considering the distance of the proposed residential and commercial uses relative to cumulative projects, a cumulative issue related to the CARB land use siting constraints (FEIR Table 5.3-7) would not occur as a result of the project. The project would comply with the ALUCPs and the City fire safety regulations and policies, and the project would result in a less than significant cumulative impact related to airport hazards and wildfire hazards.</p> | <p>Program-level SP-AQ-3 Public Notice SP-AQ-4 Health Risk Assessment SP-HAZ-1 Reduction of Risk of Wildfires</p> <p>Project-level None</p> <p>Cumulative None</p> | <p>Program-level Significant and unmitigated</p> <p>Project-level Less than significant</p> <p>Cumulative Less than significant</p> |
| <p>Would the project areas create a future risk of an explosion or the release of hazardous substances (including, but not limited to, gas, oil, pesticides, chemicals, or radiation)? Would the project areas expose people or the environment to a significant hazard through the routine transport, use, or disposal of hazardous materials?</p> | <p>Less than significant without mitigation.</p> | <p>Program-level The program-level areas would adhere to federal, state, and local regulations during construction and operation activities which would ensure that program-level impacts relating to the transport, storage and disposal of hazardous materials would be less than significant.</p> <p>Project-level Compliance with existing regulations regarding the handling, storage, and treatment of hazardous materials during both construction and operation of the project-level components would ensure project-level impacts related to hazardous materials routine use, transport, and disposal would be less than significant.</p> | <p>Program-level None</p> <p>Project-level None</p> <p>Cumulative None</p> | <p>Program-level Less than significant</p> <p>Project-level Less than significant</p> <p>Cumulative Less than significant</p> |

| Environmental Issue | OMCP FEIR Impact Conclusion | Results of the SEIR Impact Analysis | SEIR Mitigation | SEIR Impact Level After Mitigation |
|---|--|---|---|--|
| <p>Would the project areas be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment?</p> | <p>Less than significant with Mitigation Framework HAZ-3.</p> | <p>Cumulative Cumulative projects and the proposed project would be required to comply with standard hazardous substance regulations that reduce potential impacts related to hazardous materials. Therefore, cumulative impacts would be less than significant and the project would not contribute to a significant cumulative impact.</p> <p>Program-level There is a potential for hazardous conditions to be present on-site, especially as known contamination sites have been documented within the program-level area. Program-level direct impacts would be potentially significant.</p> <p>Project-level The project-level components would require disposal of asbestos and lead-containing soils and materials, which would result in a potentially significant direct project-level impact.</p> <p>Cumulative Cumulative projects and the proposed project would be required to comply with regulations regarding hazardous sites at the project level, which may require soil and groundwater testing, remediation, and other standard requirements. These are localized issues and the project would not cumulatively combine with other projects considering project locations and regulatory compliance. Therefore, cumulative impacts would be less than significant and the project would not contribute to a significant cumulative impact.</p> | <p>Program-level SP-HAZ-2 Hazardous Sites</p> <p>Project-level PR-HAZ-1 Hazardous Sites</p> <p>Cumulative None</p> | <p>Program-level Less than significant with mitigation</p> <p>Project-level Less than significant with mitigation</p> <p>Cumulative Less than significant</p> |
| <p>5.7 Hydrology/Water Quality</p> | | | | |
| <p>Would the project result in an increase in impervious surfaces and associated increased runoff? Would the project result in a substantial alteration to on- and off-site drainage patterns due to changes in runoff flow rates or volumes?</p> | <p>Less than significant with Mitigation Framework HYD/WQ-1.</p> | <p>Program-level Development of the program-level components would have the potential to result in flood hazards on other properties due to the areas of localized flooding in the canyons and other drainage concentration points. Program-level direct impacts would be significant.</p> <p>Project-level The project-level area is not within a <u>Severe Flood Hazard Area</u>, would not involve development in a FEMA floodplain or actions requiring a <u>Conditional Letter Of Map Revision</u> or <u>Letter Of Map Revision</u>, and would not result in runoff impacts that would lead to flooding impacts on-site or to off-site. Project-level direct impacts would be less than significant.</p> <p>Cumulative Cumulative projects as well as the proposed project would be required to avoid drainage impacts at the project level through compliance with the San Diego Regional Water Quality Control Board (RWQCB) regulations, agency coordination, and other standard requirements. Therefore, cumulative impacts would be less than significant and the project would not contribute to a significant cumulative impact.</p> | <p>Program-level SP-HYD/WQ-1 Storm Water Runoff and Drainage</p> <p>Project-level None</p> <p>Cumulative None</p> | <p>Program-level Less than significant with mitigation</p> <p>Project-level Less than significant</p> <p>Cumulative Less than significant</p> |

| Environmental Issue | OMCP FEIR Impact Conclusion | Results of the SEIR Impact Analysis | SEIR Mitigation | SEIR Impact Level After Mitigation |
|--|--|--|--|--|
| <p>Would modifications to the natural drainage system be required for implementation of the project? Would there be an effect on the Otay or Tijuana River Valley drainage basins with implementation of the project?</p> | <p>Less than significant with Mitigation Framework HYD/WQ-1.</p> | <p>Program-level Impacts to the natural drainage system could result from ground disturbance and introduction of new impervious surfaces from the construction of the program-level components and program-level impacts would be significant.</p> <p>Project-level The project-level components would include a drainage design consistent with the current City and RWQCB regulations, and particularly the Storm Water Standards, so that runoff rates and durations would be controlled at or below pre-development rates to reduce downstream erosion conditions. Project-level direct impacts would be less than significant.</p> <p>Cumulative Cumulative projects as well as the proposed project would be required to comply with the RWQCB regulations, City stormwater and drainage regulations and other standard requirements that reduce natural drainage system impacts. With regulatory compliance, the project contribution to cumulative impacts to the downstream natural drainage systems would be less than significant.</p> | <p>Program-level SP-HYD/WQ-1 Storm Water Runoff and Drainage</p> <p>Project-level None</p> <p>Cumulative None</p> | <p>Program-level Less than significant with mitigation</p> <p>Project-level Less than significant</p> <p>Cumulative Less than significant</p> |
| <p>Would the project result in alterations to the course or flow of flood waters?</p> | <p>Less than significant with Mitigation Framework HYD/WQ-1.</p> | <p>Program-level Impacts to the natural drainage system could result from ground disturbance and introduction of new impervious surfaces from the construction of the program-level components and program-level impacts would be significant.</p> <p>Project-level The project-level components would include a drainage design consistent with the current City and RWQCB regulations, and particularly the Storm Water Standards, so that runoff rates and durations would be controlled at or below pre-development rates to reduce flooding risk. Project-level direct impacts would be less than significant.</p> <p>Cumulative Cumulative projects as well as the proposed project would be required to comply with the RWQCB regulations, FEMA requirements, and other standard requirements that reduce flood-related impacts. With regulatory compliance, the project contribution to cumulative impacts related to flood flows would be less than significant.</p> | <p>Program-level SP-HYD/WQ-1 Storm Water Runoff and Drainage</p> <p>Project-level None</p> <p>Cumulative None</p> | <p>Program-level Less than significant with mitigation</p> <p>Project-level Less than significant</p> <p>Cumulative Less than significant</p> |
| <p>Would the project create discharges into surface or ground water, or any alteration of surface or ground water quality, including but not limited to temperature, dissolved oxygen or turbidity? Would there be increases in pollutant discharges including downstream sedimentation?</p> | <p>Less than significant with Mitigation Framework HYD/WQ-2.</p> | <p>Program-level Impacts to water quality could result from the introduction of new land uses included in the Specific Plan. Program-level direct impacts would be significant.</p> <p>Project-level The project would incorporate best management practices (BMPs) such as biofiltration basins that would comply with the City's Stormwater Quality Standards. Therefore, project-level direct impacts would be less than significant.</p> <p>Cumulative Cumulative projects as well as the proposed project would be required to comply with the RWQCB regulations, FEMA requirements, and other standard requirements that reduce stormwater-discharge impacts. With regulatory compliance, the project contribution to cumulative impacts would be less than significant.</p> | <p>Program-level SP-HYD/WQ-2 Storm Water Quality</p> <p>Project-level None</p> <p>Cumulative None</p> | <p>Program-level Less than significant with mitigation</p> <p>Project-level Less than significant</p> <p>Cumulative Less than significant</p> |

| Environmental Issue | OMCP FEIR Impact Conclusion | Results of the SEIR Impact Analysis | SEIR Mitigation | SEIR Impact Level After Mitigation |
|---|--|--|---|--|
| 5.8 Geology/Soils | | | | |
| Would the project expose people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards? | Less than significant with Mitigation Framework GEO-1. | <p>Program-level Future development within the program-level areas would be subject to potential geologic hazards related to earthquakes, landslides, and compressible and expansive soils and program-level direct impacts would be significant.</p> <p>Project-level The project-level components would incorporate specific geotechnical recommendations to minimize geologic hazards and project-level direct impacts would be less than significant.</p> <p>Cumulative Cumulative projects as well as the proposed project would be required to address geologic hazards at the project level through site-specific geotechnical recommendations based on local, state and federal regulations. In addition, the project geology/soils issues would not combine with other cumulative projects considering the localized nature of geology/soils issues. Therefore, cumulative geology and soils impacts would be less than significant.</p> | <p>Program-level SP-GEO-1 Geologic Hazards</p> <p>Project-level None</p> <p>Cumulative None</p> | <p>Program-level Less than significant with mitigation</p> <p>Project-level Less than significant</p> <p>Cumulative Less than significant</p> |
| Would the project increase the potential of erosion on- or off-site? | Less than significant with Mitigation Framework GEO-2. | <p>Program-level Future development within the program-level areas would be subject to potential geologic hazards related to erosion and program-level direct impacts would be significant.</p> <p>Project-level The project-level components would incorporate specific geotechnical recommendations to minimize geologic hazards related to erosion and project-level direct impacts would be less than significant.</p> <p>Cumulative Cumulative projects as well as the proposed project would be required to address soil erosion issues at the project level through site-specific design measures based on local, state and federal regulations. Therefore, cumulative erosion impacts would be less than significant.</p> | <p>Program-level SP-GEO-2 Geotechnical Investigations</p> <p>Project-level No mitigation is required.</p> <p>Cumulative None</p> | <p>Program-level Less than significant with mitigation</p> <p>Project-level Less than significant</p> <p>Cumulative Less than significant</p> |
| 5.9 Energy Conservation | | | | |
| Would the project result in the use of excessive amounts of electricity or fuel and other forms of energy (e.g., natural gas, oil)? | Less than significant | <p>Program-level Construction in the program-level area would not result in the use of excessive amounts of fuel or other forms of energy and program-level direct impacts would be less than significant.</p> <p>Project-level Construction of the project-level components would implement the Specific Plan and would not result in the use of excessive amounts of fuel or other forms of energy, and project-level impacts would be less than significant.</p> <p>Cumulative Construction and operation of the project and cumulative projects would be consistent with federal, state, and local regulations involving fuel consumption and energy use. The project would not substantially contribute to a significant cumulative impact. The project's cumulative impact would be less than significant.</p> | <p>Program-level None</p> <p>Project-level None</p> <p>Cumulative None</p> | <p>Program-level Less than significant</p> <p>Project-level Less than significant</p> <p>Cumulative Less than significant</p> |

| Environmental Issue | OMCP FEIR Impact Conclusion | Results of the SEIR Impact Analysis | SEIR Mitigation | SEIR Impact Level After Mitigation |
|---|---|--|--|--|
| <p>5.10 Noise</p> <p>Would the project result in a significant increase in the existing ambient noise level?</p> | <p>Significant and unavoidable with Mitigation Framework NOI-1 and NOI-2.</p> | <p>Program-level Implementation of the program-level components would result in a significant increase in traffic noise levels above the land use compatibility criteria. Additionally, noise impacts on sensitive species would be significant. Program-level direct impacts would be significant.</p> <p>Project-level Interior noise impacts to residential uses located closest to Beyer Boulevard and Caliente Avenue would be significant. Additionally, noise impacts on sensitive species would be significant. Project-level direct impacts would be significant.</p> <p>Cumulative Implementation of the Specific Plan in combination with cumulative projects would result in a substantial (3 decibel) increase in traffic noise levels for multiple off-site roadway segments and would, therefore, significantly contribute to the exposure of sensitive receptors to cumulative increases in noise levels. It is not possible for the project to ensure traffic noise levels would be reduced to be in compliance with noise standards. Other project stationary and construction noise impacts would not combine with cumulative projects considering the distance between the project and cumulative projects. Overall, the project would substantially contribute to cumulatively significant traffic noise impacts.</p> | <p>Program-level SP-NOS-1 Exterior Noise Analysis SP-NOS-2 Interior Noise Analysis SP-LU-1 Land Use Adjacency Guidelines</p> <p>Project-level PR-NOS-1 Interior Noise Analysis</p> <p>Cumulative SP-NOS-1 Exterior Noise Analysis SP-NOS-2 Interior Noise Analysis PR-NOS-1 Interior Noise Analysis PR-LU-1 Land Use Adjacency Guidelines PR-BIO-8a Coastal California Gnatcatcher Breeding Season Avoidance within the MHPA PR-BIO-11 Cactus Wren Habitat Restoration PR-BIO-15 Dedication of Mitigation Lands</p> | <p>Program-level Significant and unmitigated</p> <p>Project-level Significant and unmitigated</p> <p>Cumulative Significant and unmitigated</p> |
| <p>Could the proposed collocation of residential and commercial or industrial land uses result in the exposure of people to noise levels which exceed the City's Noise Abatement and Control Ordinance?</p> | <p>Significant and unavoidable with Mitigation Framework NOI-3.</p> | <p>Program-level There is potential that future HVAC units, pump stations, and proximity of residential uses to commercial/retail uses in the mixed-use area could result in noise levels exceeding the applicable Noise Abatement and Control Ordinance limits at residential receivers. Program-level direct impacts would be significant.</p> <p>Project-level HVAC and pump station noise levels are not projected to exceed the applicable Noise Abatement and Control Ordinance limits at the adjacent uses or PAs, and project-level direct impacts would be less than significant.</p> <p>Cumulative The proposed commercial uses are located at a distance from surrounding projects that would preclude significant impacts. In addition, the adjacent cumulative projects consist of residential uses and would not cause a noise collocation impact to the project. Thus, no cumulative noise impact related to collocation would occur.</p> | <p>Program-level SP-NOS-3 Site-Specific Acoustical/Noise Analysis</p> <p>Project-level None</p> <p>Cumulative SP-NOS-3 Site-Specific Acoustical/Noise Analysis None</p> | <p>Program-level Significant and unmitigated</p> <p>Project-level Less than significant</p> <p>Cumulative Less than significant</p> |

| Environmental Issue | OMCP FEIR Impact Conclusion | Results of the SEIR Impact Analysis | SEIR Mitigation | SEIR Impact Level After Mitigation |
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| <p>Would the project result in the exposure of people to current or future noise levels which exceed standards established in the land use compatibility guidelines in the Brown Field Municipal Airport Land Use Compatibility Plan?</p> | <p>Less than significant</p> | <p>Program-level The program-level components would not alter airport operations or expose future on-site land uses to airport noise levels exceeding 60 A-weighted decibels (dBA) Community Noise Equivalent Level (CNEL. Program-level direct impacts would be less than significant.</p> <p>Project-level The project-level components would not alter airport operations or expose future residents to airport noise levels exceeding 60 dBA CNEL. Project-level direct impacts would be less than significant.</p> <p>Cumulative The project would not alter airport operations or associated noise impacts. The project would have no cumulative impact related to airport noise.</p> | <p>Program-level None</p> <p>Project-level None</p> <p>Cumulative None</p> | <p>Program-level Less than significant</p> <p>Project-level Less than significant</p> <p>Cumulative Less than significant</p> |
| <p>Would temporary construction noise from the proposed neighborhood developments or permanent noise generators (including roads) adversely impact sensitive receptors or sensitive bird species (e.g., coastal California gnatcatcher) within the MHPA?</p> | <p>Significant and unavoidable with Mitigation Framework NOI-4.</p> | <p>Program-level Construction activities associated with program-level construction would comply with noise level limits from Noise Abatement and Control Ordinance Section 59.5.0404 and construction noise impacts would be less than significant. However, permanent noise sources have the potential to generate noise levels exceeding the applicable noise limits and program-level operational noise and MHPA direct impacts would be significant.</p> <p>Project-level Construction activities associated with project-level construction would comply with noise level limits from Noise Abatement and Control Ordinance Section 59.5.0404 and construction noise impacts would be less than significant. However, permanent noise sources have the potential to generate noise levels exceeding the applicable noise limits and project-level operational noise and MHPA direct impacts would be significant.</p> <p>Cumulative As with the project, cumulative projects would be required to comply with the MSCP and Biology Guidelines requirements related to limiting noise impacts to sensitive species. None-the-less, there is potential that noise level limits would be exceeded and there is potential for cumulative noise impacts to be significant.</p> | <p>Program-level SP-NOS-1 Exterior Noise Analysis SP-NOS-2 Interior Noise Analysis SP-NOS-3 Site-Specific Acoustical/Noise Analysis SP-LU-1 Land Use Adjacency Guidelines SP-BIO-1 Sensitive Plants and Wildlife</p> <p>Project-level PR-NOS-1 Interior Noise Analysis PR-LU-1 Land Use Adjacency Guidelines PR-BIO-7a Least Bell's Vireo Breeding Season Avoidance – Construction PR-BIO-7b Least Bell's Vireo Breeding Season Avoidance – Restoration Implementation PR-BIO-8a Coastal California Gnatcatcher Breeding Season Avoidance within the MHPA PR-BIO-8b Coastal California Gnatcatcher Breeding Season Avoidance – Restoration PR-BIO-10 Burrowing Owl Pre-Construction Surveys PR-BIO-11 Cactus Wren Habitat Restoration PR-BIO-14 Breeding Season Avoidance/Preconstruction Bird Surveys PR-BIO-15 Dedication of Mitigation Lands</p> <p>Cumulative <u>SP-LU-1 Land Use Adjacency Guidelines</u> <u>PR-LU-1 Land Use Adjacency Guidelines</u> None</p> | <p>Program-level Significant and unmitigated</p> <p>Project-level Significant and unmitigated</p> <p>Cumulative Significant and unmitigated</p> |

| Environmental Issue | OMCP FEIR Impact Conclusion | Results of the SEIR Impact Analysis | SEIR Mitigation | SEIR Impact Level After Mitigation |
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| 5.11 Paleontological Resources | | | | |
| <p>Would the project allow development to occur that could significantly impact a unique paleontological resource or a geologic formation possessing a moderate to high fossil bearing potential?</p> | <p>Less than significant with Mitigation Framework PALEO-1.</p> | <p>Program-level The Specific Plan area is paleontologically sensitive and construction at the program-level could disrupt paleontological resources. Program-level direct impacts would be significant.</p> <p>Project-level The Specific Plan area is paleontologically sensitive and construction at the project-level could disrupt paleontological resources. Project-level direct impacts would be significant.</p> <p>Cumulative The project as well as cumulative projects would be required to implement paleontological monitoring and other standard mitigation requirements. Therefore, the project's cumulative impact would be less than significant.</p> | <p>Program-level SP-PALEO-1 Paleontological Resources</p> <p>Project-level PR-PALEO-1 Paleontological Resources</p> <p>Cumulative None</p> | <p>Program-level Less than significant with mitigation</p> <p>Project-level Less than significant with mitigation</p> <p>Cumulative Less than significant</p> |
| 5.12 Traffic/Circulation | | | | |
| <p>Would the project conflict with an adopted program, plan, ordinance, or policy addressing the transportation system, including transit, roadways, bicycle and pedestrian facilities?</p> | <p>Less than significant</p> | <p>Program-level The Specific Plan policy framework would ensure program-level consistency with the adopted General Plan (2024), Complete Communities Initiative, and CAP. Program-level direct impacts would be less than significant.</p> <p>Project-level The project-level components would be consistent with the regulations of the adopted General Plan (2024), Complete Communities Initiative, and CAP. Project-level direct impacts would be less than significant.</p> <p>Cumulative The project as well as cumulative projects would comply with the adopted General Plan (2024), Complete Communities Initiative, and CAP. Therefore, the project's cumulative impact would be less than significant.</p> | <p>Program-level None</p> <p>Project-level None</p> <p>Cumulative None</p> | <p>Program-level Less than significant</p> <p>Project-level Less than significant</p> <p>Cumulative Less than significant</p> |
| <p>Would the project result in VMT exceeding thresholds identified in the City's Transportation Study Manual?</p> | <p>Significant and unavoidable level of service (LOS) capacity impacts with Mitigation Framework TRF-1.</p> | <p>Program-level At the program-level, VMT impacts would be considered significant due to anticipated VMT/capita and VMT/employee being in excess of 85 percent of the regional mean. Program-level direct impacts would be significant.</p> <p>Project-level At the project-level, VMT per capita would be in excess of 85 percent of the regional mean. Thus, project-level VMT impacts would be significant.</p> <p>Cumulative The project VMT per capita would be in excess of 85 percent of the regional mean. Consistent with the Complete Communities: Housing Solutions and Mobility Choices PEIR (City 2020; SCH No. 2019060003) that addressed City-wide VMT impacts, the project VMT impact would combine with other cumulative projects and would be a cumulatively considerable contribution to a significant cumulative impact. The project's cumulative impact would be significant.</p> | <p>Program-level SP-TRA-1 Vehicle Miles Traveled Reduction Measures</p> <p>Project-level PR-TRA-1 Mobility Zone 4 Active Transportation In-Lieu Fee</p> <p>Cumulative SP-TRA-1 Vehicle Miles Traveled Reduction Measures PR-TRA-1 Mobility Zone 4 Active Transportation In-Lieu Fee</p> | <p>Program-level Significant and unmitigated</p> <p>Project-level Significant and unmitigated</p> <p>Cumulative Significant and unmitigated</p> |

| Environmental Issue | OMCP FEIR Impact Conclusion | Results of the SEIR Impact Analysis | SEIR Mitigation | SEIR Impact Level After Mitigation |
|---|------------------------------|---|--|---|
| <p>Would the project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?</p> | <p>Less than significant</p> | <p>Program-level Future projects would require consistency with the City's Street Design Manual and approval by the City Engineer for proposed modifications to these regulations. Improvements to the adjacent and nearby road system would be implemented if necessary and program-level direct impacts would be less than significant.</p> <p>Project-level The project-level mobility network would be consistent with the Street Design Manual and any modifications to roadway classifications or deviations from standards would be approved by the City Engineer. Project-level direct impacts would be less than significant.</p> <p>Cumulative Cumulative projects as well as the proposed project would comply with the Streets Design Manual that provide for safe roadway designs, and cumulative impacts would be less than significant.</p> | <p>Program-level None</p> <p>Project-level None</p> <p>Cumulative None</p> | <p>Program-level Less than significant</p> <p>Project-level Less than significant</p> <p>Cumulative Less than significant</p> |
| <p>Would the project result in inadequate emergency access?</p> | <p>Less than significant</p> | <p>Program-level The Specific Plan would provide increased circulation capacity and access to the project site through connections with existing roadways. Program-level direct impacts would be less than significant.</p> <p>Project-level The project-level roadways would provide new circulation capacity for the OMCP area and new access to a previously inaccessible area. Changes to circulation on existing roadways from the construction of these new roadways would be managed through a Traffic Control Permit and implementation of the infrastructure improvements based on Local Mobility Analysis recommendations as project design features and permit/map conditions. Project-level direct impacts would be less than significant.</p> <p>Cumulative Cumulative projects as well as the proposed project would be required to implement appropriate emergency access features in accordance with City requirements. Therefore, cumulative impacts would be less than significant.</p> | <p>Program-level None</p> <p>Project-level None</p> <p>Cumulative None</p> | <p>Program-level Less than significant</p> <p>Project-level Less than significant</p> <p>Cumulative Less than significant</p> |
| 5.13 Public Services | | | | |
| <p>In order to maintain acceptable service ratios, response times, or other performance objectives, would the project promote growth patterns resulting in the need for the provisions of new or altered public facilities, the construction of which could cause significant physical impacts?</p> | <p>Less than significant</p> | <p>Program-level Program-level impacts to fire protection, police protection, parks and recreational facilities, libraries, and school facilities would be less than significant.</p> <p>Project-level Project-level impacts to fire protection, police protection, parks and recreational facilities, libraries, and school facilities would be less than significant.</p> <p>Cumulative Cumulative projects as well as the proposed project would generate additional needs for public services in the OMCP area. As public service facilities necessary to serve the OMCP area were anticipated to be constructed within the development footprint of the OMCP and would be subject to independent environmental review at the time design plans are available, the FEIR concluded the OMCP would not contribute to a significant cumulative impact.</p> | <p>Program-level None</p> <p>Project-level None</p> <p>Cumulative None</p> | <p>Program-level Less than significant</p> <p>Project-level Less than significant</p> <p>Cumulative Less than significant</p> |

| Environmental Issue | OMCP FEIR Impact Conclusion | Results of the SEIR Impact Analysis | SEIR Mitigation | SEIR Impact Level After Mitigation |
|--|--|--|---|--|
| 5.14 Utilities | | | | |
| <p>Would the project result in the need for new systems, or require substantial alterations to existing utilities, including water, wastewater, reclaimed water, solid waste disposal, storm water infrastructure, and communication systems, the construction of which would create physical impacts?</p> | <p>Significant and unavoidable with Mitigation Framework UTIL-1.</p> | <p>Program-level Impacts associated with the construction of water, wastewater, storm water, and communication infrastructure would be less than significant. The impacts associated with waste generation for the program-level planning areas would be significant since it cannot be assessed at this stage whether landfills would have sufficient capacity to handle waste generation associated with the program-level areas.</p> <p>Project-level Incorporation of the Waste Management Plan strategies and compliance with all applicable City ordinances would ensure that solid waste impacts related to collection, diversion, and disposal of waste generated from construction and demolitionC&D, grading, and occupancy phases to are less than significant. Project-level impacts associated with the construction of water, wastewater, storm water, and communication infrastructure would be also less than significant.</p> <p>Cumulative The project would produce waste in exceedance of the 60 ton-per-year threshold of significance for having a cumulative impact on solid waste. The project would considerably contribute to a significant cumulative impact.</p> | <p>Program-level SP-UTIL-1 Waste Management Plan</p> <p>Project-level None</p> <p>Cumulative SP-UTIL-1 Waste Management Plan</p> | <p>Program-level Significant and unmitigated</p> <p>Project-level Less than significant</p> <p>Cumulative Significant and unmitigated</p> |
| 5.15 Water Supply | | | | |
| <p>Would the project affect the ability of the water-serving agencies (the City, San Diego County Water Authority, and Otay Water District) to provide water?</p> | <p>Less than significant</p> | <p>Program-level According to the findings of the Water Supply Assessment and Verification Report, the City has sufficient water supplies to serve the project and existing and projected water demands. Program-level direct impacts would be less than significant.</p> <p>Project-level As the City has sufficient water supplies to serve the Specific Plan at buildout and the project-level components implement a portion of the Specific Plan, project-level impacts would be less than significant.</p> <p>Cumulative As required, cumulative projects would include e Water Supply Assessments similar to the project. A water supply assessment was completed for the project that considers the cumulative development of the City as well as the water supplies for the next 20 years. The assessment concluded there would be adequate waters supply for the project. Considering this cumulative analysis, the project would have a less than significant cumulative water supply impact.</p> | <p>Program-level None</p> <p>Project-level None</p> <p>Cumulative None</p> | <p>Program-level Less than significant</p> <p>Project-level Less than significant</p> <p>Cumulative Less than significant</p> |
| <p>Would the project allow for the use of predominantly non-drought resistant landscaping and excessive water usage for irrigation and other purposes?</p> | <p>Less than significant</p> | <p>Program-level Future program-level development would be required to comply with the City's Landscape Standards as well as Specific Plan policies to ensure water used for landscaping is not excessive. Program-level direct impacts would be less than significant.</p> <p>Project-level Project-level development would be implemented in accordance with the City's Landscape Standards and proposed Specific Plan policies. As such, water used for landscaping would not be excessive. Project-level impacts would be less than significant.</p> | <p>Program-level None</p> <p>Project-level None</p> <p>Cumulative None</p> | <p>Program-level Less than significant</p> <p>Project-level Less than significant</p> <p>Cumulative Less than significant</p> |

| Environmental Issue | OMCP FEIR Impact Conclusion | Results of the SEIR Impact Analysis | SEIR Mitigation | SEIR Impact Level After Mitigation |
|--|------------------------------|---|---|--|
| <p>Cumulative Cumulative projects as well as the proposed project would be required to comply with the City's Landscape Standards and Specific Plan policies regarding water use. Considering this, the project would result in a less than significant cumulative impact.</p> | | | | |
| <p>5.16 Population and Housing</p> | | | | |
| <p>Would the land use modifications associated with the project induce substantial population growth in the area?</p> | <p>Less than significant</p> | <p>Program-level The project would induce population growth to a lesser degree than planned in the OMCP and program-level direct impacts would be less than significant.</p> <p>Project-level The project-level components would implement the Specific Plan, which would not induce significant population growth, and project-level impacts would therefore be less than significant.</p> <p>Cumulative The proposed Specific Plan would not result in population growth exceeding that anticipated in the OMCP, FEIR, and associated projections for population and housing in the region. The project would not contribute to a significant cumulative impact.</p> | <p>Program-level None</p> <p>Project-level None</p> <p>Cumulative None</p> | <p>Program-level Less than significant</p> <p>Project-level Less than significant</p> <p>Cumulative Less than significant</p> |
| <p>Would the land use modifications associated with the project not comply with the City's Inclusionary Affordable Housing Ordinance?</p> | <p>Less than significant</p> | <p>Program-level Future program-level development would be subject to and consistent with the City's Inclusionary Affordable Housing Regulations. Program-level impacts would be less than significant.</p> <p>Project-level The project-level components propose development consistent with the City's Inclusionary Affordable Housing Regulations. Project-level impacts would be less than significant.</p> <p>Cumulative Cumulative projects as well as the proposed project would be required to comply with the City's Inclusionary Affordable Housing Regulations. Therefore, cumulative impacts would be less than significant.</p> | <p>Program-level None</p> <p>Project-level None</p> <p>Cumulative None</p> | <p>Program-level Less than significant</p> <p>Project-level Less than significant</p> <p>Cumulative Less than significant</p> |
| <p>5.17 Agricultural and Mineral Resources</p> | | | | |
| <p>Would the land use modifications associated with the project result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?</p> | <p>Less than significant</p> | <p>Program-level While agriculture is allowed as an interim use, there are no active agricultural areas within the program-level area and future development would not result in a loss of significant agricultural lands. Therefore, program-level impacts to Farmland would be less than significant.</p> <p>Project-level While agriculture is allowed as an interim use, there are no active agricultural areas within the project-level area and future development would not result in a loss of significant agricultural lands. Therefore, project-level impacts to Farmland would be less than significant.</p> <p>Cumulative While agriculture is allowed as an interim use within the project site and cumulative project sites, the planned cumulative development would result in a less than significant farmland impact as identified in the FEIR. Therefore, project cumulative impacts to Farmland would be less than significant.</p> | <p>Program-level None</p> <p>Project-level None</p> <p>Cumulative None</p> | <p>Program-level Less than significant</p> <p>Project-level Less than significant</p> <p>Cumulative Less than significant</p> |

| Environmental Issue | OMCP FEIR Impact Conclusion | Results of the SEIR Impact Analysis | SEIR Mitigation | SEIR Impact Level After Mitigation |
|---|---|---|---|--|
| <p>Would the project result in changes to the existing environment, which due to their location or nature, could result in the conversion of farmland to non-agricultural use?</p> | <p>Less than significant</p> | <p>Program-level The program-level areas are proposed for conversion to non-agricultural uses consistent with the changes anticipated in the FEIR; therefore, program-level direct impacts would be less than significant.</p> <p>Project-level The project-level areas are proposed for conversion to non-agricultural uses consistent with the changes anticipated in the FEIR; therefore, project-level direct impacts would be less than significant.</p> <p>Cumulative As the OMCP already has identified the conversion of the project area and cumulative project areas to development, the project would not contribute to a significant cumulative impact.</p> | <p>Program-level None</p> <p>Project-level None</p> <p>Cumulative None</p> | <p>Program-level Less than significant</p> <p>Project-level Less than significant</p> <p>Cumulative Less than significant</p> |
| <p>Would the project result in the loss of availability or prevention of future extraction of sand or gravel, and/or mineral resources as identified in the Open File Report 96-04, Update of Mineral Land Classification: Aggregate Materials in the Western San Diego County Production – Consumption Region, 1996, Department of Conservation, California Department of Geological Survey?</p> | <p>Less than significant</p> | <p>Program-level The program-level areas do not contain known, significant mineral resources; therefore, implementation of program-level components would not result in the loss of mineral resources and program-level direct impacts would be less than significant.</p> <p>Project-level The project-level areas do not contain known, significant mineral resources; therefore, implementation of project-level components would not result in the loss of mineral resources and project-level direct impacts would be less than significant.</p> <p>Cumulative The project area has no history of mining activities nor would its development have indirect effects to extraction operations elsewhere in the OMCP area. Therefore, the project would not contribute to a significant cumulative impact.</p> | <p>Program-level None</p> <p>Project-level None</p> <p>Cumulative None</p> | <p>Program-level Less than significant</p> <p>Project-level Less than significant</p> <p>Cumulative Less than significant</p> |
| <p>5.18 Greenhouse Gas Emissions</p> | | | | |
| <p>Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?</p> | <p>Significant and unavoidable with Mitigation Framework GHG-1 and GHG-2.</p> | <p>Program-level The Specific Plan would be consistent with the City’s CAP and key general Plan Policies that relate to GHGs. Additionally, future development within the Program-level areas would be subject to the City’s CAP and CAP Consistency Regulations in effect at the time of development which would ensure GHG emissions associated with future development is consistent with the CAP. Program-level direct impacts would be less than significant.</p> <p>Project-level Implementation of the project-level components would be within the land use assumptions used in development of the CAP and would comply with the City’s CAP Consistency Regulations including requirements for tree plantings, pedestrian amenities, and bicycle charging infrastructure. Therefore, project-level direct impacts would be less than significant.</p> <p>Cumulative The project and cumulative projects would be subject to the CAP and would be required to comply with the City’s CAP Consistency Regulations. Therefore, cumulative impacts would be less than significant.</p> | <p>Program-level None</p> <p>Project-level None</p> <p>Cumulative None</p> | <p>Program-level Less than significant</p> <p>Project-level Less than significant</p> <p>Cumulative Less than significant</p> |

| Environmental Issue | OMCP FEIR Impact Conclusion | Results of the SEIR Impact Analysis | SEIR Mitigation | SEIR Impact Level After Mitigation |
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| <p>Would the project conflict with the City's Climate Action Plan or another applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?</p> | <p>Significant and unavoidable with Mitigation Framework GHG-1.</p> | <p>Program-level Required compliance with the City's CAP Consistency Regulations would ensure the consistency of future program-level development with the CAP. Therefore, program-level impacts related to GHG emissions would be less than significant.</p> <p>Project-level Implementation of the applicable project-level components would be consistent with CAP growth projections and comply with the City's CAP Consistency Regulations. Therefore, project-level impacts would be less than significant.</p> <p>Cumulative The project and cumulative projects would be subject to the mandatory CAP Consistency Regulations. Therefore, a less than significant cumulative impact would occur.</p> | <p>Program-level None</p> <p>Project-level None</p> <p>Cumulative None</p> | <p>Program-level Less than significant</p> <p>Project-level Less than significant</p> <p>Cumulative Less than significant</p> |
| 5.19 Tribal Cultural Resources | | | | |
| <p>Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place or object with cultural value to a California Native American tribe, and that is</p> <p>a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.5(k), or</p> <p>b) A resource determined by the lead agency, in its discretion and supported by substantial evidence to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.</p> | <p>Less than significant with Mitigation Framework HIST-1 and HIST-2.</p> | <p>Program-level Although no impacts to known <u>tribal cultural resources</u> (TCRs) have been identified at the program level, there is the potential for discovery of a sensitive tribal cultural resource that could be impacted by project grading activities. Program-level direct impacts would be significant.</p> <p>Project-level One known TCR has been identified at the project level and there is a potential for encountering additional subsurface TCRs during ground disturbance. Project-level direct impacts would be significant.</p> <p>Cumulative The project and cumulative projects have the potential to contribute to the loss of TCRs in the region. As the project would potentially result in the loss of TCRs that may be significant at the regional level, the project would potentially result in a cumulatively significant TCR impact.</p> | <p>Program-level SP-HIST-1 Archaeological Resources</p> <p>Project-level PR-HIST-1 Data Recovery for CA-SDI-22, 936 PR-HIST-2 Construction Monitoring</p> <p>Cumulative SP-HIST-1 Archaeological Resources PR-HIST-1 Data Recovery for CA-SDI-22, 936 PR-HIST-2 Construction Monitoring</p> | <p>Program-level Significant and unmitigated</p> <p>Project-level Significant and unmitigated</p> <p>Cumulative Significant and unmitigated</p> |

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Chapter 1.0

Introduction

This chapter provides a brief description of the background and scope of the proposed Southwest Village Specific Plan (Specific Plan) project (project), the purpose and legal authority for this Subsequent Environmental Impact Report (SEIR), the SEIR scope and process, and an explanation of how the SEIR is organized.

1.1 Project Background

This SEIR tiers from the certified Final Program Environmental Impact Report (FEIR) prepared for the Otay Mesa Community Plan (OMCP), Project No. 30330/304032, State Clearinghouse (SCH) No. 2004051076 certified March 2014, and addresses the potential environmental effects of the project in relation to the program-level analysis contained in the OMCP FEIR. This SEIR includes an analysis of proposed changes to the project analyzed in the FEIR and provides a more detailed project-specific analysis for certain portions of the project area that were only analyzed at the program level of detail in the FEIR. The OMCP refers to the project area as the Southwest Specific Plan or Southwest Village and identifies the area as a location for future village development and resource preservation. The OMCP requires that prior to consideration of any comprehensive development or rezoning proposals in the Southwest Specific Plan area, a Specific Plan be prepared to ensure development creates a sustainable and efficient land use pattern consistent with applicable OMCP policies. The proposed project evaluated within this SEIR includes adoption and implementation of the proposed Specific Plan, associated discretionary approvals, and project-related infrastructure components. Impacts are evaluated at a program level for areas that would be developed in future phases over an extended period of time, and at the project level for components of the Specific Plan that would be implemented during the initial project phase and in areas outside the Specific Plan area that are described in detail in Chapter 3.0, *Project Description*.

1.2 Project Scope

The Specific Plan provides a comprehensive policy framework intended to guide future development in the Southwest Village Specific Plan area, consistent with the OMCP and the City of San Diego (City) General Plan (2024) City of Villages Strategy. The Specific Plan area encompasses approximately 490 acres, which, when developed, would allow up to 5,130 attached and detached residences and 175,000 square feet of commercial and retail uses in a mixed-use Village Core. In addition, the Specific Plan would provide public facilities, including the dedication of a new elementary school site, and approximately ~~3534.5~~ acres of developed parks. Five miles of trails, and approximately 185 acres of open space, including 60 acres of conserved open space, would also be provided. Access to the Specific Plan area would be from Otay Mesa via an extension of Caliente Avenue and from San Ysidro via an extension of Beyer Boulevard.

The Specific Plan identifies a range of allowable residential densities for each planning area (PA) to allow for flexibility in future planning and design. The following land use designations are proposed:

- Medium-Low Density Residential allowing 8 to 22 dwelling units per acre (du/ac)
- Medium Density Residential allowing 15 to 29 du/ac
- Medium-High Density Residential allowing 20 to 44 du/ac
- Residential Mixed-Use allowing up to 175,000 square feet of commercial and retail uses at a maximum floor area ratio (FAR) of 3.0 and multi-family attached residential units at a density range of 30 to 62 du/ac

The Specific Plan provides detailed text and exhibits describing the range of land uses (residential, retail, commercial, office, mixed use, parks, and open space), public realm, mobility network, and infrastructure that will occur in the Specific Plan area. It provides policies and regulations to ensure that the buildout of Southwest Village occurs in a manner consistent with the OMCP and General Plan City policies and regulations, and land development regulations in the San Diego Municipal Code.

1.2.1 Program-Level Components

~~Approval of the Specific Plan would not approve any physical development (e.g., construction of housing or infrastructure). However, the SEIR assumes that such actions are reasonably foreseeable future outcomes of the project.~~ The program-level components addressed in this SEIR are shown in Figure 3-3, *Program-level Planning Areas*, and include buildout of PAs 1 through 7, 15 through 22, 24 through 27, and associated infrastructure components. While the development of PAs 7 and 15 through 20 are addressed at the program level, rough grading of these areas, along with a portion of the Caliente Avenue alignment, is evaluated as part of the project-level grading.

1.2.2 Project-Level Components

The components of the Specific Plan evaluated at the project level include construction and operation of PA 8 through PA 14 comprising the Vesting Tentative Map (VTM), construction of an extension of Beyer Boulevard connecting the Specific Plan area to San Ysidro, rough grading within PAs 7 and 15 through 20 to allow for a balanced grading operation, in addition to other water, sewer, and transportation infrastructure improvements. Project-level elements are shown in Figure 3-14, *Project-level Components*, and Figure 3-15, *Project-level Planning Areas*.

1.2.3 Discretionary Actions

Implementation of the Specific Plan would require the following City discretionary actions (see Section 3.8, *Federal, State, and Other Agency Actions*, for anticipated discretionary actions by others):

1. Certification of the Southwest Village SEIR and adoption of California Environmental Quality Act (CEQA) Findings, Mitigation Monitoring and Reporting Program, and Statement of Overriding Considerations,

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2. Adoption of an Ordinance approving the Specific Plan,
 3. Adoption of a Rezone Ordinance to implement Specific Plan land uses,
 - ~~4. Adoption of an Ordinance approving Development Agreement,~~
 - ~~45. Adoption of a General Plan (2024) and OMCP Amendment to modify the Neighborhood Village designation to reflect the proposed density range and show the locations of parks and schools and circulation system roadways, including amendments to Beyer Boulevard and Caliente Avenue,~~
 - ~~56. Approval of a Multi-Habitat Planning Area (MHPA) Boundary Line Adjustment (BLA),~~
 - ~~67. Adoption of a Vernal Pool Habitat Conservation Plan (VPHCP) Major Amendment (MA),~~
 - ~~8. Approval of a Planned Development Permit to implement requested deviations from San Diego Municipal Code regulations in the Specific Plan related to additional or modified development regulations such as building height, FAR, building setbacks, wall and fence setbacks, frontages, and parking and to the City of San Diego Street Design Manual related to parking and street cross section for Central Avenue,~~
 - ~~79. Approval of the VTM No. 2188969,~~
 - ~~840. Approval of a Site Development Permit to implement requested deviations from the Environmentally Sensitive Lands (ESL) Regulations and Historical Resources Regulations,~~
 - ~~944. Approval of the Road Improvement Ordinance (City of San Diego Charter Section 55) allowing the construction of Beyer Boulevard West through and across City fee-owned dedicated parkland at City Parcel, Assessor's Parcel Number (APN) 645-061-0200, Otay Mesa B Planned Beyer Park (Assessor's Parcel Number [APN] 638-070-7100),~~
 10. Approval of the Road Improvement Resolution (Council Policy 700-17) allowing the construction of Beyer Boulevard West through and across City fee-owned designated parkland at City Parcel, APN 638-070-7100 Beyer Park.
 1142. Approval of resolution authorizing the execution of an agreement establishing a non-wasting endowment fund for the maintenance of conserved land and establishing a permanent endowment fund for long-term management of conserved land.
 1243. Approval of an Agreement to Acquire Real Property Interests or Approval of a Resolution of Necessity to Initiate Eminent Domain Proceedings and Acquire Real Property Interests of conservation easements held by the California Department of Fish and Wildlife (CDFW) on: 1) parcel owned by the City of San Diego (City Parcel, APN 645-061-0200, Otay Mesa B); and 2) parcel owned by National Enterprises, Inc. (National Enterprises Parcel, APN 645-061-1000, Otay Mesa A).
 1344. Approval of an Agreement to Acquire Real Property Interests or Approval of a Resolution of Necessity to Initiate Eminent Domain Proceedings and Acquire Real Property Interests of
-

property owned by the County of San Diego (County Parcel, APN 638-070-7400; Furby North Preserve), and

1415. Approval of an Agreement to Acquire Real Property Interests or Approval of a Resolution of Necessity to Initiate Eminent Domain Proceedings and Acquire Real Property Interests of property owned by National Enterprises, Inc. (National Enterprises Parcel, APN 645-061-1000, Otay Mesa A).

1.3 SEIR Purpose and Legal Authority

1.3.1 Intended Uses

This SEIR provides public agencies and the public with detailed information about the effect the proposed project would have on the environment, lists ways in which the significant effects of such a project can be minimized, and identifies alternatives to the project that were not fully addressed in the FEIR. This SEIR is an informational document for use by the City, decision-makers, public agencies, and the general public about the potential significant adverse environmental impacts of the project. This document complies with all criteria, standards, and procedures of CEQA (California Public Resources Code Section 21000 et seq.) and State CEQA Guidelines (California Code of Regulations Title 14 Section 15000 et seq.), the City's Environmental Impact Report (EIR) Guidelines (2005), the City's 2011 CEQA Significance Determination Thresholds, the City's 2022 Transportation Study Manual, and updated City's 2022 CEQA Significance Determination Thresholds. This document has been prepared as a program- and project-level SEIR, and it represents the independent judgment of the City as Lead Agency (State CEQA Guidelines Section 15050).

1.3.2 Lead Agency

The City is the Lead Agency for the project pursuant to Article 4 (Sections 15050 and 15051) of the CEQA Guidelines. The Lead Agency, as defined by CEQA Guidelines Section 15367, is the public agency that has the principal responsibility and authority for carrying out or approving the project. As the Lead Agency, the City of San Diego Development Services Department (DSD), Environmental Analysis Section, identified that an SEIR would be necessary under CEQA Guidelines Section 15168(d) to inform decision-makers and the public of the potential significant environmental impacts of the project that were not identified and fully analyzed in the FEIR. The analysis and findings in this document reflect the independent, impartial conclusions of the City.

1.3.3 Responsible and Trustee Agencies

State law requires that all EIRs be reviewed by responsible and trustee agencies. A Responsible Agency, defined pursuant to State CEQA Guidelines Section 15381, includes all public agencies other than the Lead Agency that have discretionary approval power over the project. A Trustee Agency is defined in Section 15386 of the CEQA Guidelines as a state agency having jurisdiction by law over natural resources affected by a project that are held in trust for the people of the state of California. Implementation of the project would require consultation with the following responsible and trustee agencies, as described below.

U.S. Fish and Wildlife Service (USFWS): Acting under the federal Endangered Species Act, the USFWS is responsible for ensuring that any action authorized, funded, or carried out by a federal agency (such as the U.S. Army Corps of Engineers) is not likely to jeopardize the continued existence of listed species or modify their critical habitat. Accordingly, the USFWS would provide input to the U.S. Army Corps of Engineers as part of the Section 404 process. Within areas covered by San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan (City 1997), including the project site, the role of the USFWS is limited with respect to species covered under the Subarea Plan. For species covered by the Subarea Plan, the USFWS has granted take authorization for listed species to the City in accordance with the requirements of the MSCP Implementing Agreement, executed between the City, the USFWS, and the CDFW in 1997. For projects that are consistent with San Diego's MSCP, the City, therefore, has authority to grant permits for take of covered species and a separate permit is not required from the wildlife agencies (USFWS and CDFW). For listed species not included on the MSCP covered species list, the wildlife agencies retain permit authority. In addition, the USFWS, along with the CDFW, must approve the MHPA BLAs associated with each project.

A MA to the VPHCP (City 2019) pursuant to Section 10 of the Federal Endangered Species Act is anticipated to allow Beyer Boulevard through 100% conserved lands. Additionally, a Habitat Conservation Plan pursuant to Section 7 or Section 10 of the Endangered Species Act is required due to impacts to federally listed Quino checkerspot butterfly (*Euphydryas editha quino*) and western spadefoot (*Spea hammondi*) associated with the project-level development areas. Future Section 7 or Section 10 permits could also be required associated with future development areas within the Specific Plan area.

CDFW and the Wildlife Conservation Board: The CDFW has jurisdiction over sensitive wildlife that is held in trust for the people of California. The CDFW would be a Trustee Agency for the project, as sensitive wildlife is located on-site and in the project vicinity. The CDFW has the authority to reach an agreement with an agency or private party proposing to alter the bed, banks, or floor of any watercourse/stream, pursuant to Section 1600 et seq. of the State Fish and Game Code. The CDFW generally evaluates information gathered during preparation of the environmental documentation and attempts to satisfy their permit concerns in these documents. Along with the USFWS, the CDFW must approve of any MHPA BLAs. Additionally, as part of implementation of Phase 1 components of the Specific Plan, Beyer Boulevard would traverse and bisect a number of conserved parcels, including parcels with conservation easements held by the CDFW. Easement modifications and replacement easements would need to be approved by the State Wildlife Conservation Board in order to allow the road. Also, the CDFW would be a Responsible Agency for the project, as a CDFW Section 2081 Incidental Take Permit would be required due to impacts to Crotch's bumble bee (*Bombus crotchii*) associated with project-level development areas. Future Section 2081 permits could be required associated with future development.

California Department of Transportation (Caltrans): Widening the westbound State Route 905 on-ramp at Caliente Avenue is required to ensure adequate roadway operations with implementation of Phase 1 of the project (project-level component). This improvement involves adding a lane within the existing Caltrans right-of-way which would require Caltrans encroachment permits. If future transportation improvements are proposed to Caltrans facilities or within Caltrans

right-of-way, additional permits may be required associated with future implementing subdivision maps.

Regional Water Quality Control Board (RWQCB): Impacts to jurisdictional waters and wetlands would require permits from the RWQCB for implementation of the project-level components. Additional permits would likely be required from the RWQCB for program-level development areas. The applicable Owner/Permittee shall obtain all necessary permits from the RWQCB.

U.S. Army Corps of Engineers (USACE): Impacts to potential USACE waters of the U.S. could require permits from the USACE for implementation of the project-level components. However, a jurisdictional determination would be required to verify USACE requirements and jurisdiction. Additional permits may be required from the USACE for program-level development areas. The Owner/Permittees shall obtain all necessary permits from the USACE, as applicable.

1.4 SEIR Scope

1.4.1 Type of EIR

This EIR has been prepared as a “Subsequent” EIR, as defined in Section 15162 of the CEQA Guidelines. This SEIR tiers from the FEIR consistent with Section 15168 of the CEQA Guidelines. This SEIR considers the issues discussed in the first-tier document and evaluates whether a significant effect has been adequately addressed or if there is an effect that was not addressed in the previous report. Since this project considers both a project-specific development proposal in addition to the evaluation of a planning document (i.e., the Specific Plan), the analysis is presented accordingly. The components that would be implemented in future development phases of the Specific Plan are evaluated at the program level while the currently proposed project-specific development is evaluated at the project level. More specifically, the project-level analysis areas include Phase 1 (PA 8 to 14 grading and construction), Phase 2 (PA 15 to 20 grading), and Phase 4a (PA 7 grading). The analysis in this SEIR is provided consistent with Section 15168 of the State CEQA Guidelines with the proposed project being examined in light of the prior program-level analysis and findings of the FEIR.

1.4.2 Scope of SEIR

The scope of analysis for this SEIR was determined by the City as a result of initial project review and consideration of comments received in response to the Notice of Preparation (NOP) distributed on February 26, 2020. The City’s NOP and associated responses are included in Appendix A of this SEIR.

This SEIR serves as a subsequent EIR to the previously certified FEIR, as referenced above. All environmental issues analyzed in the FEIR were considered during initial review of the project. After review of the FEIR and the proposed project materials, it was determined that all issue areas analyzed in the FEIR (1) lack a site-specific impact analysis for project impacts or (2) result in new impacts that may be potentially significant and require subsequent analysis and/or new or additional mitigation measures or alternatives that were not identified and analyzed in the FEIR. These include:

- Land Use
- Visual Effects and Neighborhood Character
- Air Quality/Odor
- Biological Resources
- Historical Resources
- Human Health/Public Safety/Hazardous Materials
- Hydrology/Water Quality
- Geology/Soils
- Energy Conservation
- Noise
- Paleontological Resources
- Traffic/Circulation
- Public Services
- Utilities
- Water Supply
- Population and Housing
- Agricultural and Mineral Resources
- Greenhouse Gas Emissions
- Tribal Cultural Resources

These issues are discussed in detail in Chapter 5.0, *Environmental Analysis*, of this SEIR. This SEIR provides project-specific environmental review pursuant to CEQA, the City's 2011 Significance Determination Thresholds, and the City's 2022 Significance Determination Thresholds for greenhouse gas and transportation. The analysis identifies environmental effects specific to the project and appropriate mitigation, when warranted.

The analysis in this SEIR evaluates the adequacy of the FEIR relative to the approval of the project. The FEIR indicates that significant impacts for the project site would be substantially lessened or avoided if the mitigation measures recommended in the FEIR are implemented by future development for various environmental issues, as identified in Table 1-1, *Impact Assessment Summary Comparison*, below. A comparison of the project to the FEIR is provided below in Table 1-1 for all issues. The project would implement applicable mitigation measures presented in the FEIR Mitigation Framework as part of the project-level analysis, and would carry forth the FEIR Mitigation Framework for the program-level components that would require subsequent review for consistency with this SEIR.

**Table 1-1
Impact Assessment Summary Comparison**

| Environmental Issue | FEIR Analysis Conclusion | SEIR Analysis Conclusion | | | New or Substantially Increased Impact? |
|---|--------------------------|--------------------------|---------------|------------|--|
| | | Program-level | Project-level | Cumulative | |
| Land Use | | | | | |
| 1. Land Use Plan Conflicts | LS | SU | SU | SU | Yes |
| 2. Land Use Compatibility - Collocation of Residential and Industrial | SM | LS | LS | LS | No |
| 3. Regulation Consistency | LS | LS | LS | LS | No |
| 4. Environmental Plan Consistency | SM | SM | SM | LS | No |
| Visual Effects and Neighborhood Character | | | | | |
| 1. Public Views | LS | LS | LS | LS | No |
| 2. Compatibility | LS | LS | LS | LS | No |
| 3. Landform Alteration | LS | LS | LS | LS | No |
| 4. Unique Physical Features | LS | LS | LS | LS | No |
| Air Quality/Odor | | | | | |
| 1. Plan Consistency | LS | LS | LS | LS | No |
| 2. Criteria Pollutants | SU | SU | LS | SU | No |
| 3. Sensitive Receptors | SU | SU | LS | LS | No |
| 4. Odors | LS | LS | LS | LS | No |
| Biological Resources | | | | | |
| 1. Sensitive Plants and Animals | SM | SM | SM | LS | No |
| 2. Migratory Wildlife | SM | LS | LS | LS | No |
| 3. Sensitive Habitat and Invasive Plants | SM | SM | SM | LS | No |
| 4. MSCP | SM | SM | SM | LS | No |
| 5. Wetland Impacts | SM | SM | SM | LS | No |
| 6. Noise Generation | SM | SM | SM | LS | No |
| Historical Resources | | | | | |
| 1. Prehistoric or Historic Resources | SM | SU | SU | SU | Yes |
| 2. Religious or Sacred Uses | SM | SU | SU | SU | Yes |
| 3. Human Remains | SM | SM | SM | LS | No |
| Human Health/Public Safety/Hazardous Materials | | | | | |
| 1. Health and Safety Hazards | SU | SU | LS | LS | No |
| 2. Hazardous Substances | LS | LS | LS | LS | No |
| 3. Hazardous Sites | SM | SM | SM | LS | No |
| Hydrology/Water Quality | | | | | |
| 1. Runoff | SM | SM | LS | LS | No |
| 2. Natural Drainage System | SM | SM | LS | LS | No |
| 3. Flow Alteration | SM | SM | LS | LS | No |
| 4. Water Quality | SM | SM | LS | LS | No |
| Geology/Soils | | | | | |
| 1. Geologic Hazards | SM | SM | LS | LS | No |
| 2. Erosion | SM | SM | LS | LS | No |

| Environmental Issue | FEIR Analysis Conclusion | SEIR Analysis Conclusion | | | New or Substantially Increased Impact? |
|---|--------------------------|--------------------------|---------------|------------|--|
| | | Program-level | Project-level | Cumulative | |
| Energy Conservation | | | | | |
| 1. Energy | LS | LS | LS | LS | No |
| Noise | | | | | |
| 1. Traffic Generated Noise | SU | SU | SU | SU | No |
| 2. Stationary Source Noise (Collocation) | SU | SU | LS | LS | No |
| 3. Airport Noise | LS | LS | LS | LS | No |
| 4. Noise Effects for Sensitive Receptors and Species | SU | SU | SU | SU | No |
| Paleontological Resources | | | | | |
| 1. Paleontological Resources | SM | SM | SM | LS | No |
| Traffic/Circulation | | | | | |
| 1. Circulation Plan Conflicts | LS | LS | LS | LS | No |
| 2. VMT | SU | SU | SU | SU | No |
| 3. Traffic Hazards | LS | LS | LS | LS | No |
| 4. Emergency Access | LS | LS | LS | LS | No |
| Public Services | | | | | |
| 1. Public Services | LS | LS | LS | LS | No |
| Utilities | | | | | |
| 1. Utilities | SU | SU | LS | SU | No |
| Water Supply | | | | | |
| 1. Water Supply | LS | LS | LS | LS | No |
| 2. Landscape Plans | LS | LS | LS | LS | No |
| Population and Housing | | | | | |
| 1. Population Growth | LS | LS | LS | LS | No |
| 2. Affordable Housing | LS | LS | LS | LS | No |
| Agriculture and Mineral Resources | | | | | |
| 1. Agricultural Resources | LS | LS | LS | LS | No |
| 2. City and Regional Consequences of Agricultural Land Conversion | LS | LS | LS | LS | No |
| 3. Mineral Resources | LS | LS | LS | LS | No |
| Greenhouse Gas Emissions | | | | | |
| 1. Cumulative Greenhouse Gas Emissions | SU | LS | LS | LS | No |
| 2. Consistency with Adopted Plans, Policies, and Regulations | SU | LS | LS | LS | No |
| Tribal Cultural Resources | | | | | |
| 1. Tribal Cultural Resources | - | SU | SU | SU | Yes |

NI = No Impact, LFS = Less than Significant; LFSM = Less than Significant with Mitigation; SU = Significant and Unmitigated; n/a=not applicable.

1.4.3 SEIR Content and Format

1.4.3.1 SEIR Analysis Content

This SEIR determines whether the implementation of the project would have a significant effect on the environment not previously analyzed by the FEIR through analysis of the issues identified during the scoping process. Pursuant to CEQA Guidelines Section 15126, all phases of the project are considered in this SEIR when evaluating its potential impacts on the environment, including the planning, acquisition, development, and operation phases. Impacts are identified as direct or indirect, short-term or long-term, and assessed on a “plan-to-ground” basis. The “plan-to-ground” analysis addresses the changes or impacts that would result from the implementation of the project compared to existing ground conditions, and focuses on those effects that were not examined in a sufficient level of detail in the FEIR.

1.4.3.2 SEIR Format

a. Organization

A brief overview of the various chapters of this SEIR is provided below:

Chapter 1.0 Introduction. Contains an overview of the purpose and intended uses of the SEIR; identifies the Lead, Responsible, and Trustee Agencies; summarizes the SEIR scope and content; and details the CEQA environmental review process.

Chapter 2.0 Environmental Setting. Provides a description of the project’s regional context, location, and existing physical characteristics and land use. Available public infrastructure and services, as well as relationship to relevant plans, are also provided in this chapter.

Chapter 3.0 Project Description. Provides a detailed discussion of the project, including background, objectives, key features, off-site components, and environmental design considerations. A description of the discretionary actions required to implement the project is also included.

Chapter 4.0 History of Project Changes. Provides an outline of the project’s history and any changes in project design that have been made in response to environmental concerns raised during the City’s review of the project.

Chapter 5.0 Environmental Analysis. Provides a detailed evaluation of potential environmental impacts of the project. Consistent with the organization of the FEIR, Chapter 5.0 begins with the issue of land use, followed by the remaining issues included in order of significance. Under each issue area, this chapter includes a description of the existing conditions relevant to each environmental topic including the regulatory framework; identification of issue statements consistent with the issue statements in the FEIR, except where noted; presentation of threshold(s) of significance based on the applicable thresholds of significance by issue area; an assessment of any impacts associated with the implementation of the program- and project-level components, which are independently analyzed but collectively referred to as “the project”; a conclusion as to the

significance of any project impacts; and recommendations for mitigation measures and mitigation monitoring and reporting, as appropriate, for each significant issue area. Where mitigation measures are required, a statement regarding the significance of the impact after mitigation is additionally provided.

Chapter 6.0 Significant Unavoidable Environmental Effects/Irreversible Changes. Discusses the significant unmitigated impacts of the project, including those that can be mitigated but not reduced to below a level of significance. This chapter also describes the potentially significant irreversible changes that may be expected with the development of the project and addresses the use of nonrenewable resources during its construction and operational life.

Chapter 7.0 Growth Inducement. Evaluates the potential influence the project may have on economic or population growth within the project area as well as the region, either directly or indirectly.

Chapter 8.0 Cumulative Impacts. Identifies the impacts of the project in combination with other planned and future development in the region.

Chapter 9.0 Project Alternatives. Provides a description of alternatives to the project to reduce the project's potential impacts, particularly impacts related to biological and historical resources. This section includes a discussion of Alternatives Considered but Rejected, the No Project Alternative, and the Reduced Project Alternative.

Chapter 10.0 Mitigation Monitoring and Reporting Program. Documents all the mitigation framework and mitigation measures identified in this SEIR that are required to be implemented as part of the project.

Chapter 11.0 References Cited. Lists all of the reference materials cited in the SEIR.

Chapter 12.0 Preparers and Individuals Consulted. Identifies all of the preparers, individuals and agencies consulted during the preparation of the SEIR.

b. Technical Appendices

Technical appendices, used as a basis for much of the environmental analysis in the SEIR, have been summarized in the SEIR and are printed under separate cover as part of the SEIR. The technical appendices are available for review with the Draft SEIR, as noted in Section 1.5.1 below.

c. Incorporation by Reference

As permitted by CEQA Guidelines Section 15168(d)(2), this SEIR incorporates by reference the following Programmatic Environmental Impact Reports (PEIRs):

- The Final PEIR for the Otay Mesa Community Plan Update (Project No. 30330/304032; SCH No. 2004651076, February 2014)

- The Final Blueprint SD Initiative, Hillcrest Focused Plan Amendment, and University Community Plan Update PEIR (SCH No. 2021070359, July 2024)
- The Final PEIR for Complete Communities: Housing Solutions and Mobility Choices (SCH No. 2019060003, May 2020).

As permitted by CEQA Guidelines Section 15150, this SEIR also references several technical studies and reports, including:

- The 2024 City of San Diego General Plan (City 2024)
- The Otay Mesa Community Plan (City 2014)
- The Vernal Pool Habitat Conservation Plan (City 2019)
- The Complete Communities: Housing Solutions and Mobility Choices Program (City 2020)

Information from these documents has been briefly summarized in this SEIR as part of the regulatory settings in Chapter 5.0, *Environmental Analysis*, and their relationship to this SEIR is described. These documents are included in Chapter 11.0, *References Cited*, and are hereby incorporated by reference. They are publicly available for review online (see SEIR Chapter 11, *References Cited*, for the website addresses).

1.5 SEIR Process

The SEIR review process occurs in two basic stages. The first stage is the Draft SEIR, which offers the public the opportunity to comment on the document, while the second stage is the Final SEIR, which includes responses to public comments on the Draft SEIR and provides the basis for approving the project.

1.5.1 Draft SEIR

In accordance with Sections 15085 and 15087 (a) (1) of the CEQA Guidelines, upon completion of the Draft SEIR, a Notice of Completion is filed with the State Office of Planning and Research, and a notice of availability of the Draft SEIR is issued in a newspaper of general circulation in the area.

The Draft SEIR is distributed for review to the public and interested and affected agencies for the purpose of providing comments “on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated” (Section 15204, CEQA Guidelines).

This Draft SEIR, the FEIR, the proposed Specific Plan, and all related technical studies ~~were~~are available for review during the public review period at the offices of the City of San Diego, DSD, Entitlements Division, located at 1222 First Avenue, Fifth Floor, San Diego, California 92101. Copies of the Draft SEIR ~~were~~are also available at the following public locations:

Central Library
330 Park Boulevard
San Diego, CA 92101

San Ysidro Library
4235 Beyer Boulevard
San Diego, CA 92173

The Draft SEIR ~~was available on~~ ~~can be downloaded from~~ the City's website at:
<https://www.sandiego.gov/ceqa/draft>.

1.5.2 Final SEIR

Following public review of the Draft SEIR, the City ~~has~~ will ~~provided~~ written responses to comments per CEQA Guidelines Section 15088 and ~~the decision maker~~ will consider all comments in making its decision to certify the Final SEIR. Responses to the comments received during public review, a Mitigation Monitoring and Reporting Program, and Findings of Fact will be included with the Final SEIR. ~~If no new significant and unmitigated impacts are identified for the project, then the City may re-adopt the Statement of Overriding Considerations adopted in conjunction with the FEIR and the 2020 Complete Communities: Mobility Choices Final PEIR, in conjunction with approval of the VTM.~~

~~The SEIR must be reviewed and a decision regarding if it is recommended by the City's Planning Commission must be completed before continuing to the Land Use and Housing Committee for a recommendation on the approval/denial.~~ The culmination of this process is a public hearing where the City Council will determine whether to certify the Final SEIR as being complete and in accordance with CEQA. The Final SEIR will be available for public review on the City's webpage and distributed consistent with CEQA prior to the first City Council public hearing or discretionary action on the project.

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Chapter 2.0

Environmental Setting

This chapter describes substantive changes to the environmental setting, including the physical characteristics of the project area and the overall planning context, since preparation of the Otay Mesa Community Plan (OMCP) Final Environmental Impact Report (FEIR). Specific regulatory updates that have occurred since preparation of the FEIR are described in each of the relevant issue areas within Chapter 5.0, *Environmental Analysis*, of this Subsequent Environmental Impact Report (SEIR).

2.1 Regional Location

The project area consists of the proposed Southwest Village Specific Plan (Specific Plan) and associated improvements located outside of the Specific Plan area. The project components are located within the OMCP area in the southeastern portion of the City of San Diego (City), County of San Diego (County) (Figure 2-1, *Regional Location*). The OMCP area encompasses approximately 9,302 acres bounded by the Otay River Valley and the City of Chula Vista to the north; an unincorporated area of the County to the east; the U.S. International Border and City of Tijuana, Mexico, to the south; and Interstate 805 to the west. Since the completion of the FEIR, growth has continued to occur in the OMCP and the binational region surrounding the project area. For example, since 2014, several major infrastructure improvements and developments were completed in the vicinity of the project area, including the Otay Mesa Conveyance and Disinfection System Project, which constructed a potable water pipeline to convey desalinated sea water produced in Mexico into the Otay Water District, the Otay Crossings Commerce Park, and the Otay Mesa Vernal Pool and Upland Habitat Restoration Project.

2.2 Project Location

The project is located in the southwest portion of the OMCP area, mostly east of the San Ysidro community and just north of the U.S./Mexico border (Figure 2-2, *USGS Topography*). The project area is just south of State Route 905 (SR-905) and is accessed from the southern terminus of Caliente Avenue, south of Airway Road. As noted in the FEIR, residential development and San Ysidro High School are located along Airway Road to the north of the project area, and mostly undeveloped areas occur to the south, west, and east.

The OMCP and FEIR refer to the proposed Specific Plan area interchangeably as the Southwest Village and the Southwest Specific Plan area. The Southwest Specific Plan area analyzed in the FEIR is not identified by acreage, but neither the boundaries of the OMCP nor the boundaries of the Southwest Specific Plan area have been amended since their adoption in 2014. As envisioned in the OMCP and FEIR, a portion of proposed Beyer Boulevard West extends west beyond the OMCP boundaries into the San Ysidro Community Plan area.

The proposed Specific Plan area acreage is approximately 490 acres while the entirety of the project area evaluated in this SEIR consists of two areas totaling 531.8 acres. Approximately ~~377.4365.7~~

acres of the project area are evaluated at the program level while approximately ~~223.1466~~ 223.1 acres are evaluated at the project level (including ~~178.8121~~ 178.8 acres within the Specific Plan area and an additional 44.3 acres located outside the Specific Plan area. The project-level area of 223.1 acres reported here includes rough grading for PAs 15-20 and PA 7, which would occur in Phase 1, but these PAs would be developed in Phases 2 and 4 as part of the program-level areas. As a result, the acreage for PAs 15-20 and PA 7 are included in both the project- and program-level acreages above; however, they are only counted once in the total 531.8 acres analyzed in this SEIR. See Figure 2-3, *Aerial Photograph*).

2.3 Existing Physical Characteristics

The physical characteristics of the project area have not changed substantially since the FEIR was prepared. No major utility improvements or other land disturbing activities have occurred within the project area since the FEIR was prepared. The project area remains a flat mesa broken by irregular bluffs and canyons, along with smaller finger canyons that drain north into the Otay River Valley and south to the Tijuana River. Ground surfaces over the mesa top remain smooth and essentially featureless due to previous historic agricultural cultivation and off-road vehicle disturbance. Remnant vernal pool resources and/or ponding basins are still present within portions of the project area. Steep hillsides also remain on the west side of the Specific Plan area (i.e., slopes in excess of 25 percent gradient, as defined in the Hillside Guidelines of the Environmentally Sensitive Lands Regulations contained in Chapter 14, Article 3, Division 1 of the Land Development Code). Some residential and other buildings in the central portion of the Specific Plan area remain abandoned. Unofficial recreational uses, such as vehicle off-roading and undesignated mountain biking, continue to occur in the project area. Some habitat restoration areas have been established in the central portions of the project area.

Certain areas near the project area that were previously vacant have developed since preparation of the FEIR, including a multi-family residential development and internal roadways just north of the Specific Plan area, east of Caliente Avenue (i.e., Vista del Sur), and north of SR-905, east of Caliente Avenue (i.e., Agua Luna). A park and ride surface parking lot has also been constructed near the southwest corner of Caliente Avenue and Otay Mesa Road.

2.4 Planning Context

Most of the applicable planning documents described in the FEIR have not changed. The OMCP remains the applicable land use plan for the project area. The project site remains undeveloped and the "Neighborhood Village," "Open Space," "Parks," and "Institutional" land use designations within the Southwest Specific Plan area identified in the FEIR and OMCP remain (Figure 2-4, *Otay Mesa Community Plan Southwest District Land Uses*).

As shown in Figure 2-4, the OMCP designates the Specific Plan area land use densities for 15 to 25 dwelling units per acre within the Neighborhood Village land use. Neighborhood Village land uses are anticipated to include housing in a mixed-use setting and convenience shopping, civic uses as an important component, and services serving an approximate three-mile radius. The OMCP identifies anticipated residential buildout for the Southwest Specific Plan area to be 1,400 single-family units

and 4,480 multi-family units for a total of 5,880 units supporting an anticipated buildout population of 21,028 people. Future roadway connections via Caliente Avenue and Beyer Boulevard are also identified in the OMCP (see Figure 2-4).

The discussion below focuses on new plans and substantive changes to applicable planning and policy documents since the FEIR was completed.

2.4.1 City of San Diego General Plan and Otay Mesa Community Plan

The City's General Plan sets forth a comprehensive long-term plan for development within the City. The General Plan incorporates a City of Villages strategy, which redirects development to areas with available urban amenities and includes the following 11 elements: Land Use and Community Planning; Mobility; Urban Design; Economic Prosperity; Public Facilities, Services, and Safety; Recreation; Conservation; Noise; Environmental Justice, Historic Preservation; and Housing. Since preparation of the FEIR, the City adopted several updated General Plan elements, including the: Conservation Element (2012), Mobility Element (2015), Noise Element (2015), 2021-2029 Housing Element (2021), Recreation Element (2021), Public Facilities, Services, and Safety Element (2022), Economic Prosperity Element (2015); and adopted the Environmental Justice Element (2024). As part of the 2021 Recreation Element update, the City adopted the "Parks Master Plan, Parks for All of Us." The Parks Master Plan provides policies, actions, and partnerships for planning parks, recreation facilities, and programs that reflect the City's General Plan vision.

Finally, a comprehensive update to the General Plan occurred in July 2024 to align with the City's adopted Climate Action Plan (CAP) as well as the new goals, policies, and discussion that support the City's objectives for climate action, fair housing, and equity. While none of the General Plan amendments included location-specific land use designation or zoning changes, the 2021-2029 Housing Element lists vacant sites within the Southwest Village as part of its Housing Sites Inventory (City 2024). The General Plan (2024) and 2021-2029 Housing Element are the most current City-wide planning documents relevant to the project analyzed in this SEIR.

The General Plan is implemented at the community level through Community Plans. The OMCP includes policies and goals to guide the development of a Village Center within the project area. The OMCP identifies the Southwest Specific Plan area as a planned ~~Neighborhood~~ Village. The General Plan defines a "village" as the mixed-use heart of a community where residential, commercial, employment, and civic uses are all present and integrated. Each village would be unique to the community in which it is located. All villages will be pedestrian-friendly and characterized by inviting, accessible, and attractive streets and public spaces. These spaces would vary from village to village and may consist of public parks or plazas, community meeting spaces, outdoor gathering spaces, passive or active open space areas that contain desirable landscape and streetscape design amenities, or outdoor dining and market activities. Individual villages would offer a variety of housing types and rents/prices.

The OMCP has been amended since adoption in 2014; including corrections to address inconsistencies between the land use and zoning map in 2015 and adoption of the Otay Mesa Central Village Specific Plan in 2017. The land use and zoning corrections involved updating the City's

Zoning Ordinance to provide consistency between the Zoning Ordinance and the adopted planning document. Adoption of the Otay Mesa Central Village Specific Plan involved an area located a few miles east of the project area and did not change any of the planning or development requirements for the project area.

2.4.2 Conservation Planning

2.4.2.1 City of San Diego Multiple Species Conservation Subarea Plan

The Multiple Species Conservation Program (MSCP) is a comprehensive, long-term habitat conservation planning program that is designed to preserve native habitat for multiple species by identifying areas for directed development and areas to be conserved in perpetuity, referred to as the Multi-Habitat Planning Area (MHPA). The project site is included in the City's MSCP Subarea Plan (City 1997). The MHPA within the Specific Plan area includes the termini of three canyon areas totaling 9.7 acres. MHPA lands also surround the Specific Plan to the north, west, south, and east (Figure 2-5, *MHPA and VPHCP Conservation Areas*). Since preparation of the FEIR, the City approved the Vernal Pool Habitat Conservation Plan (VPHCP), which expanded the MHPA established in the City's MSCP Subarea Plan to conserve additional lands with vernal pools that are occupied with vernal pool covered species. Discussion of the VPHCP is below.

2.4.2.2 Vernal Pool Habitat Conservation Plan

The VPHCP was approved by the City Council in January 2018 and provides a regulatory framework to protect, enhance, and restore vernal pool resources in specific areas within the City's jurisdiction, while improving and streamlining the environmental permitting process for impacts to seven threatened and endangered species not covered under the City's MSCP Subarea Plan, including five plant and two crustacean species (City 2019). The VPHCP preserve area expands on the City's existing MHPA by identifying hardline VPHCP preserve areas, referred to as VPHCP/MHPA, in addition to "100 % conserved lands." A total of 45.93 acres are identified as existing VPHCP/MHPA and a total of 19.3644.72 acres are identified as 100% conserved lands within the project area (see Figure 2-5).

2.4.3 San Diego Forward: The 2021 Regional Plan

The San Diego Association of Governments (SANDAG) is the regional authority that creates region-specific documents to provide guidance to local agencies. The SANDAG 2021 Regional Plan combines two of the region's existing planning documents: the Regional Comprehensive Plan for the San Diego Region and the Regional Transportation Plan/Sustainable Communities Strategy into the SANDAG 2021 Regional Plan (Regional Plan; SANDAG 2021). The SANDAG 2021 Regional Plan identifies the Specific Plan area as the location for a future mobility hub, with connections to regional arterials, the regional bike network, managed lanes, and transit leap improvements.

2.4.4 Complete Communities: Housing Solutions and Mobility Choices Program

The Complete Communities Programs, as adopted by the City Council in 2020 as amendments to the San Diego Municipal Code (SDMC), provide incentives to increase housing production and improve the mobility network around existing transit and development. The Complete Communities Programs remove regulatory barriers to producing housing; invest in walking, biking, and transit infrastructure; and invest in neighborhood and mobility amenities, such as street trees, bicycle facilities, and promenades. The Complete Communities Housing Solutions Program does not apply to the project as the project does not qualify; however, the project would be consistent with the Mobility Choices Program and the associated Mobility Choices Regulations as detailed in Section 5.12, *Traffic/Circulation*. The Specific Plan includes a land use plan to promote housing, walking, biking, and transit centered around a Village Core in Planning Area (PA) 24 through PA 27 to provide access to a variety of recreational amenities, including a connective pedestrian and bicycle network, a multi-use neighborhood park, and natural open space trail areas (see Figure 3-1, *Specific Plan Land Use Plan*).

2.4.54 Transportation Study Manual

The City's Transportation Study Manual (TSM) was most recently updated in September 2022 and requires that all projects complete a Local Mobility Analysis (LMA) unless they meet the following trip generation screening criteria:

- Land uses consistent with the Community Plan/Zoning Designation: Generate less than 1,000 daily unadjusted driveway vehicle trips,
- Land uses inconsistent with the Community Plan/Zoning Designation: Generate less than 500 daily unadjusted driveway vehicle trips, or
- Projects in the Downtown Community Planning Area that generate less than 2,400 daily unadjusted trips.

The LMA is intended to identify the transportation effects of proposed development projects and to determine whether the project triggers the need for any improvements to the adjacent and nearby road system to achieve acceptable mobility for vehicles, bicyclists, pedestrians, and transit. The TSM provides guidance for the vehicle miles traveled (VMT) Significance Determination Thresholds, screening criteria, and methodology for conducting the VMT analysis, while the LMA is required to identify any off-site infrastructure improvements in the project vicinity that may be triggered with the development of the project. The LMA also analyzes site access and circulation and evaluates the local multi-modal network available to serve the project. Consistent with the TSM, an LMA and a VMT analysis were completed for the project since it did not meet the screening criteria. Refer to SEIR Section 5.12, *Traffic/Circulation*, for further details.

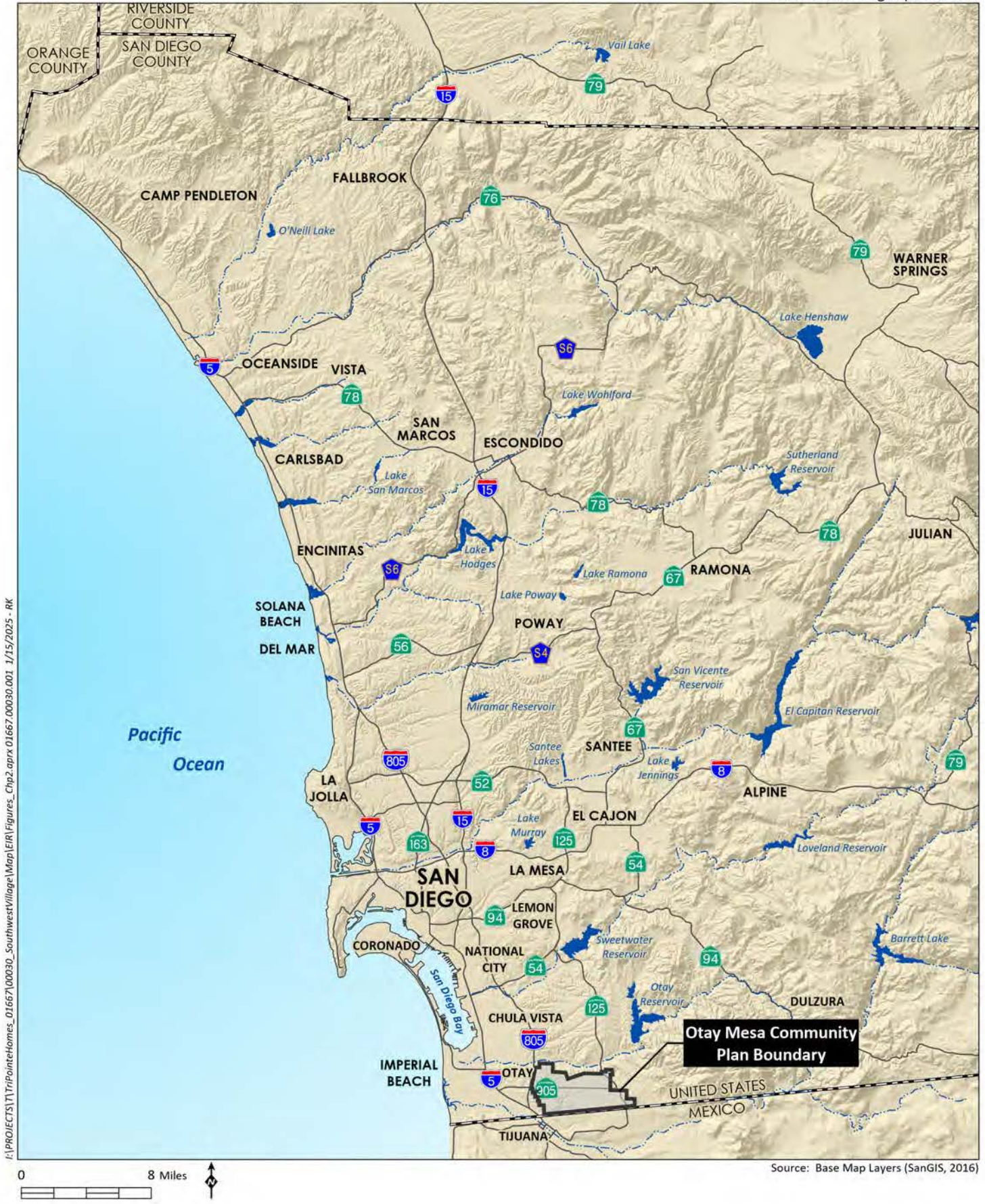
2.4.65 Climate Action Plan

The 2022 CAP establishes a community-wide goal of net zero by 2035, committing San Diego to an accelerated trajectory for greenhouse gas (GHG) reductions. The CAP outlines federal, regional, and local actions to reduce GHG emissions. The 2022 CAP builds upon and updates the 2015 CAP, which included a municipal operations and community-wide GHG emissions baseline calculation from 2010 and sets a target to achieve a 15 percent reduction from the baseline by 2020. The 2022 CAP considers the updates in federal, state, and local regulations regarding GHG emission reductions. California's Assembly Bill (AB) 32 (2006) and Senate Bill (SB) 32 (2016) legislation set a state GHG reduction goal of returning to 1990 emissions levels by 2020, and reducing a further 40 percent below 1990 levels by 2030. It requires the California Air Resources Board to develop a Scoping Plan that lays out California's strategy for meeting the goals. The 2022 Scoping Plan for Achieving Carbon Neutrality (2022 Scoping Plan) lays out a path to achieve targets for carbon neutrality and reduce anthropogenic GHG emissions by 85 percent below 1990 levels no later than 2045, as directed by AB 1279. The goals in the CAP are consistent with the requirements of SB 32, exceeding the necessary GHG reduction targets. The State has committed to carbon neutrality by 2045 through carbon sinks, carbon capture, or carbon storage. Project components would be consistent with these stated goals through the development of a mobility hub within the Village Core, the preservation of open space, and compliance with the Climate Action Plan Regulations~~other features such as all-electric construction for the project-level components.~~

On March 25, 2020, the San Diego City Council passed Resolution Number 312891: Declaring a Climate Emergency and the Need for Accelerated Action to Address the Climate Crisis. The resolution acknowledges the need for accelerated local action to address the climate crisis and is the foundation for the ambitious net-zero goal laid out within the CAP. The City utilized the International Council for Local Environmental Initiatives Community Protocol to develop science-based targets for 2030 and 2035 and used a starting year of 2019.

2.5 Parcel Ownership

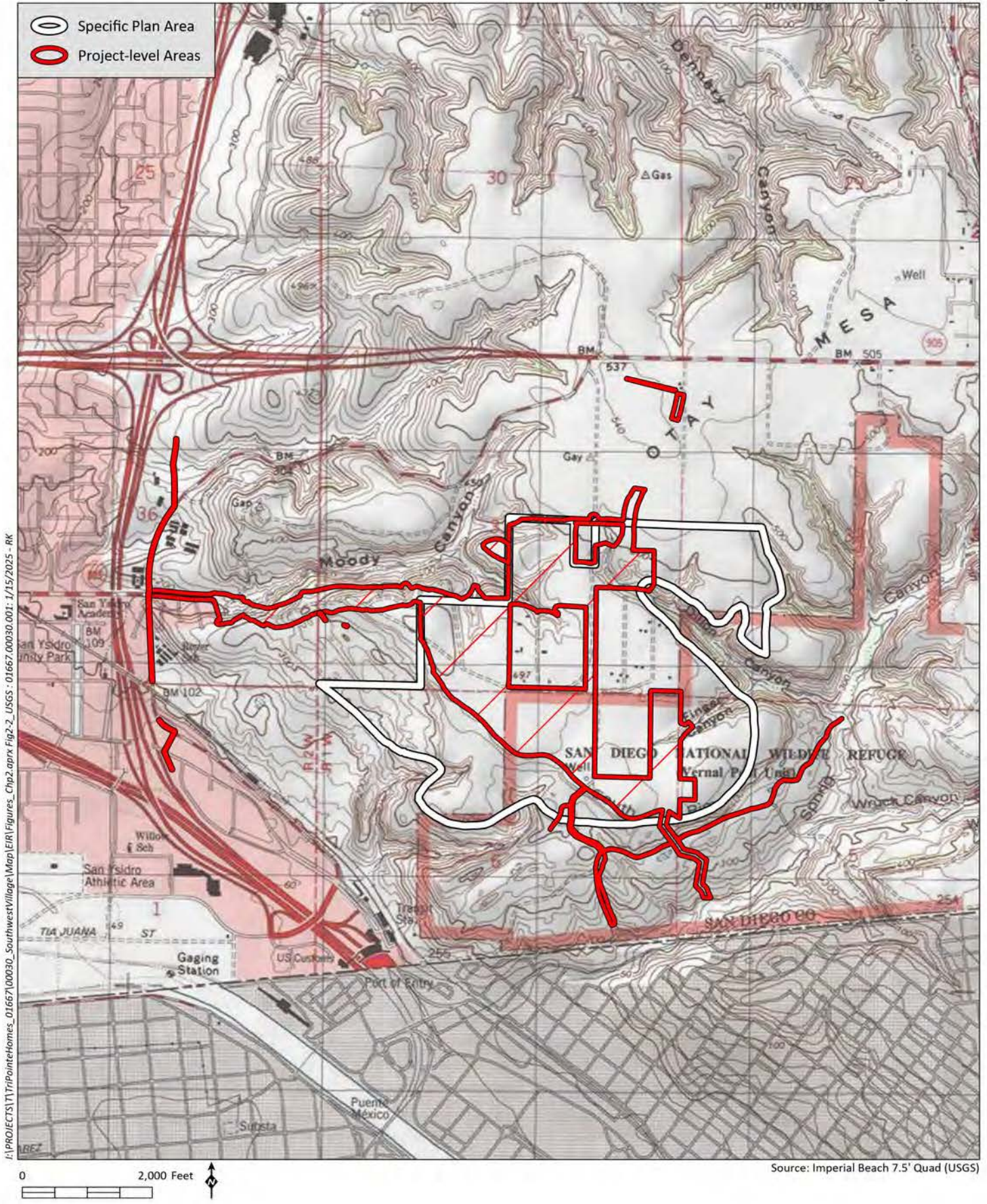
Similar to the conditions at the time of the preparation of the FEIR, various entities have ownership of land within the project area. The project applicant, Tri Pointe Homes, continues to be one of the largest landowners in the Specific Plan area; but a number of other private parties also own land within the project area. Since the completion of the FEIR, the City has acquired several one-acre parcels within the Specific Plan boundary that are intended for vernal pool conservation purposes. Tri Pointe Homes owns many of the parcels within the project area, including the area within the proposed Vesting Tentative Map. Figure 2-6, *Parcel Ownership*, identifies the various ownerships and parcel boundaries within the Specific Plan area and surrounding lands.



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Regional Location

Figure 2-1

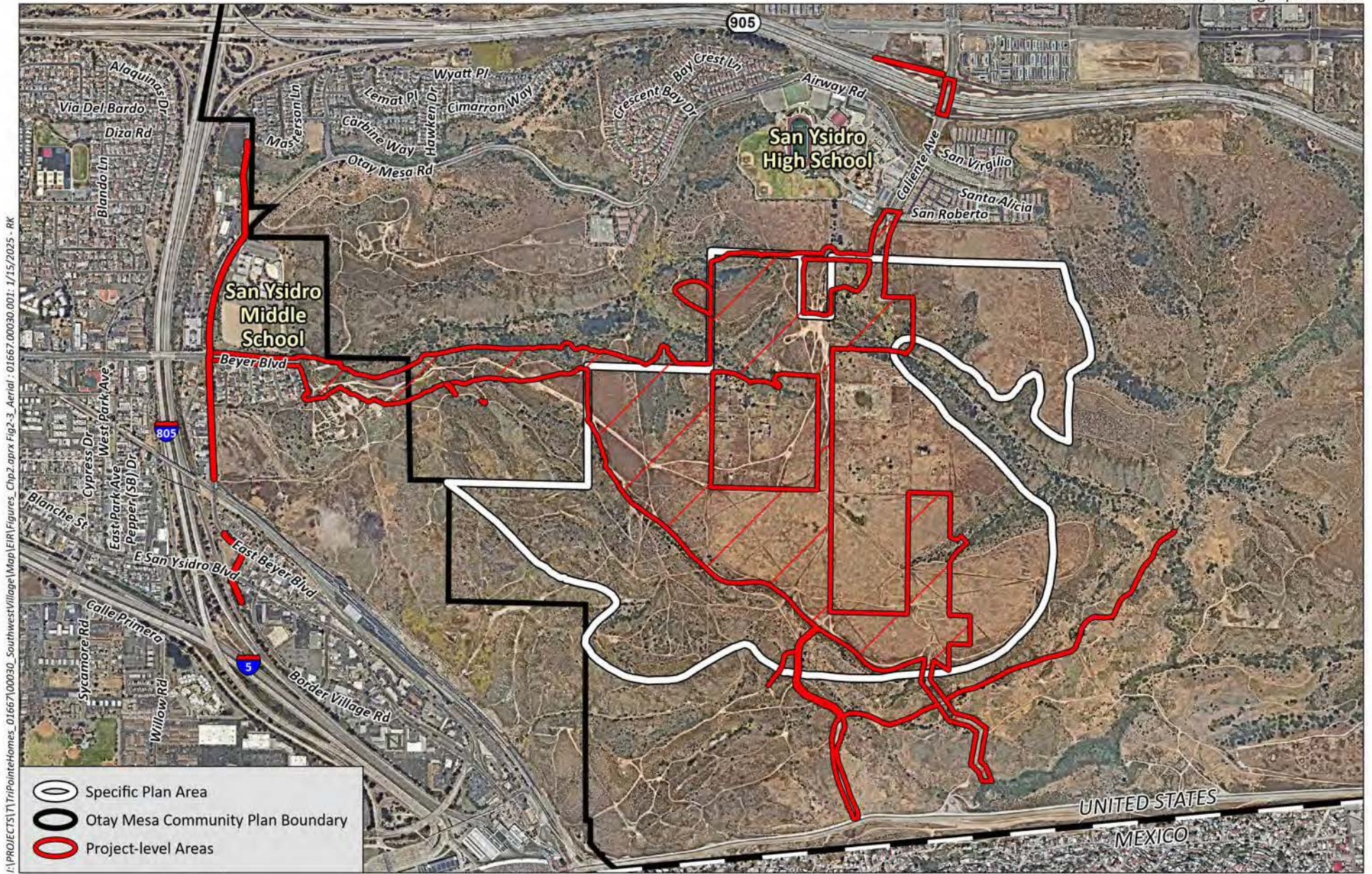


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Source: Imperial Beach 7.5' Quad (USGS)

USGS Topography

Figure 2-2



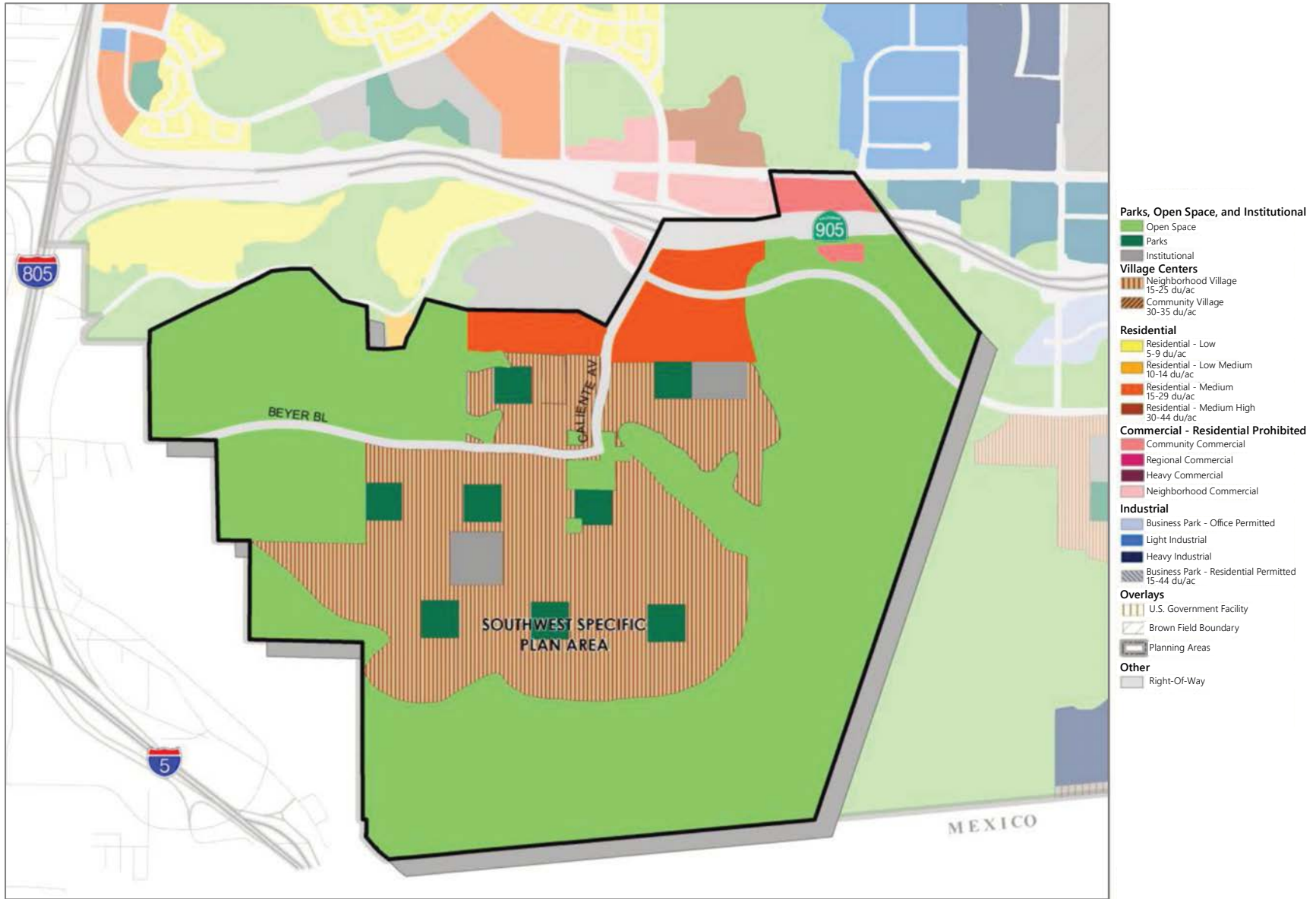
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Source: Aerial (Nearmap, May 2024)

Aerial Photograph

Figure 2-3

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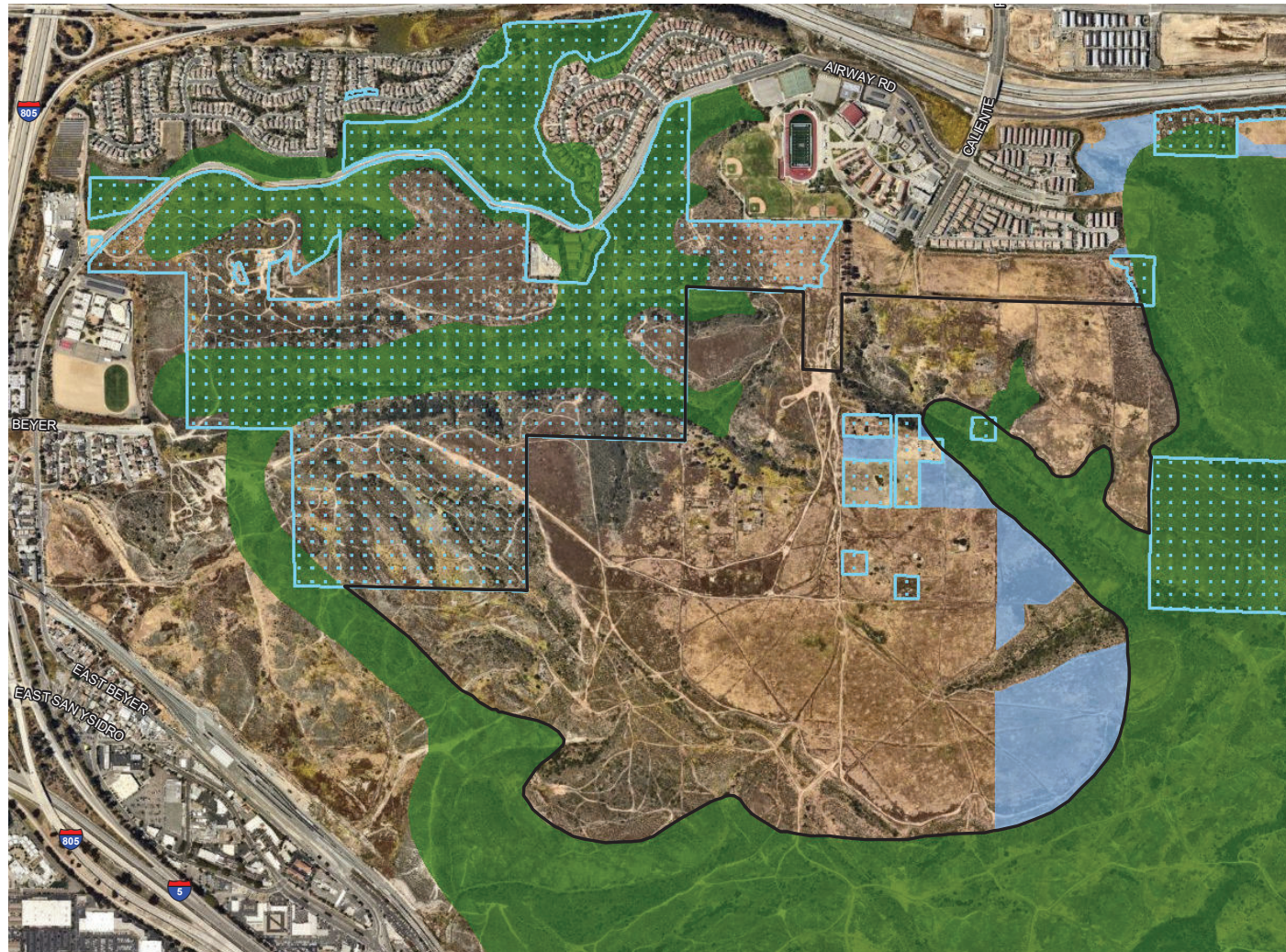


Source: RECON 2026 RECON 2023

Otay Mesa Community Plan Southwest District Land Uses

Figure 2-4

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- Specific Plan Area
- Baseline MHPA
- VPHCP/MHPA
- 100 Percent Conservation

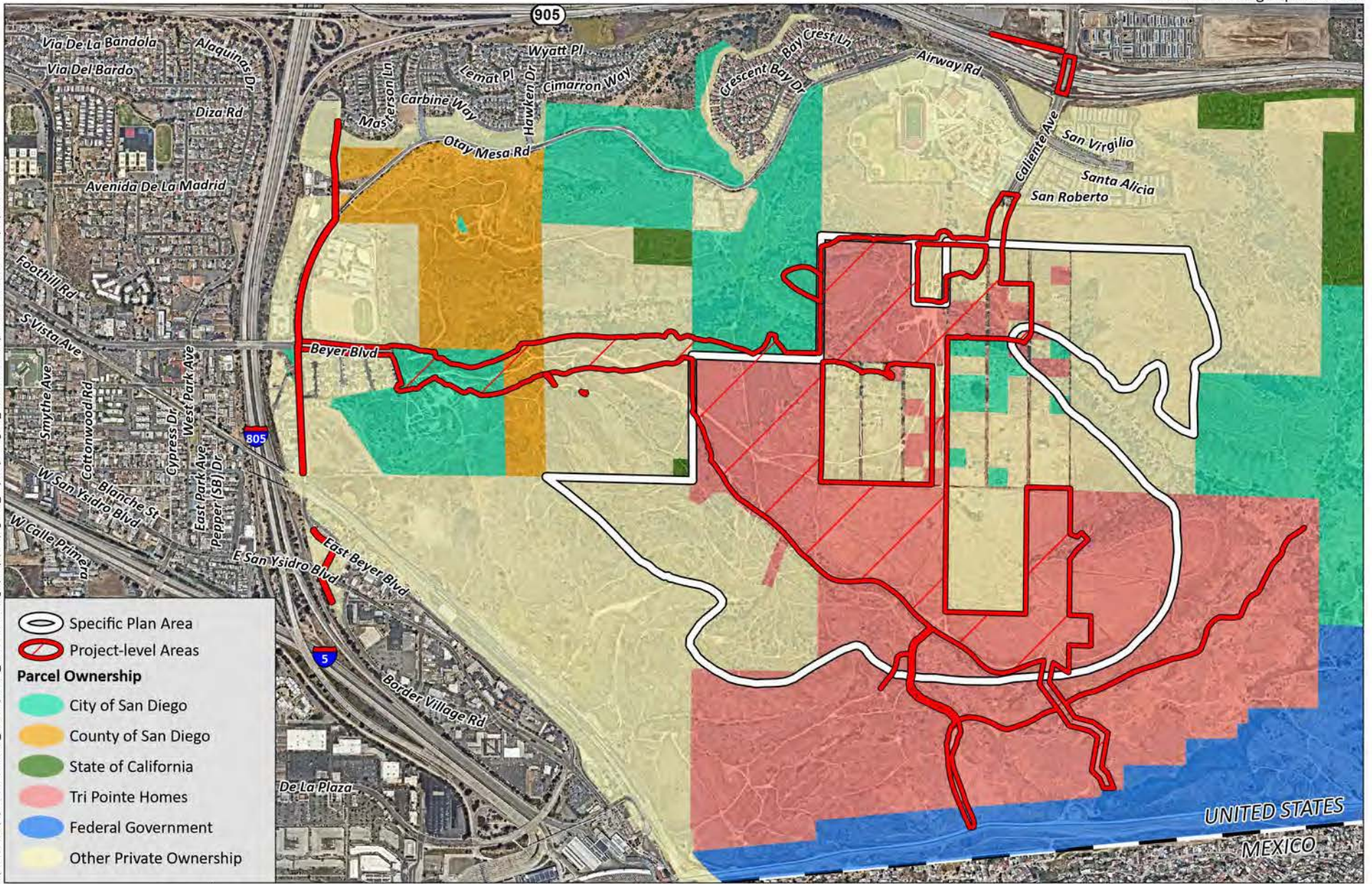


Source: RECON 2026 RECON 2023

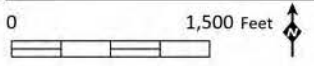
MHPA and VPHCP Conservation Areas

Figure 2-5

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Specific Plan Area
 Project-level Areas
Parcel Ownership
 City of San Diego
 County of San Diego
 State of California
 Tri Pointe Homes
 Federal Government
 Other Private Ownership



Source: Aerial (Nearmap, May 2024)

Parcel Ownership

Figure 2-6